



JUDICIAL COUNCIL OF CALIFORNIA MEETINGS

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.6(a))

Ronald M. George State Office Complex

William C. Vickrey Judicial Council Conference Center

Malcolm M. Lucas Board Room

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

Thursday, August 21, 2014 • 11:00 a.m.–6:00 p.m.

Friday, August 22, 2014 • 8:30 a.m.–12:45 p.m.

Meeting materials will be hyperlinked to agenda titles as soon as possible after receipt by Judicial Council Support. Please check the agenda at <http://www.courts.ca.gov/26872.htm> for recent postings of hyperlinked reports.

THURSDAY, AUGUST 21, 2014 AGENDA

CLOSED SESSION (RULE 10.6(B))—PERSONNEL AND OTHER CONFIDENTIAL MATTERS

Session 11:00 a.m.–12:00 p.m.

Break 12:00–1:00 p.m. (approx.)

OPEN SESSION (RULE 10.6(A))—MEETING AGENDA (ITEMS 1–5)

1:00–1:05 p.m. **Approval of Minutes**
Approve minutes of the [July 2](#) and [July 29](#), 2014, Judicial Council meetings.

1:05–1:15 p.m. **Chief Justice's Report**
Chief Justice Tani G. Cantil-Sakauye will report.

1:15–1:25 p.m. **[Administrative Director's Report](#)**
Hon. Steven Jahr, Administrative Director, will report.

NOTE: Time is estimated. Actual start and end times may vary.

justice in California. The Ronald M. George Award for Judicial Excellence honors members of the judiciary for their extraordinary dedication to the highest principles of the administration of justice statewide. In addition, the awards presentation will include recognition for the Benjamin J. Aranda III Access to Justice Award, conferred by the State Bar of California, Judicial Council, and California Judges Association, honoring members of the judiciary who have demonstrated a long-term commitment to improving equal access to our courts and have done significant work in improving access to our courts for low and moderate income Californians.

Presentation (60 minutes) • Discussion (30 minutes)

Speakers: Hon. Justice Tani Cantil- Sakauye, Chief Justice of California and Chair,
Judicial Council of California
Hon. Steven Jahr, Administrative Director, Judicial Council
Hon. Stephen H. Baker, Judge, Superior Court of California, County of Shasta,
Master of Ceremonies

Recipients: **Mr. Ralph J. Shapiro**, Attorney at Law, Shapiro Family Trust Foundation—
2014 Bernard E. Witkin Amicus Curiae Award
Hon. Michael Nash, Judge, Superior Court of California, County of Los
Angeles —*2014 Richard D. Huffman Justice for Children and Families*
Award
Hon Carol A. Corrigan, Associate Justice, California Supreme Court—
2014 Excellence in Judicial Education Award
Hon. Mark B. Simons, Associate Justice, California Court of Appeal, First
Appellate District, Division Five—*2014 Excellence in Judicial Education*
Award
Mr. Curt Soderlund, Chief Administrative Officer—*2014 William C. Vickrey*
Leadership Award in Judicial Administration
Bench-Bar Coalition, Open Courts Coalition, and State Bar of California—
2014 Stanley Mosk Defender of Justice Award
Hon. Tricia Ann Bigelow, Presiding Justice, California Court of Appeal,
Second Appellate District, Division Eight —*2014 Ronald M. George*
Award for Judicial Excellence
Hon. Sue Alexander, Commissioner, Superior Court of California, County of
Alameda —*2014 Benjamin J. Aranda III Access to Justice Award*

FRIDAY, AUGUST 22, 2014 AGENDA

OPEN SESSION (RULE 10.6(A))—MEETING AGENDA

8:30–8:50 a.m. **Judicial Council Committee Presentations**

Policy Coordination and Liaison Committee

Hon. Kenneth K. So, Chair

Executive and Planning Committee

Hon. Douglas P. Miller, Chair

Rules and Projects Committee

Hon. Harry E. Hull, Jr., Chair

Technology Committee

Hon. James E. Herman, Chair

8:50–9:20 a.m. **Judicial Council Members' Liaison Reports**

Judicial Council members will report on their liaison work.

9:20–9:35 a.m. **Public Comment**

The Judicial Council welcomes public comment, as it can enhance the council's understanding of the issues coming before it. To accommodate members of the public, the Judicial Council encourages those who wish to comment at the meeting, on either a specific agenda item or on a more general topic of judicial administration, to provide notice in order to ensure that all requests are acknowledged during the meeting.

Notice can be provided in two ways:

1) Written notice by **4 p.m., Tuesday, August 19, 2014,**

- by e-mail to judicialcouncil@jud.ca.gov, or
- by postal mail or delivery in person to:
Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102-3688
Attention: Cliff Alumno

In the notice, please state the speaker's first and last name and the specific agenda item to be addressed or, if not on the agenda, the topic to be addressed.

- 2) Sign in at the meeting reception, on the day of the meeting
- before the call for general public comment, or
 - before the specific agenda item of interest is introduced.

All requests will be allocated three minutes.

Please note that anyone wishing to speak on a specific agenda topic should arrive at the beginning of the meeting on which the agenda item will be heard, as agenda times are subject to change.

The Judicial Council is the policy-making body for the judicial branch. Comments pertaining to a specific court case will not be received.

Written Comments Received

Written comments pertaining to a matter affecting judicial administration or an item on this agenda may be e-mailed to judicialcouncil@jud.ca.gov, or mailed or delivered to:

Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102-3688
Attention: Cliff Alumno

Written comments received by **1 p.m. on Wednesday, August 20, 2014**, will be distributed to council members at the meeting. All comments received will be posted directly to the public Judicial Council web page.

CONSENT AGENDA (ITEMS A–F)

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 Carlisle at 415-865-7614 at least 48 hours before the meeting.

Item A [Jury Instructions: Revisions to Criminal Jury Instructions \(Action Required\)](#)

The Advisory Committee on Criminal Jury Instructions recommends approval of the proposed revisions to the *Judicial Council of California Criminal Jury Instructions (CALCRIM)*. These changes will keep CALCRIM current with statutory and case authority.

Hon. Sandy R. Kriegler, Chair, Advisory Committee on Criminal Jury Instructions

Ms. Robin Seeley, Legal Services

Item B [Collaborative Justice: Recommended Allocations of Fiscal Year 2014–2015 Substance Abuse Focus Grants \(Action Required\)](#)

The Collaborative Justice Courts Advisory Committee recommends that funding allocations for Collaborative Justice Courts Substance Abuse Focus Grants, through the California

Collaborative and Drug Court Projects in the Budget Act of 2014 (Stats. 2014, ch. 25; § 45.55.020, item 0250-101-0001), and the Dependency Drug Court Augmentation to the Substance Abuse Focus Grants, through the federal Court Improvement Program funds, be distributed to court programs as proposed in the report. The report details the committee's recommendations for funding programs in 51 courts for fiscal year 2014–2015 with these annual grants distributed by the Judicial Council to expand or enhance promising collaborative justice programs around the state.

Hon. Richard Vlavianos, Chair, Collaborative Justice Courts Advisory Committee

Ms. Nadine Blaschak-Brown, Center for Families, Children & the Courts

Item C [Court Facilities: Senate Bill 1407 Project Funding Requests and Judicial Branch AB 1473 Five-Year Infrastructure Plan for Fiscal Year 2015–2016 \(Action Required\)](#)

The Court Facilities Advisory Committee, to meet the state Department of Finance's September 2014 deadline, recommends the submission of funding requests for the next phase of Senate Bill 1407 projects eligible for available SB 1407 funds and of the annual update of the *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for fiscal year (FY) 2015–2016.

Hon. Brad R. Hill, Chair, and Hon. Patricia M. Lucas, Vice-Chair, Court Facilities Advisory Committee

Hon. Jeffrey W. Johnson, Chair of the Courthouse Cost Reduction Subcommittee

Mr. Curtis L. Child, Chief Operating Officer

Mr. William J. Guerin and Ms. Kelly Quinn, Capital Program

Item D [Judicial Branch Administration: Audit Report for Judicial Council Acceptance \(Action Required\)](#)

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E Committee) and Judicial Council staff recommend that the Judicial Council accept the audit report entitled *Audit of the Superior Court of California, County of Mendocino*. This acceptance is consistent with the policy approved by the Judicial Council on August 27, 2010, which specifies Judicial Council acceptance of audit reports as the last step to finalization of the reports before their placement on the California Courts public website to facilitate public access. Acceptance and publication of these reports promote transparent accountability and provide the courts with information to minimize future financial, compliance, and operational risk.

Hon. Richard D. Huffman, Chair, Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch

Mr. John A. Judnick, Audit Services

Item E **Judicial Administration: Designation of the Violence Against Women Education Project Planning Committee as a Standing Subcommittee of the Family and Juvenile Law Advisory Committee (Action Required)**

The cochairs of the Family and Juvenile Law Advisory Committee recommend that the Judicial Council approve designation of the Violence Against Women Education Project (VAWEP) Planning Committee as a standing subcommittee of the advisory committee. The standing subcommittee's charge would be to provide guidance and evaluation for VAWEP grant-funded projects and to make recommendations to the advisory committee at its request on ways to improve practice and procedure in domestic violence cases. The cochairs further recommend that the council request the chair of the Criminal Law Advisory Committee to select one or more of that committee's members to serve on the standing subcommittee to help address questions that arise relating to domestic violence criminal proceedings.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Bobbie Welling, Center for Families, Children & the Courts

Item F **Subordinate Judicial Officers: Notification to Legislature on Conversions (Action Required)**

Assembly Bill 159 (Stats. 2007, ch. 722), which authorized the conversion of 162 subordinate judicial officer positions to judgeships, requires periodic notification from the Judicial Council to the Legislature on what positions the council seeks to convert. Staff recommends approving a letter that will serve as the council's notification to the Legislature for fiscal year 2014–2015.

Mr. Cory T. Jaspersen and Mr. Alan Herzfeld, Governmental Affairs

DISCUSSION AGENDA (ITEMS G–O)

Item G **9:35–9:50 a.m.**

California's Language Access Plan: Update on Development of the Strategic Plan for Language Access in the California Courts (No Action Required)

Following extensive gathering of stakeholder input, the Joint Working Group for California's Language Access Plan has prepared a draft *Strategic Plan for Language Access in the California Courts*. This informational report provides an overview for the public and the Judicial Council on the formation of the draft plan, along with a summary of highlights of stakeholder input and possible recommendations. The draft plan was posted on the California courts website for public comment on July 31, with the comment period continuing through September 29, 2014. Following the public comment process, the draft plan will be revised and a final plan will be presented to the Judicial Council for its review and adoption.

Public Comment and Presentation (5 minutes) • Discussion (10 minutes)

NOTE: Time is estimated. Actual start and end times may vary.

Speakers: Hon. Maria P. Rivera, Cochair, Joint Working Group for California's Language Access Plan
Hon. Steven K. Austin, Chair, Court Interpreters Advisory Panel

Item H 9:50–10:05 a.m.

[Blue Ribbon Commission on Children in Foster Care: Final Report \(Action Required\)](#)

The Judicial Council's California Blue Ribbon Commission on Children in Foster Care (BRC) sunsetted on June 30, 2014. This final report from the commission addresses its implementation progress on recommendations for improving California's juvenile dependency courts and foster care system and delineates its plans for the continuity of work on recommendations that are not fully implemented. The commission requests that the Judicial Council refer certain BRC recommendations that have not yet been implemented to the Family and Juvenile Law Advisory Committee for its review and consideration for action.

Public Comment and Presentation (10 minutes) • Discussion (5 minutes)

Speaker: Hon. Richard D. Huffman, Chair, California Blue Ribbon Commission on Children in Foster Care

Item I 10:05–10:25 a.m.

[Judicial Branch Administration: Council Oversight of Judicial Council Contracts \(Action Required\)](#)

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E Committee) performed a review of contracts of the Judicial Council (formerly the Administrative Office of the Courts) in accordance with its oversight duty approved by the Judicial Council at its August 23, 2013 meeting. The A&E Committee decided to review consulting contracts in this review and judgmentally selected sixteen contracts. At a two day meeting in March 2014, committee members presented their review of ten contracts. The A&E Committee's review noted that the contracts reviewed generally met the established criteria to ensure that the contracts are in support of judicial branch policy, were for financial and efficient purposes, benefited the judicial branch and while administered by the Judicial Council were mainly of benefit to other judicial branch entities, and had very few issues raised as concerns by the A&E Committee.

Public Comment and Presentation (10 minutes) • Discussion (10 minutes)

Speakers: Hon. Richard Huffman, Chair, Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch
Mr. John A. Judnick, Audit Services

Break 10:25–10:40 a.m. (approx.)

Item J 10:40–11:15 a.m.

Budget: Fiscal Year 2015–2016 Budget Requests for Supreme Court, Courts of Appeal, Judicial Council and Judicial Branch Facilities Program (Action Required)

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch recommends approving the proposed fiscal year 2015–2016 budget requests for the Judicial Council, including the Judicial Branch Facilities Program. In addition, the Judicial Council staff recommends approving the proposed fiscal year 2015–2016 budget requests for the Supreme Court and Courts of Appeal and delegating authority to the Administrative Director to make technical changes to any budget proposals, as necessary. Submittal of budget change proposals (BCPs) is the standard process for proposing funding adjustments in the State Budget. This year, BCPs are to be submitted to the state Department of Finance by September 2, 2014.

Public Comment and Presentation (20 minutes) • Discussion (15 minutes)

Speakers: Hon. Richard D. Huffman, Chair, Advisory Committee on Financial
Accountability and Efficiency for the Judicial Branch
Mr. Curt Soderlund, Chief Administrative Officer
Mr. Zlatko Theodorovic, Finance

Item K 11:15–11:30 a.m.

Judicial Branch Technology: Budget Change Proposal Update (Action Required)

The Judicial Council Technology Committee recommends that the Judicial Council approve *Fiscal Year 2015–2016 Judicial Branch Budget Change Proposal: Supreme Court and Courts of Appeal Document Management System* so that this can be submitted to the Department of Finance in September. By acquiring a document management system (DMS), the Supreme Court and Courts of Appeal will capture, manage, store, share, and preserve essential case documents and administrative records. The DMS is necessary to improve efficiency, reduce costs associated with record storage/retrieval, and improve customer service to the bar and public.

Public Comment and Presentation (10 minutes) • Discussion (5 minutes)

Speakers: Hon. James E. Herman, Chair, Judicial Council Technology Committee
Hon. Terence L. Bruiniers, Associate Justice, First Appellate District
Mr. Kevin J. Lane, Clerk/Administrator, Fourth Appellate District

Item L 11:30–11:40 a.m.

Trial Courts: Benefit Funding Process (No Action Required)

This is an information report on the process to be used for funding trial court benefits cost changes for employee health, retiree health, and retirement.

Public Comment and Presentation (5 minutes) • Discussion (5 minutes)

Speakers: Mr. Curt Soderlund, Chief Administrative Officer
Mr. Zlatko Theodorovic, Finance

NOTE: Time is estimated. Actual start and end times may vary.

Item M 11:40 a.m.–12:00 p.m.

Court Facilities: Disposition of Vacant State-Owned Court Facilities (Action Required)

In connection with the Judicial Council’s authority and responsibility to dispose of surplus court facilities under Government Code section 70391(c) and rule 10.183 of the California Rules of Court, the Trial Court Facility Modification Advisory Committee (TCFMAC) recommends that the council declare the following three state-owned court facilities in Fresno County to be surplus property: (1) Clovis, (2) Reedley, and (3) Firebaugh. The TCFMAC further recommends that the council direct staff to report to the Legislature that the three court facilities are surplus and take all actions necessary to obtain the Legislature’s authorization to dispose of the surplus facilities in accordance with Government Code sections 70391(c) and 11011. These three facilities have been vacated by the Superior Court of Fresno County, which has notified the Judicial Council that it does not have any future plans to re-open the facilities and supports efforts to dispose of them. Once the facilities are disposed of, the judicial branch will realize financial savings on maintenance costs.

Public Comment and Presentation (10 minutes) • Discussion (10 minutes)

Speakers: Hon. David E. Power, Chair, Trial Court Facility Modification Advisory Committee
Mr. Curt Soderlund, Chief Administrative Officer
Ms. Eunice Calvert-Banks, Real Estate and Facilities Management

Item N 12:00–12:20 p.m.

Family Law: New Online “Parenting After Separation” Course (No Action Required)

The Family and Juvenile Law Advisory Committee introduces “Parenting After Separation,” a component of the Families Change website (www.familieschange.ca.gov), providing an online, free, parent education course that can be accessed directly at www.parenting.familieschange.ca.gov. The course provides approximately three hours of parent education addressing separation and divorce, children’s developmental needs, and the court process. The course was developed in response to requests from courts throughout the state for an efficient way of getting parents information they need before or during a child custody matter.

Public Comment and Presentation (10 minutes) • Discussion (10 minutes)

Speaker: Hon. Jerilyn L. Borack, Cochair, Family and Juvenile Law Advisory Committee
Ms. Julia Weber, Center for Families, Children & the Courts

Item O 12:20–12:45 p.m.

Judicial Branch Education: Demonstration of New Judicial Branch Education Website CJER Online (No Action Required)

The Judicial Education section of the Serranus website and the COMET website for court staff have been combined and redesigned into a single judicial branch education and resource website,

INFO 4 [Disposition of Judicial Council of California Equity in Calexico Courthouse](#)

The Superior Court of California, County of Imperial vacated the Calexico Courthouse as of July 1, 2014, and has informed the Judicial Council that it has no foreseeable need for the facility. The County of Imperial (County) advised staff that it does not intend to repurchase the facility. Due to a right of reversion held by the City of Calexico (City) in the underlying deed to the County, the facility will be returned to the City via deed by the council.

[Circulating Order \(CO-14-04\)—Judicial Branch Semiannual Contract Reporting Requirement: Executed Contracts and Vendor Payments for the Period of January 1 through June 30, 2014](#)

[Appointment Orders since the last business meeting.](#)

