



## Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on October 25, 2012

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Title	Agenda Item Type
Rules and Forms: Technical Change to Title of Rule 10.301	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Amend Cal. Rules of Court, rule 10.301	January 1, 2013
Recommended by	Date of Report
Governing Committee of the Center for Judicial Education and Research (CJER)	September 10, 2012
Hon. Ronald B. Robie, Chair	Contact
	Bob Lowney, 415-865-7833
	<a href="mailto:bob.lowney@jud.ca.gov">bob.lowney@jud.ca.gov</a>

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### Executive Summary

To avoid ongoing confusion and to improve the organization of the rules pertaining to judicial branch education, the CJER Governing Committee recommends changing the chapter in which rule 10.301 is located and amending its title to more accurately reflect the rule's content. These changes are non-substantive in nature.

### Recommendation

The CJER Governing Committee recommends that the Judicial Council, effective January 1, 2013, make the following technical amendments to rule 10.301, Ethics training for Judicial Council members and judicial branch employees:

1. Amend the title of rule 10.301 to read, "Ethics orientation for Judicial Council members and for judicial branch employees required to file a statement of economic interests" to more accurately reflect the content of the rule;

2. Renumber rule 10.301 as rule 10.455, so that the rule is located in chapter 8, Minimum Education Requirements, Expectations, and Recommendations, of division 2 of title 10 of the California Rules of Court; and
3. Repeal chapter 5 and renumber chapters 6, 7, and 8 of division 2 of title 10 of the California Rules of Court.

The text of the proposed amendments is attached at page 4.

### **Previous Council Action**

Rule 10.301 was originally adopted effective January 1, 2004, as rule 6.301. Effective January 1, 2007, the Judicial Council renumbered the rule as 10.301. Also effective January 1, 2007, the Judicial Council adopted the rules for judicial branch education (rules 10.451–10.481) and established chapter 8, Minimum Education Requirements, Expectations, and Recommendations.

### **Rationale for Recommendation**

The current title of the rule, “Ethics training for Judicial Council members and judicial branch employees,” recently caused confusion for some judicial branch employees regarding the specific ethics education required under the rule. To avoid confusion in the future, the CJER Governing Committee recommends changing the title to “Ethics orientation for Judicial Council members and judicial branch employees required to file a statement of economic interests” to more clearly reflect the specific requirements of this particular training.

To make the rule easier to find and to place the rule in a more logical chapter of division 2 of title 10 of the rules, the CJER Governing Committee also recommends renumbering rule 10.301 so that it can be located in the chapter within division 2 that contains the other education and training rules. In addition, because rule 10.301 is the only rule in chapter 5, the committee recommends repealing that chapter as unnecessary and renumbering chapters 6, 7, and 8 of that division as chapters 5, 6, and 7.

### **Comments, Alternatives Considered, and Policy Implications**

This proposal was not circulated for public comment because the proposed changes are noncontroversial and involve technical revisions and therefore fall within the Judicial Council’s purview to adopt without circulation. (Cal. Rules of Court, rule 10.22(d)(2).)

### **Implementation Requirements, Costs, and Operational Impacts**

The only known operational impact associated with amending this rule as recommended in this report is to update the references to the rule in online and paper resources. This process is a normal part of updating the California Rules of Court and keeping the online resources current. The proposed changes will clarify education requirements for Judicial Council members and judicial branch employees. The proposed change will also improve the organizational structure of the rules pertaining to judicial branch education requirements and expectations.

## **Relevant Strategic Plan Goals and Operational Plan Objectives**

This report furthers Goal V, Education for Branchwide Professional Excellence, specifically by providing relevant and accessible education and professional development opportunities for all judicial officers and court staff.

## **Attachments**

1. Cal. Rules of Court, rule 10.301, at p. 4

Rule 10.301 of the California Rules of Court is amended, renumbered, and relocated as rule 10.455; chapter 5 of division 2 of title 10 is repealed; and chapters 6, 7, and 8 of that division are renumbered as chapters 5, 6, and 7, respectively, effective January 1, 2013 to read:

**Title 10. Judicial Administration Rules**

**Division 2. Administration of the Judicial Branch**

**~~Chapter 5. Ethics Training~~**

**Chapter ~~6~~5. Management of Human Resources**

**Chapter ~~7~~6. Court Technology, Information, and Automation**

**Chapter ~~8~~7. Minimum Education Requirements, Expectations, and Recommendations**

**Rule ~~10.301-455~~. Ethics ~~training~~ orientation for Judicial Council members and for judicial branch employees required to file a statement of economic interests**

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