

AMENDMENTS TO THE CALIFORNIA RULES OF COURT

Adopted by the Judicial Council on April 17, 2015,

effective on July 1, 2015

1 **Rule 10.70. Task forces, working groups, and other advisory bodies**

2  
3 **(a) Established by Chief Justice or Judicial Council**

4  
5 The Chief Justice, ~~the Administrative Director of the Courts,~~ or the council may  
6 establish task forces and other advisory bodies to work on specific projects that  
7 cannot be addressed by the council's standing advisory committees. These task  
8 forces and other advisory bodies may be required to report to one of the internal  
9 committees ~~or the Administrative Director,~~ as designated in their charges.

10  
11 *(Subd (a) lettered and amended effective July 1, 2015; adopted as unlettered subd effective*  
12 *January 1, 1999.)*

13  
14 **(b) Established by Administrative Director**

15  
16 The Administrative Director may establish working groups to work on specific  
17 projects identified by the Administrative Director that address areas and topics  
18 within the Administrative Director's purview.

19  
20 *(Subd (b) adopted effective July 1, 2015.)*

21  
22 *Rule 10.70 amended effective July 1, 2015; adopted as rule 6.70 effective January 1, 1999;*  
23 *previously renumbered effective January 1, 2007; previously amended effective September 1,*  
24 *2003 and August 14, 2009.*

25  
26 **Rule 10.101. Role of the Judicial Council ~~and Administrative Office of the Courts~~**

27  
28 **(a) Purpose**

29  
30 This rule specifies the responsibilities of the Judicial Council, the Chief Justice, the  
31 Administrative Director ~~of the Courts,~~ and ~~the Administrative Office of the Courts~~  
32 council staff with respect to the judicial branch budget.

33  
34 *(Subd (a) amended effective July 1, 2015; previously amended effective January 1, 2005,*  
35 *January 1, 2007, and August 14, 2009.)*

36  
37 **(b) Duties of the Judicial Council**

38  
39 The Judicial Council must:

40  
41 (1) \* \* \*

1  
2 (2) Develop policies and procedures for the creation and implementation of a  
3 yearly budget for the judicial branch;

4  
5 ~~(2)~~(3) Develop the budget of the judicial branch based on the priorities established  
6 and the needs of the courts;

7  
8 ~~(3)~~(4) Communicate and advocate the budget of the judicial branch to the Governor  
9 and the Legislature;

10  
11 ~~(4)~~(5) Allocate funds in a manner that ensures equal access to justice for all citizens  
12 of the state, ensures the ability of the courts to carry out their functions  
13 effectively, promotes implementation of statewide policies as established by  
14 statute and the Judicial Council, and promotes implementation of efficiencies  
15 and cost-saving measures;

16  
17 ~~(5)~~(6) Resolve appeals on budget and allocation issues; and

18  
19 ~~(6)~~(7) Ensure that the budget of the judicial branch remains within the limits of the  
20 appropriation set by the Legislature.

21  
22 *(Subd (b) amended effective July 1, 2015; previously amended effective January 1, 2007*  
23 *and August 14, 2009.)*

24  
25 (c) **Authority of the Chief Justice and Administrative Director ~~of the Courts~~**

26  
27 (1) The Chief Justice and the Administrative Director ~~of the Courts~~ may take the  
28 following actions, on behalf of the Judicial Council, with regard to any of the  
29 Judicial Council's recommended budgets for the Supreme Court, the Courts  
30 of Appeal, the trial courts, the Judicial Council, the Habeas Corpus Resource  
31 Center, and ~~the Administrative Office of the Courts~~ council staff:

32  
33 (A)-(B) \* \* \*

34  
35 (2) The Chief Justice ~~and the Administrative Director of the Courts~~, on behalf of  
36 the Judicial Council, may allocate funding appropriated in the annual State  
37 Budget to the Supreme Court, the Courts of Appeal, the Judicial Council, the  
38 Habeas Corpus Resource Center, and ~~the Administrative Office of the Courts~~  
39 council staff.

40  
41 (3) After the end of each fiscal year, the Administrative Director ~~of the Courts~~  
42 must report to the Judicial Council on the actual expenditures from the  
43 budgets for the Supreme Court, the Courts of Appeal, the trial courts, the

1 Judicial Council, the Habeas Corpus Resource Center, and the ~~Administrative~~  
2 ~~Office of the Courts~~ council staff.

3  
4 *(Subd (c) amended effective July 1, 2015; adopted effective January 1, 2005; previously*  
5 *amended effective August 14, 2009.)*

6  
7 **(d) Duties of the Administrative Director of the ~~Courts~~**

8  
9 The Administrative Director of the ~~Courts~~ implements the directives of the Judicial  
10 Council and must:

11  
12 ~~(1) — Develop policies and procedures for the creation and implementation of a~~  
13 ~~yearly budget for the judicial branch;~~

14  
15 ~~(2)~~(1) Present the judicial branch budget in negotiations with the Governor and the  
16 Legislature; and

17  
18 ~~(3)~~(2) Allocate to the trial courts, on behalf of the Judicial Council, a portion of the  
19 prior fiscal year baseline allocation for the trial courts following approval of  
20 the State Budget and before the allocation of state trial court funding by the  
21 Judicial Council. The portion of the prior fiscal year baseline allocation that  
22 may be so allocated is limited to the amount estimated to be necessary for the  
23 operation of the courts pending action by the Judicial Council, and may not  
24 exceed 25 percent of the prior fiscal year baseline allocation for each trial  
25 court.

26  
27 *(Subd (d) amended effective July 1, 2015; adopted as subd (c); previously relettered*  
28 *effective January 1, 2005; previously amended effective January 1, 2001, January 1, 2007,*  
29 *and August 14, 2009.)*

30  
31 **(e) Duties of the director of the Finance ~~Division~~**

32  
33 The director of the Finance Division of the ~~Administrative Office of the Courts~~ for  
34 the Judicial Council, under the direction of the Administrative Director of the  
35 ~~Courts~~, administers the budget policies and procedures developed by the  
36 ~~Administrative Director of the Courts~~ and approved by the Judicial Council. The  
37 director of the Finance ~~Division~~ must:

38  
39 (1)–(4) \* \* \*

40  
41 (5) Assist all courts and the Administrative Director of the ~~Courts~~ in preparing  
42 and managing budgets.

43

1 (Subd (e) amended effective July 1, 2015; adopted as subd (d); previously relettered  
2 effective January 1, 2005; previously amended effective January 1, 2007 and August 14,  
3 2009.)  
4

5 Rule 10.101 amended effective July 1, 2015; adopted as rule 2301 effective July 1, 1998;  
6 renumbered as rule 6.101 effective January 1, 1999; previously amended and renumbered  
7 effective January 1, 2007; previously amended effective January 1, 2001, January 1, 2005, and  
8 August 14, 2009.  
9

10 **Advisory Committee Comment**

11  
12 Subdivision (c)(1)(A). Examples of technical changes to the budget include calculation of fiscal  
13 need, translation of an approved concept to final fiscal need, and simple non-policy-related  
14 baseline adjustments such as health and retirement benefits, Pro Rata, and the Statewide Cost  
15 Allocation Plan.  
16

17 **Rule 10.473. Minimum education requirements for trial court executive officers**

18  
19 (a) \* \* \*

20  
21 (b) **Content-based requirement**

22  
23 (1) Each new executive officer must complete the Presiding Judges Orientation  
24 and Court Management Program provided by the ~~Administrative Office of~~  
25 ~~the Courts' Education Division/~~ Judicial Council's Center for Judicial  
26 Judiciary Education and Research (CJER) within one year of becoming an  
27 executive officer and should participate in additional education during the  
28 first year.  
29

30 (2) \* \* \*

31  
32 (Subd (b) amended effective July 1, 2015.)  
33

34 (c) **Hours-based requirement**

35  
36 (1) Each executive officer must complete 30 hours of continuing education,  
37 including at least three hours of ethics education, every three years, beginning  
38 on the following date:  
39

40 ~~(A)~~(2) For a new executive officer, the first three-year period begins on  
41 January 1 of the year following completion of the required education for new  
42 executive officers.  
43

1           ~~(B) For all other executive officers, the first three year period began on~~  
2           ~~January 1, 2007.~~

3  
4           ~~(2)~~(3) The following education applies toward the required 30 hours of continuing  
5           education:

6  
7           (A) \* \* \*

8  
9           (B) Each hour of participation in traditional (live, face-to-face) education;  
10           distance education such as broadcasts, videoconferences, and online  
11           coursework; self-directed study; and faculty service counts toward the  
12           requirement on an hour-for-hour basis. ~~Each court executive officer~~  
13           ~~must complete at least half of his or her continuing education hours~~  
14           ~~requirement as a participant in traditional (live, face-to-face) education.~~  
15           ~~The court executive officer may complete the balance of his or her~~  
16           ~~education hours requirement through any other means with no~~  
17           ~~limitation on any particular type of education. The presiding judge has~~  
18           ~~discretion to determine the number of hours, if any, of traditional (live,~~  
19           ~~face-to-face) education required to meet the continuing education~~  
20           ~~requirement.~~

21  
22           (C) \* \* \*

23  
24           *(Subd (c) amended effective July 1, 2015; previously amended effective January 1, 2008,*  
25           *January 1, 2011, January 1, 2012, and January 1, 2013.)*

26  
27           ~~(d)–(e)~~ \* \* \*

28  
29           *Rule 10.473 amended effective July 1, 2015; adopted as rule 10.463 effective January 1, 2007;*  
30           *previously amended and renumbered effective January 1, 2008; previously amended effective*  
31           *January 1, 2011, January 1, 2012, and January 1, 2013.*

32  
33  
34           **Rule 10.630. ~~Reporting of~~ Reciprocal assignment orders**

35  
36           A “reciprocal assignment order” is an order issued by the Chief Justice that permits  
37           judges in courts of different counties to serve in each other’s courts. ~~A court must report~~  
38           ~~to the Administrative Office of the Courts, on a monthly basis, each assignment of a~~  
39           ~~judge from another county to its court under a reciprocal assignment order.~~

40  
41           *Rule 10.630 amended effective July 1, 2015; adopted as rule 813 effective July 1, 1990;*  
42           *previously amended and renumbered effective January 1, 2007.*

1 **Rule 10.804. Superior court financial policies and procedures**

2  
3 **(a) Adoption of financial policies and procedures by the ~~Administrative Office of~~**  
4 **~~the Courts~~ Judicial Council**

5  
6 ~~The Administrative Office of the Courts must prepare and adopt a financial policies~~  
7 ~~and procedures manual for the superior courts (The “*Trial Court Financial Policies*~~  
8 ~~*and Procedures Manual*”), must be consistent with the rules of court and policies~~  
9 ~~adopted by the Judicial Council. The manual and must include accounting~~  
10 ~~standards for superior courts and policies and procedures for procurement and~~  
11 ~~contracting by superior courts. These policies and procedures must not modify~~  
12 ~~superior courts’ existing authority to procure, contract for, or use goods or services~~  
13 ~~or the requirement that a court have authorized funding available in order to~~  
14 ~~procure or contract for any good or service.~~

15  
16 *(Subd (a) amended effective July 1, 2015; previously amended effective January 1, 2007.)*

17  
18 **(b) Comment period for financial policies and procedures**

19  
20 ~~Before issuing or amending the *Trial Court Financial Policies and Procedures*~~  
21 ~~*Manual*, the ~~Administrative Office of the Courts~~ Judicial Council must make it~~  
22 ~~available ~~for comment from~~ to the superior courts ~~and from~~, the California~~  
23 ~~Department of Finance, and the State Controller’s Office for 30 days for comment.~~

24  
25 *(Subd (b) amended effective July 1, 2015; previously amended effective January 1, 2007.)*

26  
27 **(c) \* \* \***

28  
29 *Rule 10.804 amended effective July 1, 2015; adopted as rule 6.707 effective January 1, 2001;*  
30 *previously amended and renumbered effective January 1, 2007.*