

JUDICIAL COUNCIL MEETING
Administrative Office of the Courts
Malcolm M. Lucas Boardroom
455 Golden Gate Avenue
San Francisco, California 94102-3688
August 27, 2010
8:30 a.m.–12:35 p.m.
Business Meeting Open to the Public
(Cal. Rules of Court, rule 10.6(a).)

AGENDA

- 8:30–8:40 a.m. **Public Comment**
[See Cal. Rules of Court, rules 10.6(d) and 10.6(e).]
- 8:40–8:45 a.m. [Approval of Minutes](#)
Minutes of the June 25, 2010, business meeting.
- 8:45–9:00 a.m. [Judicial Council Committee Presentations](#)
Executive and Planning Committee
 Hon. Richard D. Huffman, Chair
Policy Coordination and Liaison Committee
 Hon. Marvin R. Baxter, Chair
Rules and Projects Committee
 Hon. Dennis E. Murray, Chair
 [Committee Reports Tab]
- 9:00–9:10 a.m. **Chief Justice’s Report**
Chief Justice Ronald M. George will report on activities in which he has been involved since the last Judicial Council business meeting.
- 9:10–9:20 a.m. [Administrative Director’s Report](#)
Mr. William C. Vickrey, Administrative Director of the Courts, will make a report.

CONSENT AGENDA (Items 1–4)

A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Nancy Spero at 415-865-7915 at least 48 hours before the meeting.

Item 1 **[Court Security: Court Security Plan Submissions for Report to Legislature \(Action Required\)](#)**

The Working Group on Court Security recommends that the Judicial Council approve its proposed report to the Legislature. This will fulfill a Government Code section 69925 requirement that the council submit an annual report on the status of court security plans in the trial courts.

Staff: Mr. Malcolm Franklin
 Office of Emergency Response and Security

Item 2 **[Equal Access Fund: Distribution of Funds for IOLTA-Formula Grants \(Action Required\)](#)**

The Administrative Office of the Courts (AOC) recommends that the Judicial Council approve the distribution of Equal Access Fund grants for 2010–2011 according to the statutory formula set out in the currently proposed State Budget and in the amount requested in the attached annual report of the State Bar Legal Services Trust Fund Commission. For the last 11 years, the Budget Act authorizing the Equal Access Fund has provided that the Judicial Council approve the commission’s recommendations if the council determines that the awards comply with statutory and other relevant guidelines.

Staff: Ms. Bonnie Rose Hough
 Center for Families, Children & the Courts

Item 3 **[Child Support: Fiscal Year 2010–2011 Base Funding Allocation for Child Support Commissioner and Family Law Facilitator Program \(Action Required\)](#)**

The Family and Juvenile Law Advisory Committee recommends that the council approve the allocation of funding for the child support commissioner and family law facilitator program for fiscal year 2010–2011. The Judicial Council is required to annually allocate non–trial court funding, as described below, to local courts for the child support commissioner and family law facilitator program (Assem. Bill 1058; Stats. 1996, ch. 957). The funds for this program are provided by a cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council.

Staff: Mr. Michael Wright
 Center for Families, Children & the Courts

Item 4 **[Court Interpreters: 2010 Language Use and Interpreter Need Report \(Action Required\)](#)**

The Court Interpreters Advisory Panel (CIAP) recommends that the council approve the *2010 Language Use and Interpreter Need in California Superior Courts* report for submission to the Legislature and Governor. The report details interpreter use and need throughout the trial courts during 2004–2008. The Government Code section 68563 requires the Judicial Council to submit this report to the Legislature and Governor every five years. The report assists in making determinations related to the Court Interpreters Program, such as which languages to designate for certification. Based on the findings of the current study, CIAP is not recommending the designation of any additional languages at this time.

Staff: Ms. Terry Ince
 Executive Office Programs Division

DISCUSSION AGENDA (Items 5–12)

Item 5 **[Budget: Fiscal Year 2011–2012 Budget Change Proposals for the Supreme Court, Courts of Appeal, Judicial Council/Administrative Office of the Courts, and the Trial Courts \(Action Required\)](#)**
9:20–9:50 a.m.

The AOC recommends that the Judicial Council (1) approve the proposed fiscal year 2011–2012 budget requests for the Supreme Court, Courts of Appeal, trial courts, and Judicial Council/Administrative Office of the Courts, and (2) delegate authority to the Administrative Director of the Courts to make technical changes to these budget proposals, as necessary. Development and transmittal of budget change proposals (BCPs) is the standard process for proposing funding adjustments. This year, these BCPs are to be submitted to the state Department of Finance by September 13, 2010.

Presentation/Discussion (20 minutes)

Speakers: Mr. Stephen Nash
 Ms. Gwen Arafiles
 Mr. Steven Chang
 Finance Division

Discussion/Council Action (10 minutes)

Item 6 **[Commission for Impartial Courts: Recommendations 37 \(a\) and \(b\) and 43 \(a\), \(b\), \(c\), and \(g\) \(Action Required\)](#)**
9:50–10:20 a.m.

The Implementation Committee of the Commission for Impartial Courts (CIC) is presenting for Judicial Council action 2 of the 12 recommendations from the CIC's

final report that address judicial outreach, public information, and civics education. The committee believes that these two recommendations have the highest priority, providing for: (1) the appointment of a branchwide public outreach leadership group, and (2) focused and coordinated judicial branch advocacy for improving civics education in K–12 curriculum. The committee emphasizes the importance of the judiciary taking a leadership role in civics education through the appointment of a leadership group. The purpose is not to supplant or compete with existing civics education programs but to serve as a mechanism to unify the different groups to improve civics education. The recommendations made in this report are consistent with the prioritization plan that the council accepted at its February 26, 2010, meeting.

Presentation/Discussion (20 minutes)

Speakers: Hon. Judith D. McConnell
Chair, Subcommittee on Public Information and Education
Ms. Christine Patton
Regional Administrative Director

Discussion/Council Action (10 minutes)

Item 7 **[Judicial Council Distinguished Service Awards for 2010](#)**
10:20–10:30 a.m. **[\(Action Required\)](#)**

The chairs of the three Judicial Council internal committees recommend that the council approve the winners of the 2010 Distinguished Service Awards. Their recommendations will be distributed at the council meeting. The awards will be presented on a date and at an event to be determined.

Presentation/Discussion (5 minutes)

Speaker: Hon. Marvin R. Baxter
Policy Coordination and Liaison Committee

Discussion/Council Action (5 minutes)

10:30–10:45 a.m. **BREAK**

Item 8 **[Judicial Branch Administration: Governance of the Judicial](#)**
10:45–11:10 a.m. **[Branch Audit Program \(Action Required\)](#)**

The AOC recommends that the Judicial Council approve procedures concerning the public disclosure of final audit reports, the formal reporting of audit results and activities to the council on a regular basis, and a process to report any impairment that would affect the ability of Internal Audit Services (IAS) to perform its function. These recommendations support branch governance and enhance accountability through reporting and review of the financial, compliance, and operational activities of the branch.

Presentation/Discussion (10 minutes)

Speakers: Mr. Ronald G. Overholt
Chief Deputy Director
Mr. Stephen Nash
Mr. John Judnick
Finance Division

Discussion/Council Action (15 minutes)

Item 9 [**Court Facilities: Five-Year Plan Update for FY 2011–2012 and Authorization of Execution of Bond Documents \(with Related Delegation and Reporting\) \(Action Required\)**](#)
11:10–11:35 a.m.

The Administrative Office of the Courts (AOC) recommends that the council adopt the updated Trial Court Capital-Outlay Plan (the plan) and direct the AOC to present to the Department of Finance this plan as part of the Judicial Branch AB 1473 Five-Year Infrastructure Plan (the five-year plan) for FY 2011–2012, in addition to trial court capital project continuation-funding requests. The AOC also recommends the council authorize the execution of bond documents in connection with issuances of bonds by the State Public Works Board for the financing of court facilities projects. The council is the responsible authority for adopting updates to the plan and to the five-year plan and for directing the AOC to submit them to the Department of Finance. Meeting the submission deadlines avoids delays to the implementation of the state’s trial court capital-outlay program.

Presentation/Discussion (15 minutes)

Speakers: Mr. Lee Willoughby
Mr. Robert Emerson
Ms. Gisele Corrie
Office of Court Construction and Management

Discussion/Council Action (10 minutes)

Item 10 [**Subordinate Judicial Officers: Exception to Policy for the Conversion of SJO Vacancies to Judgeships \(Action Required\)**](#)
11:35–11:50 a.m.

The AOC recommends that the Judicial Council approve a modification to the allocation schedule for subordinate judicial officer (SJO) conversions. The modification will allow the Superior Court of El Dorado County to convert a vacant SJO position to a judgeship in fiscal year 2010–2011. The modification will also allow for the completion of all 16 SJO conversions for the current fiscal year pending enactment of the State Budget, which contains language authorizing the conversion of 16 positions in fiscal year 2010–2011.

Staff also summarize the results of three years of implementing the SJO conversion legislation, including the following:

- Implementation of the conversion policy has proceeded smoothly. All 48 positions eligible for conversion over the last three fiscal years have been converted;
- Of the 48 positions that have been converted to date, only 3 remain vacant;
- The appointment of judges to newly converted positions has taken 232 calendar days on average, a little over seven and a half months;
- Trial courts in which conversions have occurred report that they are assigning fewer SJOs to family law and juvenile cases but report a slight increase in the number of SJOs assigned to probate cases.

Presentation/Discussion (10 minutes)

Speaker: Mr. Dag MacLeod
Executive Office Programs Division

Discussion/Council Action (5 minutes)

Item 11 **[Blue Ribbon Commission on Children in Foster Care: Implementation Progress Report \(No Action Required\)](#)**
11:50 a.m.–
12:05 p.m.

This is an information report on the first 18 months of implementation efforts by the Blue Ribbon Commission on Children in Foster Care, which issued sweeping recommendations for reform of the juvenile court and child welfare systems that were accepted by the Judicial Council in August 2008.

Presentation/Discussion (10 minutes)

Speaker: Hon. Carlos R. Moreno
Chair, Blue Ribbon Commission on Children in Foster Care

Discussion/Council Action (5 minutes)

Item 12 **[Domestic Violence: Status Report on Implementation of the Guidelines, Practices, and Recommendations of the Domestic Violence Practice and Procedure Task Force \(No Action Required\)](#)**
12:05–12:35 p.m.

This is an information report on the implementation efforts of the Domestic Violence Practice and Procedure Task Force, chaired by Hon. Laurence Donald Kay (Ret.), Presiding Justice, Court of Appeal, First Appellate District, Division Four.

Presentation/Discussion (25 minutes)

Speakers: Hon. Laurence Donald Kay (Ret.)
Chair, Domestic Violence Practice and Procedure Task Force
Mr. David Loo
Mr. Jeffrey Johnson
Information Services Division

Discussion/Council Action (5 minutes)

Written Comments Received

There have been no Circulating Orders since the last business meeting.

Appointment Orders since the last business meeting.

[Appointment Orders Tab]