

6/10/60

Memorandum No. 51 (1960)

Subject: Preliminary budget decisions.

The Commission must approve a budget for the 1961-62 fiscal year at the July 1960 meeting if it is to meet the deadline for submitting its budget to the Department of Finance. A tentative budget for the 1961-62 fiscal year will be submitted to the Commission at the July 1960 meeting. In order to assist us in preparing this tentative budget, three policy matters should be considered at the June meeting.

I. Additional Temporary Clerical Help.

Facts: The present clerical staff of the Commission consists of:

1 Senior legal stenographer (full-time)

1 Intermediate stenographer-clerk (full-time)

Intermittent intermediate stenographer-clerks  
(part-time)

Pursuant to the State Civil Service Law, the Commission has appointed three intermittent intermediate stenographer-clerks. These three women are on a call basis and work when needed. Sometimes all three work at the same time; at other times none of them are working.

For the 1959-60 and 1960-61 fiscal years the Commission is authorized to expend for these part-time employees an amount of money equal to approximately one-half the salary of a full-time employee of the same class (intermediate stenographer-clerk). For the 1960-61 fiscal year the amount authorized to be expended is \$1,800 (with an anticipated additional 10

per cent from the salary increase fund to cover the salary increase for this class).

Recommendation: This amount (1/2 salary of a full-time employee) should be increased for the 1961-62 fiscal year so that we are authorized to expend an amount of money equal to the salary of a full-time employee in the same class. This will, in effect, at least double the amount of this item in the 1961-62 budget.

Reason for recommendation: This increase is required for two reasons: (1) increased clerical assistance is needed in connection with the preparation of materials for Commission meetings and (2) additional clerical help is needed in connection with typing, proofing, etc., of materials -- such as the Uniform Rules of Evidence studies -- for publication. In the past we have used the Stanford Research Contract for clerical assistance in connection with the printing program. It is, however, proposed that the money available under the Stanford Research Contract be used so far as possible to provide cite checking, etc., rather than routine clerical services.

In addition, increasing the funds available for clerical help will, to some extent, relieve our full-time clerical personnel from some of the tension that results from having to meet short deadlines without sufficient clerical help. This in turn will, we hope, reduce our turnover in our full-time intermediate stenographer-clerk position. Prior to the present appointee, six different women served in this position during a 12-month period -- an average length of service of two months.

## II. Reclassification of Position of Junior Counsel to Assistant Counsel

Facts: The Commission has a staff of three attorneys. The third

attorney on the Commission's staff has the civil service classification of Junior Counsel. This is the lowest classification of attorney in the state service. After one year in the state service, a Junior Counsel is eligible to take the examination for Assistant Counsel. Our present Junior Counsel has passed the open examination for Assistant Counsel.

Recommendation: It is recommended that the position be budgeted as an Assistant Counsel in the budget for the fiscal year beginning on July 1, 1961.

Reason: This recommendation is based on the assumption that we want to discourage turnover in this position and also to give the person who is appointed to the position duties on the Assistant Counsel level.

We use law students under the Stanford research contract to do much of the cite checking, etc., in connection with preparing consultant's studies for publication. However, a permanent staff member of the Commission must exercise general supervision over these students and assume the primary responsibility for seeing that the printing program is kept on schedule. This requires several years experience and if we have a turnover on the staff it will require a substantial amount of the time of the Executive Secretary or the Assistant Executive Secretary to supervise the printing program.

Formerly the Junior Counsel was able to devote some of her time to "spot research" and to the preparation of research studies. At the present time, however, because of the increased printing program the Junior Counsel has been devoting almost all her time to the supervision of the Commission's printing program and to preparing the minutes of Commission meetings. We have submitted a Stanford Research Contract to the

Department of Finance for approval covering the 1960-61 fiscal year and this contract should enable us to relieve the Junior Counsel of some of the detail work in connection with the printing program. Also, if item I (above) is approved, we will be able to provide more clerical assistance to the printing program. This will, we anticipate, permit us to utilize the Junior Counsel for more responsible duties -- duties that will, we believe, justify a reclassification of the position to Assistant Counsel. Specifically, in addition to general supervision of the printing program, we would like to use the Assistant Counsel to take over the primary responsibility for several minor studies that will be on the Commission's agenda after the 1961 legislative program is ready for submission to the Legislature. We also have several studies prepared by consultants that need to be supplemented by additional research which the Assistant Counsel could undertake and several staff studies that need to be completed.

### III. Rent for Office Space at Stanford

Dean Carl B. Spaeth, Stanford Law School, will be present at the Commission meeting at 9:00 a.m. on Friday, June 17, to discuss this matter with the Commission.

Respectfully submitted,

John H. DeMouilly  
Executive Secretary

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LAW REVISION COMMISSION

1960-61 AUTHORIZED BUDGET

	<u>Man Year Count</u>	<u>Amount</u>
Salaries and Wages (Including Employees' Retirement)	5.3	\$48,778
Salary Increase (Subject to SPB Action)		3,026
Operating Expenses and Equipment		45,348
2.2% Savings of Total Budget		<u>-2,137</u>
Total 1960-61		\$95,015
<u>TOTAL ALLOCATIONS FOR 1961-62</u>		\$95,015