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April 22, 2020

Administrative Records Request  
c/o Central Civil Operations Administration  
Room 109, Stanley Mosk Courthouse  
111 N. Hill Street  
Los Angeles, CA 90012

Re: Administrative Records Request under Rule 10.500  
2016-2019 Records on GAL appointments: Policies and Practices

Dear Court Clerk:

This request for administrative records is submitted by Bettys' Hope, a nonprofit organization whose mission is to promote reforms in California's probate courts.

The purpose of this request is to obtain records of budget and management information pertaining to the recruitment, appointment, training, payment, monitoring, discipline, and removal of attorneys or others who are authorized by the superior court to serve as guardians ad litem in proceedings conducted in the probate division of the superior court, hereinafter referred to as the GAL program.

The information obtained from these records will be used in a report to be submitted later this year to the California Supreme Court regarding possible clarifications to the Code of Judicial Conduct to ensure that appointments of guardians ad litem are done in a manner consistent with judicial ethics.

A similar report on appointment of counsel in probate conservatorships was submitted to the Supreme Court in 2018 by Spectrum Institute.

<https://spectruminstitute.org/ethics/>

According to the Los Angeles County Bar Association, "Guardians ad litem ("GALs") are playing an increasingly frequent role in probate matters." ("Guardian ad Litem Mandatory Training," Website Announcement, Los Angeles County Bar Association, Feb. 6, 2018.) (<https://spectruminstitute.org/lacba-program.pdf>)

It is therefore important that the process used by the court in connection with its GAL program be transparent as well as fair in both practice and appearance. It is also important that all aspects of the program conform to judicial and legal ethics.

The request is made pursuant to Rule 10.500 of the California Rules of Court. This rule is intended to provide public access to judicial administrative records, including records of budget and management information relating to the administration of the courts. A judicial branch entity must allow inspection and copying of judicial administrative records unless the records are exempt from disclosure under this rule or by law.

If a judicial branch entity determines that a request seeks disclosable judicial administrative records, the judicial branch entity must make the disclosable judicial administrative records available promptly.

Judicial administrative records subject to inspection include, but are *not limited to*: budget information submitted to the Judicial Council; and other budget and expenditure document pertaining to the administrative operation of the court; payment information and policies concerning services provided by outside vendors; and final audit reports.

"Judicial administrative record" means any writing containing information relating to the conduct of the people's business that is prepared, owned, used, or retained by a judicial branch entity regardless of the writing's physical form or characteristics. "Writing" means any handwriting, typewriting, printing, photographing, photocopying, electronic mail, fax, and every other means of recording on any tangible thing any form of communication or representation, including letters, words, pictures, sounds, symbols, or combinations, regardless of the manner in which the record has been stored.

Upon receipt of an administrative records request, the court should *assist* the requestor in identifying records *and information* responsive to the request or purpose of the request and by *providing suggestions* for overcoming any practical basis for denying inspection or copying of the records or information sought. In other words, Rule 10.500 contemplates cooperation with the request, not avoidance, obstruction, or delay.

