

JUDICIAL COUNCIL of CALIFORNIA
Minutes of the Business Meeting—February 25–26, 2013
Ronald M. George State Office Complex
William C. Vickrey Judicial Council Conference Center
Malcolm M. Lucas Board Room
San Francisco, California

**Monday, February 25, 2013–NON-BUSINESS EDUCATIONAL AND
PLANNING MEETING—CLOSED (RULE 10.6(A))**

Closed Session 10:00–11:00 a.m.

**Monday, February 25, 2013–OPEN MEETING (RULE 10.6(A))—
EDUCATIONAL MEETING
(ITEMS 1–4)**

Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council, called the meeting to order at 11:15 a.m. on Monday, February 25, 2013, at the William C. Vickrey Judicial Council Conference Center in the Ronald M. George State Office Complex.

Judicial Council members present: Chief Justice Tani G. Cantil-Sakauye; Justices Judith Ashmann-Gerst, Marvin R. Baxter, Harry E. Hull, Jr., and Douglas P. Miller; Judges Stephen H. Baker, James R. Brandlin, David De Alba, Emilie H. Elias, Sherrill A. Ellsworth, James E. Herman, Teri L. Jackson, Ira R. Kaufman, Mary Ann O’Malley, and David Rosenberg; Mr. James P. Fox; and Ms. Edith R. Matthai; **advisory members present:** Judges Laurie M. Earl, Allan D. Hardcastle, Morris D. Jacobson, Brian L. McCabe, Robert James Moss, Kenneth K. So, and Charles D. Wachob; Commissioner Sue Alexander; Chief Executive Officer Alan Carlson; and Court Executive Officers Mary Beth Todd and David H. Yamasaki; **Secretary to the council:** Steven Jahr, Administrative Director of the Courts.

Members absent: State Senator Noreen Evans, Assembly Member Richard Bloom, Ms. Angela J. Davis, and Mr. Mark P. Robinson, Jr.

Others present: Court Executive Officer Tammy L. Grimm; **media representatives:** Ms. Maria Dinzeo, *Courthouse News Service*; and Mr. Paul Jones, *Daily Journal*.

Item 1 Phoenix Program: Deployment of Phoenix Payroll System

Ms. Jody Patel, Administrative Office of the Courts (AOC) Chief of Staff, and Mr. Curt Soderlund, AOC Chief Administrative Officer, presented information about the deployment of the Phoenix Payroll System.

No council action

Item 2 Judicial Branch Budget: Educational Session on Branch Budget

Mr. Curt Soderlund, AOC Chief Administrative Officer, Mr. Zlatko Theodorovic, AOC Director of the Office of Fiscal Services, and Ms. Giselle Corrie of the AOC Judicial Branch Capital Program Office, presented information on the judicial branch budget, including a history of allocation methodology, a review of various branch funds, and efforts to simplify branch budget development and fiscal processes.

No council action

Item 3 Trial Court Workload Evaluation: An Overview of the Updated Resource Assessment Study Model

The chair and staff of the Senate Bill 56 (SB 56) Working Group provided background on the update to the Resource Assessment Study (RAS) model, which is used to estimate the workload of nonjudicial staff in the trial courts.

No council action

New Item Added at the Meeting

Item 4 Trial Court Budget: Status on Development of a Funding Methodology Proposal from the Trial Court Budget Working Group

Presiding Judge Laurie M. Earl, Cochair of the Trial Court Budget Working Group and Chair of the Trial Court Presiding Judges Advisory Committee, and Court Executive Officer David H. Yamasaki, Chair of the Court Executives Advisory Committee, described the development of a proposed methodology for allocating trial court funding. The Trial Court Budget Working Group expects to present its proposal to the Judicial Council at the April council meeting. The proposed model is expected to include a multi-step process for assessing the courts' total funding needs by identifying a standard set of baseline costs for each court and assessing the additional expenditures and local and other funding sources that apply to court funding, and factoring in adjustments to account for the permanent and one time funding needs that are unique to each court.

No council action

Tuesday, February 26, 2013 AGENDA—BUSINESS MEETING

Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council, called the meeting to order at 8:30 a.m. on Tuesday, February 26, 2013, in the Malcolm M. Lucas Board Room of the William C. Vickrey Judicial Council Conference Center in the Ronald M. George State Office Complex.

Judicial Council members present: Chief Justice Tani G. Cantil-Sakauye; Justices Judith Ashmann-Gerst, Marvin R. Baxter, Harry E. Hull, Jr., and Douglas P. Miller; Judges Stephen H. Baker, James R. Brandlin, David De Alba, Emilie H. Elias, Sherrill A. Ellsworth, James E. Herman, Teri L. Jackson, Ira R. Kaufman, Mary Ann O'Malley, and David Rosenberg; Mr. James P. Fox, Ms. Edith R. Matthai, and Mr. Mark P. Robinson, Jr.; **advisory members present:** Judges Laurie M. Earl, Allan D. Hardcastle, Morris D. Jacobson, Brian L. McCabe, Robert James Moss, Kenneth K. So, and Charles D. Wachob; Commissioner Sue Alexander; Chief Executive Officer Alan Carlson; and Court Executive Officers Mary Beth Todd and David H. Yamasaki; **Secretary to the council:** Steven Jahr, Administrative Director of the Courts.

Members absent: State Senator Noreen Evans, Assembly Member Richard Bloom, and Ms. Angela J. Davis.

Others present: Justices Brad R. Hill; Judges Lorna A. Alksne, Steven D. Barnes, Lesley D. Holland, James LaPorte, and David P. Warner; Court Executive Officer Tammy L. Grimm; Chief Deputy Court Executive Officer Jeff Lewis; **public:** Ms. Gurdeep Chawla, Mr. Michael Ferreira, Ms. Anabelle Garay, Mr. Vesna Loek, Ms. Annie Moskovian, Mr. Sina New, Ms. Lindsey Scott-Florez, Ms. Paline Soth, Mr. Bo Uce; and **media representatives:** Ms. Maria Dinzeo, *Courthouse News Service*; and Ms. Emily Green, *Daily Journal*.

Approval of Minutes

The Judicial Council approved the minutes of the December 13–14, 2012, and January 17, 2013, Judicial Council meetings.

Chief Justice's Report

Chief Justice Tani G. Cantil-Sakauye recounted her activities since the last council meeting in January. She noted a number of civics outreach events, relating to the designation of February as education outreach and civics learning month. These included visits to a number of high schools, law schools and law academies, and a special session of the Supreme Court at the University of San Francisco Law School for high school and law students, in celebration of the law school's centennial.

The Chief Justice and council member Justice Douglas P. Miller visited the Superior Court of California, County of Los Angeles, where they toured the mental health and family court services, the criminal courts, and the self-help center at the Stanley Mosk courthouse. The court

leadership briefed the Chief Justice on the challenges of operating under state budget reductions, during the visit.

The state budget was also the focus of a number of other appearances and activities she attended: the Governor's State of the State Address; a meeting with administrative presiding justices, presiding judges, court executive officers, and the Conference of Court Executives where court efficiencies and innovations were also discussed; and a public appearance to discuss the state budget implications with Mr. Mark Baldassarre of the Public Policy Institute of California.

The Chief Justice discussed improving access to justice in liaison meetings with the Consumer Attorneys of California, the California Defense Council, and the Criminal Defense Bar. She attended a National Association for Court Management Conference. She also spoke as a member of a panel at the Conference of Chief Justices on the example set by California's collaborative courts in meeting the needs of local communities. She mentioned looking forward to the upcoming Civics Outreach Summit on February 28, 2013, featuring Justice Sandra Day O'Connor (Ret.) as the keynote speaker. She also noted recent appearances to present service awards to AOC staff and to welcome newly appointed judges at the New Judges Orientation.

Administrative Director's Report

Steven Jahr, Administrative Director of the Courts, provided his written report on the activities of the AOC since the January council meeting. He commented on the State Assembly's Judiciary Committee hearing of February 12 to assess the impacts of the state budget crisis on the courts, with particular focus on the family court system. The hearing was widely attended by judicial officers, the bar including members of the Open Court Coalition, court interpreters, court reporters, and representatives of county and city governments, all concerned with the severity of judicial branch budget cuts and the impacts on their clients, constituents, court users, and legal practices. Judge Jahr also mentioned the AOC Office of Governmental Affairs' (OGA's) recent efforts, in coordination with the Bench-Bar Coalition, to conduct outreach to the 39 new legislators and others on the pressing budget and policy issues for the judicial branch. He noted that OGA staff had also identified legislative authors for a number of Judicial Council-sponsored bills on court efficiency reforms. The state Department of Finance has agreed to introduce trailer bill language authorizing 10 of those proposals.

Judicial Council Committee Presentations

Policy Coordination and Liaison Committee (PCLC)

Justice Marvin R. Baxter, Chair, reported that the committee had met twice since the last report provided at the December council meeting. At the January 10 meeting and in response to council direction on December 14, 2012, PCLC reconsidered and revised its initial recommendation as one of its key legislative priorities for 2013 to seek sponsorship of the third set of 50 judgeships and funding of the already authorized second set of 50 judgeships. Instead, the committee determined on January 10 to recommend that the council defer sponsorship of new judgeships for one year. PCLC presented this recommendation on this issue to the council at its January 17 meeting. The committee also rescinded its November 29, 2012, recommendation that the Judicial

Council sponsor a legislative proposal to accompany a rule of court proposal, adopted by the council in January 2013, which would establish a pilot project, authorizing trial courts to conduct remote video trials in cases involving violations of traffic and compulsory education laws. PCLC determined that a legislative proposal, in addition to the rule of court that the council approved in January 2013, was not required. PCLC further determined that a legislative proposal would be more appropriate after completion of the pilot authorized by the newly adopted rule of court, when the branch could evaluate how the lessons learned from the pilot should be incorporated into existing statutes.

On February 14, 2013, PCLC approved for council sponsorship a piece of legislation on modernization and improvement of statutes on trial court records management and retention. The committee heard a presentation by Bench-Bar Coalition Cochairs, Judge Mary Ann O'Malley and Mr. Raymond Aragon, on Bench-Bar Coalition objectives for the upcoming legislative year.

Justice Baxter noted that the legislative deadline to introduce bills was February 22, 2013, and that the AOC Office of Governmental Affairs (OGA) staff was reviewing for tracking purposes all bills introduced by legislators, to identify those of interest and with impact upon the judicial branch.

Executive and Planning Committee (E&P)

Justice Douglas P. Miller, Chair, reported that E&P had met six times since the December council meeting. In the course of those meetings, the committee set the agenda for the February 25-26, 2013, meeting. As part of the agenda setting, the committee consulted with Judicial Council members who served on the Strategic Evaluation Committee to receive their assessment of the readiness of reports on the implementation of Judicial Council directives regarding AOC restructuring: items O, P, Q and Informational Item 1 on the meeting agenda.

On behalf of the council, the committee acted on one request from the Superior Court of California, County of Riverside, to confirm the conversion of a subordinate judicial officer position to a judgeship.

Justice Miller mentioned a two-day, joint meeting of E&P, RUPRO, and the council's Technology Committee in January to review the current structure of existing Judicial Council advisory bodies—including advisory committees, task forces, working groups and subcommittees. This is part of a council initiative to evaluate the opportunities for consolidating committee activities, strengthening council oversight, and reducing the costs associated with committee operations.

Justice Miller also referenced the written report he submitted on the 145 Judicial Council directives on AOC restructuring, Informational Item 1 of the meeting agenda, and provided some of the highlights of restructuring activities completed and in progress.

Rules and Projects Committee (RUPRO)

Justice Harry E. Hull, Jr., Chair, reported that the RUPRO Committee had met four times since the December council meeting. On December 20, the committee considered a proposal for a pilot project authorizing remote video proceedings in traffic infraction cases, which was circulated for comment on a special comment cycle. The proposal originated with a request from the Superior Court of California, County of Fresno. In response to comments, the proposal was modified, including eliminating a rule and forms that authorized a remote video pilot project in compulsory school attendance law proceedings. The council approved this pilot project at the January 17 meeting.

On January 9, the committee considered an urgent request to circulate a proposal to amend, on a temporary basis, the civil case management rules to give courts the discretion to exempt certain types of general civil cases from the mandatory case management rules, including mandatory case management conferences. RUPRO approved circulation of this proposal.

Justice Hull also reported on the January 22 and January 23 joint meeting of RUPRO, the E&P Committee, and the Technology Committee to review the annual agendas of advisory groups overseen by the three internal committees. He noted that most of the annual agendas were approved at this meeting and others were expected to be considered subsequently on March 11.

On February 13, RUPRO considered and recommended approval of three proposals on the consent agenda for this meeting: revisions of Criminal Jury Instructions, Item A; miscellaneous technical changes to existing rules of court, item B; and the proposal to allow suspension of mandatory case management rules, Item C.

Judicial Council Technology Committee

Judge James E. Herman reported that the committee had held three meetings since the January council meeting. On January 28th, the committee reviewed the request from the Superior Court of California, County of Kings for supplemental funding to replace a case management system (item N on the discussion agenda) and the Superior Court of California, County of Fresno's application for piloting remote video proceedings. The committee also discussed the status of the Superior Court of California, County of Sacramento's request for proposal (RFP) for a hosted case management system, using the RFP template developed by the Trial Court Technology Working Group and the Court Technology Advisory Committee. On February 5, the committee reached a recommendation on the Superior Court of Kings County's application, and on conditions for approval, for the Judicial Council's consideration at this meeting.

On February 13, the committee reviewed the Superior Court of California, County of Fresno's application to proceed with a pilot to conduct remote video proceedings of traffic cases, following the Judicial Council's approval of a pilot program in January. The committee also reviewed and approved the Superior Court of California, County of Merced's request for a limited number of hours of AOC staff support to technically assist the court with its case management system applications. The Technology Committee concluded that such requests for assistance should be appropriate for the AOC's Information Technology Services Office staff to decide without necessitating the committee's review. The committee agreed to allow staff the

discretion to approve up to 50 hours of technical support for other similar requests of the interim case management team (ICMS) from the trial courts.

Judge Herman reported that the Judicial Branch Technology Initiatives Working Group, chaired by Judge Robert James Moss, continues the focus on four leading efforts to advance branch technology: (1) the development of a technology roadmap, (2) V2/V3 maintenance and support, (3) e-filing, and (4) an RFP for awarding contract agreements to vendors for case management systems. On March 1, the Judicial Branch Technology Initiatives Working Group will host a WebEx meeting to review the final reports and recommendations on the four technology initiatives.

Judge Herman described in more detail the statewide case management system RFP developed for awarding vendor agreements using three selected vendors for courts to choose from. The Superior Court of California, County of Sacramento will host and maintain the master services agreements, although all courts remain free to conduct their own procurement solicitations.

He provided the council with an update on the Technology Planning Task Force recently appointed by the Chief Justice. With recognition of the importance of technology and e-business practices to the courts, stakeholders, and the public, the new task force will be the source of recommendations to the Technology Committee and the council on a number of important issues: a vision and direction for branch technology, an appropriate governance structure for managing branch technology, and a strategy for long term, stable financing of branch technology.

Judicial Council Trial Court Liaison Reports

Judge Teri L. Jackson gave an account of her visits on January 11, 2013, to the Superior Court of California, counties of Santa Cruz and San Benito.

Judge Allan D. Hardcastle gave an account of his visit on December 20, 2012, to the Superior Court of California, County of Lake.

Judge James E. Herman commented on and expressed appreciation for Administrative Director of the Courts Steven Jahr's visit to the Superior Court of California, County of Santa Barbara during his participation as keynote speaker at the dedication ceremony for the North County Clerk's Office.

Public Comment

Three individuals appeared in the following order during the public comment session to speak on language access and the expiration of a grace period for taking the interpreter certification exam for the Khmer and Punjabi languages:

1. Mr. Michael Ferreira, President, California Federation of Interpreters
2. Mr. Paline Soth, California Federation of Interpreters
3. Ms. Gurdeep Chawla, California Federation of Interpreters

Addressing the speakers and their remarks, Justice Douglas P. Miller, Chair of the E&P Committee, noted that the council's Court Interpreters Advisory Panel would review the matter and report back to the council.

CONSENT AGENDA (ITEMS A–L)

Item A Jury Instructions: Revisions of 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)*.

Council action

The Judicial Council, effective February 28, 2013, approved for publication under rule 2.1050 of the California Rules of Court the criminal jury instructions prepared by the committee. The revised instructions will be published in the official 2013 edition of the *Judicial Council of California Criminal Jury Instructions*.

Item B Rules: Miscellaneous Technical Changes

The AOC identified an error in rule 1.4 of the California Rules of Court and on form TR-INST. Therefore, the AOC Legal Services Office recommended making the necessary technical changes.

Council action

The Judicial Council approved the following changes to the California Rules of Court, effective immediately:

1. Amend rule 1.4 to add Appendix G and to correct punctuation; and
2. Revise form TR-INST to delete Appendix G with form TR-135.

Item C Civil Cases: Temporary Suspension of Case Management Rules

The Civil and Small Claims Advisory Committee recommended that the statewide rules of court on civil case management be amended, on a temporary basis, to give courts the discretion to exempt certain types or categories of general civil cases from the mandatory case management rules. The amendments will help courts to better address the current fiscal crisis by decreasing the time spent by court staff and judicial officers in filing case management statements, setting and holding individual case management conferences, and performing other actions required by the case management rules.

Council action

The Judicial Council approved amending rules 3.712 and 3.720 of the California Rules of Court to permit courts, by local rule, to exempt types or categories of general civil cases from the mandatory case management rules.

Item D Judicial Council Forms: Change in Federal Poverty Guidelines

The Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committee recommended that three Judicial Council forms containing figures based on the federal poverty guidelines be amended to reflect the changes in those guidelines recently published by the federal government.

Council action

The Judicial Council approved revising the following forms to reflect 2013 increases in the federal poverty guidelines:

1. *Request to Waive Court Fees* (form FW-001);
2. *Information Sheet on Waiver of Appellate Court Fees (Supreme Court, Court of Appeal, Appellate Division)* (form APP-015/FW-015-INFO); and
3. *Financial Declaration—Juvenile Dependency* (form JV-132).

Item E Access to Visitation: Program Funding Allocation for Grant Fiscal Year 2013–2014

The Family and Juvenile Law Advisory Committee recommended that the Judicial Council approve the allocation and distribution of \$776,549 statewide for the Access to Visitation Grant Program for grant fiscal year 2013–2014, with funding to be directed to 11 superior courts representing 18 counties and involving 17 subcontractor agencies (i.e., local community nonprofit service providers). The funding will support and facilitate noncustodial parents’ access to and visitation with their children through supervised visitation and exchange services, parent education, and group counseling services. Family Code section 3204(b)(2) requires the Judicial Council to determine the final number and amount of grants to be awarded to the superior courts.

Council action

The Judicial Council, effective April 1, 2013, approved the funding allocation and distribution among the 11 superior courts of \$776,549 for grant fiscal year 2013–2014 (set forth in Attachment 1).

Item F Trial Court Allocation: Funding for Costs Related to Redevelopment Agency Writ Cases

The AOC recommended that the council, on a two-tiered cost-rate reimbursement basis, allocate up to \$2 million in new General Fund monies provided by Assembly Bill 1484 to the Superior Court of California, Sacramento County (Sacramento Superior Court) for work related to processing redevelopment agency writ cases. Section 38 of AB 1484 appropriates up to \$2 million to the court “for work associated with Part 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code.” By statute, any action challenging the validity of the

dissolving of redevelopment agencies must be brought in the Superior Court of Sacramento County.

Council action

The Judicial Council:

1. Allocated up to \$2 million to the Superior Court of Sacramento County on a reimbursement basis for work related to processing redevelopment agency writ cases associated with Part 1.85 (commencing with section 34170) of Division 24 of the Health and Safety Code.
2. Approved a reimbursement basis using a two-tiered, cost-rate approach, as opposed to reimbursing the court based on actual costs in each individual case.
3. Directed the Administrative Director of the Courts, or designee, to work with the Superior Court of Sacramento County in developing a reimbursement process.

Item G Trial Courts: Application to Establish Remote Video Proceeding Pilot Project from the Superior Court of California, County of Fresno

The Superior Court of Fresno County submitted an application for approval to establish a remote video proceeding pilot project for traffic infraction cases in that county under California Rules of Court, rule 4.220. The Judicial Council’s Technology Committee reviewed the court’s application and recommended that the council approve it.

Council action

The Judicial Council approved the application of the Superior Court of Fresno County to establish a remote video proceeding (RVP) pilot project, effective February 26, 2013.

Item H Judicial Council-Sponsored Legislation: Modernization and Improvement of Statutes on Trial Court Records Retention and Management

The Policy Coordination and Liaison Committee and Court Executives Advisory Committee recommended that the Judicial Council sponsor legislation to modernize and improve the statutes concerning the retention of trial court records. In particular, their proposal recommended that the records retention statutes be amended to authorize the destruction of some court records earlier than is permitted under existing law to enable the trial courts to reduce their storage costs. The proposed amendments would also establish statutory records retention periods for new types of records that are not dealt with under existing law—such as records resulting from the new criminal realignment process. Finally, the proposed amendments would eliminate ambiguities in the law relating to records retention and would clarify how long certain records are to be retained.

Council action

The Judicial Council approved sponsoring legislation to modernize and improve the statutes concerning the retention of trial court records and the financial savings to be realized by amending Government Code sections 68150, 68151, and 68152.

Item I Judicial Branch Report to the Legislature: Court Interpreter Expenditure Report for Fiscal Year 2011–2012

The AOC recommended that the Judicial Council approve the annual report on trial court interpreter expenditures for submission to the Legislature. This report to the Legislature is required by the Budget Act of 2011 (Stats. 2011, ch. 33).

Council action

The Judicial Council approved, effective February 28, 2013, the report to the Legislature summarizing the fiscal year 2011–2012 trial court interpreter expenditures in conformance with the requirements of the Budget Act of 2011 (Stats. 2011, ch. 33), and directed the AOC to submit the report to the Legislature.

DISCUSSION AGENDA (ITEMS J–Q)

Item J Court Facilities: Delays to the Courthouse Capital Program Pending the Proposed Governor’s Budget for Fiscal Year 2013–2014

The Court Facilities Working Group recommended the delay of 11 Senate Bill 1407 projects should the proposed 2013 Governor’s Budget (FY 2013–2014), which includes the deferred repayment of a \$90 million loan from SB 1407 construction funds and the redirection of \$200 million in SB 1407 funds to trial court operations, be enacted. The working group further recommended that FY 2013–2014 and FY 2014–2015 funding requests be made to the state Department of Finance (DOF) for the next project phases in all SB 1407 projects moving forward in the event that additional SB 1407 funds become available in the final budget. The working group also recommended submission of FY 2013–2014 one-time and ongoing funding requests for facility modifications and for facility operational costs for new courthouses, to be funded by construction funds.

Council action

The Judicial Council, with two abstentions, approved the following actions effective February 26, 2013:

1. Delay 11 SB 1407 projects, as identified in the attached table (Attachment 2), in their next project phase until FY 2014–2015 should the Governor’s proposed budget be enacted due to lack of available SB 1407 funds.
2. Submit FY 2013–2014 funding requests to the state DOF for the next phase of all projects requiring funding in FY 2013–2014, including those listed above in recommendation 1

(and appearing in Attachment 2).

3. Submit FY 2013–2014 funding requests to the state DOF for the next phase of all projects construction phases of the San Diego–New San Diego Central Courthouse and the San Joaquin–Renovation and Addition to Juvenile Justice Center.
4. Submit FY 2014–2015 funding requests to the DOF for the next phase in all SB 1407 projects pending availability of SB 1407 funds, as well as the annual update to the *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for FY 2014–2015 to meet the DOF July 2013 submission deadline.
5. Delegate to the Administrative Director of the Courts the authority to make technical changes to FY 2013–2014 and FY 2014–2015 funding requests submitted to the DOF necessary to move forward all judicial branch construction projects, subject to the review and approval of the chair and vice-chair of the Court Facilities Working Group and the chair of the working group’s Courthouse Cost Reduction Subcommittee.
6. Submit a FY 2013–2014 funding request to the DOF for \$10 million ongoing from SB 1732 construction funds for facility modifications to support the documented need for ongoing investment in existing facilities.
7. Submit a FY 2013–2014 funding request to the DOF for \$2.237 million from SB 1407 construction funds for facility operating costs for new courthouses, and ongoing funding requests from construction funds to meet annual facility operational cost requirements for new courthouses when completed. Use of construction funds for facility operations requires statutory authority.
8. Submit a one-time FY 2013–2014 funding request to the DOF for \$8 million from SB 1407 construction funds for facility modifications to support the documented need for ongoing investment in existing facilities. This one-time funding request would only be authorized pending restoration of SB 1407 funds in the enacted 2013 Budget Act (FY 2013–2014).

Item K Court Facilities: Membership in Calaveras Public Power Agency for Low-Cost Utility Rates for New San Andreas Courthouse

The AOC recommended seeking agency membership in the Calaveras Public Power Agency (CPPA), a joint powers agency (JPA) that provides electricity to public facilities in the County of Calaveras. To take advantage of the lower electricity rates of the CPPA, the AOC would have to become a member agency of the CPPA, which provides electricity to various local facilities in Calaveras County, including the county jail, the county government center, schools, hospitals, fire stations, and water and wastewater treatment plants. With the AOC as a member of the CPPA, the new San Andreas Courthouse in Calaveras County (New Courthouse) would be able to enjoy the benefits of electricity rates lower than PG&E rates. In addition, construction costs of

the New Courthouse project would be reduced by approximately \$115,000, related to equipment no longer required.

Council action

The Judicial Council approved the resolution to authorize the AOC's membership in the CPPA as a Tier 2 Member, authorized the Administrative Director of the Courts to execute the CPPA Amended Joint Powers Agreement (JPA), and authorized the Administrative Director of the Courts to execute the Agreement between the Calaveras Public Power Agency and the AOC Regarding Tier 1 Member Treatment.

Item L Trial Court Allocations: Benefits Funding for Fiscal Year 2011–2012 and Fiscal Year 2012–2013

The Trial Court Budget Working Group recommended allocation of funding provided in the Budget Act of 2012 (Stats. 2012, ch. 21) to address (1) retirement, employee health, and retiree health benefit cost changes in 2011–2012; (2) full-year ongoing costs in fiscal year (FY) 2012–2013 of the benefit cost changes effective in FY 2011–2012; and (3) the use of expenditure authority from the Trial Court Trust Fund (TCTF) on a one-time basis to backfill shortfalls for (1) and (2). The Trial Court Budget Working Group also recommended setting aside funding related to FY 2012–2013 court interpreter benefit cost changes in a separate General Fund item; immediately allocating funding for confirmed FY 2012–2013 benefit cost changes; and, beginning in FY 2012–2013, using available TCTF monies on an ongoing basis, or requesting monies from the General Fund, if insufficient funding is available from the TCTF, to fund the annualized cost of the FY 2012–2013 benefit cost changes.

Council action

The Judicial Council approved the following recommendations:

Recommendation 1

- A. Approve the allocation to the trial courts of \$12.472 million (General Fund) as indicated in Column 4 of Attachment 3 to these minutes on a one-time basis to address the partial-year cost changes in FY 2011–2012 for retirement, employee health, and retiree health. This allocation would take \$7.2 million from the Superior Court of Los Angeles County (Los Angeles) on a one-time basis and spread the remaining \$13.325 million reduction of the total \$20.5 million that was reduced from the funding request due to a retiring Pension Obligation Bond (POB) on a pro rata basis to all 58 courts.

- B. Approve the allocation to the trial courts of \$18.679 million (General Fund) as indicated in Column 9 of Attachment 3 on an ongoing basis to address the full-year retirement, employee health, and retiree health cost changes in FY 2012–2013 of the rate and premium changes that went into effect in FY 2011–2012. This allocation would, on an ongoing basis, take \$7.2 million from Los Angeles and spread the

remaining \$13.325 million reduction of the total \$20.5 million that was reduced from the funding request due to a retiring POB, on a pro rata basis to all 58 courts.

- C. Approve the use of FY 2012–2013 expenditure authority from the TCTF fund balance to backfill, on a one-time basis, the shortfalls in benefit cost change funding for changes effective in FY 2011–2012 and the annualized cost of these in FY 2012–2013—a total of \$26.6 million. (See Attachment 3, columns 6 and 12, respectively.) This will fund all the courts at 100 percent of their need (Los Angeles at 100 percent net of its \$7.2 million adjustment). If insufficient expenditure authority is available, direct AOC staff to request additional expenditure authority from the DOF to enable backfilling of these costs.

Recommendation 2

Direct staff to set aside \$887,615 related to FY 2012–2013 court interpreter benefit cost changes in a separate General Fund item just for interpreters that will be used for court interpreter costs only in the event that the TCTF court interpreter Program 45.45 funding is insufficient to cover court interpreter costs.

Recommendation 3

- A. Approve the immediate allocation to the trial courts of \$23.077 million and \$122,694 (both General Fund) as indicated in Columns 11 and 13 of Attachment 3 on a one-time basis to address the confirmed and funded, and confirmed but unfunded, retirement, employee health, and retiree health cost changes effective in FY 2012–2013 (provided in Columns 13 and 15). Courts with unconfirmed cost changes will have until June 1 to provide the AOC with confirmation of their premiums and employer share. Once unconfirmed costs as of January 31 have been confirmed, they will be fully funded provided they do not exceed the funding available, including the FY 2011–2012 appropriation of \$1.9 million that has not yet been corrected.
- B. Approve the use of available TCTF monies on an ongoing basis beginning in FY 2013–2014 to fund the annualized costs of the benefit cost changes effective in FY 2012–2013. If insufficient funds are available, direct staff to pursue General Fund monies from the Department of Finance.

Item M Trial Courts: Update of the Resource Assessment Study Model

The SB 56 Working Group recommended approving the updated parameters of the Resource Assessment Study (RAS) model, with the understanding that ongoing technical adjustments will continue to be made by staff of the AOC as the data become available. The RAS model is used to evaluate the workload of nonjudicial staff in the trial courts and was first approved by the Judicial Council in 2005. The updated

parameters consist of new caseweights and new formulas that produce more accurate workload estimates.

Council action

The Judicial Council approved the updated RAS model parameters for use in estimating court staff workload need, with the understanding that ongoing technical adjustments will continue to be made by AOC staff as the data become available. With the approval of the updated model, the Judicial Council specified that the updated RAS model is not intended to set the funding needs for any court. It is merely one tool to use in the budgeting process.

Item N Trial Court Trust Fund Allocations: 2 Percent State-Level Reserve

The AOC submitted, for the Judicial Council’s consideration: (1) Recommendations and options on two courts’ applications for supplemental funding related to unanticipated expenses. The amount remaining in the 2 percent, state-level reserve set aside in the Trial Court Trust Fund for fiscal year 2012–2013 is \$27.7 million. By statute, the Judicial Council after October 31 and before March 15 of each fiscal year may distribute the remaining funds if there has been a request from any trial courts for unforeseen emergencies or unanticipated expenses for existing programs. (2) Allocations to all courts, to be distributed after March 15, of a proportionate share of any unexpended funds from the 2 percent state-level reserve.

One court withdrew its application, leaving one remaining application for council consideration, from the Superior Court of California, County of Kings, represented in the meeting by Assistant Presiding Judge Stephen D. Barnes.

Council action

1. The Judicial Council, approved, with two opposing votes, allocating to the Superior Court of California, County of Kings up to \$2.11 million and made the distribution of funding contingent upon the following terms and conditions:
 - a. The court will use its best efforts to spread the cost of the project over the full five-year period so as to minimize each year’s distribution from the Trial Court Trust Fund 2 percent state-level reserve.
 - b. The court is allocated \$733,000 from the Trial Court Trust Fund 2 percent state-level reserve for FY 2012–2013. Any unused distribution amount from the 2 percent state level reserve in FY 2012–2013 should be used in FY 2013–2014.
 - c. The funds will be distributed upon the submission of invoices for products and services necessary to acquire and deploy the court’s case management system.
 - d. Any allocations for FY 2013–2014 through 2016–2017 would come from that year’s Trial Court Trust Fund 2 percent state-level reserve.
 - e. In order to receive a distribution from the Trial Court Trust Fund 2 percent state-level reserve for FY 2013–2014 through 2016–2017 for the project, the court must provide a projection of all project costs, and detailed financial information demonstrating why it is unable to address those costs within existing resources, to the Judicial Council by no later than November 1 of each year.

- f. The Administrative Director of the Courts will monitor the project and costs (including invoices) submitted and the payments made to assure that the distributions are appropriate.
 - g. The court will provide the Administrative Director of the Courts with access to all records necessary to evaluate and monitor the project and will cooperate fully with efforts of the Trial Court Liaison Office to do so.
2. The Judicial Council also approved allocating a proportionate share of any unexpended funds from the 2 percent state-level reserve to be distributed after March 15 to all trial courts.

Item O AOC Restructuring: Vendor Options for Classification and Compensation Study

The Administrative Director of the Courts requested that the Judicial Council select and approve one of three options to perform a review of the classification structure and compensation plan for the AOC. The request was in direct response to Judicial Council Restructuring Directives, directive 19, which states that the Administrative Director must consider “whether an outside entity should conduct these reviews and return to the Judicial Council with an analysis and a recommendation.” The report contained three implementation options: (1) conduct an organization-wide evaluation of the AOC’s classification structure and compensation plan through the use of AOC staff; (2) conduct an organization-wide evaluation of the AOC’s classification structure and compensation plan through the use of an outside entity; or (3) conduct an organization-wide evaluation of the AOC’s classification structure and compensation plan using a hybrid approach in which an outside entity would review manager classifications and above, and AOC staff would review supervisor classifications and below, with oversight and validation of the proprietary methodology provided by an outside entity.

Council action

The Judicial Council directed the AOC to issue request for proposals (RFPs) for conducting a classification and compensation study and deferred a decision pending the results of the RFP process. The AOC will report back to the council on the cost estimates for conducting: (1) an organization-wide evaluation of the AOC’s classification structure and compensation plan through the use of an outside entity; and (2) an organization-wide evaluation of the AOC’s classification structure and compensation plan using a hybrid approach. Under the hybrid approach, an outside entity would review manager classifications and above, and AOC staff would review supervisor classifications and below. Additionally, the outside entity would train HR staff on its methodology, and validate the AOC’s application of that methodology. The Judicial Council also acknowledged that the timelines of the Judicial Council restructuring directives that are tied to the classification and compensation study will require modification to allow time for the RFP process.

Item P AOC Restructuring: Amendments to Policy 8.9—Working Remotely

The Administrative Director of the Courts requested that the Judicial Council consider and approve one of the following options concerning telecommuting. In addition, the Administrative Director confirmed that all 85 telecommuting staff are currently in compliance with the existing policy and prepared a report containing options for consideration by the Judicial Council. The report contained options to: (1) eliminate all forms of telecommuting; (2) eliminate regular telecommuting and only allow for limited ad hoc telecommuting under special circumstances; or (3) permit telecommuting by approving a restructured and more restrictive telecommute policy, which contained controls for approving, monitoring, and, if necessary, rescinding participation. The proposal also recommended a follow-up report to the Judicial Council after one year, if the council adopted the amended telecommute policy described in the third option.

Council action

The Judicial Council approved a twelve-month pilot of the proposed amended policy 8.9, authorizing employees to work from home only when doing so is consistent with business needs and the employee's job functions, as authorized by the Administrative Director. The council also approved the use of ad hoc work arrangements, limited to no more than two work days per month, when unknown business or personal needs arise. The Human Resources Services Office will prepare program reports for the Administrative Director's presentation to the E&P Committee in six months and final presentation to the full council in 12 months. (A copy of the amended policy 8.9 appears in Attachment 4 to these minutes.)

Item Q AOC Restructuring: Independent Review of Use, Selection, and Management of Outside Counsel

To implement the Judicial Council directive regarding review of the AOC Legal Services Office's (LSO's) use, selection, and management of outside legal counsel to determine whether outside counsel is being used in a cost-effective manner, the Administrative Director of the Courts and the AOC Chief of Staff recommended that the Judicial Council members assigned by the Chief Justice as council liaisons to the LSO, with assistance from the Litigation Management Committee chair or members as the liaisons deem appropriate or necessary, conduct the review. This recommendation is consistent with the liaison program objectives that the assigned council liaisons familiarize themselves with the programs, budgets, and resources of their assigned areas and their service to the judicial branch and others, and then provide information to the Judicial Council.

The Administrative Director and AOC Chief of Staff further recommended that the AOC be directed to obtain information about industry practices regarding use of outside legal counsel by large service organizations and provide such information to the LSO council liaisons for their consideration as they conduct their review.

In addition, it was recommended that the council liaisons report the results of these efforts to the Judicial Council for its review and for any further direction regarding the cost-effectiveness of the use of legal counsel by the LSO.

The Administrative Director of the Courts and the AOC Chief of Staff provided for consideration two other options for conducting this review in the event that the Judicial Council did not concur with the recommendation.

Council action

The council directed that its liaisons to the AOC Legal Services Office—with assistance from the Litigation Management Committee chair or members as the liaisons deem appropriate or necessary—review the office’s use, selection, and management of outside legal counsel to determine whether outside counsel is being used in a cost-effective manner, including obtaining information about industry practices regarding use of outside legal counsel by large service organizations. These Judicial Council liaisons will report back to the council on the results of their review for any further direction regarding the evaluation of the cost effectiveness of the use of outside counsel by the LSO, such as additional review by the AOC’s Internal Audit Services unit, or an outside consultant, or other means that the Judicial Council liaisons recommend.

In Memoriam

Chief Justice Cantil-Sakauye closed the public session of the meeting with a moment of silence to remember recently deceased judicial colleagues and honor their service to their courts and the cause of justice:

- Hon. Walter W. Charamza (Ret), Superior Court of California, County of Orange
- Hon. Lewis E. King (Ret.), Superior Court of California, County of Kern
- Hon. Nicholas Kasimatis (Ret.), San Diego Municipal Court
- Hon. William H. Phelps (Ret.), Superior Court of California, County of Shasta.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

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

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

INFO 2 Trial Court Trust Fund: Expenditures and Encumbrances for Fiscal Year 2012–2013, Second Quarter

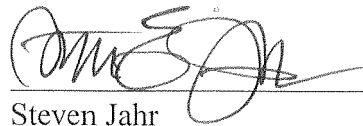
In compliance with the requirements of the Budget Act of 2012, this informational report concerns all expenditures made in the second quarter of fiscal year (FY) 2012–2013 of programs and projects appropriated from Item 0250–001–0932 of the Budget Act of 2012. In addition, this report includes any other expenditures and encumbrances of funds from the Trial Court Trust Fund, excluding those related to Schedules (2), (3), and (4) of Item 0250–101–0932 of the Budget Act of 2012 and direct allocations to trial courts.

INFO 3 Trial Courts: Quarterly Investment Report for Fourth Quarter of 2012

This *Trial Court Quarterly Investment Report* provides the financial results for the funds invested by the AOC on behalf of the trial courts as part of the judicial branch treasury program. This report was submitted under the *Resolutions Regarding Investment Activities for the Trial Courts*, approved by the Judicial Council on February 27, 2004. The report covers the period of October 1, 2012, through December 31, 2012.

There being no further public business, the meeting was adjourned at 2:35 p.m.

Respectfully submitted,



Steven Jahr
Administrative Director of the Courts and
Secretary to the Judicial Council

Attachments

1. Access to Visitation Grant Program, List of Superior Courts and Grant Award Amounts for Grant Fiscal Year 2013–2014
2. Court Facilities Working Group Recommendations to Judicial Council on Moving SB 1407 Projects Forward
3. Allocations for 2011–2012, Full-Year 2011–2012, and 2012–2013 Trial Court Benefit Cost Changes
4. AOC Personnel Policies and Procedures, Policy 8.9 (Proposed) Working Remotely (Telecommuting)
5. *Judicial Council Roll Call Vote* sheets: items J, M, and N

ATTACHMENT A

**Judicial Council of California
Administrative Office of the Courts
Judicial and Court Operations Services Division
Center for Families, Children & the Courts**

ACCESS TO VISITATION GRANT PROGRAM

**List of Superior Courts and Grant Award Amounts
for Grant Fiscal Year 2013–2014***

Superior Courts of California	Proposed Grant Amount	Additional Grant Fund Amount	Total Grant Funding Allocation
Superior Court of Butte County	\$60,000	\$7,956	\$67,956
Superior Court of Contra Costa County	\$100,000	\$7,956	\$107,956
Superior Court of El Dorado County	\$42,192	\$0	\$0
Superior Court of Mendocino County	\$45,000	\$7,956	\$52,956
Superior Court of Napa County	\$45,000	\$7,956	\$52,956
Superior Court of Orange County	\$100,000	\$7,956	\$107,956
Superior Court of Sacramento	\$32,000	\$7,956	\$39,956
Superior Court of San Francisco County	\$100,000	\$7,956	\$107,956
Superior Court of Santa Clara County	\$91,180	\$0	\$0
Superior Court of Tulare County	\$60,000	\$7,956	\$67,956
Superior Court of Yuba County	\$37,529	\$0	\$0
Total	\$712,901	\$63,648	\$776,549

* The Access to Visitation Grant Program for grant fiscal year 2013–2014 is April 1, 2013 through March 31, 2014.

**Court Facilities Working Group (CFWG) Recommendations to
Judicial Council on Moving SB 1407 Projects Forward
Pending Enactment of the FY 2013–2014 Budget Act**

County	Project Name	Funded by Budget Act in Current Fiscal Year 2012–2013 and Proceeding
1 Alameda	New East County Courthouse	Selection of designer-builder under way; construction award by mid-2013, pending reauthorization of lease purchase authority
2 Butte	New North Butte County Courthouse	Bonds sold, in bid phase, construction scheduled to begin in early 2013
3 Kings	New Hanford Courthouse	In working drawings; ready to start construction in 2013 pending spring bond sale
4 Santa Clara	New Santa Clara Family Justice Center	In working drawings; ready to start construction in 2013 pending spring bond sale
5 Solano	Renovation to Fairfield Old Solano Courthouse	Bonds sold, subcontractor bidding under way, construction scheduled to begin in early 2013
6 Sutter	New Yuba City Courthouse	In working drawings; ready to start construction in 2013 pending spring bond sale
7 Yolo	New Woodland Courthouse	Bonds sold, in bid phase, construction scheduled to begin in early 2013

County	Project Name	CFWG Recommendations to Judicial Council at February 26, 2013 Meeting
8 El Dorado	New Placerville Courthouse	Proceed with site acquisition; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
9 Glenn	Renovate and Addition to Willows Courthouse	Proceed with design; start working drawings in FY 2013-2014
10 Imperial	New El Centro Courthouse	Proceed with design; start working drawings in FY 2013-2014
11 Inyo	New Inyo County Courthouse	Proceed with site acquisition; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
12 Lake	New Lakeport Courthouse	Delay start of working drawings to FY 2014-2015, unless SB 1407 funds are restored in FY 2013-2014, and after extensive review by Courthouse Cost Reduction Subcommittee
13 Los Angeles	New Eastlake Juvenile Courthouse	Proceed with site acquisition of a proposed site from the County of Los Angeles at a reduced cost for a collocated new construction project of the planned New Eastlake Juvenile and Los Angeles Mental Health Courthouses
14 Los Angeles	New Los Angeles Mental Health Courthouse	
15 Mendocino	New Ukiah Courthouse	Proceed with site acquisition for project with one less courtroom; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
16 Merced	New Los Banos Courthouse	Proceed with design; start working drawings in FY 2013-2014
17 Riverside	New Hemet Courthouse (Mid-Cnty Reg)	Proceed with site acquisition; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
18 Riverside	New Indio Juvenile and Family Courthouse	Proceed with design; start working drawings in FY 2013-2014
19 San Diego	New Central San Diego Courthouse	In working drawings; will start construction in FY 2013-2014
20 San Joaquin	Renovate Juvenile Justice Center	In working drawings; will start construction in FY 2013-2014
21 Santa Barbara	New Santa Barbara Criminal Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
22 Shasta	New Redding Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
23 Siskiyou	New Yreka Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
24 Sonoma	New Santa Rosa Criminal Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
25 Stanislaus	New Modesto Courthouse	Proceed with site acquisition; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
26 Tehama	New Red Bluff Courthouse	Proceed with design; start working drawings in FY 2013-2014
27 Tuolumne	New Sonora Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014

County	Project Name	Indefinitely Delayed
28 Fresno	Renovate Fresno County Courthouse	Indefinitely delayed as of October 26, 2012 and January 17, 2013, Judicial Council meetings
29 Kern	New Delano Courthouse	
30 Kern	New Mojave Courthouse	
31 Los Angeles	New Glendale Courthouse	
32 Los Angeles	New Santa Clarita Courthouse	
33 Los Angeles	New Southeast Los Angeles Courthouse	
34 Monterey	New South Monterey County Courthouse	
35 Nevada	New Nevada City Courthouse	
36 Placer	New Tahoe Area Courthouse	
37 Plumas	New Quincy Courthouse	
38 Sacramento	New Sacramento Criminal Courthouse	

Proceed – Projects will move forward as indicated above. Each project moving forward will complete a review of trial court operations, as required by the state Department of Finance.

Indefinitely Delayed – Projects are indefinitely delayed until funds become available sometime in the future. No work to proceed on site acquisition or design, unless specified above.

Two SB 1407 projects, for Alpine and Sierra Counties, were canceled by the Judicial Council in December 2011. In October 2012, the council referred one project, a renovation of the Lancaster (McCourtney Juvenile) Courthouse in Los Angeles, to the Trial Court Facility Modifications Working Group for consideration of funding as a facility modification.

Allocations for 2011-2012, Full-Year 2011-2012, and 2012-2013 Trial Court Benefit Cost Changes

Court	FY 2011-2012 Benefit Costs Changes					
	Fiscal Year Non-Base Cost Change Col. 1	Non-Base Cost Adjustment Col. 2	Total Col. 3 (Col. 1 + 2)	Pro-rate General Fund Based on Col. 3 Col. 4	% Adjusted Cost Change Col. 5	Backfill Unfunded Costs from TCTF Col. 6
Alameda	1,116,273		1,116,273	539,674	48.3%	576,600
Alpine	10,750		10,750	5,197	48.3%	5,553
Amador	47,552		47,552	22,989	48.3%	24,562
Butte	64,681		64,681	31,271	48.3%	33,410
Calaveras	18,605		18,605	8,995	48.3%	9,610
Colusa	39,355		39,355	19,027	48.3%	20,328
Contra Costa	1,076,100		1,076,100	520,252	48.3%	555,848
Del Norte	33,596		33,596	16,242	48.3%	17,354
El Dorado	97,475		97,475	47,125	48.3%	50,350
Fresno	2,636,240		2,636,240	1,274,517	48.3%	1,361,723
Glenn	27,882		27,882	13,480	48.3%	14,402
Humboldt	65,437		65,437	31,636	48.3%	33,801
Imperial	39,880		39,880	19,280	48.3%	20,600
Inyo	16,760		16,760	8,103	48.3%	8,657
Kern	822,670		822,670	397,728	48.3%	424,942
Kings	24,918		24,918	12,047	48.3%	12,871
Lake	14,825		14,825	7,167	48.3%	7,658
Lassen	11,363		11,363	5,494	48.3%	5,870
Los Angeles	8,110,868	(7,200,000)	910,868	440,369	48.3%	470,500
Madera	112,925		112,925	54,595	48.3%	58,330
Marin	68,507		68,507	33,120	48.3%	35,387
Mariposa	8,951		8,951	4,327	48.3%	4,624
Mendocino	277,609		277,609	134,213	48.3%	143,396
Merced	355,846		355,846	172,038	48.3%	183,809
Modoc	4,083		4,083	1,974	48.3%	2,109
Mono	15,612		15,612	7,548	48.3%	8,064
Monterey	124,083		124,083	59,989	48.3%	64,094
Napa	175,342		175,342	84,771	48.3%	90,571
Nevada	71,414		71,414	34,526	48.3%	36,888
Orange	3,083,235		3,083,235	1,490,622	48.3%	1,592,613
Placer	365,555		365,555	176,731	48.3%	188,824
Plumas	20,273		20,273	9,801	48.3%	10,472
Riverside	562,288		562,288	271,844	48.3%	290,444
Sacramento	1,400,384		1,400,384	677,030	48.3%	723,354
San Benito	28,641		28,641	13,847	48.3%	14,794
San Bernardino	1,007,423		1,007,423	487,049	48.3%	520,374
San Diego	3,380,781		3,380,781	1,634,473	48.3%	1,746,307
San Francisco	2,558,523		2,558,523	1,236,944	48.3%	1,321,579
San Joaquin	740,505		740,505	358,005	48.3%	382,500
San Luis Obispo	60,917		60,917	29,451	48.3%	31,466
San Mateo	146,148		146,148	70,657	48.3%	75,491
Santa Barbara	717,990		717,990	347,119	48.3%	370,870
Santa Clara	954,116		954,116	461,277	48.3%	492,839
Santa Cruz	152,319		152,319	73,640	48.3%	78,679

Court	Full-Year 2011-2012 Benefit Cost Changes					
	Full-Year Non-Base Cost Change Col. 7	Non-Base Cost Adjustment Col. 8	Total Col. 9 (Col. 7 + 8)	Pro-rate Based on Col. 9 Col. 10	% Adjusted Cost Change Col. 11	Backfill Unfunded Costs from TCTF Col. 12
Alameda	1,276,873		1,276,873	745,231	58.4%	531,641
Alpine	16,057		16,057	9,372	58.4%	6,686
Amador	50,706		50,706	29,594	58.4%	21,112
Butte	80,803		80,803	47,160	58.4%	33,643
Calaveras	18,629		18,629	10,872	58.4%	7,756
Colusa	39,498		39,498	23,052	58.4%	16,445
Contra Costa	1,168,180		1,168,180	681,794	58.4%	486,386
Del Norte	54,132		54,132	31,594	58.4%	22,539
El Dorado	116,007		116,007	67,706	58.4%	48,301
Fresno	2,636,240		2,636,240	1,538,610	58.4%	1,097,630
Glenn	31,446		31,446	18,353	58.4%	13,093
Humboldt	65,882		65,882	38,451	58.4%	27,431
Imperial	82,214		82,214	47,983	58.4%	34,231
Inyo	20,212		20,212	11,796	58.4%	8,415
Kern	837,816		837,816	488,381	58.4%	348,835
Kings	24,918		24,918	14,543	58.4%	10,375
Lake	14,935		14,935	8,117	58.4%	6,218
Lassen	12,277		12,277	7,166	58.4%	5,112
Los Angeles	11,477,342	(7,200,000)	4,277,342	2,496,419	58.4%	1,780,923
Madera	136,613		136,613	79,732	58.4%	56,880
Marin	97,229		97,229	56,747	58.4%	40,482
Mariposa	10,718		10,718	6,255	58.4%	4,463
Mendocino	373,994		373,994	218,277	58.4%	155,717
Merced	363,223		363,223	211,991	58.4%	151,232
Modoc	4,083		4,083	2,383	58.4%	1,700
Mono	16,231		16,231	9,473	58.4%	6,758
Monterey	160,124		160,124	93,454	58.4%	66,669
Napa	213,748		213,748	124,751	58.4%	88,997
Nevada	70,632		70,632	41,223	58.4%	29,408
Orange	3,751,440		3,751,440	2,189,483	58.4%	1,561,957
Placer	471,628		471,628	275,260	58.4%	196,368
Plumas	23,583		23,583	13,764	58.4%	9,819
Riverside	841,027		841,027	490,855	58.4%	350,172
Sacramento	1,400,384		1,400,384	817,317	58.4%	583,067
San Benito	43,221		43,221	25,225	58.4%	17,995
San Bernardino	1,022,567		1,022,567	596,809	58.4%	425,758
San Diego	3,890,127		3,890,127	2,270,426	58.4%	1,619,701
San Francisco	2,558,523		2,558,523	1,493,251	58.4%	1,065,272
San Joaquin	740,505		740,505	432,187	58.4%	308,318
San Luis Obispo	85,415		85,415	49,851	58.4%	35,564
San Mateo	292,295		292,295	170,595	58.4%	121,701
Santa Barbara	770,136		770,136	449,480	58.4%	320,655
Santa Clara	855,299		855,299	499,185	58.4%	356,114
Santa Cruz	186,812		186,812	109,031	58.4%	77,782

Court	FY 2012-2013 Benefit Cost Changes (excluding court interpreters)			
	Confirmed and Funded Cost Changes Col. 13	Unconfirmed but Funded Cost Changes Col. 14	Confirmed but Unfunded Cost Changes Col. 15	Total Col. 16 (Col. 13 + Col. 14 + Col. 15)
Alameda	733,582			733,582
Alpine	7,957			7,957
Amador	1,611			1,611
Butte	41,995	5,213		47,208
Calaveras	31,862			31,862
Colusa	6,286			6,286
Contra Costa	809,897			809,897
Del Norte	17,401	22,760		40,161
El Dorado	11,608	54,572		66,180
Fresno	878,171			878,171
Glenn	15,687			15,687
Humboldt	54,222			54,222
Imperial	198,877		5,960	204,837
Inyo	19,480		10,152	29,632
Kern	629,057			629,057
Kings	6,952			6,952
Lake	(756)			(756)
Lassen	3,647	473		4,120
Los Angeles	5,302,031	26,735		5,328,766
Madera	90,804			90,804
Marin	307,206			307,206
Mariposa	5,123		331	5,454
Mendocino	233,894	41,751		275,645
Merced	242,409	25,938		268,347
Modoc	1,273			1,273
Mono	(3,546)	17,267		13,721
Monterey	(9,350)	161,303		151,973
Napa	(5,323)	56,320		50,997
Nevada	92,233			92,233
Orange	2,916,438			2,916,438
Placer	165,562			165,562
Plumas	273			273
Riverside	514,475	163		514,638
Sacramento	1,154,791			1,154,791
San Benito	8,678			8,678
San Bernardino	999,295			999,295
San Diego	3,434,497			3,434,497
San Francisco				
San Joaquin	557,291			557,291
San Luis Obispo	36,287			36,287
San Mateo	97,402	10,637		108,039
Santa Barbara	1,982			1,982
Santa Clara	1,120,423			1,120,423
Santa Cruz	99,398	4,973		104,371

Allocations for 2011-2012, Full-Year 2011-2012, and 2012-2013 Trial Court Benefit Cost Changes

Court	FY 2011-2012 Benefit Cost Changes					Full-Year 2011-2012 Benefit Cost Changes					FY 2012-2013 Benefit Cost Changes (excluding court interpreters)															
	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Fiscal Year Non-Base Cost Change	Non-Base Cost Adjustment	Total	Pro-rate General Fund Based on Col. 3	% Adjusted Cost Change	Backfill Unfunded Costs from TCTF	Col. 7	Col. 8	Col. 9 (Col. 7 + 8)	Col. 10	% Adjusted Cost Change	Pro-rate Based on Col. 9	Backfill Unfunded Costs from TCTF	Col. 11	Col. 12	Col. 13	Col. 14	Col. 15	Col. 16 (13+14+15)		
Shasta	151,118		151,118	73,059	48.3%	151,118		151,118	73,059	48.3%	78,058	165,903		165,903	96,827	58.4%	96,827	69,076	58.4%		3,479					3,479
Sierra	9,287		9,287	4,490	48.3%	4,490		4,490	4,490	48.3%	4,797	10,806		10,806	6,307	58.4%	6,307	4,499	58.4%		2,768					2,768
Siskiyou	71,527		71,527	34,580	48.3%	34,580		34,580	34,580	48.3%	36,946	72,680		72,680	42,419	58.4%	42,419	30,261	58.4%		40,138					40,138
Solano	427,933		427,933	206,889	48.3%	206,889		206,889	206,889	48.3%	221,045	520,367		520,367	303,706	58.4%	303,706	216,661	58.4%		180,492					180,492
Sonoma	601,223		601,223	290,667	48.3%	290,667		290,667	290,667	48.3%	310,555	671,937		671,937	392,168	58.4%	392,168	279,769	58.4%		584,741					584,741
Stanislaus	169,894		169,894	82,137	48.3%	82,137		82,137	82,137	48.3%	87,757	237,177		237,177	138,425	58.4%	138,425	98,751	58.4%		843,634					843,634
Sutter	122,798		122,798	59,368	48.3%	59,368		59,368	59,368	48.3%	63,430	122,798		122,798	71,670	58.4%	71,670	51,129	58.4%		21,519					21,519
Tehama	52,641		52,641	25,450	48.3%	25,450		25,450	25,450	48.3%	27,191	76,577		76,577	44,693	58.4%	44,693	31,884	58.4%		12,406					12,406
Trinity	9,068		9,068	4,384	48.3%	4,384		4,384	4,384	48.3%	4,684	8,150		8,150	4,757	58.4%	4,757	3,393	58.4%		13,058					13,058
Tulare*	58,524		58,524	28,294	48.3%	28,294		28,294	28,294	48.3%	30,230	57,817		57,817	33,744	58.4%	33,744	24,073	58.4%		127,258					127,258
Tuolumne	31,344		31,344	15,153	48.3%	15,153		15,153	15,153	48.3%	16,190	31,751		31,751	18,531	58.4%	18,531	13,220	58.4%		(6,841)					8,592
Ventura	451,423		451,423	218,245	48.3%	218,245		218,245	218,245	48.3%	233,178	644,243		644,243	376,004	58.4%	376,004	268,238	58.4%		295,980					295,980
Yolo	135,639		135,639	65,576	48.3%	65,576		65,576	65,576	48.3%	70,063	140,493		140,493	81,997	58.4%	81,997	58,496	58.4%		89,806					89,806
Yuba	36,186		36,186	17,494	48.3%	17,494		17,494	17,494	48.3%	18,691	39,776		39,776	23,215	58.4%	23,215	16,561	58.4%		37,732					37,732
Total	32,997,306	(7,200,000)	25,797,306	12,471,973	48.3%	13,325,333	(7,200,000)	18,678,866	18,678,866	58.4%	13,325,333	39,204,199	(7,200,000)	32,004,199	18,678,866	58.4%	18,678,866	13,325,333	58.4%		23,077,273	483,174	122,694	23,683,141	23,683,141	

*Includes a correction of \$35,987 for Tulare related to the annualized cost of their 2010-2011 cost change.

Policy Number: 8.9 (Proposed)

Title: Working Remotely (Telecommuting)

**Contact: Judicial and Court Administrative Services Division,
Human Resources Services Office**

Policy

Statement: The AOC's Remote Work Program authorizes employees to work from home only when doing so is consistent with business needs and the employee's job functions, as authorized by the Administrative Director.

Contents:

- (A) Purpose of Remote Work Program**
- (B) Regularly Scheduled Remote Work**
 - (1) Applicability**
 - (2) Request and Approval Process**
 - (3) Remote Work Schedules**
 - (4) Remote Work Log**
- (C) Ad Hoc Remote Work**
- (D) The Home Office**
 - (1) Work Environment**
 - (2) Office Equipment**
 - (3) Information Security**
 - (4) Health and Safety**
- (E) Other Employee Rights and Responsibilities**
- (F) Termination and Renewal of Remote Work Assignment**

(A) Purpose of Remote Work Program

When consistent with business needs and the employee's job functions, the AOC provides employees with a remote work option. Employees participate in the remote work program when, on a periodic basis, during their scheduled work hours, they perform their usual job duties from home. The terms "working remotely", "work remotely", and "remote worker" as used in this policy refer to the performance of usual job duties at home. Home locations for purposes of this policy shall be in the state of California.

Suitability to participate in the remote work program is based, in part, on an employee's job classification and the nature of the work to be performed by the employee. Those factors alone may compel disapproval of an application to participate in the remote work program.

The AOC recognizes the potential organizational and personal benefits available through a carefully planned and managed remote work program. Both the state and federal government have recognized the positive impacts of remote work programs that include reductions in air pollution, traffic congestion and the costs of highway commuting. Additionally remote working can provide employees with more flexibility in their schedules resulting in increased productivity and employee morale.

This policy covers two types of remote work options:

- (1) Regularly scheduled (which allows employees to work from home on a regular, ongoing basis, as described in Section (B) (3) of this policy), and
- (2) "Ad hoc" (occasional, one-time approval to work from home, as described in Section (C) of this policy).

Employees working in more than one location, other than the home, due to work-related travel, and/or working from multiple AOC offices or court locations, are considered to be working in the office. This Remote Work Program Policy does not apply to that activity.

Requests to work from home as a reasonable accommodation for a disability will be evaluated consistent with applicable law. Such requests should be directed to the employee's supervisor and approved by the Human Resources Services Office (HR), Integrated Disability Management Unit.

(B) Regularly Scheduled Remote Work

(1) Applicability

Only non-supervisory AOC employees (regular or temporary, full-time or part-time, exempt or non-exempt) may apply to participate in the remote work program on a regularly scheduled basis.

(2) Request and Approval Process

An employee may initiate a request to participate in the remote work program on a regularly scheduled basis by submitting a completed Remote Worker Self-Assessment and Remote Work Application to his or her supervisor. The supervisor will review the request and make a recommendation to the office leadership. Office leadership will submit the request with a recommendation to Human Resources. Human Resources will review the request to ensure that the application meets all applicable policy criteria. HR will submit the request with a recommendation to the Executive Office for consideration. Approval of a remote work arrangement is at the discretion of the Administrative Director or designee.

Step 1 – Office Leadership Review

A request to participate in the remote work program must be reviewed by the employee's office leadership, who will determine if the employee, while working from home, can perform all of the duties and responsibilities of the position in a manner that meets the needs of the organization. When considering a request to work from home, all of the following factors will be considered:

- Nature of Work
The type of work performed by the employee.
- Quantity of work
How much work can get done from home?

- Quality of work
How well can the work be completed from home?
- Timeliness
Can timelines be met when working from home?
- Ability to handle multiple priorities
Is it possible to successfully multitask when working from home?

Employees must also demonstrate suitability of the proposed home work environment.

Employees with performance, attendance, or other work-related deficiencies, or whose jobs by their nature are not suitable for remote work, will not be approved for a remote work arrangement.

Step 2 – Human Resources Services Office Review

Completed remote work applications reviewed by the originating office's leadership shall be submitted to HR for additional review.

HR will review applications to ensure that signatures have been obtained; the agreement is consistent with the parameters of AOC policies and procedures; and the employee's duties and responsibilities align to the five factors noted previously.

Any remote work agreement that is not complete, does not have all required signatures, or is outside of the scope of policies will be returned to the originating office for review. Remote work schedules may not begin until the remote work agreement has been approved by the Administrative Director or designee.

Step 3 – Administrative Director or designee's review

The Administrative Director or designee will review the remote work agreement and determine whether to approve or deny. If the remote work agreement is approved, HR will notify the Office Leadership of the approval and a start date can be coordinated with the employee.

(3) Remote Work Schedules

Employees (excluding supervisors, managers, assistant directors, and directors) may be approved to work from home on a regularly scheduled basis as follows:

- During the first 12 months of employment, employees are not eligible to participate in the remote work program.
- After 12 months of employment, employees are eligible to request to work from home up to a maximum of one day per week in any given week.

If approved, the remote work schedule applicable to a particular employee will be set by the supervisor before remote working begins. Remote workers must be available during the standard workday from 8 a.m. to 5 p.m., Monday through Friday (Hours of Work, policy 4.4(A)), or alternative schedule as approved by their supervisor, to

the same extent as if working in the office. The remote work schedule may be modified, with supervisor approval, as needed:

- The remote work assignment may be suspended or terminated at any time, for any reason at the discretion of the office leadership. If a remote work assignment is suspended or terminated the HR work coordinator must be notified immediately.
- If an employee is needed in the office on a regularly scheduled remote work day, the employee must forgo the remote work day. Employees cannot "make up" missed remote work days.
- Remote workers must request approval for time off in the same manner as if not working from home.
- With prior approval, remote workers may attend medical, dental, and business appointments on remote work days.
- For non-exempt employees, any overtime work must be authorized in advance and in writing (Hours of Work, policy 4.4(C)(1)).

(4) Remote Work Log

AOC employees approved for a regular remote work schedule must complete a remote work log for each day that they work from home. The remote work log must be provided regularly to the supervisor for review of work progress during remote work days. Employees who do not satisfactorily complete a remote work log or their assignments during remote work days may have their remote work assignment suspended or terminated at the discretion of the office leadership.

(C) Ad Hoc Remote Work

An employee of the AOC (including managers and supervisors) may alternatively be approved to work from home on an "ad hoc" basis (i.e., not on a regular basis), which may arise due to special projects, the demand for expedited work products, or other business or personal needs. The employee's office leader may approve ad hoc work from home on a case-by-case basis. Each office will submit a monthly report of ad hoc remote work to the HR remote work coordinator. Quarterly reports will be submitted to the Administrative Director. Approval to work remotely on an ad hoc basis does not require submission of the forms referenced in Section (B)(2) of this policy and does not confer eligibility to work from home on a regularly scheduled basis.

"Ad hoc" remote work occurrences are limited to two days per month in any given month. Employees who are participating in the regularly scheduled remote work program may not, at the same time, work from home on an "ad hoc" basis.

The supervisor or manager recommends approval of the ad hoc remote working request and submits to his or her office leadership. Office leadership may approve the ad hoc remote work and record the usage on a monthly report that will be submitted to HR. HR will collect that data and provide quarterly utilization reports to the Administrative Director.

(D) The Home Office

(1) Work Environment

Remote workers are responsible for maintaining a safe and productive work environment. Dependent care arrangements must be made so as not to interfere with work. Personal disruptions must be limited to the same extent as when working in the employee's primary work location.

(2) Office Equipment

The AOC will provide a laptop, subject to availability, for purposes of working from home. Maintenance, repair, and replacement of AOC-owned equipment issued to remote workers is the responsibility of the AOC. The remote worker, however, must provide adequate care and protection of the equipment. (Use of AOC Property, policy 8.8(B)). In case of equipment malfunction, the remote worker must notify his or her supervisor immediately. Expenses for purchases, supplies, and repairs to personal equipment will not be reimbursed. Remote workers must restrict access to AOC-provided office equipment from family members and others.

The remote worker must also observe the following

- The remote worker is responsible to provide appropriate Internet connectivity in order to perform work duties. DSL or cable-based service is normally acceptable for this purpose.
- AOC-issued laptops must be brought into the office a minimum of once per month, and as requested, to assure the necessary technology and security updates are installed. The Information Technology Services Office does not provide technology support for use of personal equipment for working from home.
- Any software installed on AOC-issued laptops remains the property of the AOC and is subject to all applicable copyright laws and rules and regulations on the use or reproduction of software.
- Upon termination of a remote work assignment or employment, or when requested by the supervisor, the employee must return all AOC property, including software.

Computer support for remote workers is available from the Information Technology Services Office Helpdesk during the hours of 7:30 a.m. – 6:00 p.m. Remote workers may request assistance by submitting an on-line service request to the AOC Service Portal, or contacting the HelpDesk at (415) 865-4080 or helpdesk@jud.ca.gov.

(3) Information Security

Network and information security are important considerations when working from home. Remote workers are expected to maintain the security, privacy, and confidentiality of information when working at the home work site or transporting data to and from work sites, including:

- Remote workers must follow all organizational data retention, backup and security procedures.
- Remote workers must restrict access to confidential and personal information from family members and others. (Use of AOC Property, policy 8.8(D)).
- Access-restricted material and data must remain secured, and cannot be taken out of the official work location without supervisory approval.

Some AOC applications will be restricted to on-site access for security reasons. Other data may be unavailable to remote workers for technical reasons. For example, remote access to network drives is only available to employees approved and provided resources for access.

Remote workers must report any potential breach of AOC information security immediately to the Information Technology Services Office HelpDesk.

(4) Health and Safety

Remote workers are responsible for ensuring that their home offices comply with health and safety requirements. The AOC may decline an employee's request to work from home or may terminate a remote work assignment based on safety considerations. The home office may be inspected by the AOC, by appointment, for compliance with health and safety requirements.

If an employee incurs a work-related injury while working from home, workers' compensation law and rules apply. Consistent with AOC's Workers' Compensation Insurance, policy 6.6, employees must immediately notify their supervisor, or if their supervisor is not immediately available, the Human Resources Services Office, Integrated Disability Management Unit, of any work-related injury and complete all required documents.

(E) Other Employee Rights and Responsibilities

Remote workers maintain the rights and responsibilities set forth in AOC policies and procedures to the same extent as if not working remotely. In particular, employees must comply with Technology Use, policy 8.6 and AOC Computer Use Best Practices.

(F) Termination and Renewal of Remote Work Assignment

Participation in the remote work program is voluntary and it is a privilege. Either the employee or the AOC may terminate participation in the remote work program at any time, for any reason or no reason at all. Failure to abide by the policies and procedures set forth in this policy may result in immediate termination of an employee's remote work assignment. Any suspension or termination of a remote work assignment must be immediately reported to HR.

It shall be the continuing duty of the office leadership in each office, in which one or more employees telecommute, to assess the performance of each such employee by adhering to the terms, conditions, and standards of this policy.

Approval to participate in the remote work program is only valid for the fiscal year in which it is approved. Remote Work Applications must be renewed and approved by the Administrative Director or designee each fiscal year, on or before June 30, as well as when there is a change in the remote worker's or supervisor's position, or any other change that may impact the remote work arrangement. Remote workers who wish to continue their current remote work arrangement without modification are only required to complete the Remote Work Application form (Attachment II) to request renewal. A remote work arrangement must not be continued when it does not meet the business needs or help accomplish the mission of the AOC.

All regularly scheduled remote work arrangements must be approved by the Administrative Director or designee. Approval to participate in the remote work program is based on specific criteria considered by the employee's office leadership and the Human Resources Services Office, on a case-by-case basis. As circumstances may change over time, employees previously participating in the remote work program are not assured of a remote work assignment when returning from a leave of absence or after a job transfer.

**Court Facilities Working Group (CFWG) Recommendations to
Judicial Council on Moving SB 1407 Projects Forward
Pending Enactment of the FY 2013–2014 Budget Act**

County	Project Name	Funded by Budget Act in Current Fiscal Year 2012–2013 and Proceeding
1 Alameda	New East County Courthouse	Selection of designer-builder under way; construction award by mid-2013, pending reauthorization of lease purchase authority
2 Butte	New North Butte County Courthouse	Bonds sold, in bid phase, construction scheduled to begin in early 2013
3 Kings	New Hanford Courthouse	In working drawings; ready to start construction in 2013 pending spring bond sale
4 Santa Clara	New Santa Clara Family Justice Center	In working drawings; ready to start construction in 2013 pending spring bond sale
5 Solano	Renovation to Fairfield Old Solano Courthouse	Bonds sold, subcontractor bidding under way, construction scheduled to begin in early 2013
6 Sutter	New Yuba City Courthouse	In working drawings; ready to start construction in 2013 pending spring bond sale
7 Yolo	New Woodland Courthouse	Bonds sold, in bid phase, construction scheduled to begin in early 2013

County	Project Name	CFWG Recommendations to Judicial Council at February 26, 2013 Meeting
8 El Dorado	New Placerville Courthouse	Proceed with site acquisition; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
9 Glenn	Renovate and Addition to Willows Courthouse	Proceed with design; start working drawings in FY 2013-2014
10 Imperial	New El Centro Courthouse	Proceed with design; start working drawings in FY 2013-2014
11 Inyo	New Inyo County Courthouse	Proceed with site acquisition; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
12 Lake	New Lakeport Courthouse	Delay start of working drawings to FY 2014-2015, unless SB 1407 funds are restored in FY 2013-2014, and after extensive review by Courthouse Cost Reduction Subcommittee
13 Los Angeles	New Eastlake Juvenile Courthouse	Proceed with site acquisition of a proposed site from the County of Los Angeles at a reduced cost for a collocated new construction project of the planned New Eastlake Juvenile and Los Angeles Mental Health Courthouses
14 Los Angeles	New Los Angeles Mental Health Courthouse	
15 Mendocino	New Ukiah Courthouse	Proceed with site acquisition for project with one less courtroom; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
16 Merced	New Los Banos Courthouse	Proceed with design; start working drawings in FY 2013-2014
17 Riverside	New Hemet Courthouse (Mid-Cnty Reg)	Proceed with site acquisition; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
18 Riverside	New Indio Juvenile and Family Courthouse	Proceed with design; start working drawings in FY 2013-2014
19 San Diego	New Central San Diego Courthouse	In working drawings; will start construction in FY 2013-2014
20 San Joaquin	Renovate Juvenile Justice Center	In working drawings; will start construction in FY 2013-2014
21 Santa Barbara	New Santa Barbara Criminal Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
22 Shasta	New Redding Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
23 Siskiyou	New Yreka Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
24 Sonoma	New Santa Rosa Criminal Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
25 Stanislaus	New Modesto Courthouse	Proceed with site acquisition; preliminary plans delayed until FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014
26 Tehama	New Red Bluff Courthouse	Proceed with design; start working drawings in FY 2013-2014
27 Tuolumne	New Sonora Courthouse	Design delayed to FY 2014-2015 unless SB 1407 funds are restored in FY 2013-2014

County	Project Name	Indefinitely Delayed
28 Fresno	Renovate Fresno County Courthouse	Indefinitely delayed as of October 26, 2012 and January 17, 2013, Judicial Council meetings
29 Kern	New Delano Courthouse	
30 Kern	New Mojave Courthouse	
31 Los Angeles	New Glendale Courthouse	
32 Los Angeles	New Santa Clarita Courthouse	
33 Los Angeles	New Southeast Los Angeles Courthouse	
34 Monterey	New South Monterey County Courthouse	
35 Nevada	New Nevada City Courthouse	
36 Placer	New Tahoe Area Courthouse	
37 Plumas	New Quincy Courthouse	
38 Sacramento	New Sacramento Criminal Courthouse	

Proceed – Projects will move forward as indicated above. Each project moving forward will complete a review of trial court operations, as required by the state Department of Finance.

Indefinitely Delayed – Projects are indefinitely delayed until funds become available sometime in the future. No work to proceed on site acquisition or design, unless specified above.

Two SB 1407 projects, for Alpine and Sierra Counties, were canceled by the Judicial Council in December 2011. In October 2012, the council referred one project, a renovation of the Lancaster (McCourtney Juvenile) Courthouse in Los Angeles, to the Trial Court Facility Modifications Working Group for consideration of funding as a facility modification.

JUDICIAL COUNCIL ROLL CALL VOTE


Tuesday, February 26, 2013 Meeting

Agenda Item # / Subject ITEM "J"

VOTING MEMBERS	VOTE			
	YES	NO	ABSTAIN	RECUSE
1. Hon. Tani Cantil-Sakauye, Chair			✓	
2. Hon. Judith Ashmann-Gerst				
3. Hon. Stephen H. Baker				
4. Hon. Marvin R. Baxter			✓	
5. Hon. Richard Bloom <i>absent</i>	N/A	N/A	N/A	N/A
6. Hon. James R. Brandlin				
7. Ms. Angela J. Davis T				
8. Hon. David De Alba				
9. Hon. Emilie H. Elias				
10. Hon. Sherrill A. Ellsworth				
11. Hon. Noreen Evans <i>absent</i>	N/A	N/A	N/A	N/A
12. Hon. James P. Fox				
13. Hon. James E. Herman				
14. Hon. Harry E. Hull, Jr.				
15. Hon. Teri L. Jackson				
16. Hon. Ira R. Kaufman				
17. Ms. Edith R. Matthai				
18. Hon. Douglas P. Miller				
19. Hon. Mary Ann O'Malley				
20. Mr. Mark P. Robinson, Jr.				
21. Hon. David Rosenberg				

VOTES
VOTE

Totals: Yes _____ No _____ Abstain 2 Recuse _____ Absent _____

 2/26/13
 Hon. Steven Jahr
 Secretary to the Judicial Council

* **T** = attending by telephone

** The Secretary will read each voting member's name, in alphabetical order, with the Chair last. Each member, as his or her name is called, responds in the affirmative or negative as shown above. If the member does not wish to vote, he or she answers "present" (or "abstain"). A member's recusal is indicated in the right column.

After each member speaks, the Secretary then repeats that member's name and notes that answer in the correct column. At the conclusion of the roll call, the names of those who failed to answer can be called again and, when appropriate, the chair can ask if any voting member entered the room after his or her name was called. 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.


JUDICIAL COUNCIL ROLL CALL VOTE

Tuesday, February 26, 2013 Meeting

Agenda Item # / Subject ITEM "M" ACCEPT
RECOMMENDATION
AS AMENDED

VOTING MEMBERS	VOTE			
	YES	NO	ABSTAIN	RECUSE
1. Hon. Tani Cantil-Sakauye, Chair	/			
2. Hon. Judith Ashmann-Gerst				
3. Hon. Stephen H. Baker				
4. Hon. Marvin R. Baxter				
5. Hon. Richard Bloom <i>absent</i>	N/A	N/A	N/A	N/A
6. Hon. James R. Brandlin				
7. Ms. Angela J. Davis T				
8. Hon. David De Alba				
9. Hon. Emilie H. Elias				
10. Hon. Sherrill A. Ellsworth				
11. Hon. Noreen Evans <i>absent</i>	N/A	N/A	N/A	N/A
12. Hon. James P. Fox				
13. Hon. James E. Herman				
14. Hon. Harry E. Hull, Jr.				
15. Hon. Teri L. Jackson				
16. Hon. Ira R. Kaufman				
17. Ms. Edith R. Matthai				
18. Hon. Douglas P. Miller				
19. Hon. Mary Ann O'Malley				
20. Mr. Mark P. Robinson, Jr.				
21. Hon. David Rosenberg <i>voice</i>				

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

 2.26.13
 Hon. Steven Jahr
 Secretary to the Judicial Council

* T = attending by telephone

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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.

JUDICIAL COUNCIL ROLL CALL VOTE

Tuesday, February 26, 2013 Meeting

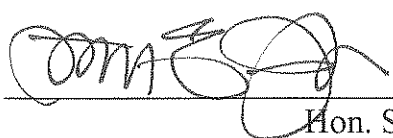
RECOMMENDATION 1
OPTION 2

Agenda Item # / Subject _____

ITEM "N"

VOTING MEMBERS	VOTE			
	YES	NO	ABSTAIN	RECUSE
1. Hon. Tani Cantil-Sakauye, Chair				
2. Hon. Judith Ashmann-Gerst	✓			
3. Hon. Stephen H. Baker	✓			
4. Hon. Marvin R. Baxter	✓			
5. Hon. Richard Bloom <i>absent</i>	N/A	N/A	N/A	N/A
6. Hon. James R. Brandlin		✓		
7. Ms. Angela J. Davis T				
8. Hon. David De Alba	✓			
9. Hon. Emilie H. Elias		✓		
10. Hon. Sherrill A. Ellsworth	✓			
11. Hon. Noreen Evans <i>absent</i>	N/A	N/A	N/A	N/A
12. Hon. James P. Fox	✓			
13. Hon. James E. Herman	✓			
14. Hon. Harry E. Hull, Jr.	✓			
15. Hon. Teri L. Jackson	✓			
16. Hon. Ira R. Kaufman	✓			
17. Ms. Edith R. Matthai	✓			
18. Hon. Douglas P. Miller	✓			
19. Hon. Mary Ann O'Malley	✓			
20. Mr. Mark P. Robinson, Jr.	✓			
21. Hon. David Rosenberg	✓			

Totals: Yes 15 No 2 Abstain _____ Recuse _____ Absent _____


 2/26/13
 Hon. Steven Jahr
 Secretary to the Judicial Council

* T = attending by telephone

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