Hi, this is Chris Micheli with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law. Thanks for joining today's podcast where we take a look at some of the judicial branch support agencies.

As you know, California has three branches of government, like the federal government. California's judicial branch is supported by several important entities that assist the judiciary in operating efficiently. They are the Commission on Judicial Appointments and the Commission on Judicial Performance. Let's take a look at each one.

The Commission on Judicial Appointments, CJA, is charged with reviewing gubernatorial appointments to the appellate courts in our state. The CJA is comprised of the Chief Justice of the Supreme Court, who is currently Tani Cantil-Sakauye, and then the Attorney General of the State of California, Xavier Becerra. And then it's either the most senior presiding justice on the court of appeal of the affected district - when you're dealing with a court of appeals appointee - or with a Supreme Court appointee, the third member of the Commission is the state's most senior presiding justice from the court of appeal.

When an attorney is nominated by the Governor, basically that appointee must be reviewed by the Commission on Judicial Appointments. There is a public hearing that's held on the nomination so that the appointee's credentials can be considered in a public forum. And then the appointment of that appellate or Supreme Court justice is effective once the CJA confirms the individual.

The second commission is the Commission on Judicial Performance, CJP. Here, the Commission is charged with overseeing judges in the state. It's an independent state agency. Its role is to investigate misconduct complaints that are lodged against California judges and justices. Pursuant to the California Constitution, that's in Article VI, Section 18, they can discipline judges.

The Commission can also share the responsibility for overseeing the court commissioners and court referees. They do this in collaboration with the local courts. This is also pursuant to the Constitution in Article VI, Section 18.1.

Now, with the CJP, once a formal charge is filed against a sitting judge then this Commission has to conduct a public hearing and in Article VI, again, which is the judicial branch of government of our state constitution, in Section 18(d) it sets forth the authority of the Commission. Amongst the authorities granted to the CJP is the authority to remove a judge or censure a judge for any action that constitutes willful misconduct or if there's some sort of persistent failure or inability for the judge to perform his or her duties.

Another authority the Commission has is to either publicly or privately admonish a judge who engaged in some sort of improper actions or dereliction of his or her duty. Then there's also authority to actually retire a judge for disability when it seriously interferes with the performance of the judge's duties.

Once the Commission proposes to either remove, censure, admonish, or retire a judge, that ruling by the Commission itself is actually subject to review by the California Supreme Court.

So who makes up this Commission? It's got 11 members - three judges who are appointed by the Supreme Court, four members who are appointed by the Governor, two of them have to be attorneys, and two of them have to be non-attorney public members. Then there are two public members who are appointed by the Assembly Speaker and two public members appointed by the Senate Committee on Rules. Each of these terms are for four years.

So these two Commissions, again, play very important roles in assisting the judicial branch by, one, reviewing the qualifications of judges providing confirmation hearings for appellate court justices, and then the second commission for regulating and disciplining judges when complaints have been filed by members of the public.

Thanks for joining this podcast to take a look at the judicial branch support agencies.