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THE ESTABLISHMENT OF A HUMAN RESOURCES DIVISION IN A RURAL CALIFORNIA TRIAL COURT

With the advent of state trial court funding in California, courts and counties have begun separating administratively. Research was commenced to determine if rural trial courts in California should or should not establish their own in-house human resources divisions, or if they should remain with their counties for oversight of that responsibility. Because human resources can include a wide variety of responsibilities such as payroll, risk management, training, and others, courts must determine whether it will be a sound business decision to separate administratively from its county.

The goal of the research was to determine whether it is cost effective to pull away from county-provided services and if doing so will solve conflicts between courts and counties in light of the new responsibilities placed on the courts.

As an element of the research, a survey was sent to all trial courts in California asking basic questions about whether they had an established human resources division, whether they were planning to do so, and the number of judges and staff members in each court. Telephone contacts were also made with court executive officers and other court staff in courts, which have established human resources divisions to examine issues that have arisen, and how they were resolved. In addition, the laws regarding court employment were extensively researched to ensure that accurate information was gathered for the paper.

Research shows that the greatest percentage of trial courts in California are either

planning to establish a human resources division, or are in the process of doing so. Only nine of 58 courts reported no plan on the horizon to establish such a division. The research shows the basic responsibilities for the human resources division are primarily personnel-related activities. Those responsibilities include oversight of benefits, hiring, managing personnel policies and procedures, orientation of new employees, and labor negotiations. There was a consensus that payroll should not be a function of the human resources division, and that local conditions should determine whether the responsibilities for risk management, including worker's compensation, should be handled within the division.

Although money is the major factor in the decision-making process, the paper concludes that courts should establish human resources divisions and sever that relationship with their counties, both because county boards of supervisors no longer have jurisdiction over court employees and should not be making decisions as to their employment, and because those duties rest clearly with the courts. It is recommended that any court funds historically used to support county personnel services be used to recruit court employees to handle all personnel-related activities. Since courts are not required to sever all administrative functions with their respective counties, it is observed that a separation could be accomplished one step at a time. However, undertaking responsibility for personnel activities is one of the most important administrative functions, and other responsibilities can be assumed after a human resources division is established.

This [research paper](#) is available in its entirety in portable document format. To access, you must first obtain and install the Adobe Acrobat Reader.



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