

**JUDICIAL COUNCIL OF CALIFORNIA
POLICY COORDINATION AND LIAISON COMMITTEE**

**Conference Call Meeting
February 16, 2012 – 4:30 pm
Summary Minutes of Meeting**

Policy Coordination and Liaison Committee members present: Hon. Marvin R. Baxter, Chair; Hon. James E. Herman, Vice-Chair; Hon. Terry B. Friedman (Ret.); Hon. Robert James Moss; Hon. David M. Rubin; Ms. Angela J. Davis; and Ms. Kim Turner.

Policy Coordination and Liaison Committee members absent: Hon. Mary Ann O'Malley and Mr. Mark P. Robinson, Jr.

Other Judicial Council members present: Hon. Sharon Waters

OGA staff present: Mr. Curtis L. Child, Ms. Donna Hershkowitz, Ms. Nell Schaffer, and Ms. Yvette Casillas.

Other AOC staff present: Ms. Jody Patel, Mr. Curt Soderlund, and Ms. Christine Patton.

ACTION ITEMS

1. Approval of minutes

The minutes of the January 12, 2012, conference call were approved as submitted.

2. Consent Item

N/A

3. Discussion Item

N/A

4. Informational Items

a) Budget update

Curtis Child and Donna Hershkowitz reported on the judicial branch budget, including a newly developed process for seeking input and review of ideas for statutory changes to promote or create operational efficiencies, cost savings, and new revenue. Curtis Child also reported on AB 1208.

PCLC Action: No action required.

OTHER BUSINESS

Confirm next PCLC conference call:
Proposed date: March 15, 2012

Approved by the committee on March 15, 2012

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POLICY COORDINATION AND LIAISON COMMITTEE**

**Conference Call Meeting
March 15, 2012 – 4:30 pm
Summary Minutes of Meeting**

Policy Coordination and Liaison Committee members present: Hon. Marvin R. Baxter, Chair; Hon. James E. Herman, Vice-Chair; Hon. Terry B. Friedman (Ret.); Hon. Mary Ann O'Malley; Hon. David M. Rubin; and Ms. Angela J. Davis.

Policy Coordination and Liaison Committee members absent: Hon. Robert James Moss; Mr. Mark P. Robinson, Jr.; and Ms. Kim Turner.

Other Judicial Council members present: Hon. Stephen Baker and Hon. Sharon Waters.

OGA staff present: Mr. Curtis L. Child, Ms. Donna Hershkowitz, Ms. June Clark, Mr. Daniel Pone, and Ms. Yvette Casillas.

Other AOC staff present: Mr. Curt Soderlund, Ms. Christine Patton and Mr. Arturo Castro.

Guest: Hon. Morris D. Jacobson, Criminal Law Advisory Committee

ACTION ITEMS

1. Approval of minutes

The minutes of the February 16, 2012, conference call were approved as submitted.

2. Consent Item

Action on Pending Legislation

a) AB 1709 (Mitchell), as introduced – Juveniles: jury trial

Provides that any minor whose case is being adjudicated in juvenile court for an offense that could be used as a future felony conviction under the “Three Strikes” law must be provided an opportunity for a jury trial in the same manner that a jury trial would be held in criminal court.

PCLC Action: Oppose.

3. Discussion Item

Action on Pending Legislation

- a) AB 1444 (Feuer), AB 2163 (Knight), and SB 1214 (Cannella), as introduced – California Environmental Quality Act (CEQA): expedited judicial review
AB 1444 expresses the intent of the Legislature to expand the application of the recently-enacted expedited judicial review procedures in CEQA matters to new public rail transit infrastructure projects.

AB 2163 significantly expands AB 900 (Stats. 2011, ch. 354) by substantially increasing the type and size of development projects that would be eligible for expedited judicial review. The bill also repeals the provisions that require such projects to have been certified by the Governor, and repeals the sunset provision in AB 900, so that it would be in effect indefinitely.

SB 1214 also significantly expands the types of projects that would be eligible for expedited judicial review by requiring all CEQA challenges to projects located in a “distressed county” (except for high speed rail projects) be filed with the Court of Appeal with geographic jurisdiction over the project.

PCLC Action: *Oppose. [Hon. Marvin R. Baxter recused himself from vote. A polling of absent members was conducted by email.]*

Invitation to Comment

- b) Criminal Justice Realignment: Uniform supervision revocation procedure
Amend various statutes to apply probation revocation procedures under Penal Code section 1203.2 to all four categories of supervision.

PCLC Action: Approved for circulation.

4. Informational Items

- a) Budget update

Curtis Child reported on the legislative activity regarding judicial branch budget. Donna Hershkowitz reported on the status of branch efforts to identify statutory changes to promote operational efficiencies, cost savings, and new revenue as part of the branch’s overall budget solution.

PCLC Action: No action required.

OTHER BUSINESS

Confirm next PCLC conference call:

Proposed date: April 12, 2012

Approved by the committee on April 12, 2012

Executive and Planning Committee Meeting
March 19, 2012
12:15 p.m.–12:32 p.m.

Executive and Planning (E&P) Members Participating: Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, Kenneth K. So, Sharon J. Waters, and David S. Wesley; and Ms. Edith R. Matthai, Mr. Frederick K. Ohlrich and Mr. David H. Yamasaki.

AOC Members Participating: Mr. Peter Allen, Ms. Deborah C. Brown, Mr. Les Butler, Ms. Nancy Carlisle, Mr. Steven Chang, Mr. Curtis L. Child, Ms. Keri Collins, Ms. Jessica Craven, Mr. Mark W. Dusman, Mr. Chad Finke, Ms. Cristina Foti, Ms. Renea Hatcher, Ms. Lynn Holton, Mr. Dag MacLeod, Ms. Jody Patel, Ms. Christine Patton, Mr. John Prestianni, Ms. Mary M. Roberts, Mr. Arturo Rodriguez, Ms. Virginia Sanders-Hinds, Mr. David Smith, Mr. Curt Soderlund, and Mr. Zlatko Theodorovic.

Agenda Setting for the March 27, 2012, Judicial Council Meeting

During the joint meeting of the E&P and CCMS Internal Committee membership, the March 27, 2012, agenda was set. Minutes from that joint meeting reflect that discussion in greater detail.

Public Comment Requests

Justice Douglas P. Miller, E&P Chair, confirmed that he and Judge Kenneth K. So., E&P Vice-Chair, would determine how to adjust the council meeting agenda to allow more time for public comment, if that becomes necessary.

Determine if Another E&P Meeting Should Be Convened before the March Council Meeting

The committee determined that no additional meeting was necessary.

Minutes

The committee reviewed and approved the minutes of the February 16, 2012, E&P meeting, and the committee e-mail actions for February 21 and 23, 2012.

Conversion of Subordinate Judicial Officer Positions (SJO)

The committee reviewed and approved staff recommendations to confirm conversion of a vacant SJO position in the Superior Court of Sacramento County, and to approve that a vacant SJO position in the Superior Court of Kern County is excepted from conversion.

Approved by the committee on April 19, 2012.

Joint Executive and Planning and CCMS Internal Committee Meeting
March 19, 2012
11:30 a.m.–12:15 p.m.

Executive and Planning (E&P) Members Participating: Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, Kenneth K. So, Sharon J. Waters, and David S. Wesley; and Ms. Edith R. Matthai, Mr. Frederick K. Ohlrich and Mr. David H. Yamasaki.

CCMS Internal Committee Members Participating: Judge James E. Herman and Justice Judith Ashmann-Gerst; Judges Stephen H. Baker, David F. De Alba, Teri L. Jackson, Ira R. Kaufman, Robert J. Moss, David S. Wesley; and Ms. Edith R. Matthai, and Ms. Kim Turner.

CCMS Internal Committee Member Absent: Mr. Mark P. Robinson, Jr.

Other Judicial Officers participating: Justices Terence L. Bruiniers and Harry E. Hull, Jr.; and Judge Richard J. Loftus, Jr.

Presenter: Mr. Graeme Finley, Grant Thornton, LLP.

AOC Members Participating: Mr. Peter Allen, Ms. Deborah C. Brown, Mr. Les Butler, Ms. Nancy Carlisle, Mr. Steven Chang, Mr. Curtis L. Child, Ms. Keri Collins, Ms. Jessica Craven, Mr. Mark W. Dusman, Mr. Chad Finke, Ms. Cristina Foti, Ms. Renea Hatcher, Ms. Lynn Holton, Mr. Dag MacLeod, Ms. Jody Patel, Ms. Christine Patton, Mr. John Prestianni, Ms. Mary M. Roberts, Mr. Arturo Rodriguez, Ms. Virginia Sanders-Hinds, Mr. David Smith, Mr. Curt Soderlund, and Mr. Zlatko Theodorovic.

Briefing on the Deployment Cost Analysis by Grant Thornton LLP

Mr. Graeme Finley, Director, Grant Thornton LLP, briefed members on the cost analysis of CCMS deployment options that the consulting firm has prepared for presentation at the March 27, 2012, Judicial Council meeting. He summarized the analysis in three parts: (1) the cost of deploying CCMS V4 to the Superior Court of San Luis Obispo County, including the on-going statewide infrastructure costs necessary to support the system, (2) the cost of deploying CCMS V4 to 10 additional courts in two phases, and (3) a cost benefit analysis of deploying CCMS V4 to the one early adopter court and ten more courts versus not deploying CCMS and replacing case management technology on a court by court basis. AOC staff provided a status of other reports being prepared for the meeting.

Approved by the E&P Committee on April 19, 2012, and by the CCMS Internal Committee on April 23, 2012.



**JUDICIAL COUNCIL
OF CALIFORNIA**

CALIFORNIA COURT CASE MANAGEMENT SYSTEM
INTERNAL COMMITTEE

**Teleconference
February 23, 2012**

MEMBERS PRESENT

Hon. James E. Herman, Hon. Judith Ashmann-Gerst, Hon. Stephen H. Baker, Hon. David F. De Alba, Hon. Teri L. Jackson, Hon. Ira R. Kaufman, Hon. Robert J. Moss, and . Hon. David S. Wesley; and Mr. Mark P. Robinson, Jr. and Ms. Kim Turner.

INVITED GUEST PRESENT

Hon. Terence L. Bruiniers.

MEMBERS ABSENT

Ms. Edith R. Matthai.

INVITED GUEST ABSENT

Hon. Richard J. Loftus, Jr.

AOC PARTICIPANTS

Ms. Jody Patel, Interim Administrative Director of the Courts; Mr. Curt Soderlund, Interim Chief Deputy Director, Ms. Mary M. Roberts, General Counsel; Ms. Christine Patton, Regional Administrative Director; Mr. Mark W. Dusman, Director, Information Services and Acting Director, CCMS Program Management Office; Mr. Curtis L. Child, Director, Office of Governmental Affairs; Mr Steven Chang, Finance Division; Mr. Les Butler, CCMS Program Management Office; Ms. Jessica Craven, CCMS Program Management Office; and Ms. Nancy Carlisle, Office of the General Counsel.

Staff Contact

Ms. Nancy Carlisle: 415-865-7614 Email: nancy.carlisle@jud.ca.gov

Timing of the Tuesday, March 27, Judicial Council Meeting and Related Developments

Judge James E. Herman, Chair, reported that a special session of the council has been scheduled for March 27 to discuss CCMS and branch technology, including a forthcoming analysis and recommendations on CCMS deployment alternatives.

Mr. Curtis L. Child provided information on a series of legislative hearings in March and April 2012 related to the council's special session:

- March 14, Assembly Budget Subcommittees, numbers 4 and 5, on branch technology projects and the progress of the branch's response to the State Bureau of Audit's findings and recommendations on the CCMS project;
- April 16, the Senate Judiciary Committee, on the impact of budget cuts on the judicial branch from a policy perspective;
- April 18, Assembly Budget Subcommittee number 5, on the branch budget;
- April 19, Senate Budget Subcommittee number 5, on trial court funding and CCMS.

Mr. Mark W. Dusman addressed the council's alternatives for the March 27 meeting regarding a \$16 million delay cost reimbursement from Deloitte, CCMS project contracting entity: either a cash payment or in-kind services. The reimbursement option is set to expire on March 31, 2012.

Mr. Dusman also reviewed the list of deliverables for the Grant Thornton analysis of CCMS deployment alternatives and gave a status on the completion of that analysis.

Staff Report on CCMS and Technology Options

Ms. Jody Patel, Interim Administrative Director of the Courts, described a comprehensive briefing that AOC staff is preparing on CCMS and branch technology for the special council session on March 27. The AOC briefing will go beyond the Grant Thornton analysis to include: 1) options and the costs for proceeding with the early adopter deployment of CCMS, 2) the options for settling the delay cost reimbursement with Deloitte, and 3) options and costs for on-going support of V2 and V3 courts. The CCMS Internal Committee chairs, Judge Herman and Justice Ashmann-Gerst, will be working with Ms. Patel and AOC staff on the development of this report. The full committee will meet to review the report to the council and the accompanying recommendations, before the special council session. March 19 was proposed for scheduling the committee's review.

2006 Technology Policy

The CCMS Internal Committee's tasks include reviewing current policies in place and recommending options for court financing of court case management technology upgrades and system replacements, as the existing legacy systems become obsolete or fail. Ms. Christine Patton explained the origins of the current policy on providing financial assistance to courts for statewide technology projects. This is a 2006 council policy that specifies the delegation of authority and a funding process for determining state and local court costs for technology infrastructure. It also addresses a supplemental funding process for statewide administrative infrastructure services.

The council approved the policy when the Phoenix financial system had first been deployed to 16 courts, and was intended to clarify the conditions under which the council would authorize

financial assistance to courts to cover the operational and staffing costs for achieving statewide implementation. The committee discussed the possibility of updating the policy, on consultation with the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee, to address emerging court technology needs for the future.

Minutes

The committee reviewed and approved the minutes of the meeting on December 7 and 28, 2011.

Approved by the committee on April 23, 2012.