



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | APRIL 15, 2014
CONFERENCE CALL | 1:00 TO 2:00 P.M.

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller (Chair); Judges Stephen H. Baker, David De Alba, Teri L. Jackson, and Mary Ann O'Malley; Mr. James P. Fox

COMMITTEE MEMBERS ABSENT: Judge David M. Rubin (Vice Chair); Judge Brian C. Walsh; Commissioner Sue Alexander; Mr. Mark P. Robinson, Jr. and Mr. David H. Yamasaki

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Deborah C. Brown, Ms. Roma Cheadle, Mr. Curtis L. Child, Ms. Cristina Foti, Judge Steven Jahr, Ms. Susan McMullan, Ms. Debora Morrison, Mr. Patrick O'Donnell, Ms. Laura Speed

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

1. APPROVAL OF MINUTES

The committee reviewed draft minutes of the March 27 and April 11 conference calls.

Action: The committee approved the minutes of the two meetings.

2. AGENDA SETTING FOR THE APRIL 24–25, 2014, JUDICIAL COUNCIL MEETING

The committee continued to review available draft reports for the April Judicial Council meeting.

Action: The committee set the agenda for the April Judicial Council meeting.

Approved by the committee on May 29, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | APRIL 17, 2014

E-MAIL DELIBERATION

COMMITTEE MEMBERS WHO PARTICIPATED: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Judges Stephen H. Baker, David De Alba, Teri L. Jackson, and Brian C. Walsh; Commissioner Sue Alexander; Mr. David H. Yamasaki

COMMITTEE MEMBERS WHO DID NOT PARTICIPATE: Judge Mary Ann O'Malley; Mr. James P. Fox and Mr. Mark P. Robinson, Jr.,

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

AGENDA SETTING FOR THE APRIL 24–25, 2014, JUDICIAL COUNCIL MEETING

The committee reviewed the remainder of draft reports for the April Judicial Council meeting and the public comment procedures summarized in the meeting agenda.

Action: The committee set the agenda for the April Judicial Council meeting and approved the public comment procedures.

Approved by the committee on May 29, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | APRIL 18, 2014

E-MAIL DELIBERATION

COMMITTEE MEMBERS Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair);
WHO PARTICIPATED: Judges Stephen H. Baker, David De Alba, Teri L. Jackson, Mary Ann O'Malley, and Brian C. Walsh; Commissioner Sue Alexander; Mr. James P. Fox, Mr. Mark P. Robinson, Jr., and Mr. David H. Yamasaki
COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

AGENDA SETTING FOR THE APRIL 24–25, 2014, JUDICIAL COUNCIL MEETING

The committee reviewed the remainder of draft reports for the April Judicial Council meeting.

Action: The committee set the agenda for the April Judicial Council meeting.

Approved by the committee on May 29, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | APRIL 23, 2014
IN-PERSON MEETING | 1:00 TO 3:00 P.M.
JUDICIAL COUNCIL CONFERENCE CENTER | REDWOOD ROOM
AOC SAN FRANCISCO OFFICE

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Judges Stephen H. Baker, David De Alba, Teri L. Jackson, Mary Ann O'Malley, and Brian C. Walsh; Commissioner Sue Alexander; Mr. James P. Fox and Mr. David H. Yamasaki

COMMITTEE MEMBERS ABSENT: Mr. Mark P. Robinson, Jr.

PRESENTERS PRESENT Hon. Brad R. Hill, Court Facilities Advisory Committee; Hon. Robert L. Dondero, Governing Committee of the Center for Judicial Education and Research (CJER)

By phone:

Hon. Dennis M. Perluss, California Tribal Court-State Court Forum; Hon. Richard D. Huffman, Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch; Hon. Earl Johnson, Jr. (Ret.), Sargent Shriver Civil Counsel Act Implementation Committee; Hon. Steven K. Austin, Court Interpreters Advisory Panel; Hon. Lorna A. Alksne, Judicial Branch Resource Needs Assessment Advisory Committee; Hon. Laurie M. Earl, Trial Court Budget Advisory Committee; Hon. David Edwin Power, Trial Court Facility Modification Advisory Committee; Hon. Richard Vlavianos, Collaborative Justice Courts Advisory Committee; Hon. Theodore M. Weathers, Governing Committee of the Center for Judicial Education and Research (CJER)

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Francine Byrne, Ms. Roma Cheadle, Mr. Curtis L. Child, Dr. Diane Cowdrey, Mr. Bob Fleshman (by phone), Ms. Bonnie Rose Hough, Judge Steven Jahr, Ms. Maria Kwan, Ms. Olivia Lawrence, Mr. Bob Lowney, Mr. Chris H. Magnusson (by phone), Mr. Patrick McGrath, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Kelly Quinn (by phone), Ms. Leah Rose-Goodwin (by phone), Mr. Curt Soderlund, Ms. Nancy Taylor, Mr. Zlatko Theodorovic (by phone)

COMMITTEE STAFF PRESENT: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

1. ANNUAL AGENDA REVIEW

The committee reviewed the draft annual agendas of the following advisory bodies for which it has oversight:

- Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch
- Collaborative Justice Courts Advisory Committee
- Court Interpreters Advisory Panel
- Court Facilities Advisory Committee
- Court-Ordered Debt Task Force
- Governing Committee of the Center for Judicial Education and Research
- Judicial Branch Resource Needs Assessment Advisory Committee
- Sargent Shriver Civil Counsel Act Implementation Committee
- Tribal Court-State Court Forum
- Trial Court Facility Modification Advisory Committee
- Trial Court Budget Advisory Committee

Action: The committee approved the annual agendas of the advisory bodies listed above, with two amendments requested in the Court Ordered Debt Task Force agenda to include information on (1) the pilot project on disbursing fees on a priority basis according to statutory requirements and (2) the costs budgeted for four scheduled trainings. Additionally, the committee approved a request from the chair of the Judicial Branch Resource Needs Assessment Advisory Committee to change the committee's name to "Workload Assessment Advisory Committee."

2. JUDICIAL COUNCIL VACANCIES

The committee reviewed nominations and developed recommendations to the Chief Justice for open positions on the Judicial Council effective September 15, 2014.

Action: The committee determined its recommendations to the Chief Justice.

Approved by the committee on May 29, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | MAY 16, 2014

E-MAIL DELIBERATION

COMMITTEE MEMBERS Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair);

WHO PARTICIPATED: Judges Stephen H. Baker, David De Alba, Teri L. Jackson, and
Mary Ann O'Malley; Mr. James P. Fox

COMMITTEE MEMBERS Judge Brian C. Walsh; Commissioner Sue Alexander; and

WHO DID NOT PARTICIPATE: Mr. Mark P. Robinson, Jr., and Mr. David H. Yamasaki

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

CIRCULATING ORDER: CREATION OF A NONVOTING JUDICIAL COUNCIL POSITION

The committee reviewed a draft circulating order to the Judicial Council recommending the approval of the creation of one additional advisory, nonvoting council position for a three-year term from September 15, 2014, through September 14, 2017.

Action: The committee approved the creation of an additional advisory, nonvoting position, and the submission of the proposal in a circulating order to the Judicial Council for a vote.

Approved by the committee on May 29, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | MAY 29, 2014
CONFERENCE CALL | 12:10 TO 1:15 P.M.

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Judges Stephen H. Baker, David De Alba, Teri L. Jackson, and Mary Ann O'Malley; Commissioner Sue Alexander; Mr. James P. Fox and Mr. David H. Yamasaki

COMMITTEE MEMBERS ABSENT: Judge Brian C. Walsh and Mr. Mark P. Robinson, Jr.

AOC STAFF PRESENT: Mr. Peter Allen, Mr. Cliff Alumno, Ms. Deborah C. Brown, Ms. Tina Carroll, Ms. Roma Cheadle, Mr. Curtis L. Child, Mr. Kenneth Couch, Ms. Shelley Curran, Mr. Bob Fleshman, Ms. Cristina Foti, Mr. Bruce Greenlee, Judge Steven Jahr, Mr. Cory Jaspersen, Mr. John Judnick, Mr. Greg Keil, Ms. Susan McMullan, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Kelly Quinn, Mr. Curt Soderlund, Ms. Julia Weber

INVITED GUESTS PRESENT: Justice Laurie D. Zelon, Court of Appeal, Second Appellate District, Division Seven; Judge Robert A. Glusman, Superior Court of Butte County; Judge Laurie M. Earl, Superior Court of Sacramento County

COMMITTEE STAFF: Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

1. APPROVAL OF MINUTES

The committee reviewed draft minutes of the following meetings and e-mail deliberations:

- April 15, 2014 (joint conference call with the Rules and Projects Committee)
- April 15, 2014 (conference call)
- April 17 and 18, 2014 (e-mail deliberations)
- April 23, 2014 (in-person meeting)
- May 16, 2014 (e-mail deliberation)

Action: The committee approved the minutes listed above, with one correction of the minutes of the joint conference call held on April 15, 2014.

2. AGENDA SETTING FOR THE JUNE 26–27, 2014, JUDICIAL COUNCIL MEETING

The committee reviewed available draft reports for the June Judicial Council meeting.

Action: The committee set the agenda for the June Judicial Council meeting.

3. STATUS OF THE REPORT AND RECOMMENDATIONS FROM THE 2011 SUMMIT ON JUDICIAL DIVERSITY

The committee received a status report on the progress of the summit recommendations from Justice Laurie Zelon, chair of the Advisory Committee on Providing Access and Fairness.

Action: The committee directed the Advisory Committee on Providing Access and Fairness, after its members have been appointed, to:

1. Consider how to best include similar recommendations for council action regarding issues affecting the lesbian, gay, bisexual, transgender, and questioning (LGBTQ) community; and
2. Forward the proposed council actions to the Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) for review and comment.

4. APRIL 2014 JUDICIAL COUNCIL ACTION REGARDING THE EMPLOYEE ASSISTANCE PROGRAM FOR BENCH OFFICERS

At the request of Judicial Council member and California Judges Association (CJA) President Judge Robert Glusman, the committee reviewed and discussed the Judicial Council's action during its April 2014 meeting eliminating funding from the State Trial Court Improvement and Modernization Fund (IMF) for the Employee Assistance Program for Bench Officers.

Action: In light of the elimination of the Employee Assistance Program for Bench Officers, the committee:

1. Directed the AOC Human Resources Services Office to provide bench officers with information regarding employee assistance programs provided by the courts and similar programs available to them nationally.
2. Directed the Administrative Director of the Courts to provide the committee with an analysis of the utilization of the AOC's employee assistance program in order to assess whether the AOC should continue to maintain its program.

5. INFORMATION ONLY: JUDICIAL SABBATICAL REPORT FROM JUDGE MARTIN TANGEMAN

The committee was provided with a written report from Judge Martin Tangeman, Superior Court of San Luis Obispo County, dated on May 8, 2014, on his sabbatical leave in Italy, where he taught at the law school of the Università degli Studi di Trento for eight months, from October 2011 to May 2012. Judge Tangeman submitted his report as required under the California Rules of Court, rule 10.502(h), which states that, upon completion of sabbatical leave, a judge "must report in writing to the Judicial Council on how the leave benefitted the administration of justice in California and on its effect on his or her official duties as a judicial officer."

No committee action.

Approved by the committee on June 16, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION AND LIAISON COMMITTEE MEETING MINUTES

APRIL 10, 2014

4:30 P.M. | TELECONFERENCE

COMMITTEE MEMBERS Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair;
PRESENT: Hon. Stephen H. Baker; Hon. Marvin R. Baxter; Hon. Robert A. Glusman;
Hon. James E. Herman; Hon. Gary Nadler; Hon. David Rosenberg;
Ms. Angela J. Davis; Mr. James P. Fox; and, Ms. Mary Beth Todd.

COMMITTEE MEMBERS Hon. Brian L. McCabe and Mr. Mark G. Bonino.
ABSENT:

AOC STAFF PRESENT: Hon. Steven Jahr, Ms. Jody Patel, Mr. Curtis Child, Mr. Curt Soderlund,
Mr. Arturo Castro, Ms. Kimberly DaSilva, Ms. Susan McMullan, and
Ms. Adrienne Toomey.

COMMITTEE STAFF: Mr. Cory Jasperson, Ms. Laura Speed, Mr. Daniel Pone, Ms. Sharon
Reilly, Ms. Nina Tantraphol, and Ms. Monica LeBlond.

COMMITTEE ACTION ITEMS

1. **APPROVE PAST MINUTES**
N/A

2. **CONSENT ITEMS**

INVITATIONS TO COMMENT

- a) Civil Practice and Procedure: Evidentiary Objections in Summary Judgment Proceedings
Moved to discussion

- b) Criminal Justice Realignment: Parole Holds and Deadline to File Petitions to Revoke Supervision
Proscribes a five-court-day deadline for supervising agencies to file petitions to revoke supervision and authorize courts, upon a finding good cause, to order the release of supervised persons from custody unless serving a period of flash

incarceration, regardless of any parole holds or whether a supervising agency has filed a petition to revoke supervision.

Action: Approved for circulation.

c) Criminal Justice Realignment: Recalling Sentences

Authorizes courts to recall felony prison sentences on their own motion within 120 days of a defendant's commitment to custody or anytime upon recommendation of state prison officials.

Action: Approved for circulation.

d) Criminal Justice Realignment: Sentencing Report Deadlines

Requires courts to find good cause before continuing a sentencing hearing for failure by the probation department to provide a sentencing report at least five days before the hearing.

Action: Approved for circulation.

e) Criminal Procedure: Appeals of the Imposition or Calculation of Fines and Fees

Prohibits appeals based solely on the grounds of an error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs unless the defendant first presents the claim in the trial court at the time of sentencing, or, if the error is not discovered until after sentencing, until the defendant first makes a motion for correction in the trial court.

Action: Approved for circulation.

f) Jurors: Monetary Sanctions

Expressly includes jurors in the category of persons subject to sanctions for violating a lawful court order.

Action: Approved for circulation.

g) Timing of Electronic Service

Provides that the notice period before a hearing is extended a certain number of days—which vary depending on whether the motion is served by mail, facsimile transmission, express mail, or another method of overnight delivery—and it excludes certain papers from the extension.

Action: Approved for circulation.

3. DISCUSSION ITEM

INVITATION TO COMMENT MOVED FROM CONSENT TO DISCUSSION

a) Civil Practice and Procedure: Evidentiary Objections in Summary Judgment Proceedings

Provides that in deciding a motion for summary judgment, the court need rule only on objections to evidence that are pertinent to the disposition of the summary judgment motion.

Action: Approved for circulation. Requested that the Civil and Small claims and Appellate Advisory Committees consider the possibility of amending the statute to require objections to be made in writing prior to the hearing.

ACTIONS ON BEHALF OF JUDICIAL COUNCIL

2. CONSENT ITEM

ACTION ON PENDING LEGISLATION

a) AB 1698 (Wagner), as introduced – Falsified public records

Requires a court to issue a written order declaring a false or forged instrument to be judged void at its inception when: (a) a defendant is convicted of offering a false or forged instrument for filing; or (b) a defendant enters a plea in which a charge of offering a false or forged instrument is dismissed, but he or she agrees to let the court consider the dismissed charge for purposes of sentencing.

Action: Support.

3. DISCUSSION ITEM

ACTION ON PENDING LEGISLATION

a) AB 2085 (Fox), as amended March 19, 2014 – Vehicles: misdemeanor

Authorizes a court and county, upon agreement by both entities, to establish a one-time amnesty program for fines and bail due on or before January 1, 2012, for certain infraction or misdemeanor violations of the Vehicle Code and Penal Code, on or after January 1, 2016 until December 31, 2016.

Action: Withdrew previous oppose position and took no position with direction to work with the author. [Also recommended that PJs, CEOs, Ct Execs work with OGA staff to reach an accord with the author; and recommended that this issue be taken to the advisory committees.]

Approved by the committee on May 1, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION AND LIAISON COMMITTEE MEETING MINUTES

APRIL 17, 2014

4:30 P.M. | TELECONFERENCE

COMMITTEE MEMBERS Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair;
PRESENT: Hon. Stephen H. Baker; Hon. James E. Herman; Hon. Gary Nadler;
Hon. David Rosenberg; Mr. Mark G. Bonino; Mr. James P. Fox; and,
Ms. Mary Beth Todd.

COMMITTEE MEMBERS Hon. Marvin R. Baxter, Hon. Robert A. Glusman, Hon. Brian L. McCabe,
ABSENT: and Ms. Angela J. Davis.

AOC STAFF PRESENT: Hon. Steven Jahr and Ms. Donna Hershkowitz.

COMMITTEE STAFF: Ms. Laura Speed, Mr. Daniel Pone, Ms. Sharon Reilly, Mr. Alan Herzfeld,
Ms. Monica LeBlond, Ms. Nina Tantraphol, and Ms. Yvette Casillas-Sarcos.

COMMITTEE ACTION ITEMS

1. APPROVE PAST MINUTES

The committee reviewed the draft minutes of its March 27, 2014, meeting.

Action: Approved as submitted.

ACTIONS ON BEHALF OF JUDICIAL COUNCIL

2. CONSENT ITEMS

ACTION ON PENDING LEGISLATION

- a) AB 1610 (Bonta), as amended March 20, 2014 – Material witnesses: human trafficking

Authorizes the defendant or the people to apply for an order that a witness be examined conditionally when the defendant has been charged with human trafficking and there is evidence that the life of the witness is in jeopardy or that the witness has been threatened or dissuaded from testifying, or if the court finds there is a reasonable basis to believe that the witness will not attend the trial.

Action: Support.

- b) AB 1659 (Chau), as amended April 1, 2014 – Civil actions: post-verdict motions

Requires that the moving, opposing, and reply briefs and accompanying documents in support of or opposition to a motion for judgment notwithstanding the verdict or in support or opposition to a motion to set aside and vacate a judgment be served and filed in accordance with the deadlines applicable to a motion for new trial.

Action: Support.

3. DISCUSSION ITEMS

ACTION ON PENDING LEGISLATION

- a) AB 1657 (Gomez), as proposed to be amended – Courts: interpreters

Authorizes a court to provide interpreters in civil actions at no cost to the parties, regardless of the income of the parties.

Action: Continued sponsorship of the bill's original intention to provide interpreter services to all parties in all cases. In light of the fact that there is not enough funding to provide that, the council is supportive of providing the courts with the flexibility to provide interpreter services, with the goal of increasing those services, while working around administrative issues. The council understands the Assembly Judiciary committee's views regarding the types of cases and parties that should be prioritized, but notes any such prioritization will require ongoing discussions with the federal Department of Justice, whose views are in line with the council's original goal.

- b) AB 1773 (Allen), as amended March 13, 2014 – Public contracts: courts

Requires the semiannual contracting reports by the Judicial Council to include a list of all new contracts and the complete history of contracts amended during the reporting period, including the date, amount, and duration of the original contract and all subsequent amendments.

Action: Support, if funded.

- c) AB 2476 (Committee on Public Employees, Retirement and Social Security), as introduced – Public Employees Reform Act of 2013

Makes the Administrative Office of the Courts, rather than the California Department of Human Resources, responsible for waiving the 180-day waiting period for retired annuitants who work for the judicial branch. Provides similar provisions for legislative employees and California State University employees and their respective employers.

Action: Neutral, if amended to remove the judicial branch from the bill.

4. INFORMATIONAL ITEMS

- a) Legislative updates

Daniel Pone provided an update on nonsubstantive changes to the Invitation to Comment relating to evidentiary objections in summary judgment proceedings

approved for circulation at the committee's April 10, 2014, meeting. Laura Speed provided an update on legislative activity regarding judicial branch budget hearings.
Action: None.

Approved by the committee on May 1, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION AND LIAISON COMMITTEE MEETING MINUTES

MAY 1, 2014

4:30 P.M. | TELECONFERENCE

COMMITTEE MEMBERS Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair;
PRESENT: Hon. Marvin R. Baxter; Hon. Stephen H. Baker; Hon. James E. Herman;
Hon. Brian L. McCabe; Hon. Gary Nadler; Hon. David Rosenberg;
Mr. Mark G. Bonino; Ms. Angela J. Davis; Mr. James P. Fox; and,
Ms. Mary Beth Todd.

COMMITTEE MEMBERS Hon. Robert A. Glusman
ABSENT:

AOC STAFF PRESENT: Mr. Curtis Child

COMMITTEE STAFF: Ms. Laura Speed, Mr. Alan Herzfeld, and Ms. Yvette Casillas-Sarcos.

COMMITTEE ACTION ITEMS

1. APPROVE PAST MINUTES

The committee reviewed the draft minutes of its April 10, 2014, and April 17, 2014, meetings.

Action: Approved as submitted.

ACTIONS ON BEHALF OF JUDICIAL COUNCIL

2. CONSENT ITEM

ACTION ON PENDING LEGISLATION

- a) AB 1441 (Stone), as amended March 19, 2014 – Pupils in foster care: transfers between schools: educational record: course credit
Requires local school districts to calculate and award either full or partial academic credit to foster youth who transition between schools for work done that achieved a grade of D or higher.
Action: Support.

3. DISCUSSION ITEM

ACTION ON PENDING LEGISLATION

a) AB 2607 (Skinner), as amended March 24, 2014 – Juveniles: detention

Requires a minor or nonminor who is given an order of probation supervision to be released from detention upon the entry of such an order, unless reasonable grounds exist to keep the minor or nonminor in detention beyond 15 days. Eliminates the failure of a probation officer to identify a suitable housing placement for the minor or nonminor as a reasonable ground to keep a minor or nonminor in detention when he or she was a dependent of the court at the time the underlying section 601 or section 602 petition was filed. Also eliminates probation officer workloads, other administrative processes, and “[d]elays in convening meetings between agencies” as reasonable grounds to keep the minor or nonminor in detention.

Action: Defer action, and direct OGA to confer with the California Judges Association.

4. INFORMATIONAL ITEM

a) Legislative update

Laura Speed provided an update on the status of Judicial Council-Sponsored Legislation.

Action: None.

Approved by the committee on May 15, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION AND LIAISON COMMITTEE MEETING MINUTES

MAY 15, 2014

4:30 P.M. | TELECONFERENCE

COMMITTEE MEMBERS Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair;
PRESENT: Hon. James E. Herman; Hon. Brian L. McCabe; Hon. Gary Nadler;
Mr. Mark G. Bonino; Mr. James P. Fox; and, Ms. Mary Beth Todd.

COMMITTEE MEMBERS Hon. Marvin R. Baxter; Hon. Stephen H. Baker; Hon. David Rosenberg;
ABSENT: Hon. Robert A. Glusman; Ms. Angela J. Davis

COMMITTEE STAFF: Ms. Laura Speed, Ms. Sharon Reilly; Mr. Daniel Pone; Mr. Alan Herzfeld, Ms. Monica LeBlond, Ms. Nina Tantraphol, and Ms. Yvette Casillas-Sarcos.

COMMITTEE ACTION ITEMS

1. APPROVE PAST MINUTES

The committee reviewed the draft minutes of its May 1, 2014, meeting.

Action: Approved as submitted.

ACTIONS ON BEHALF OF JUDICIAL COUNCIL

2. CONSENT ITEMS

ACTION ON PENDING LEGISLATION

- a) AB 2186 (Lowenthal), as amended April 21, 2014 – Defendants: competency
Among other things, requires the court, if it finds any one of a list of conditions to be true, to issue an order, authorizing involuntary administration of antipsychotic medication to the defendant when and as prescribed by the defendant's treating psychiatrist at a state hospital or other facility. Requires the court to review the order to administer involuntary medication at the time of the review of the initial competency report by the medical director of the treatment facility and at reviews of the six-month progress reports.

Action: Support.

- b) AB 2625 (Achadjian), as amended April 24, 2014 – Defendants: competence
Requires the court, in cases where the medical director's report concerning the defendant's progress toward mental competency recovery indicates there is no substantial likelihood the defendant will regain mental competence in the foreseeable future to order the defendant to be returned to the court for further proceedings to determine if the defendant is eligible to be placed under a specified conservatorship no later than 10 days following receipt of the medical director's report. Provides that the court shall transmit a copy of its order to the community program director or his/her designee. Requires that a defendant committed to a state hospital for treatment to regain mental competency, but who has not recovered competence, be returned to the committing court no later than 90 days before the expiration of the defendant's term of commitment.
Action: Support.

- c) SB 1038 (Leno), as amended March 28, 2014 – Juveniles: dismissal of petition
Eliminates the 21-year age limit by which a ward or former ward must request dismissal of a petition against him or her. Requires automatic sealing of a juvenile court record if a minor satisfactorily completes a specified informal supervision program, or, for certain offenses, probation. Specifies that all records in such cases would be sealed, except that prosecuting attorneys and probation departments would have access to the files in order to determine the youth's eligibility for a future Welfare and Institutions Code section 790 deferred entry of judgment, and courts would have access to the files in order to verify a ward's prior status.
Action: Support, if amended and funded.

3. DISCUSSION ITEM

ACTION ON PENDING LEGISLATION

- a) AB 1887 (Campos), as introduced – Prostitution: human trafficking: sealing and destruction of arrest records
Authorizes a person to petition a court to set aside a conviction for an offense relating to solicitation or prostitution, as specified, based on finding the person is factually innocent of the charge if the person is a victim of human trafficking and the offense is a result of the petitioner's status as a victim of that crime. Requires in such cases that the court order the records of the arrest to be sealed and destroyed, and take other action appropriate under the circumstances or as justice requires.
Action: Support, if amended.

4. INFORMATIONAL ITEM

a) Legislative update

Laura Speed provided an update on upcoming legislative deadlines and budget hearings impacting the branch.

Action: None.

Approved by the committee on June 5, 2014.