

JUDICIAL COUNCIL OF CALIFORNIA
Minutes—August 20–21, 2015, Business Meeting
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 20, 2015

Open Session (Rule 10.6(a))

Voting Judicial Council members present: Chief Justice Tani G. Cantil-Sakauye; Supreme Court Justice Ming W. Chin; Court of Appeal Justices Judith Ashmann-Gerst, Harry E. Hull, Jr., and Douglas P. Miller; Judges Marla O. Anderson, Brian John Back, James R. Brandlin, David De Alba, Emilie H. Elias, Gary Nadler, David Rosenberg, David M. Rubin, Dean T. Stout, and Martin J. Tangeman; and Mr. Mark G. Bonino, Mr. James P. Fox, Ms. Donna D. Melby, and Ms. Debra Elaine Pole; **advisory members present:** Judges Daniel J. Buckley, James E. Herman, Brian L. McCabe, Marsha G. Slough, Kenneth K. So, Charles D. Wachob, and Joan P. Weber; Commissioner David E. Gunn; Court Executive Officers Richard D. Feldstein and Mary Beth Todd; and Supreme Court Clerk Frank A. McGuire; **secretary to the council:** Administrative Director Martin Hoshino.

Judicial Council members absent: Judge Morris D. Jacobson, Senator Hannah-Beth Jackson, and Assembly Member Richard Bloom.

Incoming Judicial Council members present: Court of Appeal Justice James M. Humes; Judges Samuel K. Feng, Dalila C. Lyons, and Eric C. Taylor; Court Executive Officers Jake Chatters and Kimberly Flener; and Mr. Patrick M. Kelly.

Speakers present: Judge William F. Highberger, Superior Court of Los Angeles County, and Judge David Edwin Power, Superior Court of Solano County.

Call to Order

Chief Justice Tani G. Cantil-Sakauye, chair of the Judicial Council, called the meeting to order at 2:30 p.m. in the Malcolm M. Lucas Board Room of the William C. Vickrey Judicial Council Conference Center in the Ronald M. George State Office Complex.

Opening Remarks From the Chief Justice

The Chief Justice began her remarks by expressing that, as she reviewed the impressive nominations received during this year's appointment cycle for the Judicial Council's advisory

bodies, she was encouraged by the wealth of talented nominees within the judicial branch willing to volunteer their time and expertise to serve for the cause of justice. These nominees expressed their willingness to take on what amounts to a second job to support the ongoing evolution of the judicial branch to improve judicial administration and, ultimately, to be responsive to the need for equal access to justice for all Californians.

The Chief Justice noted that this time every year, however, also brings mixed emotions for her because just as she welcomes new and enthusiastic Judicial Council members who begin their terms in September, she must also bid farewell to the council members whose terms are coming to an end, colleagues who are now wiser and have increased exposure to statewide issues affecting the judicial branch. She reported that although the council members had an opportunity during lunch before the start of this meeting to share their appreciation, she wanted to take this moment to formally and publicly acknowledge the departing members and to personally thank them for their service and dedication. The Chief Justice quoted Dr. Jonas Salk, who said, “I feel that the greatest reward for doing is the opportunity to do more.” She noted that the departing members’ resumes—even before their service to the council—clearly demonstrate that this statement echoes true for them.

The Chief Justice suggested that Dr. Salk’s statement is a good model for what service on the Judicial Council means: an opportunity to do more to serve the cause of justice and the people of California in a meaningful way outside of a courtroom or outside of a law office. She conveyed that the 1926 ballot measure that created the Judicial Council illuminates the context and the need for this council. The ballot measure described and established the foundations for the mandate, role, responsibilities, and constituent process to be undertaken by the members when they take their oaths to serve on the Judicial Council, and she emphasized that some examples from that ballot measure argument are as meaningful today as they were in 1926.

The Chief Justice then quoted the 1926 ballot measure, which states, “... with a judicial council, whenever anything goes wrong any judge or lawyer or litigant or other citizen will know to whom to make complaint, and it will be the duty of the council to propose a remedy.” She indicated that this year the council has demonstrated that willingness to act to propose a remedy. The Chief Justice recalled that the council adopted a new rule of court for traffic infractions. Every December, the council meets to review and approve Judicial Council–sponsored legislation, recommending to the Legislature any changes in the law that the council determines are required for equal access to justice. Additionally, on an ongoing basis, the council is charged with the duty of ensuring that justice is properly administered in California. Examples of the council’s actions in the area of administration of justice are numerous, including amendments to the California Rules of Court, revisions to Judicial Council forms, actions on budget issues, and efforts involving access, the most recent of which is the action the council took related to language access. The Chief Justice emphasized that all of these elements and initiatives are encompassed in the ongoing governance and policymaking responsibilities for the judicial branch that have evolved over time.

The Chief Justice reiterated that the council members are responsible for, and it is their business and duty to, as stated in the ballot measure, propose remedies. Each year, the Judicial Council relies on the knowledge and service of hundreds of justices, judges, commissioners, attorneys, court professionals, and justice system partners to conduct its work and accomplish the goals and objectives that the people of California expect from its judiciary. The Chief Justice lauded the volunteers who serve on the council’s various advisory bodies—including its internal committees, advisory committees, task forces, and working groups—all of which are supported by the very hard-working individuals of the Judicial Council staff, who bring, among other things, historical expertise to all of the council’s projects. On that note, the Chief Justice offered her deep gratitude to the following departing council members:

- Judge Herman for his five years of service;
- Justice Ashmann-Gerst, Judge De Alba, and Judge Rosenberg for their four years of service;
- Judge Brandlin, Judge Jacobson, Mr. Fox, and Ms. Todd for their three years of service; and
- Judge Weber for her year of service.

The Chief Justice expressed that she concurred with Judge Jacobson, who was not present at the meeting, who wrote in his farewell e-mail message to the council members, “It’s been my honor and pleasure to serve with you all. I’ve learned very much. I have benefited so much from working and socializing with the collection of brilliant minds that make up the Judicial Council.”

The Chief Justice presented the outgoing members with a copy of the Federalist Papers, as a token of appreciation and as a symbol of their work. She indicated that she has often quoted from the Federalist Papers, specifically Alexander Hamilton’s Federalist No. 22, “Laws are a dead letter without courts to expound and define their true meaning and operation,” especially when she has been before the Legislature advocating for the judicial branch. The Chief Justice thanked the departing members for their service to the people of California, for their efforts toward the cause of justice, and for the new roles they will assume when they leave the Judicial Council, which will benefit not only their courts, but court users and the public as well.

The Chief Justice reported that staff have prepared a timeline of the Judicial Council’s actions since she became the council’s chair almost five years ago: *Reforms in Progress in Challenging Times*. She encouraged the council members to review the timeline, which will remind them of the work they have undertaken and the effort that went into the council’s accomplishments, milestones, and changes.

The Chief Justice concluded by once again welcoming the seven new incoming council members, all of whom were in attendance at the meeting. She looks forward to benefitting from their talent, expertise, and enthusiasm, and she awaits the beginning of their terms as council members at the next council business meeting in October. The Chief Justice thanked them in advance for their service.

Approval of Meeting Minutes

The Judicial Council approved the minutes of the July 28, 2015, Judicial Council meeting.

Discussion Agenda (Items 1A–1C, 2, and 3)

ITEMS 1A–1C TRIAL COURT FACILITY MODIFICATIONS AND MAINTENANCE

Item 1A Five-Year Master Plan—Deferred Maintenance Report, Fiscal Year 2015–2016

The Facilities Management Unit of Real Estate and Facilities Management prepared a report of deferred maintenance within branch facilities. This report is requested annually by the state Department of Finance. The log showed 2,818 registered deferred maintenance projects with a projected rough order of magnitude cost of \$2.08 billion. Staff recommended that the Judicial Council approve the log to be submitted to the Department of Finance (DOF) in September 2015.

Council action

The Judicial Council, effective August 20, 2015, approved the report for submittal to Department of Finance in September 2015 in alignment with BL 14-20 and in anticipation that this requirement will be included in the DOF Budget Letter for fiscal year (FY) 2015–2016 submittals.

Item 1B Court Facilities: Budget Allocations for Statewide Trial Court Facility Modifications and Planning in Fiscal Year 2015–2016 and Related Matters

The Trial Court Facility Modification Advisory Committee (TCFMAC) recommended allocations of the \$65 million appropriated by the Legislature in the FY 2015–2016 State Budget for trial court facility modifications. The recommended allocations support facility modification planning and facility modifications for emergency and critical needs, but continue to defer funding of almost all planned facility modifications.

Council action

The Judicial Council, effective August 20, 2015, approved allocations of the \$65 million authorized by the Legislature for statewide court facility modifications and planning in FY 2015–2016 as follows:

1. Priority 1 facility modifications allocation of \$10 million (15 percent of total allocations);
2. Priority 2–6 facility modifications allocation of \$48.1 million (74 percent of total allocations);

3. Planned facility modifications allocation of \$2.9 million (5 percent of total allocations); and
4. Statewide facility modifications planning allocation of \$4 million (6 percent of total allocations).

Item 1C Budget: Fiscal Year 2016–2017 Budget Requests for Trial Court Facilities Operations Needs

The TCFMAC recommended that the Judicial Council approve the proposed FY 2016–2017 budget requests for needs related to trial court facilities operations. Submittal of budget change proposals (BCPs) is the standard process for proposing funding adjustments in the State Budget. This year, the BCPs are to be submitted to the state Department of Finance by September 2, 2015.

Council action

The Judicial Council, effective August 20, 2015, recommended the preparation and submission of FY 2016–2017 budget change proposals to the state Department of Finance for the following trial court facilities operations programs and needs:

1. Additional funds to support ongoing operations and maintenance in trial courts at a recommended industry standard level;
2. Additional funds for the Facility Modifications program to decrease the growing backlog of Facility Modification system renewals in trial court facilities;
3. Additional funds to support facilities operations in newly constructed trial court facilities;
4. Additional funds to improve the insurance coverage within state trial court facilities;
5. Additional funds for security-related expenses previously supported using IMF funding and to obtain funding to support maintenance and replacement of security systems installed in trial court facilities; and
6. New funding to support necessary renovations within the Superior Court of Los Angeles County for Antelope Valley Juvenile Court needs.

Item 2 Judicial Branch Administration: Report on California Rules of Court, Rule 10.75 (Meetings of Advisory Bodies)

Under California Rules of Court, rule 10.75(p), the Judicial Council must review the rule’s impact within one year of its adoption to determine whether amendments are needed. After

considering the issue, the chairs of the Judicial Council’s five internal committees have concluded that no amendments are needed at this time. A total of 293 meetings were held under the rule during the first year, of which 149 meetings—51 percent—were open to the public. The chairs recommended that the council accept this report and direct that the letter to the Joint Legislative Budget Committee (JLBC) reporting on rule 10.75 be sent to the JLBC as required by the Supplemental Report of the 2013–2014 Budget Package.

Council action

The Judicial Council, effective August 20, 2015, accepted the report and directed Judicial Council staff to submit to the Legislature the letter to the Joint Legislative Budget Committee reporting on rule 10.75.

Item 3 Judicial Administration: Implementation of Court Technology Governance and Strategic Plan

The Judicial Council Technology Committee (JCTC) recommended amending California Rules of Court, rules 10.16 and 10.53, the rules governing JCTC and the Court Technology Advisory Committee (CTAC), respectively. The amended rules would implement the *Court Technology Governance and Strategic Plan*, recommended by the Technology Planning Task Force and adopted by the Judicial Council in 2014, by revising the roles and responsibilities of JCTC and CTAC. The amended rules would also change CTAC’s name to the Information Technology Advisory Committee to reflect its broader role and responsibilities as a sponsor of branchwide technology initiatives.

Council action

The Judicial Council, effective September 1, 2015, amended California Rules of Court, rules 10.16 and 10.53, to implement changes in the governance roles and responsibilities for JCTC and CTAC outlined in the “Technology Governance and Funding Model” of the *Court Technology Governance and Strategic Plan*.

**Recognition of Judicial Council Distinguished Service Awards
and the Aranda Access to Justice Award**

The Judicial Council honored the recipients of its annual Distinguished Service Award for significant contributions to court administration in California. Additionally, the Judicial Council, California Judges Association, State Bar of California, and Commission on Access to Justice jointly conferred the Aranda Access to Justice Award, honoring members of the judiciary who have demonstrated a long-term commitment to improving equal access to courts for low- and moderate-income Californians.

2015 Distinguished Service Award Recipients

- Justice Maria P. Rivera, Court of Appeal, First Appellate District, Division Four

- Judge Manuel J. Covarrubias, Superior Court of Ventura County
- Judge David Edwin Power, Superior Court of Solano County
- Court Executive Officer David H. Yamasaki, Superior Court of Santa Clara County

2015 Aranda Access to Justice Award Recipient

- Judge Garry T. Ichikawa, Superior Court of Solano County

FRIDAY, AUGUST 21, 2015

**Closed Session—Personnel and Other Confidential Matters
(Rule 10.6(b))**

The Chief Justice reconvened the meeting in a closed session at 8:30 a.m. After the closed session concluded at 10:20 a.m., the council stood in recess.

Open Session (Rule 10.6(a))

Voting Judicial Council members present: Chief Justice Tani G. Cantil-Sakauye; Supreme Court Justice Ming W. Chin; Court of Appeal Justices Judith Ashmann-Gerst, Harry E. Hull, Jr., and Douglas P. Miller; Judges Marla O. Anderson, Brian John Back, James R. Brandlin, David De Alba, Emilie H. Elias, Gary Nadler, David Rosenberg, David M. Rubin, and Martin J. Tangeman; and Mr. Mark G. Bonino, Mr. James P. Fox, Ms. Donna D. Melby, and Ms. Debra Elaine Pole; **advisory members present:** Judges Daniel J. Buckley, James E. Herman, Brian L. McCabe, Marsha G. Slough, Kenneth K. So, Charles D. Wachob, and Joan P. Weber; Commissioner David E. Gunn; Court Executive Officers Richard D. Feldstein and Mary Beth Todd; and Supreme Court Clerk Frank A. McGuire; **secretary to the council:** Administrative Director Martin Hoshino.

Judicial Council members absent: Judges Morris D. Jacobson and Dean T. Stout, Senator Hannah-Beth Jackson, and Assembly Member Richard Bloom.

Incoming Judicial Council members present: Court of Appeal Justice James M. Humes; Judges Samuel K. Feng, Dalila C. Lyons, and Eric C. Taylor; Court Executive Officers Jake Chatters and Kimberly Flener; and Mr. Patrick M. Kelly.

Speakers present: Judge Laurie M. Earl, Superior Court of Sacramento County (by phone), and Ms. Jean Field, Assistant Director, Habeas Corpus Resource Center.

Members of the public present: Ms. Monica Berlin, Ms. Roberta Fitzpatrick, Mr. Nick Saavedra, Ms. Hazart Sandu, and Mr. Mark Schwartz.

Call to Order

The Chief Justice reconvened the meeting at 10:30 a.m. in the Malcolm M. Lucas Board Room of the William C. Vickrey Judicial Council Conference Center in the Ronald M. George State Office Complex.

Chief Justice's Report

The Chief Justice presented her report summarizing her engagements and ongoing outreach activities on behalf of the council and the judicial branch since the July council meeting. She began by reporting that, during this reporting period, her major engagements took her from Chicago to San Jose. In Chicago, she participated in a panel and forum at the annual meeting of the American Bar Association (ABA). The panel, which was organized by the National Conference of State Trial Judges of the ABA's Judicial Division, focused on removing language barriers to justice in the nation's courts. The Chief Justice joined a panel that included Justice Edward L. Chavez of the New Mexico Supreme Court, Judge Christopher P. Yates of the 17th Circuit Court in Kent County, Michigan, and Judge Jim Jordan of the 160th District Court in Dallas County, Texas, who was the panel's moderator. The Chief Justice reported that the panel discussed how changing demographics and new immigrant populations have required the courts nationwide to adapt to deliver court proceedings to users who have limited English proficiency. The Chief Justice emphasized that the need to adapt has evolved in a time of limited resources for all of the courts, and, therefore, fulfilling that need has required the use of technology and other innovations such as remote interpreting and California's JusticeCorps program. She added that Supreme Court Justice Mariano-Florentino Cuéllar is chairing the council's Language Access Plan Implementation Task Force, which is charged with working on the recommendations from the Judicial Council–approved *Strategic Plan for Language Access in the California Courts*. The Chief Justice noted that over 300 languages are spoken or signed in the United States; in California alone, that number is over 200.

The Chief Justice reported that she joined Chief Judge Jonathan Lippman of the State of New York Court of Appeals and Judge Laura Denvir Stith of the Supreme Court of Missouri for the ABA's Standing Committee on the American Judicial System's Fifth Annual Forum on Judicial Independence. The topic for this year's forum was "Courts as Leaders—Learning from Ferguson." During the forum, Judge Stith spoke about Ferguson and the reforms taking place there. The forum was moderated by Mr. Bill Keller, former editor of the *New York Times* and current editor of The Marshall Project, a nonprofit, nonpartisan news organization covering America's criminal justice system. The Chief Justice reported that the forum covered a wide range of justice system issues, including implications and consequences of partially funding a judicial branch through fines and fees.

The Chief Justice reported that in San Jose she attended the 2015 Bernard E. Witkin Judicial College, which was also attended by about 95 new judges—one of the college's largest classes in some time. Judicial Council members Justice Miller, Justice Hull, Judge Herman, Judge Nadler, and Judge Anderson, who is a former dean of the college, as well as Mr. Hoshino, also attended. The Chief Justice recognized that the college is a major undertaking and, therefore, congratulated

Judge Theodore M. Weathers of the Superior Court of San Diego County, the college's dean, and Assistant Presiding Judge Patricia M. Lucas of the Superior Court of Santa Clara County, the college's associate dean, and all the jurists who served as seminar leaders and faculty for the two-week program. She also thanked Justice Ronald B. Robie of the Court of Appeal, Third Appellate District, chair of the Governing Committee of the Center for Judicial Education and Research (CJER), CJER Director Dr. Diane Cowdrey, and CJER staff. The Chief Justice reported that she spoke at a luncheon in the second week of the college, during which she shared her experiences as a new judge and discussed issues facing the state, including the branch budget, language access, and her Access 3D vision of physical, remote, and equal access to the California courts. She hopes that all of the new judges will become involved in the work of the Judicial Council in the future.

The Chief Justice concluded by congratulating the Superior Court of Yolo County on its new courthouse, the court's first new courthouse in nearly 100 years. The courthouse will be open for business starting August 24, and the grand opening celebration will take place on October 1. The Chief Justice added that she will be attending the opening of the new courthouse of the Superior Court of Sutter County on August 24.

Administrative Director's Report

In the materials for this council meeting, Administrative Director Martin Hoshino provided his written report outlining activities in which Judicial Council staff are engaged to further the council's goals and priorities for the judicial branch. The report focuses on action since the July council meeting and is exclusive of issues on the business agenda for this council meeting. He proceeded with his supplemental report by discussing the classification and compensation study that the council directed be conducted in relation to its staff. Mr. Hoshino reported that the study has now concluded and that the new salary structure, which was the last phase of this study, was to be shared with Judicial Council employees later in the day. Based on the recommendations from Fox Lawson, the consulting firm that was retained to conduct the study, effective January 1, 2016, the current number of salary ranges will be reduced from 85 to 25. This streamlining is similar to the one that occurred last March of the number of classifications, which went from 184 to 83. Mr. Hoshino reported that a majority of Judicial Council employees were found to be within their new salary ranges and will receive no changes to their current salaries. He added, however, that some employees have salaries that will be reduced to fall within their new ranges, and some have salaries that will be raised to the new minimum amounts of their salary ranges. Mr. Hoshino pointed out that those salaries that are to be raised are ones that belong to nonmanagement staff. He explained that the new salary structure is necessary, and he believes that ultimately it will be beneficial and place the organization in a better position to be both competitive and high-performing.

Mr. Hoshino reported on some of the reform efforts occurring both in the judicial branch and by the council related to the fines and fees structure that provides funding for the branch. He noted that a lot of attention has been focused on this subject for most of this year, and he believes that as the council transitions, this issue will continue to be an area of focus in the coming year. As an

example, he pointed out the amnesty program related to traffic infractions, which appeared as Item I on the discussion agenda for this meeting. Mr. Hoshino reported that the issue of the fines and fees structure is going to require continued focus by the council over the course of the coming year. The Legislature, the executive branch, and the Chief Justice's Commission on the Future of California's Court System are engaged in this issue as well. Additionally, consultants have been hired to assist staff in this area. Mr. Hoshino reported that the Legislative Analyst's Office has invited all the courts to participate in a series of conference calls to provide input on the complexity and challenges of the existing structure. The office is also seeking suggestions for improving the current structure. Mr. Hoshino noted that he has already held similar discussions with trial court presiding judges and court executive officers (CEOs). All three branches of government are, therefore, beginning to examine this issue and address funding formulas for various state government programs funded through these types of revenue streams.

Mr. Hoshino reported that he had the opportunity to attend the Judicial College mentioned in the Chief Justice's report. He noted that the college is celebrating its 50th year, which he believes is a testament to the branch's commitment to the professional excellence and ongoing education of the judiciary.

Mr. Hoshino concluded by reporting that the Legislature has returned from its summer recess and will adjourn on September 11. He noted that, usually during this time of the year, the council tracks, pays attention to, and follows up on bills affecting the judicial branch; therefore, on occasion, council members and other branch leaders are called upon to either testify or participate in meetings to advocate for outcomes in the policymaking of state government.

Judicial Council Internal Committee Presentations

Executive and Planning Committee (E&P)

Justice Miller, chair, noted that his written report would be posted online after the meeting. He began his supplemental report by indicating that one of the responsibilities of this committee is to solicit and review nominations for the council's advisory bodies, which inform, guide, and energize judicial branch policy. After its review, the committee determines its recommendations for vacancies on the advisory bodies and forwards those recommendations to the Chief Justice, who, under the state Constitution, makes the appointments. Justice Miller reported that, for this year's appointment cycle, the committee received 357 nominations of justices, judges, lawyers, court executives, and others in the judicial community willing to volunteer their time and energy to the branch. Justice Miller expressed that the number of applications received is a testament, in some sense, to the work undertaken by these advisory bodies and the interest in it. He noted that the advisory bodies are extremely important because they study the issues affecting the branch and make substantive recommendations to the council. These recommendations assist the council in making informed decisions about branch policy. Justice Miller emphasized that the committee, as it reviews the nominations, keeps in mind the aspiration of the Chief Justice and the council's aspirations to select a diverse group of candidates. The committee also seeks candidates who are fair-minded, deliberative, and civil and who are willing to take a statewide perspective and

recognize that they are to represent the interests of all Californians. Justice Miller reported that the nominations received for this appointment cycle were, as usual, excellent, which in a way made the committee's job to evaluate them much more difficult, but in a good way. Justice Miller concluded his supplemental report by announcing that, on August 20, he submitted the committee's recommendations to the Chief Justice and expects appointment letters to be sent within the coming month.

Policy Coordination and Liaison Committee

Judge So, chair, reported that the committee has met twice since his last report at the June council meeting. During those meetings, the committee took positions on behalf of the council on eight bills, including Assembly Bills 1492 and 1156, dealing with criminal law, and Senate Bills 238 and 253, dealing with the use of psychotropic medications on children in foster care. Additionally, the committee took a position on Senate Bill 694, which would allow writ of habeas corpus to be prosecuted on the basis of new evidence. Judge So reported that the Governor has signed into law some Judicial Council-sponsored measures, including Senate Bill 470, relating to summary judgments. He thanked Judge Weber and the California Judges Association for vigorously advocating for that bill, which frees judges from having to rule on all summary judgment objections. Judge So reiterated that September 11 is the last day for each house to pass bills; therefore, he indicated that, as mentioned in the Administrative Director's report, council members may be asked to advocate for certain bills. The Governor has until October 11 to sign or veto bills. Judge So anticipated that the committee may need to meet a few times after this meeting to address last-minute bills. Judge So concluded his report by thanking Judge Brandlin, the committee's vice-chair, who assisted in shepherding many of the bills through the committee's meetings.

Rules and Projects Committee

Justice Hull, chair, reported that the committee has met twice and has communicated by e-mail on one matter since his last report at the June council meeting. On July 6, the committee met by teleconference to consider a proposal that circulated for comment on a special cycle. Justice Hull reported that, after the comment period, the committee recommended approval of the proposal and it was approved by the council during its July 28 meeting. On July 30, the committee met by teleconference to consider three proposals that have since been circulated for comment. Justice Hull reported that the committee recommended approval of these proposals, which appeared as Item 3 on the discussion agenda and Items A1 and A2 on the consent agenda for this meeting. The committee also had one action by e-mail on August 19 to approve for circulation for comment a proposal to amend recently adopted rule 4.105 of the California Rules of Court relating to deposit of bail in traffic infraction cases. Specifically, the proposal would amend the rule to expand its applicability to nontraffic-infraction cases. Justice Hull reported that the proposal will circulate for comment through September 7, and he expects the proposal to be submitted to the council for its consideration during its October business meeting, with an effective date of November 1, 2015.

Judicial Council Technology Committee

Before Judge Herman, outgoing chair, provided his report, the Chief Justice announced that it would be his last report to the council as committee chair, and she thanked him for his contributions and service to the council and the judicial branch. She commended him for his dedication in shepherding the council, even during a very challenging time, through the development of the council's core technology governance and strategic plan. The Chief Justice believes that it was to his benefit to have had so many leadership responsibilities, both as a lawyer and as a judge, before being appointed to the Judicial Council. The Chief Justice praised him for being steadfast, strong, deliberative, and fair throughout all the concerns over where the branch stood with regard to technology after March 2012, when the council terminated the statewide case management system. She expressed that she is grateful to have had his counsel throughout her entire tenure, so far, as chair of the Judicial Council.

After thanking the Chief Justice for her kind remarks, Judge Herman proceeded by providing his report. The committee has met twice since his last report at the June council meeting: once by teleconference on July 21 and once in person on August 20. During its July 21 meeting, the committee received updates on the work in progress related to the V3 case management system budget change proposal and other proposed and future technology BCPs. The committee also received an update on technology governance specifically related to the workstream projects of the council's Information Technology Advisory Committee. Additionally, the committee approved the recommendations updating rules 10.16 and 10.53 of the California Rules of Court, which are in the proposal that appeared as Item 3 on the discussion agenda for this meeting, to implement recommendations in the council-approved technology and governance strategic plan. Judge Herman reported that the committee also received a report on the updates to rule 4.220 of the California Rules of Court and Judicial Council forms TR-500, TR-505, and TR-510, which relate to video proceedings involving traffic infraction violations. The amended rule and revised forms are in the proposal that appeared as Item A2 on the consent agenda for this meeting.

At a July 23 meeting in Los Angeles, a joint working group consisting of members of JCTC and the Trial Court Budget Advisory Committee (TCBAC) held a meeting with V3 case management system courts to review the potential BCP for case management replacement. Judge Herman added that Judicial Council staff and the V3 courts held follow-up meetings by teleconference on August 3 and August 10. He indicated that the final BCP must be approved by the council during its December meeting in order for it to be submitted by January 2016 to the Department of Finance.

Judge Herman reported that, during its August 20 in-person meeting, which was held in conjunction with this council meeting, the committee received updates on the activities relating to the funding of the V3 case management system. Judge Herman reported that the committee reviewed public comments and final proposals to amend rules 2.251 and 8.71 of the California Rules of Court authorizing electronic service on consenting courts, and the committee approved those proposals. The committee also reviewed a rules modernization project; the public comments and final proposal to make technical, nonsubstantive amendments to titles 2, 3, 4, 5, 7,

and 8 of the California Rules of Court; a proposal to introduce new California Rules of Court to address public access to electronic court records in the appellate courts; and standards and guidelines for electronic signatures to be circulated for comment to the trial courts and included in the *Trial Court Records Manual*. Additionally, the committee received updates on the contracts for the California Court Technology Center, the California Law Enforcement Telecommunications System (CLETS) and the California Court Protective Order Registry (CCPOR) in relation to operation and budget impacts, as well as the current and upcoming work and activities of the Information Technology office, including the office's budget.

Judge Herman concluded his report by expressing how extremely grateful he is to have served on the Judicial Council, first as a lawyer appointed by the State Bar of California and then, during the past five years, as a judge. He expressed to the Chief Justice that it was an honor to “have sat in the front row of history” for her first five years as Chief Justice and chair of the Judicial Council and to observe her leadership in terms of building a more transparent and collaborative branch, especially through Access 3D, particularly the remote-access aspect of Access 3D because it relates directly to technology and the ability to reach out and serve a greater number of court users in the state of California. Judge Herman acknowledged his colleagues on the council and expressed how he is constantly gobsmacked by their wisdom, judgment, collegiality, and sense of humor in the face of daunting responsibilities. Judge Herman especially conveyed his gratitude to the members who have served on JCTC because they have been unbelievably valuable in terms of moving the branch forward as it relates to technology and service to the people of California. He also thanked the judicial officers, CEOs, and chief information technology officers with whom JCTC has come into contact over the past five years. Judge Herman concluded by thanking the Judicial Council's Information Technology staff, including Mr. Curt Soderlund, Mr. Mark Dusman, Ms. Virginia Sanders-Hinds, Ms. Renea Stewart, Ms. Kathleen Fink, Ms. June Agpalza, and especially the “unsinkable and unstoppable” Ms. Jessica Craven, who has been a tremendous resource in supporting the committee. He declared them unsung heroes and is extremely appreciative of all of their work and support. Judge Herman expressed that he will miss them all.

Judicial Council Members' Trial Court Liaison Reports

The following council members, in the order listed, reported on their liaison visits with their assigned courts:

- Judge Herman, on his visit to the Superior Court of Monterey County; and
- Judge Nadler, on his visits to the Superior Courts of Del Norte and Humboldt Counties.

Public Comment

Ms. Shelley Adair, Mr. Stephen Burdo, Mr. Ray Martelli, Ms. Kathleen Russell, Ms. Cherie Safapou, Ms. Michelle Sayada, and Ms. Connie Valentine presented comments on judicial administration issues.

Written Comment

A consortium of legal aid providers and leading civil rights organizations in California submitted written comments on Discussion Agenda Item J.

Consent Agenda (Items A1–A2 and B–H)

ITEMS A1 and A2 RULES AND FORMS

Criminal Jury Instructions

Item A1 Jury Instructions: Revisions to Criminal Jury Instructions

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

Council action

The Judicial Council, effective August 21, 2015, approved for publication, under rule 2.1050 of the California Rules of Court, the criminal jury instructions prepared by the committee, which will be published in the next official edition of the *Judicial Council of California Criminal Jury Instructions*.

Traffic

Item A2 Trial Courts: Permanent Authorization for Remote Video Proceedings and Implementation of Rule 4.105 in Traffic Infraction Cases

The Traffic Advisory Committee and the Court Technology Advisory Committee recommended amending rule 4.220 of the California Rules of Court, which authorizes trial courts to establish remote video pilot projects in cases involving traffic infraction violations, and revising corresponding forms to convert the rule into a standing rule of court and to implement new rule 4.105. To comply with rule 4.105, the effective date of all changes is September 1, 2015.

Council action

To comply with rule 4.105 of the California Rules of Court, the Judicial Council, effective September 1, 2015:

1. Amended rule 4.220 to allow trial courts to continue conducting remote video proceedings in eligible traffic cases after January 1, 2016, when the rule would have otherwise sunset, and approved implementation of rule 4.105; and

2. Revised the following forms to implement rule 4.105:
 - a. *Instructions to Defendant for Remote Video Proceeding* (form TR-500-INFO),
 - b. *Notice and Waiver of Rights and Request for Remote Video Arraignment and Trial* (form TR-505), and
 - c. *Notice and Waiver of Rights and Request for Remote Video Proceeding* (form TR-510).

Item B Judicial Branch: Workers' Compensation Program Allocation Methodology

As directed by the Judicial Council at its June 2015 meeting, the Judicial Branch Workers' Compensation Program (JBWCP) Advisory Committee gathered additional information and reported back to the Judicial Council on the information obtained. The committee recommended adoption of the ultimate funding allocation methodology with the goal of reducing the current gap between the program's projected liabilities and assets.

Council action

The Judicial Council, effective July 1, 2015:

1. Adopted and approved implementation of an allocation methodology that charges premiums on an ultimate-cost basis as opposed to the current methodology, which is based on cash flow; and
2. Allowed the JBWCP Advisory Committee to identify surpluses or deficiencies based on each year's claims cost, which may necessitate funding adjustments to allocations to ensure that each year's claims costs are maintained, with the goal of fully funding the JBWCP.

Item C Judicial Branch Contract Reporting Requirement: Executed Contracts and Vendor Payments from January 1 through June 30, 2015

Public Contract Code section 19209 and the *Judicial Branch Contracting Manual* require that the Judicial Council submit a report semiannually to the Joint Legislative Budget Committee and the State Auditor listing (1) all vendors or contractors receiving payments from any judicial branch entity and their associated distinct contracts, and (2) for every vendor or contractor receiving more than one payment, the amount of the payment, type of service or good provided, and judicial branch entity receiving the good or service. Judicial Council staff, therefore, recommended submitting this semiannual report, which lists all judicial branch entity contracts that were amended during the reporting period covering January 1 through June 30, 2015.

Council action

The Judicial Council, effective August 20, 2015, accepted and approved for submission to the JLBC and the California State Auditor *Semiannual Report on Contracts for the Judicial Branch for the Reporting Period of January 1 through June 30, 2015* and related attachments, which include information for the Supreme Court, Courts of Appeal, superior courts, Judicial Council, and Habeas Corpus Resource Center.

Item D Court Facilities: Sale of Equity Interest in Banning Courthouse as Surplus Property

In keeping 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 Facilities Policies Working Group recommended that the Judicial Council (1) declare as surplus property the Judicial Council's 60.37 percent equity interest in the Banning Courthouse, and (2) authorize the sale of the equity interest to the County of Riverside.

Council action

The Judicial Council, effective August 21, 2015:

1. Declared the Judicial Council's equity interest in the Banning Courthouse to be surplus property;
2. Authorized the sale of the equity interest to the County of Riverside;
3. Directed staff to negotiate an Equity Rights Purchase Agreement and any other documents necessary to complete this transaction; and
4. Delegated to the Administrative Director the authority to sign such documents.

Item E Court Facilities: Naming Request for the Merced–New Los Banos Courthouse

The Court Facilities Advisory Committee recommended approving the request to name the new courthouse under construction in the City of Los Banos the *Robert M. Falasco Justice Center*, shifting the name of the existing courthouse to the new courthouse.

Council action

The Judicial Council, effective August 21, 2015, approved the request to name the new courthouse under construction in the City of Los Banos the *Robert M. Falasco Justice Center*.

Item F Court Facilities: Senate Bill 1407 Project Funding Requests and Judicial Branch AB 1473 Five-Year Infrastructure Plan for Fiscal Year 2016–2017

The Court Facilities Advisory Committee, to meet the state DOF’s September 2015 deadline, recommended 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 FY 2016–2017.

Council action

The Judicial Council, effective August 21, 2015:

1. To meet the DOF’s September 2015 deadline, approved submission of funding requests for the next phase of SB 1407 projects eligible for available SB 1407 funds (see Attachment 1) and the annual update of the *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for FY 2016–2017; and
2. Delegated to the Administrative Director the authority to make technical changes to the FY 2016–2017, SB 1407 project funding requests, and the five-year plan document for submission to the DOF, subject to the review and approval of the chair and vice-chair of the Court Facilities Advisory Committee and the chair of the advisory committee’s Courthouse Cost Reduction Subcommittee.

Item G Judicial Council: Court Public Parking Management Policy

The Judicial Council controls a number of parking spaces that were either acquired through the Trial Court Facilities Act of 2002 (Sen. Bill 1732; Stats. 2002, ch. 1082) or provided in conjunction with new courthouse construction. Before SB 1732, the counties managed parking spaces, making some available for free and others for a fee. On-site parking provides an expedient feature for the employees, jurors, and other users of courts. The proposed branchwide policy would implement a methodical approach in developing paid parking at courthouses where feasible.

Council action

The Judicial Council, effective August 21, 2015, adopted the *Court Public Parking Management Policy* to institute a statewide approach to paid public parking at courthouses. The program is to be managed by the Facilities Management Unit of Real Estate and Facilities Management. The courts may review and comment on plans or proposals to convert either existing free parking spaces to paid parking spaces, or existing paid parking spaces to free parking spaces.

Item H Collaborative Justice: Recommended Allocations of Fiscal Year 2015–2016 Substance Abuse Focus Grants

The Collaborative Justice Courts Advisory Committee recommended that funding allocations for Collaborative Justice Courts Substance Abuse Focus Grants, through the California Collaborative and Drug Court Projects in the Budget Act of 2015 (Stats. 2015, ch. 10; § 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 for FY 2015–2016 [item 0250-101-0890], be distributed to court programs as proposed in Attachment 2. This report details the committee’s recommendations for funding programs in 50 courts for FY 2015–2016 with these annual grants distributed by the Judicial Council to expand or enhance promising collaborative justice programs around the state.

Council action

The Judicial Council, effective August 21, 2015, approved the distribution of Collaborative Justice Courts Substance Abuse Focus Grants for 2015–2016 as proposed in the last column of Attachment 2, *Allocation Summary: Fiscal Years 2014–2015 and 2015–2016*.

Discussion Agenda (Items I–L)

Item I Judicial Administration: Statewide Traffic Tickets/Infraction Amnesty Program

The Court Executives Advisory Committee and Judicial Council staff recommended approving the *Statewide Traffic Tickets/Infraction Amnesty Program Guidelines* developed for use by court and county collection programs statewide in the implementation of the one-time amnesty program, as authorized by Vehicle Code section 42008.8. The amnesty program provides relief to individuals with violations of eligible Vehicle Code and non–Vehicle Code infractions and specified misdemeanors by reducing outstanding court-ordered debt by 50 or 80 percent (as applicable) and/or reinstating suspended driver’s licenses. The 18-month amnesty program would operate from October 1, 2015, through March 31, 2017.

Council action

The Judicial Council, effective August 21, 2015:

1. Approved the *Statewide Traffic Tickets/Infraction Amnesty Program Guidelines*, which include a sample Amnesty Program participant form, with an amendment to page 4 of the guidelines that any payment made (on the specific case(s) on which amnesty is requested) after June 24, 2015 (the enactment date of the amnesty program legislation), either voluntarily or involuntarily, disqualifies the case from eligibility for a reduction of the outstanding amount;

2. Directed each superior court to collaborate with its county to implement the mandatory infraction amnesty program and consider extending amnesty to specified Vehicle Code misdemeanors that meet the eligibility requirements, as required by Vehicle Code section 42008.8;
3. Directed each court and county to jointly complete and submit the Amnesty Program Collections Report, which includes data elements required under Vehicle Code section 42008.8 as well as additional optional data elements designed to improve tracking of various programmatic components;
4. Delegated authority to the Administrative Director to make technical changes to the guidelines in response to any legislative or related action affecting amnesty program parameters; and
5. Requested that any recommended changes affecting policy matters in response to any legislative or related action be referred back to the Judicial Council for consideration and action.

Item J Budget: Fiscal Year 2016–2017 Budget Proposals for Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facilities Program, Trial Courts, and Habeas Corpus Resource Center

The delegated committees of the Judicial Council recommended approving FY 2016–2017 budget proposals for the Supreme Court, Courts of Appeal, Judicial Council, Judicial Council Facility Program, Trial Courts, and Habeas Corpus Resource Center. In addition, the Judicial Council staff recommended delegating authority to the Administrative Director to make technical changes to any budget proposals, as necessary. Submittal of budget change proposals is the standard process for proposing funding adjustments in the State Budget, which must be submitted to the state Department of Finance by September 2, 2015.

Council action

The Judicial Council, effective August 21, 2015:

1. Approved the FY 2016–2017 budget proposals in Attachment 3 for submission to the state Department of Finance;
2. Delegated authority to the Administrative Director to make technical changes to budget change proposals, as necessary; and
3. Prioritized all approved BCPs for submission to the state Department of Finance in the following order:
 1. Support for Trial Court Operations

2. New Appellate Court Justices
3. Court-Appointed Dependency Counsel
4. New Judgeships (Assembly Bill 159)
5. Appellate Court-Appointed Counsel Cost Increases
6. Implementation of Language Access Plan
7. Court Case Management System V3 Replacement
8. Funding for Court-Provided Security
9. Sustainability of the Immediate and Critical Needs Account
10. Courthouse Operations Costs
11. Supreme Court Workload
12. Increased Operations Costs for Existing and New/Renovated Courthouses
13. Judicial Branch Information Systems Control Enhancements
14. Judicial Branch Risk Management Program—Trial Courts
15. Print and Online Subscriptions
16. Case Staffing Teams
17. Transfer of Funding for East County Hall of Justice, Alameda Courthouse Project

Item K Trial Courts: State Trial Court Improvement and Modernization Fund Allocation Adjustments for Fiscal Year 2015–2016

TCBAC recommended allocation adjustments totaling a net of \$938,823 to FY 2015–2016 allocations made by the Judicial Council from the State Trial Court Improvement and Modernization Fund (IMF) in April and June 2015 and also recommended new reporting requirements related to encumbrances.

Council action

The Judicial Council, effective August 21, 2015:

1. Allocated a net adjustment of \$938,823 from the IMF in FY 2015–2016, as follows:
 - a. A \$5.509 million augmentation to the allocation of \$10.65 million for the Telecommunications Support (LAN/WAN) program,
 - b. A \$145,600 augmentation to the allocation of \$715,600 for the California Courts Protective Order Registry program,
 - c. A one-time reduction of \$375,186 to the allocation of \$12,496,300 for the Phoenix Program,
 - d. A one-time reduction of \$1,952,231 to the allocation of \$10,487,200 for the California Courts Technology Center, and
 - e. A one-time reduction of \$2,388,360 to the allocation of \$5,220,500 for the Enterprise Policy and Planning program; and
2. Required Judicial Council staff to provide the following reports to TCBAC:
 - a. By September 30 of each year, an annual report of outstanding encumbrances for all programs funded from the Trial Court Trust Fund or the IMF that support the trial courts, which should identify the amount and purpose of each encumbrance; the name of the vendor or contractor for which the funds are encumbered; the equipment or services related to each encumbrance; and estimated time frames for expenditure or disencumbrance; and
 - b. By March 31 of each year, an updated encumbrance report containing the same information as the September report and adding updates on the status of encumbrances contained in the September report, as well as any new encumbrances that have occurred since the previous September.

Item L Subordinate Judicial Officers: Update of Conversions Using More Current Workload Data

At the direction of E&P, which has the authority to confirm subordinate judicial officer (SJO) conversions, the Workload Assessment Advisory Committee has provided an analysis on how the remaining 45 SJO conversions under Government Code section 69615 would be allocated if current workload data were used to identify the courts with SJOs eligible for conversion. E&P recommended that the Judicial Council adopt the recommendation to allocate the remaining conversions using more recent workload data and to direct staff to seek legislation that would

update references in the current statute to the list of positions eligible for conversion. Council action was requested so that courts have more certainty about the need to convert positions in light of changes in judicial workload since the original SJO conversion analysis was completed in 2007.

Council action

The Judicial Council, effective August 21, 2015:

1. Allocated the remaining 45 subordinate judicial officer conversions authorized under Government Code section 69615 using updated workload data;
2. Approved the drafting of legislation that would update references in the current statute to the list of positions eligible for conversion; and
3. Approved the recommendation to periodically update the list of positions eligible for conversion until all conversions are completed.

Information Only Items (No Action Required)

INFO 1 Judicial Council: Implementation of Judicial Council Directives on Judicial Council Staff Restructuring

The chair of E&P presented an informational report on the implementation of the Judicial Council Directives on Staff Restructuring, as approved by the Judicial Council on August 31, 2012. The Judicial Council Staff Restructuring Directives specifically direct the Administrative Director to report to E&P before each council meeting on every directive. This informational report provided an update on the progress of implementation efforts.

INFO 2 Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code, § 68106—Report No. 33)

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 report was the 33rd to date listing the latest court notices received by the council under this statutory requirement; since the previous report, one superior court, the Superior Court of Sutter County, issued a revised notice.

INFO 3 Trial Courts: Annual Investment Report for Fiscal Year 2014–2015

This Trial Court Annual Investment Report provided the financial results for the funds invested by the Judicial Council on behalf of the trial courts as part of the judicial branch treasury program. The report was submitted under agenda item 10, Resolutions Regarding Investment

Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004, and covered the period of July 1, 2014, through June 30, 2015.

INFO 4 Court Facilities: Trial Court Facility Modification Quarterly Activity Report for Quarter 4 of Fiscal Year 2014–2015

The TCFMAC completed its facility modification funding for the fourth quarter of FY 2014–2015. In compliance with the *Trial Court Facility Modifications Policy*, the advisory body submitted its *Trial Court Facility Modification Quarterly Activity Report: Quarter 4, Fiscal Year 2014–2015* as information for the council. This report summarizes the activities of the TCFMAC from April 1, 2015, to June 30, 2015.

INFO 5 Trial Courts: Court Realignment Data (Calendar Year 2014)

Under Penal Code section 13155, commencing January 1, 2013, the Judicial Council must collect information from trial courts regarding the implementation of the 2011 Criminal Justice Realignment Legislation and submit the data annually to the DOF, the Board of State and Community Corrections (BSCC), and the Joint Legislative Budget Committee, by September 1. This report was the third annual court realignment data report to the DOF, BSCC, and the JLBC.

Circulating Orders

No circulating orders have been issued since the July business meeting.

Appointment Orders

No appointment orders have been issued since the July business meeting.

Adjournment

In Memoriam

The Chief Justice concluded the meeting with a remembrance of the following judicial colleagues recently deceased, honoring their service to their courts and to the cause of justice:

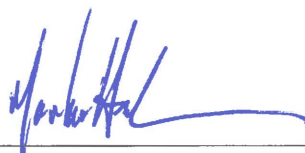
- Judge David B. Finkel (Ret.), Superior Court of Los Angeles County;
- Judge Hugo M. Fisher (Ret.), Superior Court of San Diego County; and
- Judge Douglas R. Woodworth (Ret.), Superior Court of San Diego County.

The Chief Justice also acknowledged the passing of Ms. Tina M. Burkhart, retired court executive officer of the Superior Court of Glenn County.

Adjournment

Before adjourning, the Chief Justice once again acknowledged and thanked the departing council members for their service. With the meeting's business completed, the Chief Justice adjourned the meeting at 1:10 p.m.

Respectfully submitted,



Martin Hoshino
Administrative Director and
Secretary to the Judicial Council

Attachments

1. Funding Requests for Court Capital Projects for FY 2016–2017
2. Allocation Summary: Fiscal Years 2014–2015 and 2015–2016
3. Fiscal Year 2016–2017 Budget Proposals for Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facilities Program, Trial Courts, and Habeas Corpus Resource Center
4. Judicial Council Roll Call/Voting Sheets for Approval of Meeting Minutes, Consent Agenda, and Discussion Agenda Items 1A, 1B, 1C, 2, 3, 4, I, J, K, and L

Funding Requests for Court Capital Projects for FY 2016–2017

Project	\$ (in millions)	Phases ¹	Funding Source ²
El Dorado, New Placerville Courthouse.....	\$ 4.918	W	ICNA
Imperial, New El Centro Courthouse	39.714	C	PBCF (ICNA)
Mendocino, New Ukiah Courthouse ³	6.068	W	ICNA
Riverside, New Indio Juvenile and Family Courthouse	44.463	C	PBCF (ICNA)/ ICNA
Riverside, New Mid-County Civil Courthouse	5.666	W	ICNA
Shasta, New Redding Courthouse	136.705	C	PBCF (ICNA)
Stanislaus, New Modesto Courthouse ³	15.252	W	ICNA
Tuolumne, New Sonora Courthouse.....	55.955	C	PBCF (ICNA)
Trial Court Capital Projects Total	\$ 308.741		

Table Footnotes:

1. W = Working Drawings; C = Construction.
2. ICNA = Immediate and Critical Needs Account (SB 1407 [Perata]); PBCF (ICNA) = Public Building Construction Fund (to be repaid from the ICNA).
3. Funding for this project has been requested as a reappropriation of previously authorized funds as shown.

Allocation Summary: Fiscal Years 2014–2015 and 2015–2016

Collaborative Justice Project—Substance Abuse Focus Grant and Dependency Drug Court Augmentation Awards (by Court)

	County	FY 14-15 Final SAFG Funding Allocation	FY 14-15 Dependency Drug Court Augmentation Allocation	FY 14-15 Total Allocation (SAFG + DDC)	FY 15-16 Allocation Based on Formula	FY 15-16 Final SAFG Funding Allocation ¹	FY 15-16 Dependency Drug Court Augmentation Allocation ²	FY 15-16 Total Allocation (SAFG + DDC)
1.	Alameda	\$24,855	\$1,172	\$26,027	\$35,000	\$29,304	\$3,934	\$33,238
2.	Amador	\$14,432		\$14,432	\$14,000	\$12,000		\$12,000
3.	Butte	\$25,657		\$25,657	\$32,000	\$26,792		\$26,792
4.	Calaveras	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
5.	Contra Costa	\$23,251		\$23,251	\$27,000	\$22,606		\$22,606
6.	Del Norte	\$19,242		\$19,242	\$20,000	\$16,745		\$16,745
7.	El Dorado	\$16,035	\$469	\$16,504	\$20,000	\$16,745		\$16,745
8.	Fresno	\$36,080	\$703	\$36,783	\$45,000	\$37,675	\$1,230	\$38,905
9.	Glenn	\$19,242		\$19,242	\$24,000	\$20,094		\$20,094
10.	Humboldt	\$14,432		\$14,432	\$18,000	\$15,070		\$15,070
11.	Inyo	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
12.	Kern	\$33,674		\$33,674	\$20,000	\$16,745		\$16,745
13.	Kings	\$16,035		\$16,035	\$20,000	\$16,745		\$16,745
14.	Lake	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
15.	Lassen	\$15,234		\$15,234	\$29,000	\$24,280		\$24,280
16.	Los Angeles	\$36,080	\$7,812	\$43,892	\$41,000	\$34,328	\$7,377	\$41,705
17.	Madera	\$19,242		\$19,242	\$24,000	\$20,094		\$20,094
18.	Marin	\$18,441		\$18,441	\$16,000	\$13,396		\$13,396
19.	Mendocino	\$19,242	\$2,539	\$21,781	\$26,000	\$21,768	\$3,197	\$24,965
20.	Merced	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
21.	Modoc	\$12,828	\$391	\$13,219	\$16,000	\$13,396	\$393	\$13,789
22.	Monterey	\$36,080		\$36,080	\$45,000	\$37,675		\$37,675
23.	Napa ³	\$19,242	\$2,344	\$21,586				
24.	Nevada	\$19,242		\$19,242	\$24,000	\$20,094		\$20,094

¹ The maximum SAFG grant award is capped at \$45,000. To match the projected state allocation, the maximum allowable funding amount based on formula was adjusted downward by approximately 18% percent. The courts which requested less than the base amount or their maximum funding amount are not adjusted downward.

² Dependency Drug Court augmentation funds were allocated based on number of participants at the rate of approximately \$49.18 per person.

³ The Superior Court of California, County of Placer did not apply for funding in fiscal year 2014–2015, but has applied in fiscal year 2015–2016. The Superior Court of California, Counties of Napa and Riverside did not apply for fiscal year 2015–2016.

	County	FY 14-15 Final SAFG Funding Allocation	FY 14-15 Dependency Drug Court Augmentation Allocation	FY 14-15 Total Allocation (SAFG + DDC)	FY 15-16 Allocation Based on Formula	FY 15-16 Final SAFG Funding Allocation ¹	FY 15-16 Dependency Drug Court Augmentation Allocation ²	FY 15-16 Total Allocation (SAFG + DDC)
25.	Orange	\$33,674		\$33,674	\$42,000	\$35,165		\$35,165
26.	Placer ³				\$16,000	\$13,396		\$13,396
27.	Plumas	\$20,846		\$20,846	\$29,000	\$24,280		\$24,280
28.	Riverside ³	\$28,062	\$13,672	\$41,734				
29.	Sacramento	\$33,674	\$9,375	\$43,049	\$42,000	\$35,165	\$11,803	\$46,968
30.	San Bernardino	\$33,674		\$33,674	\$42,000	\$35,165		\$35,165
31.	San Diego	\$33,674		\$33,674	\$42,000	\$35,165		\$35,165
32.	San Francisco	\$36,080	\$1,953	\$38,033	\$44,500	\$37,256	\$2,705	\$39,961
33.	San Joaquin	\$36,080	\$17,578	\$53,658	\$45,000	\$37,675	\$20,656	\$58,331
34.	San Luis Obispo	\$25,657	\$2,930	\$28,587	\$32,000	\$26,792	\$3,689	\$30,481
35.	San Mateo	\$25,657		\$25,657	\$32,000	\$26,792		\$26,792
36.	Santa Barbara	\$35,278		\$35,278	\$44,000	\$36,840		\$36,840
37.	Santa Clara	\$27,260	\$4,687	\$31,947	\$35,000	\$29,304	\$8,361	\$37,665
38.	Santa Cruz	\$36,080		\$36,080	\$45,000	\$37,675		\$37,675
39.	Shasta	\$22,450		\$22,450	\$24,000	\$20,094		\$20,094
40.	Sierra	\$12,000		\$12,000	\$12,000	\$12,000		\$12,000
41.	Siskiyou	\$19,242	\$1,953	\$21,195	\$20,000	\$16,745	\$1,475	\$18,220
42.	Solano	\$33,674	\$1,953	\$35,627	\$41,000	\$34,328	\$2,459	\$36,787
43.	Sonoma	\$36,080	\$1,563	\$37,643	\$45,000	\$37,675	\$1,967	\$39,642
44.	Stanislaus	\$16,035		\$16,035	\$24,000	\$20,094	\$836	\$20,930
45.	Sutter	\$12,828		\$12,828	\$22,000	\$18,419		\$18,419
46.	Tehama	\$19,242	\$586	\$19,828	\$24,000	\$20,094	\$738	\$20,832
47.	Trinity	\$12,028		\$12,027	\$15,000	\$12,558		\$12,558
48.	Tulare	\$12,828		\$12,828	\$20,000	\$16,745		\$16,745
49.	Tuolumne	\$16,035	\$1,953	\$17,988	\$20,000	\$16,745	\$2,459	\$19,204
50.	Ventura	\$25,657	\$1,367	\$27,024	\$32,000	\$26,792	\$1,721	\$28,513
51.	Yolo	\$12,000		\$12,000	\$18,000	\$15,070		\$15,070
52.	Yuba	\$17,639		\$17,639	\$22,000	\$18,419		\$18,419
	Total	\$1,160,000	\$75,000	\$1,235,000	\$1,373,500	\$1,160,000	\$75,000	\$1,235,000

Fiscal Year 2016–2017 Budget Proposals for Supreme Court, Courts of Appeal, Judicial Council, Judicial Branch Facilities Program, Trial Courts, and Habeas Corpus Resource Center

Below are the 2016–2017 budget proposals for submission to the state Department of Finance to address baseline resources for the state judiciary. The current estimated budgetary need is indicated in parentheses after the program titles.

Supreme Court and Courts of Appeal (\$TBD million)

New Appellate Court Justices. Proposed ongoing General Fund augmentation for two additional appellate court justices and their necessary chambers staff for Division Two of the Fourth Appellate District to meet substantial and growing workload demands. Division Two has an annual average of 1,165 appeals becoming fully briefed, resulting in a case weight of 119 cases per justice—far exceeding all of the other divisions. Adding two justices would reduce the weighted workload to 93 weighted cases per justice—still above the optimal number of 89 cases per justice, and would prevent cases from being transferred from one division to another, which would pose a hardship for litigants who would bear the expense and burden of traveling to a distant division. It would also allow local issues to be decided in the geographic area in where the dispute arose.

Appellate Court-Appointed Counsel Cost Increases (\$TBD million).

- *Appellate Projects for the Courts of Appeal.* Proposed ongoing General Fund augmentation to increase the contract amounts for the appellate projects, which are responsible for administering the appointment of counsel by contract with the Courts of Appeal. The projects are responsible for managing the court-appointed counsel system in their respective districts and performing quality control functions. Each project oversees a panel of attorneys who receive appointments in the district. The projects are responsible for working with the panel attorneys to ensure that effective assistance is provided, ensuring continuity of quality, including reviewing claims for payment submitted by panel attorneys. Funding for the appellate projects comes almost entirely from their contracts with the Courts of Appeal, and despite significant increases in the cost of doing business; the projects have received no increases in the amounts of their contracts since 2007, while being held to the same required billable-hours and quality-of-service expectations.
- *California Appellate Project – San Francisco.* Proposed ongoing General Fund augmentation to support an increase in its contract with the California Appellate Project—San Francisco (CAP-SF), which provides assistance and oversight to the panel of private attorneys appointed in capital appeals and habeas corpus and clemency proceedings for indigent defendants. CAP-SF is also responsible for assisting unrepresented death row inmates by collecting and preserving records and evidence for

later post-conviction use, and by providing advocacy needed before counsel is appointed. The funding would support significant increases in the cost of rent and staff benefits, new staff, salary increases, training, and increased costs for record collection and preservation.

- *Panel Attorneys.* Proposed ongoing augmentation of \$4.2 million General Fund to provide an increase of \$10 per hour (from \$85/95/105 to \$95/105/115) for court-appointed counsel representing indigent parties in appeals of criminal and juvenile matters before the California Courts of Appeal. This would be the first compensation increase since 2007. Recruiting competent court-appointed attorneys who are willing and able to make a career of representing indigent appellants and retaining these experienced attorneys are at the heart of a stable, efficient, and cost-effective court-appointed counsel program. The lack of compensation increases has affected the program's recruitment and retention efforts and could jeopardize the constitutional obligation to provide effective assistance of counsel for indigent defendants.

Supreme Court Workload. Proposed ongoing augmentation of \$1.2 million General Fund for the Supreme Court's budget to provide stable, permanent funding for six positions: one Senior Executive Judicial Assistant to the Chief Justice position, one Senior Legal Advisor position, one critically-needed Legal Advisor IV position to support the Supreme Court Committee on Judicial Ethics Opinions, two Senior Supreme Court Attorney positions on the Supreme Court's Capital Central Staff, and one Deputy Clerk position in the Capital Appeals Unit of its clerk's office.

Print and Online Subscriptions. Proposed ongoing General Fund augmentation to address the increased costs of law library print and online resources for the California Judicial Center Library and the law libraries of the Courts of Appeal. The amount requested will represent observed and predicted increases in the costs of supplying libraries, judicial chambers, and staff collections in all court libraries and contractually required increases in the costs of providing access to the major online legal research services.

Trial Courts (\$TBD million)

Support for Trial Court Operations (\$TBD million):

- *Funding for trial courts equal to 10 percent of the Workload-Based Allocation and Funding Methodology (WAFM) estimated funding need.* Proposed ongoing augmentation of \$238.0 million General Fund for transfer to the Trial Court Trust Fund to provide 10 percent of the WAFM funding need. The WAFM provides a budget development and allocation process building on accepted measures of trial court workload and creating formulas to allocate funding to the trial courts in a more equitable manner. The process is designed to create a baseline funding formula for each court using identifiable, relevant, and reliable data consistently applied to all courts. The process is rooted in workload assessment, established by the Judicial Council-approved

Resource Assessment Study (RAS) model which assesses court staffing needs using a three-year rolling average of filings weighted based on the workload associated with each case type that makes up the total filings. Using RAS and other identifiable cost drivers, WAFM estimates the funding need for each superior court. The allocation method is premised on identifying funding need for court operations and then comparing that amount to equivalent, available funding in order to help the state's most under-resourced courts. Based on the 2015–2016 WAFM funding need estimate, total equivalent, available funding is only 71.6 percent to 80.4 percent of the funding need. The proposal requests 10 percent of the amount of funding needed by the courts based on the 2015–2016 WAFM estimate to reduce the gap between funding need and available funding.

- *Trial court employee compensation.* Proposed ongoing General Fund augmentation for transfer to the Trial Court Trust Fund to provide funding for employee compensation. The proposed augmentation is computed consistent with the level of compensation increases provided to executive branch agencies. (2 percent in 2014–2015 and 2.5 percent in 2015–2016.)

Court-Appointed Dependency Counsel. Proposed ongoing augmentation of \$22.4 million General Fund for transfer to the Trial Court Trust Fund to support court-appointed dependency counsel workload. The 2015–2016 base budget for court-appointed dependency counsel is \$114.7 million, which includes an additional \$11 million in funding provided in the 2015 Budget Act. The need based on the current workload model is \$137.1 million—an ongoing need of \$22.4 million in new funding to address the costs for court-appointed counsel for parents and children. The new funding would enable the reduction of caseloads from the current rate of 250 clients per attorney to 188. The American Bar Association recommends 100 clients per attorney. New funding will be allocated—as approved by the Judicial Council at its April 17, 2015, meeting—to courts with a ratio of historical base funding to workload-based funding that is below the statewide ratio of total base funding required to meet the workload standard. Adequately funding effective counsel for parents and children has resulted in numerous benefits both for the courts and for children in foster care. Effective counsel can ensure that the complex requirements in juvenile law for case planning, notice, and timeliness are adhered to, thereby reducing case delays and improving court case processing and the quality of information provided to the judge. Unnecessary delays also result in children spending long periods of time in foster care, a situation that has improved greatly in the past few years through the courts' focus on effective representation and adherence to statutory timelines.

New Judgeships (Assembly Bill 159). Proposed ongoing General Fund augmentation for transfer to the Trial Court Trust Fund for 12 new judgeships and necessary supporting staff. Although the second of three sets of 50 judgeships was authorized by the Legislature in Assembly Bill 159 (Stats. 2007, Ch. 722), funding was not appropriated and the judges were never appointed. In spring of 2015, the Budget Conference Committee approved \$7.8 million for 12 new judgeships, removing funding for court security costs from the \$10 million that Senate

Subcommittee for Corrections, Public Safety and the Judiciary had approved earlier. The Legislature also proposed budget bill language that the allocation of 12 judgeships be based on the judicial workloads needs assessment, and placed in courtrooms that were active at the time of the 2011 Criminal Realignment Act but then subsequently closed, thereby not increasing the need for court security beyond the level already funded through the 2011 realignment. Although a General Fund augmentation was not included in the final 2015 Budget Act, this proposal would request funding for an additional 12 new judgeships based on the current Judicial Needs Assessment. The most current Judicial Needs Assessment, which was presented to the Judicial Council in December 2014, showed a need for 270 new judges. That assessment was based on filings data for 2010–2011 through 2012–2013. Although statewide filings have been declining, the decline (5 percent since the 2012 Judicial Needs Assessment) has tended to be in the types of cases that take less judicial time to adjudicate.

Implementation of Language Access Plan. Proposed augmentation of \$11,136,000 General Fund, of which \$622,000 is one-time, to help support implementation of the Strategic Plan for Language Access in the California Courts (adopted by the Judicial Council on January 22, 2015). The requested funding would support the following items: (1) expanding interpreter services into all civil proceedings, (2) providing training for interpreters on civil cases and remote interpreting, as well as signage in courthouses in multiple languages, (3) providing on-site trial court support for language access, (4) implementing a pilot program for video remote interpreting, (5) translation of Judicial Council forms and creation of multilingual videos to assist limited English proficient (LEP) court users, and (6) to support the work of the Language Access Plan Implementation Task Force to ensure appropriate and timely implementation of recommendations to improve access to justice for the 7 million LEP Californians and promote efficiency for the courts. In addition, staff is continuing to more fully flesh out the need for additional staff resources, and will present a more comprehensive request for staff support to the task force in time to submit a spring Finance Letter.

Court Case Management System V3 Replacement. Proposed one-time General Fund augmentation for transfer to the Trial Court Trust Fund to replace the Court Case Management System V3 with a vendor-supplied case management system in Orange, Sacramento, San Diego, and Ventura Counties. Because of the projected deficit in the Trial Court Improvement and Modernization Fund (IMF), the Judicial Council determined the need to eliminate funding from the IMF for the V3 Case Management System. Hence, by July 2019, the four identified courts will be responsible for self-funding their case management systems. CMS V3 is a robust application that automates processing for the civil, small claims, probate, and mental health case types. The cost to maintain and support CMS V3 from the IMF is comparatively high to support four courts. The courts have determined that to replace CMS V3 with a vendor-supplied CMS will be more cost-effective. Moreover, action by the Legislature in July 2012 prevents the branch from using funds to improve CMS V3, restricting funding to “maintenance and operations” unless approved by the Legislature. This action effectively prohibits the Judicial Council from developing and deploying any further significant automation to increase efficiencies for the

courts, making CMS V3 a legacy system. Although ongoing support costs for a vendor CMS would be lower, the courts are unable to support the one-time deployment costs.

Funding for Court-Provided Security. Proposed ongoing General Fund augmentation for transfer to the Trial Court Trust Fund to address increased costs for court-provided (non-sheriff) security. When criminal justice realignment occurred in 2011, funding for sheriff-provided security was transferred to the counties. As a result, in July of 2011 trial court base budgets were reduced by the total amount for sheriff-provided security—\$484.6 million—while a total of \$41.0 million remained in the base budgets for the 39 courts with court-provided security costs (private security contracts, court attendants, marshals, and other costs such as alarm systems). Currently, county-provided sheriff security receives growth funding from the Trial Court Security Growth Special Account; however, courts have not received any funding for increased costs for private security contracts since 2010–2011. Courts do, however, receive funding for benefit adjustments for marshal and court security staff through the benefit funding process. This proposal would request a General Fund augmentation to address increased costs for court-provided (non-sheriff) security for the maintenance of funding at 2010–2011 security levels.

Judicial Branch Facilities Program (\$TBD million)

Sustainability of the Immediate and Critical Needs Account.

- *Replace \$50 million transfer from the Immediate and Critical Needs Account with General Fund to support trial court operations.* Proposed ongoing augmentation of \$50 million General Fund for transfer to the Trial Court Trust Fund to support trial court operations. Beginning with the 2013-14 fiscal year, \$50 million is transferred annually from the Immediate and Critical Needs Account to the Trial Court Trust Fund to support trial court operations. This request would eliminate the transfer from the Immediate and Critical Needs Account and replace it with \$50 million from the General Fund to provide the same level of funding to support trial court operations.
- *Replace funding from previous General Fund transfers from the Immediate and Critical Needs Account.* Proposed one-time augmentation of \$510.3 million General Fund for transfer to the Immediate and Critical Needs Account. During the recession, significant funds were transferred from the Immediate and Critical Needs Account to offset General Fund budget reductions that impacted trial court operations. In total, \$510.3 million was transferred to from the Immediate and Critical Needs Account to the General Fund (\$310.3 million in 2011–12 and \$200.0 million in 2013–14). Restoration of funds will also allow for cash funding—rather than financing—of construction projects with significant reductions to the overall cost of the SB 1407 courthouse construction program.

Courthouse Operations Costs.

- ***Trial Court Facilities Operating Expenses.*** Proposed ongoing augmentation of \$27.6 million General Fund for transfer to the Court Facilities Trust Fund to support 4.0 positions to maintain trial court facilities at industry standard levels using the Building Owners and Managers Association average.
- ***Trial Court Facility Modification Projects.*** Proposed ongoing augmentation of \$12.6 million General Fund for transfer to the State Court Facilities Construction Fund and 4.0 positions to ensure timely facility modification project implementation.
- ***Facility Modification for the Michael Antonovich Antelope Valley Courthouse.*** Proposed one-time augmentation of \$3.5 million from the Immediate and Critical Needs Account for a facility modification project for the Superior Court of Los Angeles County, Michael Antonovich Antelope Valley Courthouse.
- ***Trial Court Security Equipment.*** Proposed ongoing augmentation of \$3.905 million General Fund for transfer to the Court Facilities Trust Fund to maintain and replace camera, electronic access, and duress alarm and intrusion alarm systems in state trial court facilities.

Increased Operations costs for Existing and New/Renovated Courthouses.

- ***Increase Operations Costs for Existing Courthouse Operations Costs.*** Proposed ongoing General Fund augmentation in 2016-2017 for transfer to the Trial Court Trust Fund for operations support costs that are allowable under California Rule of Court, rule 10.810.
- ***Increased Operations Costs for New/Renovated Courthouses.*** Proposed augmentation of \$3.6 million in 2016–2017 and \$4.4 million 2017-2018 and ongoing from the General Fund for transfer to the Court Facilities Trust Fund to address the increased facility operating costs for four newly constructed or renovated facilities in Merced, San Diego, San Joaquin, and Tehama counties, which will be opening in 2016-2017.

Judicial Branch Risk Management Program—Trial Courts. Proposed ongoing augmentation of \$3.931 million General Fund for transfer to the Court Facilities Trust Fund for facilities-related insurance premiums for effective risk management of trial court facilities. County facility payments provide \$2.934 million for insurance, and total property and liability costs associated with court facility operations are estimated at \$6.865 million. This request addresses the unfunded need. The Trial Court Facility Modification Advisory Committee supports this request.

Transfer of funding for East County Hall of Justice, Alameda Courthouse Project. Proposed transfer of \$903,000 annually from the Court Facilities Trust Fund to the Immediate and Critical Needs Account (ICNA) to support the financial plan for the construction of the Alameda

County—New East County Hall of Justice. The transfer would be in place until the loan from the ICNA is fully paid off, which is estimated to occur in seven to eight years. This item was presented to the Trial Court Facility Modification Advisory Committee as an informational item. It was previously approved by the Judicial Council for submittal as a BCP in August 2008.

Judicial Council (\$3.2 million)

Judicial Branch Information Systems Control Enhancements. Proposed ongoing augmentation of \$3.2 million General Fund in 2016–2017 and \$2.0 million General Fund in 2017–2018 and ongoing for the initial implementation of a court information security program to ensure the security and reliability of court data. With the Judicial Branch Contract Law, enacted in 2011, the branch is now subject to biennial audits under which court procurement activities are inspected by the California State Auditor (Pub. Contract Code, § 19210). The auditors may also perform a general systems audit to assess the security and reliability of local court information technology infrastructure and the data hosted on that infrastructure. On July 29, 2015, the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch reviewed this request as it pertains to Judicial Council funding and supports the submission of this BCP.

Habeas Corpus Resource Center (\$TBD million)

Case Staffing Teams. Proposed ongoing General Fund augmentation to create four additional legal case teams to accept additional appointments in death-penalty post-conviction cases. This proposal is necessary to reduce the increasing backlog of inmates on California’s death row who lack counsel for state habeas corpus proceedings. As of July 17, 2015, 358 inmates are without counsel, and nearly half of those inmates have waited for more than 10 years. In July 2014, a federal district court judge ruled that California’s failure to adequately fund the post-conviction process has rendered California’s capital punishment system arbitrary and thus unconstitutional. That order has been appealed, but the delays and concomitant constitutional violations will continue to worsen without additional funding for post-conviction counsel.

JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

Thursday, August 20, 2015 Meeting

Agenda Item # / Subject: 1A: 5 YEAR MASTER PLAN FACILITIES DEFERRED MAINTENANCE REPORT

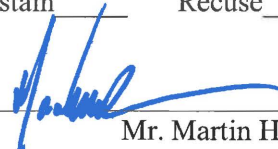
Roll Call _____ Voice Vote X

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller <i>1st M</i>					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler <i>2nd M</i>					
12.	Judge David Rosenberg					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout					
15.	Judge Martin J. Tangeman					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bonino					
19.	Mr. James P. Fox					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole <i>may be late (travel)</i>					

NON-VOTING MEMBERS		PRESENT
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS		PRESENT
1.	Justice James M. Humes	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

* For a roll call vote, the Secretary will read each voting member's name, in alphabetical order, with the Chair last. Each member responds as shown above. If the member does not wish to vote, he or she answers "present" (or "abstain"). After each member speaks, the Secretary then repeats that member's name and notes that answer in the correct column. Changes of votes are permitted at this time, before the result is announced. In roll call voting, a record of how each member voted, as well as the result of the vote, will be entered in full in the minutes. For a voice vote, the Secretary indicates votes as he or she heard them.

JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

Thursday, August 20, 2015 Meeting

Agenda Item # / Subject: 1B: FACILITIES BUDGET ALLOCATIONS FOR MODS FY 15/16

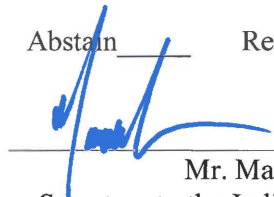
Roll Call _____ Voice Vote X

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller <i>1st M</i>					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler <i>2nd M</i>					
12.	Judge David Rosenberg					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout					
15.	Judge Martin J. Tangeman					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bonino					
19.	Mr. James P. Fox					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole <i>may be late (travel)</i>					

NON-VOTING MEMBERS		PRESENT
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS		PRESENT
1.	Justice James M. Humes	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

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JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

Thursday, August 20, 2015 Meeting

Agenda Item # / Subject: LC: BUDGET: FY 16/17 BCPs For FACILITIES

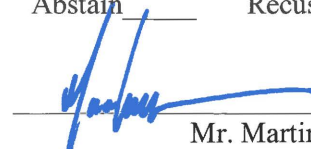
Roll Call _____ Voice Vote X

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller <i>1st M</i>					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler <i>2</i>					
12.	Judge David Rosenberg					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout					
15.	Judge Martin J. Tangeman					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bonino					
19.	Mr. James P. Fox					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole <i>may be late (travel)</i>					

NON-VOTING MEMBERS	PRESENT	
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS	PRESENT	
1.	Justice James M. Humes	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

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JUDICIAL COUNCIL ROLL CALL / VOTING SHEET
Thursday, August 20, 2015 Meeting

Agenda Item # / Subject: 2: Report on CA Rule of Court 10.75

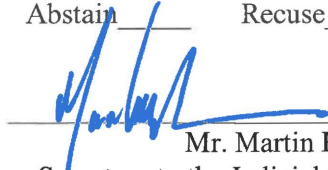
Roll Call _____ Voice Vote _____

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler					
12.	Judge David Rosenberg <i>2nd</i>					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout					
15.	Judge Martin J. Tangeman					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bonino					
19.	Mr. James P. Fox					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole <i>may be late (travel)</i>					

NON-VOTING MEMBERS	PRESENT	
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe <i>1st</i>	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS	PRESENT	
1.	Justice James M. Humes	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

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JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

Thursday, August 20, 2015 Meeting

Agenda Item # / Subject: 3: IMPLEMENTATION OF COURT TECHNOLOGY GOVERNANCE PLAN

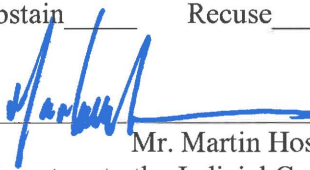
Roll Call _____ Voice Vote _____

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin <i>2nd</i>					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler <i>1st</i>					
12.	Judge David Rosenberg					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout					
15.	Judge Martin J. Tangeman					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bonino					
19.	Mr. James P. Fox					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole <i>may be late (travel)</i>					

NON-VOTING MEMBERS		PRESENT
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS		PRESENT
1.	Justice James M. Humes	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

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JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

Friday, August 21, 2015 Meeting

Agenda Item # / Subject: Consistent Agenda A1 - A2 Through Item H

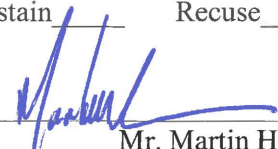
Roll Call _____ Voice Vote X

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler					
12.	Judge David Rosenberg					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout <i>absent</i>	N/A	N/A	N/A	N/A	N/A
15.	Judge Martin J. Tangeman					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bomino					
19.	Mr. James P. Fox <i>(2nd)</i>					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole					

NON-VOTING MEMBERS		PRESENT
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber <i>2nd</i>	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS		PRESENT
1.	Justice James M. Humes *	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	
* Justice Humes needs to leave near the lunch break (approx. 12:30 pm)		

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

* For a roll call vote, the Secretary will read each voting member's name, in alphabetical order, with the Chair last. Each member responds as shown above. If the member does not wish to vote, he or she answers "present" (or "abstain"). After each member speaks, the Secretary then repeats that member's name and notes that answer in the correct column. Changes of votes are permitted at this time, before the result is announced. In roll call voting, a record of how each member voted, as well as the result of the vote, will be entered in full in the minutes. For a voice vote, the Secretary indicates votes as he or she heard them.

JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

Friday, August 21, 2015 Meeting

Agenda Item # / Subject: I - AMNESTY PROGRAM GUIDELINES

Roll Call _____ Voice Vote X

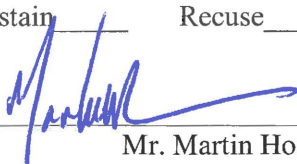
AS REVISED + AMENDED DATE

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler					
12.	Judge David Rosenberg					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout <i>absent</i>	N/A	N/A	N/A	N/A	N/A
15.	Judge Martin J. Tangeman					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bonino					
19.	Mr. James P. Fox					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole					

NON-VOTING MEMBERS		PRESENT
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS		PRESENT
1.	Justice James M. Humes *	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	
* Justice Humes needs to leave near the lunch break (approx. 12:30 pm)		

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

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JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

Friday, August 21, 2015 Meeting

Agenda Item # / Subject: J- FY 16/17 BCPs For JUDICIAL BRANCH

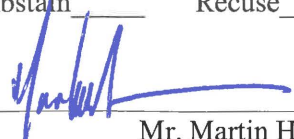
Roll Call Voice Vote

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller <i>2nd</i>					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler					
12.	Judge David Rosenberg					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout <i>absent</i>	N/A	N/A	N/A	N/A	N/A
15.	Judge Martin J. Tangeman					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bomino					
19.	Mr. James P. Fox					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole					

NON-VOTING MEMBERS		PRESENT
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So <i>1st</i>	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS		PRESENT
1.	Justice James M. Humes *	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	
* Justice Humes needs to leave near the lunch break (approx. 12:30 pm)		

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

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JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

~~FRIDAY~~ Thursday, August 20, 2015 Meeting

Agenda Item # / Subject: K - TL IMF ALLOCATION ADJUSTMENT + NEW REPORTING REQUIREMENTS

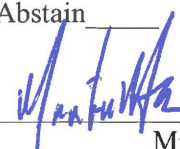
Roll Call ~~☒~~ Voice Vote X

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Justice Tani G. Cantil-Sakauye, Chair					
2.	Justice Judith Ashmann-Gerst					
3.	Justice Ming W. Chin					
4.	Justice Harry E. Hull, Jr.					
5.	Justice Douglas P. Miller					
6.	Judge Marla O. Anderson					
7.	Judge Brian John Back					
8.	Judge James R. Brandlin					
9.	Judge David De Alba					
10.	Judge Emilie H. Elias					
11.	Judge Gary Nadler					
12.	Judge David Rosenberg <i>14+</i>					
13.	Judge David M. Rubin					
14.	Judge Dean T. Stout					
15.	Judge Martin J. Tangeman <i>20M</i>					
16.	Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17.	Assemblyman Richard Bloom					
18.	Mr. Mark G. Bonino					
19.	Mr. James P. Fox					
20.	Ms. Donna D'Angelo Melby					
21.	Ms. Debra E. Pole <i>may be late (travel)</i>					

NON-VOTING MEMBERS	PRESENT	
22.	Judge Daniel J. Buckley	
23.	Judge James E. Herman	
24.	Judge Morris D. Jacobson <i>absent</i>	N/A
25.	Judge Brian L. McCabe	
26.	Judge Marsha G. Slough	
27.	Judge Kenneth K. So	
28.	Judge Charles D. Wachob	
29.	Judge Joan P. Weber	
30.	Commissioner David E. Gunn	
31.	Mr. Richard D. Feldstein	
32.	Mr. Frank A. McGuire	
33.	Ms. Mary Beth Todd	

INCOMING MEMBERS	PRESENT	
1.	Justice James M. Humes	
2.	Judge Samuel K. Feng	
3.	Judge Dalila C. Lyons	
4.	Judge Eric C. Taylor	
5.	Mr. Jake Chatters	
6.	Ms. Kimberly Flener	
7.	Mr. Patrick M. Kelly	

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

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JUDICIAL COUNCIL ROLL CALL / VOTING SHEET

~~FRIDAY~~ Thursday, August 20, 2015 Meeting

Agenda Item # / Subject: L - SUBORDINATE JUDICIAL OFFICES : UPDATED WORKLOAD DATA

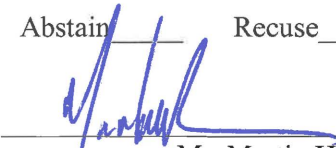
Roll Call _____ Voice Vote X

VOTING MEMBERS	PRESENT	YES	NO	ABSTAIN	RECUSE
1. Justice Tani G. Cantil-Sakauye, Chair					
2. Justice Judith Ashmann-Gerst					
3. Justice Ming W. Chin					
4. Justice Harry E. Hull, Jr.					
5. Justice Douglas P. Miller					
6. Judge Marla O. Anderson					
7. Judge Brian John Back <i>BM</i>					
8. Judge James R. Brandlin					
9. Judge David De Alba					
10. Judge Emilie H. Elias					
11. Judge Gary Nadler					
12. Judge David Rosenberg					
13. Judge David M. Rubin					
14. Judge Dean T. Stout					
15. Judge Martin J. Tangeman					
16. Sen. Hannah Beth Jackson <i>absent</i>	N/A	N/A	N/A	N/A	N/A
17. Assemblyman Richard Bloom					
18. Mr. Mark G. Bonino					
19. Mr. James P. Fox					
20. Ms. Donna D'Angelo Melby					
21. Ms. Debra E. Pole <i>may be late (travel)</i>					

NON-VOTING MEMBERS	PRESENT
22. Judge Daniel J. Buckley	
23. Judge James E. Herman	
24. Judge Morris D. Jacobson <i>absent</i>	N/A
25. Judge Brian L. McCabe <i>BM</i>	
26. Judge Marsha G. Slough	
27. Judge Kenneth K. So	
28. Judge Charles D. Wachob	
29. Judge Joan P. Weber	
30. Commissioner David E. Gunn	
31. Mr. Richard D. Feldstein	
32. Mr. Frank A. McGuire	
33. Ms. Mary Beth Todd	

INCOMING MEMBERS	PRESENT
1. Justice James M. Humes	
2. Judge Samuel K. Feng	
3. Judge Dalila C. Lyons	
4. Judge Eric C. Taylor	
5. Mr. Jake Chatters	
6. Ms. Kimberly Flener	
7. Mr. Patrick M. Kelly	

Totals: Present _____ Absent _____ Yes _____ No _____ Abstain _____ Recuse _____



 Mr. Martin Hoshino
 Secretary to the Judicial Council

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