



JUDICIAL COUNCIL OF CALIFORNIA MEETINGS

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

Tuesday, July 28, 2015 • 10:00 a.m.–11:25 a.m.

This meeting is being conducted by telephone only. The meeting will be audiocast for public access at <http://www.courts.ca.gov/32729.htm>, beginning 15 minutes before the meeting opens.

Meeting materials will be hyperlinked to agenda titles as soon as possible after receipt by
Judicial Council Support at <http://www.courts.ca.gov/32729.htm>.

TUESDAY, JULY 28, 2015 AGENDA

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

- 10:00–10:05 a.m. Approval of Minutes**
Approve minutes of the [June 25-26, 2015](#), Judicial Council meetings.
- 10:05–10:15 a.m. Chief Justice’s Report**
Chief Justice Tani G. Cantil-Sakauye will report.
- 10:15–10:25 a.m. Administrative Director’s Report**
Mr. Martin Hoshino, Administrative Director, will report.

Public Comment

The public is invited to submit written comments on general matters of judicial administration and on specific agenda items, as it can enhance the council’s understanding of the issues coming before it. Please submit written comments by **1:00 p.m. on Monday, July 27**, via e-mail at judicialcouncil@jud.ca.gov or postal mail/delivery in person.

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

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

CONSENT AGENDA (ITEMS A1–A2 THROUGH 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.

ITEMS A1–A2 RULES AND FORMS

Civil and Small Claims

Item A1 Civil Practice and Procedure: Adjustment of Maximum Amount of Imputed Liability of Parent or Guardian for Tort of a Minor (Action Required)

Judicial Council staff recommends that the Judicial Council amend Appendix B of the California Rules of Court to reflect the biannual adjustments to the dollar amounts of the maximum amount of liability of parents or guardians to be imputed for the torts of a minor under Civil Code section 1714.1 and direct that staff publish the adjusted amounts.

Probate and Mental Health

Item A2 Probate: Court Fee Waivers in Decedents' Estates, Guardianships, and Conservatorships and for Wards and Conservatees Participating in Civil Actions (Action Required)

In response to legislation effective January 1, 2015, the Probate and Mental Health Advisory Committee is proposing a new rule of court concerning court fee waivers in guardianships and conservatorship proceedings, and new versions of Judicial Council court fee waiver forms for use by probate guardians and conservators and by petitioners for their appointment. The proposed rule would also cover court fee waivers in decedents' estate proceedings, which are not affected by the legislation but have never been addressed in the rules of court despite presenting unique circumstances that warrant specific attention in the rules.

Item B Child Support: Revise Base Funding Allocation for Fiscal Year 2015–2016 for the Family Law Facilitator Program (Action Required)

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council revise the fiscal year (FY) 2015–2016 allocation for the Family Law Facilitator Program that it approved on April 17, 2015. The revision adds an allocation to support facilitator services for the Superior Court of Trinity County and corrects minor technical errors. Revised allocations were calculated using the same council-approved funding methodology applied to calculate the allocations approved by the Judicial Council on April 17. Some courts opted to maintain the same allocation they had in FY 2014–2015. Other courts requested an increase, and some requested a reduction. The revised allocations only affect the courts that requested additional funds for FY 2015–2016.

Item C [Collaborative Justice: Funding for Parolee Reentry Court Programs through the California Department of Corrections and Rehabilitation \(Action Required\)](#)

The Collaborative Justice Courts Advisory Committee (CJCAC) recommends that the Judicial Council enter into an interagency agreement with the California Department of Corrections and Rehabilitation (CDCR) to continue the California Parolee Reentry Court Program and direct the CJCAC to determine maximum allocations and execute a funding model, based on a noncompetitive funding formula, for which all courts that meet program criteria may apply. The interagency agreement will transfer \$4.4 million in funding from CDCR to the Judicial Council to expand and enhance the reentry court program with the goal of reducing recidivism in the parolee population.

Item D [Judicial Branch Administration: Final Report on Implementation of Judicial Council Directive 125 \(Action Required\)](#)

This is the Final Report on Directive 125, which charged the Administrative Director to return to the Judicial Council with an analysis defining the necessary emergency response and security functions for the branch as well as a recommendation on the organizational plan for council approval. The Administrative Director submitted an interim report to the council for its meeting on July 29, 2014 (see Link A). In this report the Court Security Advisory Committee defines those necessary emergency response and security functions. With regard to the organization of the office, the Administrative Director recently implemented a reorganization, and the committee defers to the Administrative Director's decisions and is not proposing additional recommendations.

Item E [Judicial Council Report to the Legislature: Findings From the SB 678 \(California Community Corrections Performance Incentives Act of 2009\) Program \(Action Required\)](#)

The Criminal Justice Services office recommends that the Judicial Council receive the Report on the California Community Corrections Performance Incentives Act of 2009: Findings From the SB 678 Program (2015) and direct the Administrative Director to submit this report to the California Legislature and Governor, as mandated by Penal Code section 1232. Under the statute, the Judicial Council is required to submit a comprehensive report on the implementation of the act—including information on the effectiveness of the act and specific recommendations regarding resource allocations and additional collaboration—no later than 18 months after the initial receipt of funding under the act and annually thereafter. The report was developed in consultation with the California Department of Corrections and Rehabilitation, the California Department of Finance, and the Chief Probation Officers of California.

Item H 10:45–11:25 a.m.

Trial Court Allocations: Funding for General Court Operations and Specific Costs in Fiscal Year 2015–2016 (Action Required)

For FY 2015–2016, the Trial Court Budget Advisory Committee recommends the Judicial Council allocate \$1.784 billion to the trial courts from the Trial Court Trust Fund (TCTF) and state General Fund for general court operations and specific costs. The recommended allocations include an allocation of \$1.683 billion in 2015–2016 beginning base funding for general court operations, each court’s share of \$24.2 million in new funding for non-interpreter employee benefits, a statewide net allocation of \$67.9 million for general court operations using the Workload-Based Allocation and Funding Methodology (WAFM), a net zero allocation for the WAFM funding floor adjustment, each court’s contribution toward a 2 percent reserve of \$37.7 million, a preliminary one-time allocation reduction related to the 1 percent cap on trial court fund balances, and one-time allocations of \$11 million in new funding for reimbursement of court-appointed dependency counsel costs, \$9.2 million for criminal justice realignment costs, and \$26.9 million in new funding for Proposition 47–related workload costs. Assuming approval of the allocations and given current revenue projections and estimated savings from appropriations, the TCTF will end 2015–2016 with a fund balance of \$17.7 million, of which approximately \$3.4 million will be unrestricted.

Speakers: Hon. Laurie M. Earl, Chair, Trial Court Budget Advisory Committee
Hon. Marsha Slough, Presiding Judge, Superior Court of California, County of San Bernardino
Mr. David H. Yamasaki, Court Executive Officer, Superior Court of California, County of Santa Clara
Mr. Zlatko Theodorovic, Finance

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

INFO 1 Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks’ Office Hours (Gov. Code, § 68106—Report No. 32)

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks’ offices or reducing clerks’ regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 32nd report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, one superior court—Fresno County—has issued a new notice.

There are no Circulating Orders since the last business meeting.

Appointment Orders since the last business meeting.