

BUSINESS DEVELOPMENT PROPOSAL



Title: A Proprietary Judicial Process Development Plan
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I. OBJECTIVE

A Business Development Proposal for a proprietary plan to develop a process revision for a particular aspect of judicial administration within California state trial courts.¹

II. PURPOSES

- 1) Prepare a plan that, if adopted for implementation, would revise a particular aspect of judicial administration process within California state trial courts for efficiency as further explained,
- 2) Potentially reduce scheduling burdens upon California state trial courts with respect to the judicial administration process to be revised,
- 3) Allow California state trial courts to potentially reduce “active proceeding” courthouse hours currently used in the administration of justice,
- 4) Potentially optimize and allocate the limited availability of judicial officers’ time to other more useful matters,
- 5) Potentially simplify judicial decision-making concerning the judicial administration process to be revised,

¹ Although this Proposal concerns an aspect of California civil judicial administration process, it is likely to have application to California criminal judicial administration process as well.

- 6) Potentially reduce certain litigation costs upon parties with respect to the judicial administration process to be revised,
- 7) Potentially reduce specific litigation-related attorney fees expenses upon parties with respect to the judicial administration process to be revised,
- 8) Potentially optimize attorneys' schedules with respect to the judicial administration process to be revised,
- 9) Potentially optimize the trial court record to be created with respect to the judicial administration process to be revised,
- 10) Potentially optimize and simplify California appellate court review of certain trial court orders with respect to the judicial administration process to be revised, and²
- 11) Potentially create a model process for adoption and implementation within non-California state trial courts and other adjudicatory forums with respect to the judicial administration process to be revised.

² This Proposal does not involve a proposed revision to appellate judicial administration process and only indirectly affects appellate judicial review through the proposed revision to state trial court judicial administration process.

III. DEVELOPMENT PROPOSAL

Within the United States, California is the third largest state in the country, as based upon land mass area. While trailing behind Alaska and Texas in size, it is nonetheless the most populous state with an impressive population of approximately 40 million people. California is comprised of 58 counties with varying natural resources and a topography that includes coastlines, mountains, urban and rural areas alike, and an international land border with the south neighboring country of Mexico.

With California's large size and significant population and economy, it likewise has a significant state judicial system with approximately 1800 judicial officers in its employ. With most state court judicial officers earning a salary of about \$180,000, or approximately \$90 per hour as based upon an hourly wage conversion, even a nominal optimization of judicial administration processes presents a significant opportunity in overall expense savings.

This "value added" proprietary process Business Development Concept ("BDC") (see BDC description on our "Services" webpage) and related Proposal is for a plan to potentially revise a particular judicial administration process that, if successfully adopted for implementation, could have high impact through annual expense savings of several millions of dollars each year. As mentioned in this first footnote, this BDC and Proposal was conceived with California state civil judicial administration processes in mind. While the specific distribution of civil versus criminal judicial assignments within the California state judiciary is unknown, even a nominal one-hour optimization of the schedules of a

fraction of California's state judicial officers would be economically significant. For example, assuming a modest 800 judicial officers had civil law department assignments, a one-hour optimization of civil judicial administration procedures would equate to **an annual expense savings exceeding \$3.7 million.**³ (800 judicial officers x 1 hour of time savings at \$90 per hour x 52 weeks in a year = \$3.744 million). When one considers that the number of civil law judicial assignments is likely considerably higher, or that the possible time optimizations may be significantly greater, the potential expense savings could exceed \$5 million on an annual basis. If this BDC and Proposal were further developed and ultimately adopted for implementation, there is a **potentially limitless cumulative expense savings** that might be realized by California alone.

IV. FEE REQUEST FOR DEVELOPMENT

The factors involved in the pricing of this BDC, the Business Development Proposal, and would-be Development Plan include:

- 1) The proprietary nature of the BDC, Development Proposal, and Development Plan,
- 2) The novelty of the BDC, Development Proposal, and Development Plan,
- 3) The available resources to the state in overall budgeting for state operations related matters,

³ This Proposal, if implemented, is reasonably estimated to save a couple hours of dedicated "active proceedings" court time expended by state court civil judicial officers, which partly depends on the nature of pending cases comprising their case load docket.

4) The available resources within the state budget that are allocated to court operations related matters,

5) The fifty-eight counties within the state of California and related high impact upon state court operations if the plan were adopted for implementation,



6) The character of public funds that are likely to be used to pay for any further development of this BDC,⁴

7) The approximate \$90 per hour cost of judicial labor resources that are used within the California court system for the administration of justice,

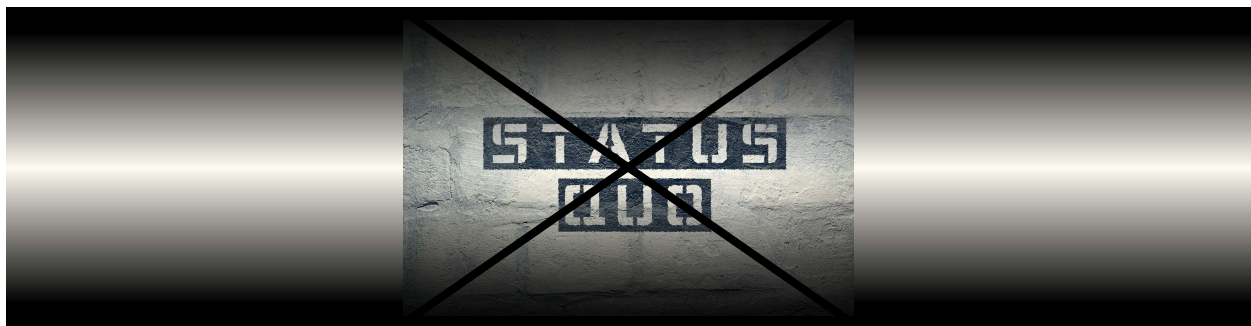
8) The quantifiable potential judicial labor resource expense savings to be realized if the plan is adopted for implementation,

9) The BDC and Proposal's "value added" classification with potential for high impact through limitless long-term expense savings as explained above,

⁴ Although public funds are the foreseeable likely funding source for the further development of this BDC, there is no prohibition upon a private party or parties paying for further development.

- 10) The unique personal knowledge, skills, education, and prior legal work experience that were necessary intermediaries for the creation of this BDC and Business Development Proposal,
- 11) The contingent aspects of further legal review, revision implementation, and attending rule making processes and procedures,
- 12) The potential use of the development plan within other court systems or judicial proceedings if successfully adopted and implemented within California, and
- 13) Other unknown or yet to be realized benefits.

Based upon the foregoing factors, the requested fee for this BDC, Business Development Proposal, and would-be development plan is \$696,000 and subject to modification and potential commissions as explained. While the requested fee is not insignificant, rigorous adherence to the status quo is often the antithesis of progress and improvement. To place this fee request in perspective, it is a nominal \$12,000 per county apportioned cost for further development. With the millions of dollars in annual expense savings to be potentially realized if ultimately implemented, the cost and risks for further development of this BDC are insignificant in relation to the overall potential benefits.



The three pricing options for the pricing of this BDC and development plan concern the source of funds and the status of any intermediary coordinating agent as follows:

- A) **Purchase with private funds (agent employed by purchasing party):** Where this BDC and the development plan are purchased with the use of private funds by or through an agent that is employed by the private purchaser, the requested fee is \$696,000.⁵
- B) **Purchase with private funds (independent agent):** Where this BDC and the development plan are purchased with the use of private funds by and through an independent agent that is not employed by or with the private purchaser, the requested fee is \$696,000 with a possible \$58,000 commission payable to the independent agent.⁶
- C) **Purchase with public funds (public entity affiliated agent):** Where this BDC and the development plan are purchased exclusively with the use of public funds, the requested fee is \$638,000.⁷
- D) **Purchase at less than the requested asking price:** Where a prospective buyer is potentially interested in purchasing this BDC and the development plan at less than the requested asking price, the final purchase price and possible

⁵ For purposes of fee computation and commission assessments, “employed by” includes all entities sharing any common ownership or control with the purchasing party, unless the agent’s status is determined by us, in our sole and absolute discretion, to be independent.

⁶ Additional terms and conditions apply.

⁷ For purposes of fee computation and commission assessments, “public funds” means an exclusive government funding source. Commissions based upon mixed funding sources will be evaluated on a case-by-case basis.

commissions will be evaluated on a case-by-case basis considering the funding source and agent's status.

V. THE DEVELOPMENT PLAN

If engaged, this BDC and Business Development Proposal will be further augmented and worked up into a development plan that will include the following deliverables:

- 1) Disclosure and identification of the specific judicial administration process to be revised,
- 2) Explanation of how the proposed judicial administration process to be revised could reduce scheduling burdens upon California state trial courts if implemented,
- 3) Explanation of how the proposed judicial administration process to be revised could reduce required "active proceeding" courthouse hours currently used by California state trial courts in the administration of justice,
- 4) Explanation of how the proposed judicial administration process to be revised could potentially optimize the utilization of judicial officers' time for redirect to other more useful matters,
- 5) Identification of the general legal principles implicated by the proposed judicial administration process to be revised,

- 6) A non-technical explanation of how the proposed judicial administration process to be revised implicates the identified legal principles involved,⁸
- 7) Identification of the specific sub-class(es) of items within the proposed revised judicial administration process to which the proposed revision should not be applied and the reasons for that exception,
- 8) Explanation of how the proposed judicial administration process to be revised could potentially simplify certain aspects of the judicial decision-making process,
- 9) Explanation of how the proposed judicial administration process to be revised could reduce certain litigation costs of the parties and identification of the specific litigation costs that are affected,
- 10) Explanation of how the proposed judicial administration process to be revised could reduce certain litigation-related attorney fees of the parties and identification of where those attorney fee expense savings are to be found,

**PROCESS IMPROVEMENTS
AND REVISIONS AHEAD**



⁸ As this Business Development Proposal implicates certain legal concepts, any plan that may be engaged for further development might include legal references, but such is specifically omitted as a discretely identified “deliverable” since an in-depth legal analysis is outside the scope and purpose of this Proposal.

- 11) Explanation of how the proposed judicial administration process to be revised could optimize attorneys' schedules,
- 12) Development of proposed rules to be used for the implementation of the judicial administration process to be revised, as either Rules of Court, Local Rules, or rules of individual judicial officers,
- 13) Development of a proposed court form for the use and implementation of the judicial administration process to be revised,⁹
- 14) Explanation of how the proposed judicial administration process to be revised could potentially optimize the trial court record that is created for subsequent appeals,
- 15) Explanation of how the proposed judicial administration process to be revised could potentially optimize and simplify California appellate court review of certain trial court orders,
- 16) Identification of certain data sets or statistical information (whether currently known or to be potentially implemented as a monitoring metric) that would be useful to the overall decision on implementation of the proposed judicial administration process to be revised,
- 17) Identification of how the proposed judicial administration process to be revised might potentially be adopted or implemented within non-California state trial courts or other adjudicatory forums, and

⁹ The form that is anticipated to be developed has potential use applications within legal proceedings by litigants regardless of whether the particular judicial administration process is revised.

- 18) Additional information that, in our discretion, is believed to be beneficial or useful for understanding the BDC, Development Plan, or the judicial administration process to be revised.

VI. DISCLAIMERS & DISCLOSURES

1) General disclaimer. In deciding to engage the formal work-up of a Business Development Concept as a Development Plan, no assurances or guarantees are provided that the proprietary processes or development plan to be provided have not been previously conceived, contemplated, considered, or even rejected by knowledgeable specialists within the particular industry to which the Business Development Concept relates. While significant effort has been made to provide accurate information for evaluation, in deciding to engage the formal work-up of a Business Development Concept into a Development Plan, you understand and agree that there is the possibility, even if remote, of unforeseen or unanticipated circumstances that may render a development plan incapable of being implemented or possibly useless. **Please refer to the Terms of Service on our website for additional important information and applicable terms.**

2) No legal practice or legal services. This proposal is **ONLY** for a unique and proprietary Business Development Plan for revisions to a particular judicial administration process. We are not engaged in the practice of law and we are not licensed to practice

law. Further, we do not represent any prospective purchaser of this business plan in an attorney-client relationship absent changed circumstances, which are currently unforeseen. Any prospective purchaser understands and agrees that consultation with attorneys or other professionals may be required to implement certain aspects of the development plan, inclusive of the preparation of, or revision to, any legal documents that may be necessary.

3) Potential breadth of the BDC. This BDC and Business Development Proposal concerns a unique and proprietary plan for revisions to a particular state judicial administration process. Although it was formulated from our prior experience and familiarity with California state court civil proceedings, it is believed to have potential application to state court criminal proceedings, judicial proceedings in states other than California, and proceedings in other adjudicatory forums. Due to our prior experience and familiarity with California state court civil proceedings, no assurances or representations are being made concerning the potential breadth of this BDC and the Development Proposal. Any decision to engage the further development of this BDC should be made based upon the identified circumstances (potential application to civil state court proceedings) from which it was conceived and conceptualized.

Thank you for considering SEE Consulting to potentially assist you with further developing or improving your company or business operations.

Sincerely,

Mr. Cameron Mostaghim



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