

**JUDICIAL COUNCIL OF CALIFORNIA**  
**Meeting Minutes—July 29, 2014**  
**Ronald M. George State Office Complex**  
**William C. Vickrey Judicial Council Conference Center**  
**Malcolm M. Lucas Board Room**  
**455 Golden Gate Avenue**  
**San Francisco, California 94102-3688**

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**FRIDAY, JULY 29, 2014**  
**BUSINESS MEETING—OPEN MEETING**  
**(RULE 10.6(A))**

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**Judicial Council members present:** Chief Justice Tani G. Cantil-Sakauye; Supreme Court Justice Marvin R. Baxter; Court of Appeal Justices Judith Ashmann-Gerst, Harry E. Hull, Jr., and (by phone) Douglas P. Miller; Judges Stephen H. Baker, James R. Brandlin, David De Alba, Emilie H. Elias, Teri L. Jackson, Gary Nadler, Mary Ann O’Malley, David Rosenberg, David M. Rubin, and Dean T. Stout; State Senator Noreen Evans; Mr. Mark G. Bonino, Ms. Angela J. Davis, and Mr. James P. Fox; **advisory members present:** Judges Robert A. Glusman, James E. Herman, Morris D. Jacobson, Brian L. McCabe, Kenneth K. So, Charles D. Wachob, and Brian Walsh; Supreme Court Clerk Frank A. McGuire; Commissioner Sue Alexander; Court Executive Officers Mary Beth Todd and David H. Yamasaki; **secretary to the council:** Judge Steven Jahr, Administrative Director.

**Members absent:** Assembly Member Richard Bloom and Mr. Mark P. Robinson, Jr.

**Incoming members present:** Presiding Judges Marla O. Anderson, Brian John Back, and Marsha Slough; Judge Daniel J. Buckley; Commissioner David E. Gunn; Court Executive Officer Richard D. Feldstein; Ms. Donna D’Angelo Melby.

**Speakers present:** Judge Laurie M. Earl, Superior Court of California, County of Sacramento; Judge Patricia M. Lucas, Superior Court of California, County of Santa Clara; Judge David Edwin Power, Superior Court of California, County of Solano; Mr. Michael D. Planet, Court Executive Officer, Superior Court of California, County of Ventura (by phone).

**Others present:** Presiding Judge Robert C. Hight, Superior Court of California, County of Sacramento; Presiding Judge Lesley D. Holland, Superior Court of California, County of San Joaquin; Mayor John Huerta, Jr., City of Greenfield; **members of the public:** Ms. Jody Cooperman, Ms. Anabelle Garay, Ms. Elizabeth McCarthy, Mr. Peter Mozac, Mr. Chuck Oraftik, Ms. Nikola Rambob, Mr. Ken Torre, and Mr. Ariel Torrone; **media representatives:** Ms. Maria Dinzeo, *Courthouse News Service*; Mr. Paul Jones, *Daily Journal*.

### **Call to Order**

Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council, called the meeting to order at 10:30 a.m. in the Malcolm M. Lucas Board Room of the William C. Vickrey Judicial Council Conference Center in the Ronald M. George State Office Complex.

The Chief Justice welcomed incoming Judicial Council members in attendance at the meeting, whose terms begin on September 15, 2014: Presiding Judges Marla O. Anderson, Brian John Back, and Marsha Slough; Judge Daniel J. Buckley; Commissioner David E. Gunn; Court Executive Officer Richard D. Feldstein; and State Bar of California appointee Ms. Donna D'Angelo Melby.

### **Approval of Meeting Minutes**

The Judicial Council approved the minutes of the June 26–27, 2014, Judicial Council meeting.

### **Chief Justice's Report**

The Chief Justice presented her report summarizing her engagements and ongoing outreach activities. She noted that her report usually covers the period since the previous council meeting, which took place in June; however, because she deferred her regular report during that meeting to address the issue of unifying the Judicial Council governing body and its staff, her report covered the period since the April council meeting.

The Chief Justice began her report by listing the places that she visited during this reporting period to perform her duties and responsibilities as Chief Justice: Beverly Hills, Costa Mesa, Los Angeles, Malibu, Newport Beach, Oakland, Palm Desert, Rancho Cordova, Sacramento, San Bernardino, San Diego, San Francisco, San Marcos, San Rafael, and West Virginia. She noted that this reporting period covered the Governor's May Revision through the final enacted budget. The Chief Justice indicated that, during that period, she and many others were involved in rigorous advocacy and negotiations on behalf of the judicial branch budget. She emphasized that many meetings, hearings, and calls with the Governor's office, senators, and Assembly members took place during that time.

The Chief Justice reported that, for the second consecutive year, a partial reinvestment in the judicial branch was received after five years of severe budget cuts. She noted that, although more optimistic signs were exhibited during various stages in the process, those in the branch must live with the judicial branch budget received for this fiscal year, capitalize on the positives in the budget, and advocate for future restoration. The Chief Justice expressed her gratitude to all those who advocated on behalf of the branch: Judicial Council members, appellate and trial court leaders, individual justices, judges, and court staff, bar and legal services organizations, and justice partners.

The Chief Justice reported that one of our Judicial Council programs that finally came to fruition, with its dedication ceremony, was the new 35-courtroom San Bernardino Justice Center. The Chief Justice described it as another great example of collaboration and partnership between local government, the court, the city, and the county to benefit their community. It marks a

decade of hope and need wrapped up in more than seven years of planning, design, and construction to deliver a safe, secure, and accessible facility for one of the largest, by area, most diverse, and fastest growing counties in the nation.

The Chief Justice reported that she was pleased, after a two-year hiatus, to recently perform her duties again as chair of the Commission on Judicial Appointments with her commission colleagues: California Attorney General Kamala Harris; senior Presiding Justice J. Anthony Kline, Court of Appeal, First Appellate District, Division Two; and senior Presiding Justice Joan Dempsey Klein, Court of Appeal, Second Appellate District, Division Three. She congratulated the following appointees who were confirmed by the commission on July 17:

- Presiding Justice James Humes, confirmed as presiding justice of the Court of Appeal, First Appellate District, Division One;
- Presiding Justice Frances Rothschild, confirmed as presiding justice of the Court of Appeal, Second Appellate District, Division One;
- U.S. District Judge Audrey Collins, confirmed as associate justice of the Court of Appeal, Second Appellate District, Division Four; and
- Ms. Therese Stewart, Chief Deputy San Francisco City Attorney, confirmed as associate justice of the Court of Appeal, First Appellate District, Division Two.

The Chief Justice noted that the nominations and confirmations will help both appellate districts with their workloads and make their benches even more reflective of the communities they serve. She reported that she is looking forward to the commission hearings in August. One of those hearings will consider an appointment to the Supreme Court of California, the vacancy created by Justice Baxter's retirement.

The Chief Justice reported that Judge Jahr announced he will be retiring as Administrative Director. After completing his two-year commitment to the council and the branch, Judge Jahr will re-retire in September. The Chief Justice praised both Justice Baxter and Judge Jahr for serving the cause of justice with distinction, establishing a high bar for the value, integrity, and meaning of public service, and advancing the cause of justice and the rule of law. The Chief Justice noted they have served the people of California with dignity, courtesy, and integrity for many years, and, in doing so, inspired others to serve and improve the administration of justice and equal access to justice in California.

The Chief Justice reported that the Supreme Court "rode the circuit" and held oral arguments in San Francisco and Los Angeles. The Supreme Court also took the opportunity to interact with both local legal communities attending the State Bar Annual Supreme Court Dinner and the Beverly Hills Bar Association Luncheon.

The Chief Justice reported that, this year, nearly 350 volunteers were nominated, self-nominated, or reapplied to serve the branch on the Judicial Council and its advisory bodies. She explained that the individual advisory body chairs review the nominations and make recommendations to

the Executive and Planning Committee (E&P), the E&P Committee reviews the chairs' recommendations and make recommendations to the Chief Justice, and, ultimately, the Chief Justice makes the appointments under the power vested by the California Constitution.

The Chief Justice reported that, during this reporting period, she made appointments to the following three advisory bodies of the council:

- Advisory Committee on Providing Access and Fairness;
- Court Facilities Advisory Committee; and
- Trial Court Facility Modification Advisory Committee.

The Chief Justice affirmed that the Judicial Council and advisory body members serve no constituency other than the cause of justice and the people of California. She expressed her appreciation for their service as they bring their day jobs, backgrounds, and experiences to bear on issues that impact the statewide administration of justice and solutions for the judicial branch of California. The Chief Justice reported that she will be reviewing the recommendations and making appointments to 18 more advisory bodies in August.

The Chief Justice indicated that input and reviewing recommendations, as well as the volunteer spirit, is also a key component of her Civic Learning Initiative and related activities. She reported that the Task Force on K-12 Civic Learning—cochaired by Administrative Presiding Justice Judith McConnell, Court of Appeal, Fourth Appellate District, Division One, and Sacramento County Superintendent of Schools David Gordon—has accomplished so much in a year. The task force hosted seven public hearings throughout the state and an online survey for key stakeholders and interested parties. The Chief Justice is looking forward to the release of the task force's final report.

The Chief Justice reported that, as the Civic Learning Initiative draws towards its conclusion, another conducted its inaugural meeting. The Keeping Kids in School and Out of Court Initiative Steering Committee, lead by Justice Richard D. Huffman, Court of Appeal, Fourth Appellate District, Division One, and Judge Stacy Boulware Eurie, Superior Court of Sacramento County, will address the issues for the courts and their communities resulting from exclusionary discipline, absenteeism, and truancy, with the hope of supporting engaging environments for students and their families.

The Chief Justice reported that she presented High Tech High School in San Marcos with the Civic Learning Award of Excellence, which is one of only three such awards statewide, for its JusticeCorps Program. It was her second attempt to present the award because the first was postponed due to wildfires. The Chief Justice explained that the school's seniors have opportunities to intern at local public schools, community-based programs, and even at a local assembly member's office. The government and politics class focuses on civil discourse and community engagement. The school also combines United States history and American literature in the context of historical trends and current community issues to foster critical thinking skills.

Additionally, the Chief Justice reported that on May 1, Law Day, she was pleased to honor the collaborative effort between participating California superior courts in Los Angeles, San Diego and the Bay Area; college campuses; and local community agencies in the JusticeCorps Program with the Chief Justice's annual Award for Exemplary Service and Leadership. The award honors an individual, entity, or program deserving of special recognition for outstanding service to the judicial branch. The Judicial Council-sponsored program, which began 10 years ago in the Superior Court of Los Angeles County, recruits and trains more than 250 college students and recent graduates each year to support legal self-help centers in the local courts. The Chief Justice recognized the JusticeCorps Program as an innovative, effective, and efficient one—under any budget conditions—that benefits all of the partners involved and the local communities they serve. She noted that, last year, the JusticeCorps members, about 70 percent of whom are bilingual, provided assistance to approximately 16,000 self-represented litigants in their native language and more than 110,000 litigants in total throughout California.

The Chief Justice reported that, with statewide issues in mind, she created the Commission on the Future of California's Court System to take a fresh two-year look at legal and structural challenges to long-term efficiency and stability for the judicial branch. Under Supreme Court Associate Justice Carol Corrigan's leadership, she believes the commission will be able to develop practical, achievable recommendations that may be implemented by the Judicial Council, the Legislature, and the Governor.

The Chief Justice reported that, as a member of the board of directors, she attended the annual meeting of the Conference of Chief Justices in West Virginia and moderated an education session and panel discussion on "Improving Court Responses to Elder Abuse, Neglect, and Exploitation." She indicated that one of the panelists described elder abuse as "a hidden problem" and another said his investigations are often characterized by "silence." The Chief Justice pointed out that, thankfully, California has innovative and effective collaborative justice programs like Contra Costa's Elder Court that can be replicated in other jurisdictions. Access to justice for an aging population is another ongoing concern because elder abuse may be an underlying factor in a variety of court cases with the number of Americans over 65 tripling to 70 million by the year 2030.

The Chief Justice reported that she addressed over 400 law school graduates beginning their careers during the commencement ceremonies for Pepperdine and Whittier Law Schools. As she addressed them, she recommended that they use a compass not a roadmap for their future. Since life and opportunity can be unpredictable, they need to be able to course-correct as they go forward. The Chief Justice also emphasized that their reputations will be their calling cards and their lifelines; it is acceptable to disagree, but it is not necessary to be disagreeable. The Chief Justice noted that this principle is enshrined in the new "civility" oath the Supreme Court adopted for new lawyers so that they strive to conduct themselves at all times with dignity, courtesy, and integrity.

### **Administrative Director's Report**

Judge Jahr, Administrative Director, provided in the materials for this council meeting his written report outlining some of the many activities in which the Judicial Council staff is engaged to further the Judicial Council's goals and priorities for the judicial branch. The report focuses on action since the June council meeting and is exclusive of issues on the business agenda for this council meeting.

Judge Jahr began his supplemental report by indicating that, with the closing of the previous fiscal year on June 30, the Finance staff and Trial Court Administrative Services (TCAS) staff have been working towards closing all of the books, including ensuring that all related appropriations are in balance with the State Controller's Office and finalizing year-end financial statements for all of the special funds that are administered. He reported that they are also developing an annual, year-end, return-on-investment report in Phoenix for all of the trial courts, initiating this year's support work for the Trial Court Budget Advisory Committee and the council relative to budget allocations for fiscal year (FY) 2014–2015, and providing support to the Chief in the development of budget change proposals (BCPs), which are due to the Department of Finance on September 2.

Regarding the open meetings rule, it was adopted effective July 1 and is applicable to all of the council's advisory bodies. Judge Jahr reported that training sessions were held for all advisory body chairs as well as lead staff to those advisory bodies to assist in a smooth implementation of the requirements of the rule. Staff have had and will continue to have follow-up sessions to ensure as few disturbances as possible, even though implementing the rule involves considerable adjustment in the way business has been previously conducted, specifically in terms of providing notice to the public of the meetings and making arrangements for the public to be present at the meetings in a meaningful way.

Regarding labor relations, Judge Jahr reported that Human Resources staff assisted 16 trial courts in their labor negotiations; two have recently concluded, with a ratification vote now pending.

Regarding the classification and compensation study, he reported that the compensation phase is under way even as the classification phase is being concluded. Fox Lawson and Associates, who were contracted to conduct the classification and compensation study, provided the Executive Office and the Judicial Council internal committee chairs with potential comparator organizations on the compensation side. Judge Jahr reported that, from that list, the internal committee chairs and the Executive Office have the following comparator organizations: the University of California system, the California State University system, state executive branch agencies, the 10 largest trial courts, and 40 selected cities and counties within the state. He added that private sector comparators have been and will be consulted in connection with certain occupations and professions that are more likely to be identified in the private sector than the public sector, such as those related to Information Technology.

Judge Jahr reported that the projected completion date of the classification and compensation study has been moved back two months, by contract amendment, to the end of February to allow

for sufficient time to work through the complexities of the study. The internal committee chairs and the Executive Office decided that they needed additional time to review all the complexities of the process as it moves forward. Judge Jahr emphasized, however, that no associated cost increases were connected to that adjustment.

Judge Jahr reported that more than 150 youth, court staff, and court partners attended the Annual Youth Court Summit at Sonoma State University with a focus on youth court best practices. The summit was held in partnership with the California Association of Youth Courts, the leading educational and training conference for youth court staff and community service leaders.

Judge Jahr reported that, earlier in the month, the Center for Judiciary Education and Research (CJER) launched a new judicial branch education and resource website, CJER Online. The Judicial Education section of the Serranus website and the COMET website for court staff were redesigned into a single website. The new website allows users to more easily search publications and distance education materials, and register for programs. Judge Jahr reported that two workgroups led by CJER—comprised of judges, court leadership, and court staff—provided guidance and input on redesign effort. He expressed his gratitude to those workgroups and to Dr. Diane Cowdrey, CJER Director, and to CJER staff.

Judge Jahr reported that, as the Chief Justice mentioned in her report, the JusticeCorps Program celebrated its 10th anniversary and the program was accorded with the Chief Justice’s Award for Exemplary Service and Leadership during Law Day in Los Angeles in celebration of that decade of service. He announced that the State Bar has elected to award the JusticeCorps Program with its 2014 Education Pipeline Award for 2014, which will be presented in September at the State Bar’s annual conference in San Diego.

Judge Jahr concluded his report by thanking the Chief Justice and internal committee chairs Justice Hull, Judge Herman, and Judge So for their participation in a series of Judicial Council staff meetings that took place earlier in the month in the San Francisco and Sacramento offices; Burbank staff attended the meetings by videoconference. He reported that the staff appreciated the opportunity to hear directly from the Chief Justice and from council members on their perspectives relative to the challenges and opportunities for both the Judicial Council and the judicial branch. Judge Jahr noted that, unfortunately, two of the internal committee chairs were unable to attend—Justice Miller was out of the state and Judge O’Malley was encumbered by a most challenging trial. He reported that they expressed their regrets on being unable to participate.

### **Judicial Council Internal Committee Presentations**

#### *Executive and Planning Committee (E&P)*

Judge Rubin, Vice-chair, reported that Justice Miller, Chair, who was in attendance by phone, asked him to deliver the internal committee presentation. Judge Rubin noted that Justice Miller’s written report would be posted online after the meeting with the agenda for this meeting.

Judge Rubin supplemented the written report by indicating that, during its July 21 conference call, the committee set the agenda for this council meeting with the intent to focus primarily on budget-related matters. He added that the teleconference was historic because it was the first public meeting of the committee held under the new rule governing meetings of advisory bodies, rule 10.75 of the California Rules of Court. Judge Rubin reported that the meeting was conducted smoothly and was very successful.

#### *Policy Coordination and Liaison Committee (PCLC)*

Judge So, Chair, reported that the committee met seven times since his last report to the council, twice in May, three times in June, and twice in July. During its meetings, the committee took positions on behalf of the council on 22 separate pieces of legislation and recommended one proposal for council sponsorship. Judge So proceeded by highlighting some of the bills and noted that all other actions by the committee are reflected in the committee meeting minutes posted with the council business meeting agenda.

Judge So reported that, during its May 15 meeting, the committee voted to support, if amended, Assembly Bill 1887 related to the sealing and destruction of arrest records for offenses relating to solicitation of prostitution. During its June 5 meeting, the committee voted to support, if amended, AB 2098 and Senate Bill 1110, both relating to issues regarding veterans. Judge So reported that the committee also supported AB 2397 concerning a defendant's appearance by video. During its June 10 meeting, the committee took support positions (if amended) on AB 1585, related to human trafficking, and SB 1227, which would create a pretrial diversion program for members of the military. Additionally, the committee took an oppose position (unless amended) on AB 2332, a bill of that replicates last year's AB 566 that would impact a trial court's ability to contract out for personal services. On June 19, the committee acted to support and continue sponsorship of AB 1657 related to interpreter services and also took a support position on AB 1591 related to firearms.

Judge So reported that, during its July 17 meeting, the committee took support positions on two pending pieces of legislation: (1) SB 940, the California Conservatorship Jurisdiction Act, which provides for interstate jurisdiction transfer and recognition of conservatorships, and (2) SB 1412, which applies procedures currently governing persons incompetent to stand trial to cases when defendants subject to mandatory supervision or postrelease community supervision face revocation of their conditional release. He reported that the committee also held an open meeting on July 24. During that meeting, the committee recommended for Judicial Council sponsorship a legislative proposal to use the \$40 million one-time cash available for courthouse capital projects, due to the fiscal year (FY) 2014–2015 Budget Act Immediate and Critical Needs Account reduction from \$50 to \$10 million for trial court operations, which appeared as Item D on the discussion agenda for this meeting. Judge So concluded his report by indicating that the Legislature will reconvene from summer recess on August 4, before the legislative session ends on August 31.

#### *Rules and Projects Committee (RUPRO)*

Justice Hull, Chair, reported that since the April council meeting, the committee met once by conference call and communicated by e-mail on one matter. On May 1, the committee approved,



by e-mail, modifications to a proposal that it had approved during its April 16 meeting for circulation for comment. Justice Hull reported that the proposal has circulated for comment, following modifications by the committee and the proponent advisory committee, and it is expected to be included on the council's October business meeting agenda along with other proposals that were circulated during the spring comment cycle. He also reported that, on July 17, the committee met by conference call to consider a proposal for rule amendments to retire the name "Administrative Office of the Courts" and recommended approval of the report, which appeared as Item B on the discussion agenda for this meeting.

#### *Judicial Council Technology Committee (JCTC)*

Judge Herman, Chair, reported that the committee met once since the June council meeting. During that meeting, which was held on July 21, the committee reviewed the Technology Planning Task Force's final report outlining a new judicial branch technology governance and funding model, strategic plan, and tactical plan. The committee unanimously approved the report and recommended that the report be on the council's August business meeting agenda. Judge Herman reported that, having delivered its final report, the Technology Planning Task Force will sunset. He acknowledged the efforts of the task force; the support provided by Judicial Council staff; as well as the leadership of Mr. Robert Oyung, Chief Information Officer of the Superior Court of Santa Clara County, who was the Program Manager; incoming Judicial Council member Presiding Judge Marsha Slough, Superior Court of San Bernardino County, who was the Funding Lead; Mr. Jake Chatters, Court Executive Officer of the Superior Court of Placer County, who was the Governance Lead; and Mr. Brian Cotta, Chief Information Officer of the Superior Court of Fresno County, who was the Strategic Plan Lead.

Judge Herman reported that during that meeting, the committee also received a report on a proposed BCP that would provide a new document management system for the Supreme Court and the Courts of Appeal. The system will capture, manage, store, and preserve essential case documents and administrative records. Judge Herman reported that the committee conditionally approved the BCP to move forward through the council and to be submitted to the State Department of Finance by September 2. The committee also received updates on the budget impacts to the Improvement and Modernization Fund, 40 percent of which funds technology projects serving the trial courts. Judge Herman added that the committee also discussed the issue of data exchanges with statewide justice partners as courts are transitioning to new case management systems. He indicated that 27 courts are now in deployment of new case management systems and emphasized the need for the council to work together collectively with the courts, with state-level justice partners, and with the vendors in order to determine the best solutions for those data interfaces. Additionally, Judge Herman updated the committee on a meeting that Mr. Curt Soderlund, Chief Administrative Officer, and he had in June with Mr. Carlos Ramos, the director of the California Technology Agency.

During the same meeting, the committee reviewed a survey that was distributed to the V3 courts. Judge Herman reminded the council that, as recommended by Trial Court Budget Advisory Committee (TCBAC), he directed the committee to collaborate with the V3 courts to move them,

over a period of time, off of funding. He reported that the survey has been disseminated and the committee is expecting responses by August 7. The committee also received an update on the California State Auditor's report on system integrity.

Judge Herman reminded the council that in December 2013, the California State Auditor's report addressed the issue of information technology security with the recommendation that a template (e.g., blueprint) be developed to assess these issues both at the branch level and within the trial courts, with the blueprint template being completed at state level by the end of the fiscal year and implemented by December 31 for the trial courts. Judge Herman reported that Judicial Council staff's Information Technology has prepared the template and is working collaboratively with chairs of the Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC). He reported that the committee has sent a letter to the trial courts, including the template, to assist them in assessing their own information technology systems. Judge Herman noted that the budget is going to be a challenge going forward for the trial courts.

### **Legislative Resolutions**

Senator Evans, member of the Judicial Council, presented California State Legislature resolutions to Justice Baxter and Judge Jahr honoring, in advent of their announced retirement dates, their dedication, contributions, and years of service to the people of the State of California and to the administration of justice.

### **Written Comments Received**

Written comments were received from Presiding Judge Stephen O. Hedstrom and Court Executive Officer Krista LeVier of the Superior Court of California, County of Lake and Assembly Member Bloom.

### **Public Comment**

Presiding Judge Robert C. Hight, Superior Court of California, County of Sacramento, and Mayor John Huerta, Jr., City of Greenfield, commented on Item D of the discussion agenda.

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## **Consent Agenda (Item A)**

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### **Item A Judicial Branch Administration: Audit Report for Judicial Council Acceptance**

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

**Council action**

The Judicial Council, effective July 29, 2014, accepted the following “pending” audit report, dated October 2013, entitled: *Audit of the Superior Court of California, County of Marin*, resulting in the audit report progressing from “pending” status to “final” status, and in the publication of the final report on the California Courts public website.

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**Discussion Agenda (Items B–H)**

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**Item B     Judicial Branch Administration: Retirement of the Names “Administrative Office of the Courts” and “AOC”**

The chairs of the Judicial Council’s five internal committees, acting at the direction of the Chief Justice, recommended that the California Rules of Court be amended to retire the use of the names “Administrative Office of the Courts” and “AOC” for the Judicial Council staff. These were the names by which the council since 1961 referred to its staff, which works for it, carrying out its policies and directives in service to the council, its advisory bodies, the trial and appellate courts, and the public. There was confusion, however, over the relationship between the council and the Administrative Office of the Courts. The council’s action amending the rules to cease using the name “Administrative Office of the Courts” for its staff would clarify the relation between the council and the staff who assist the council in performing its functions. To effectuate the retirement of the name immediately, the chairs recommended that three rules be amended, effective July 29, 2014; that the chairs be directed to undertake a systematic review of the California Rules of Court and propose additional amendments in the future to eliminate references to the “Administrative Office of the Courts” throughout the rules and replace them with references to “Judicial Council,” “Judicial Council staff,” or “Administrative Director,” as appropriate; and that the council direct the Administrative Director to implement actions necessary to effectuate the name change of the council staff expeditiously and cost-effectively.

**Council action**

To retire the use of the names “Administrative Office of the Courts” and “AOC,” effective immediately, and to amend the California Rules of Court to implement this policy decision, the Judicial Council, effective July 29, 2014:

1. Amended rule 10.1 of the California Rules of Court—concerning the authority, duties, and goals of the Judicial Council—to replace the references to “Administrative Office of the Courts” with “Judicial Council staff.”
2. Changed the name of title 10, division 1, chapter 4, from “Administrative Office of the Courts” to “Judicial Council staff.”
3. Amended rule 10.80—on the Administrative Director of the Courts—to replace references to “Administrative Office of the Courts” with “Judicial Council staff.”

4. Amended rule 10.81—on the Administrative Office of the Courts—to:
  - Change the name of the rule to “Judicial Council staff.”
  - Provide that, throughout the California Rules of Court and on all Judicial Council forms, all references to “Administrative Office of the Courts” or “AOC” are deemed to refer to the Judicial Council, the Administrative Director, or the staff to the Judicial Council, as appropriate.
  - Provide that all references to “Administrative Office of the Courts” or “AOC” in any policy, procedure, manual, guideline, publication, or other material issued by the Judicial Council or its staff, are deemed to refer to the Judicial Council, the Administrative Director, or the staff to the Judicial Council, as appropriate. Judicial Council staff will continue to be responsible for any active delegations or directives that the Judicial Council has made to the Administrative Office of the Courts.
  - Provide that the Judicial Council, its staff, or the Administrative Director, as appropriate, will continue to perform all functions, duties, responsibilities, and other obligations imposed by statute or regulation on the Administrative Office of the Courts.
  - Provide that the Judicial Council will continue to perform all duties, responsibilities, functions, or other obligations, and bear all liabilities, and exercise all rights, powers, authorities, benefits, and other privileges attributed to the Administrative Office of the Courts arising from contracts, memorandums of understanding, or other legal agreements, documents, proceedings, or transactions. “Judicial Council” may be substituted for “Administrative Office of the Courts” wherever necessary, with no prejudice to the substantive rights of any party.
5. Directed the chairs of the Judicial Council’s five internal committees to undertake a systematic review of the California Rules of Court and to propose additional rules amendments in the future to eliminate the references to “Administrative Office of the Courts” and “AOC,” replacing them with references to “Judicial Council,” “Judicial Council staff,” or “Administrative Director,” as appropriate.
6. Directed the Administrative Director and the Executive Office to implement identity, organizational, and operational changes necessary to effectuate the retirement of the names “Administrative Office of the Courts” and “AOC” expeditiously and cost-effectively.

**Item C Trial Court Allocations: Funding for General Court Operations and Specific Costs in 2014–2015**

For fiscal year 2014–2015, the Trial Court Budget Advisory Committee (TCBAC) recommended the allocation of \$1.557 billion in 2014–2015 beginning base funding for general court operations; a statewide net allocation of \$86.3 million for general court operations using the Workload-based Allocation and Funding Methodology (WAFM); a net-zero allocation for the WAFM funding floor adjustments; each court’s share of \$41.0 million in new funding for noninterpreter employee benefits; a preliminary one-time allocation reduction related to the 1 percent cap on trial court fund balances; each court’s contribution toward a 2 percent reserve of \$37.9 million; and \$325,000 in funding for court audits. All the allocations would be from the Trial Court Trust Fund (TCTF) and the Program 45.10 (Support for Operation of the Trial Court) expenditure authority. The council’s adoption of all the recommendations would result in an estimated \$8.1 million remaining in TCTF Program 45.10 expenditure authority.

***Council action***

The Judicial Council, effective July 29, 2014:

1. With one opposing vote, related to an estimated shortfall of \$22.7 million in 2014–2015 TCTF revenue that supports courts’ base allocation for operations:
  - a. Under Government Code section 68502.5(c)(2)(A), preliminarily allocated courts’ 2014–2015 base allocation of \$1.535 billion from the TCTF and General Fund Program 45.10 appropriation under the assumption that any revenue shortfall that supports base allocations will not be fully backfilled or funded. The council will finalize allocations to trial courts in January of the fiscal year.
  - b. Directed the Administrative Director to send a letter to the Department of Finance (DOF) indicating that a deficiency request for any shortfall of revenue that supports courts’ base allocations will be submitted by the Judicial Council after September 30, 2014, and subsequently directed the Administrative Director to submit such deficiency request after September 30, 2014.
  - c. Allocated among the courts a share of the \$22.7 million shortfall based on their pro rata share of the 2014–2015 base allocation, less each court’s 2011–2012 nonsheriff security allocation (as detailed in Scenario 2 in Attachment 1) and invited the TCBAC to recommend a different allocation method for consideration at the council’s October 2014 meeting.
2. Allocated the new benefits funding by prorating \$41.0 million to the trial courts based on each court’s percentage of the total 2012–2013 and 2013–2014 benefits cost change of \$63.9 million. The remaining \$1.8 million in new benefits funding is for court

interpreter benefits, and staff will coordinate with the Department of Finance to augment the Trial Court Trust Fund Program 45.45 (Court Interpreters) appropriation.

3. Allocated each court's share of a net allocation increase of \$86.3 million by using the 2014–2015 WAFM to reallocate 15 percent (\$216 million) and an additional \$146.3 million of courts' historical WAFM-related base allocation of \$1.44 billion; reallocated \$60 million in new funding provided in 2013–2014 for general court operations; and allocated \$86.3 million in new funding provided in 2014–2015 for general court operations.
4. Allocated each court's share of the 2014–2015 WAFM funding-floor allocation adjustment, which includes funding-floor allocations for nine courts totaling \$1.2 million and a corresponding funding-floor related reduction for all other courts totaling \$1.2 million, for a net-zero total allocation.
5. Allocated \$325,000 for reimbursement of court audit costs incurred by the California State Auditor.
6. Allocated each court's one-time contribution toward the statutorily required 2 percent reserve in the Trial Court Trust Fund (\$37.9 million in 2014–2015) calculated using the method used in 2012–2013 and 2013–2014.
7. Approved a preliminary one-time allocation reduction of \$2.0 million to courts that are projecting the portion of their 2013–2014 ending fund balance that is subject to the 1 percent fund balance cap to exceed the cap by \$2.0 million, as required by statute.
8. Approved a one-time process for courts to submit their final computation of the portion of their 2013–2014 fund balance that is subject to the 1 percent cap for review by a five-person committee before submission to the council, as outlined in the report.
9. Approved an annual process for courts to submit their preliminary and final computation of the portion of their ending fund balance that is subject to the 1 percent cap starting in 2015–2016, as outlined in the report.

The Judicial Council Roll Call/Voting Sheet is included as Attachment 2.

**Item D Court Facilities: Legislation to Use One-time Cash Available for Courthouse Capital Projects**

The Court Facilities Advisory Committee recommended legislation be sought to use the \$40 million one-time cash available for courthouse capital projects due to the fiscal year (FY) 2014–2015 Budget Act Immediate and Critical Needs Account reduction from \$50 million to \$10 million for trial court operations.

***Council action***

The Judicial Council, effective July 29, 2014:

1. Approved sponsoring legislation to appropriate funds for Preliminary Plans and Working Drawings for the Sacramento–New Sacramento Criminal Courthouse, subject to review and approval by the Courthouse Cost Reduction Subcommittee of the council’s Court Facilities Advisory Committee, with no commitment to move the project into construction until construction-funding legislation has been enacted.
2. Directed the Court Facilities Advisory Committee to review feasible options for use of any balance of funds made available through authorizing legislation for a future recommendation to the Judicial Council, consistent with Senate Bill 1407.

**Item E Court Facilities: Budget Allocations for Statewide Trial Court Facility Modifications and Planning in Fiscal Year 2014–2015**

The Trial Court Facility Modification Advisory Committee recommended allocations of the \$65 million appropriated by the Legislature for trial court facility modifications in the FY 2014–2015 budget. The recommended allocations would support facility modification planning and facility modifications for emergency and critical needs, but would continue to defer funding of planned facility modifications.

***Council action***

The Judicial Council, effective July 29, 2014, approved allocations of the \$65 million authorized by the Legislature for statewide court facility modifications and planning in fiscal year 2014–2015, as follows:

1. \$5 million for Statewide Facility Modifications Planning Allocation;
2. \$7 million for Priority 1 Facility Modifications Allocation;
3. \$53 million for Priorities 2–6 Facility Modifications Allocation; and
4. \$0 for Planned Facility Modifications Allocation.

**Item F Trial Court Budget: Minimum Operating and Emergency Fund Balance Policy**

The TCBAC recommended that the Judicial Council terminate the minimum operating and emergency fund balance policy, which was suspended by the council for two years on August 31, 2012.

***Council action***

The Judicial Council deferred this item for discussion in conjunction with Item H.

**Item G Trial Courts: Allocations from the State Trial Court Improvement and Modernization Fund for Fiscal Year 2014–2015**

Instead of implementation of an 11.7 percent allocation reduction, which is equivalent to \$8.3 million, to the State Trial Court Improvement and Modernization Fund (IMF) in FY 2014–2015, the Judicial Council staff recommended a one-time funding reduction of \$600,000 to the Jury Management System program. This recommendation updated recommendation 4(c) related to FY 2014–2015 IMF allocations in Item G of the June 27, 2014, report to the Judicial Council.

***Council action***

The Judicial Council, effective July 29, 2014, implemented a one-time funding reduction of \$600,000 to the Jury Management System program to bring a projected positive fund balance of \$510,229 to the IMF by the end of FY 2014–2015.

**Item H Trial Court Trust Fund Allocations: 2 Percent State-Level Reserve Process**

The TCBAC recommended changes to the current Judicial Council–approved process for the allocation of the 2 percent state-level reserve in the Trial Court Trust Fund to expedite the distribution of the unexpended reserve funds to the trial courts earlier in the fiscal year. The TCBAC also recommended amending the statute that establishes the 2 percent reserve to reflect the adoption of the Workload Allocation Funding Methodology model by the Judicial Council.

***Council action***

After discussion of this item in conjunction with Item F, the Judicial Council:

1. Extended the suspension of minimum operating and emergency fund balance policy to December 31, 2014.
2. Deferred Items F and H to the October council meeting and requested the TCBAC, working in collaboration with any other advisory bodies that the committee deems are relevant, to provide further input to the council on the issues and recommendations presented in those items.

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**Information Only Items (No Action Required)**

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**INFO 1 Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks’ Office Hours (Gov. Code, § 68106—Report No. 25)**

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks’ offices or reducing clerks’ regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This report was the 25th to date listing the latest court notices received by the council under this



statutory requirement. Since the previous report, two superior courts—those of Fresno and Solano counties—have issued new notices.

## **INFO 2 Judicial Branch Administration: Judicial Branch Workers' Compensation Program**

The Judicial Branch Workers' Compensation Oversight Committee provided an informational report on the current status of the Judicial Branch Workers' Compensation Program that included the current cost allocation for FY 2014–2015 and an explanation of the methodology behind the cost allocation and funding. The report also contained the trial court cost allocation for FY 2014–2015, and highlighted major program changes that occurred throughout FY 2013–2014 and next steps for the coming year.

## **INFO 3 Judicial Branch Administration: Interim Report on Directive 125**

Directive 125 directed the Administrative Director of the Courts to return to the Judicial Council with an analysis. This interim report defined the necessary emergency response and security functions for the branch and a recommendation on the organizational plan for council approval. The Court Security Advisory Committee charged with, among other things, the responsibility to make recommendations on the necessary emergency response and security functions, was only recently appointed. The committee conducted its introductory meeting on June 18, 2014. The committee has not yet had the opportunity to begin the important work with which it is charged. The committee is prepared to meet the December 2014 deadline for a final report to the council with recommendations.

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### **Circulating Orders (Approved Since the June Business Meeting)**

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No circulating orders were approved since the June business meeting.

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### **Appointment Orders (Since the June Business Meeting)**

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- July 8, 2014: appointment of Hon. Marsha Slough as an advisory member to the Judicial Council, replacing Hon. Brian C. Walsh, effective September 15, 2014, for a term ending September 14, 2015.
- July 8, 2014: appointment of Hon. Marsha Slough to the Judicial Council Trial Court Presiding Judges Advisory Committee and its Executive Committee, replacing Hon. Brian C. Walsh, effective September 15, 2014, for a term ending September 14, 2015.

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## Adjournment

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### In Memoriam

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

- Hon. George Brunn (Ret.), Alameda County Municipal Court
- Hon. Raymond Cardenas (Ret.), Superior Court of California, County of Los Angeles
- Hon. Thomas F. Curtin (Ret.), Contra Costa County Municipal Court
- Hon. J. Edgar T. Rutter II (Ret.), Superior Court of California, County of Orange
- Hon. Dennis R. Scott (Ret.), Superior Court of California, County of Fresno

### Adjournment

With the meeting's business completed, the Chief Justice adjourned the meeting at 2:50 p.m.

Respectfully submitted,



Steven Jahr  
Administrative Director and  
Secretary to the Judicial Council

### Attachments

1. Courts' Share of Estimated Revenue Shortfall of \$22.7 Million – Scenarios 1 and 2
2. Written comment from Presiding Judge Stephen O. Hedstrom and Court Executive Officer Krista LeVier of the Superior Court of California, County of Lake
3. Written comment from Assembly Member Richard Bloom
4. Judicial Council Roll Call/Voting Sheet: Discussion Agenda Item C

## Courts' Share of Estimated Revenue Shortfall of \$22.7 Million

	Scenario 1 - Pro-Rata of 2014-15 Base Allocation			Scenario 2 - Pro-Rata of 2014-15 Base Allocation less 2011-12 Non-Sheriff Security Allocation			Scenario 2 as % of Scenario 1
	Allocation of Shortfall	Additional Adjustment Related to Funding Floor	Net Allocation	Allocation of Shortfall	Additional Adjustment Related to Funding Floor	Net Allocation	
Court	A	B	C (A+B)	E	F	G (E+F)	H
Alameda	(1,018,529)	(6,510)	(1,025,039)	(1,000,038)	(6,272)	(1,006,310)	98%
Alpine	(6,488)	6,488	(0)	(6,650)	6,650	0	0%
Amador	(28,828)	(199)	(29,026)	(29,546)	(191)	(29,737)	102%
Butte	(120,834)	(758)	(121,592)	(117,395)	(732)	(118,127)	97%
Calaveras	(26,889)	(187)	(27,076)	(27,559)	(179)	(27,738)	102%
Colusa	(19,024)	19,024	0	(19,498)	19,498	0	0%
Contra Costa	(508,962)	(3,347)	(512,309)	(521,652)	(3,206)	(524,858)	102%
Del Norte	(33,573)	(218)	(33,791)	(34,410)	(209)	(34,619)	102%
El Dorado	(85,516)	(587)	(86,103)	(87,648)	(563)	(88,211)	102%
Fresno	(537,377)	(3,606)	(540,983)	(550,775)	(3,455)	(554,229)	102%
Glenn	(24,659)	24,659	-	(25,139)	25,139	-	0%
Humboldt	(76,055)	(495)	(76,549)	(75,634)	(476)	(76,110)	99%
Imperial	(103,038)	(653)	(103,691)	(99,800)	(630)	(100,431)	97%
Inyo	(25,401)	25,401	0	(23,456)	23,456	(0)	0%
Kern	(502,760)	(3,296)	(506,056)	(514,390)	(3,158)	(517,548)	102%
Kings	(80,920)	(499)	(81,419)	(77,111)	(483)	(77,594)	95%
Lake	(43,267)	(273)	(43,540)	(41,633)	(264)	(41,896)	96%
Lassen	(30,575)	(181)	(30,756)	(27,279)	(177)	(27,456)	89%
Los Angeles	(6,581,606)	(41,321)	(6,622,927)	(6,548,299)	(39,737)	(6,588,036)	99%
Madera	(90,784)	(589)	(91,373)	(87,780)	(569)	(88,349)	97%
Marin	(174,714)	(1,171)	(175,885)	(178,938)	(1,122)	(180,059)	102%
Mariposa	(13,141)	13,141	(0)	(13,468)	13,468	-	0%
Mendocino	(65,649)	(423)	(66,071)	(63,151)	(409)	(63,560)	96%
Merced	(144,130)	(970)	(145,100)	(147,724)	(930)	(148,653)	102%
Modoc	(12,095)	12,095	0	(12,386)	12,386	0	0%
Mono	(17,984)	17,984	0	(18,099)	18,099	-	0%
Monterey	(209,652)	(1,336)	(210,988)	(202,865)	(1,289)	(204,155)	97%
Napa	(92,936)	(581)	(93,516)	(91,171)	(559)	(91,731)	98%
Nevada	(64,485)	(373)	(64,858)	(60,107)	(362)	(60,469)	93%
Orange	(1,809,768)	(11,912)	(1,821,680)	(1,817,137)	(11,444)	(1,828,581)	100%
Placer	(182,831)	(1,168)	(184,000)	(187,389)	(1,119)	(188,509)	102%
Plumas	(18,508)	(128)	(18,636)	(18,970)	(123)	(19,092)	102%
Riverside	(984,223)	(6,317)	(990,540)	(982,088)	(6,073)	(988,161)	100%
Sacramento	(955,348)	(6,224)	(961,573)	(953,420)	(5,984)	(959,404)	100%
San Benito	(33,613)	(232)	(33,845)	(34,451)	(223)	(34,673)	102%

### Courts' Share of Estimated Revenue Shortfall of \$22.7 Million

	Scenario 1 - Pro-Rata of 2014-15 Base Allocation			Scenario 2 - Pro-Rata of 2014-15 Base Allocation less 2011-12 Non-Sheriff Security Allocation			Scenario 2 as % of Scenario 1
	Allocation of Shortfall	Additional Adjustment Related to Funding Floor	Net Allocation	Allocation of Shortfall	Additional Adjustment Related to Funding Floor	Net Allocation	
Court	A	B	C (A+B)	E	F	G (E+F)	H
San Bernardino	(1,086,660)	(6,872)	(1,093,532)	(1,068,603)	(6,619)	(1,075,223)	98%
San Diego	(1,778,378)	(11,741)	(1,790,119)	(1,813,641)	(11,255)	(1,824,897)	102%
San Francisco	(765,018)	(5,015)	(770,033)	(784,091)	(4,804)	(788,895)	102%
San Joaquin	(370,895)	(2,461)	(373,356)	(376,169)	(2,361)	(378,529)	101%
San Luis Obispo	(170,483)	(1,090)	(171,573)	(171,396)	(1,047)	(172,442)	101%
San Mateo	(449,877)	(2,923)	(452,800)	(454,975)	(2,805)	(457,780)	101%
Santa Barbara	(277,223)	(1,765)	(278,987)	(269,564)	(1,702)	(271,266)	97%
Santa Clara	(1,023,888)	(6,894)	(1,030,782)	(1,049,416)	(6,605)	(1,056,021)	102%
Santa Cruz	(144,580)	(961)	(145,541)	(148,184)	(921)	(149,105)	102%
Shasta	(149,727)	(750)	(150,477)	(120,460)	(745)	(121,205)	81%
Sierra	(6,394)	6,394	0	(6,553)	6,553	0	0%
Siskiyou	(42,213)	(283)	(42,495)	(43,265)	(271)	(43,536)	102%
Solano	(250,497)	(1,634)	(252,132)	(250,730)	(1,570)	(252,301)	100%
Sonoma	(292,464)	(1,927)	(294,391)	(293,679)	(1,852)	(295,531)	100%
Stanislaus	(250,217)	(1,685)	(251,902)	(256,327)	(1,615)	(257,942)	102%
Sutter	(56,256)	(364)	(56,621)	(54,247)	(352)	(54,599)	96%
Tehama	(42,965)	(297)	(43,262)	(44,036)	(285)	(44,321)	102%
Trinity	(20,110)	20,110	0	(14,389)	14,389	0	0%
Tulare	(193,682)	(1,282)	(194,964)	(198,296)	(1,228)	(199,524)	102%
Tuolumne	(39,505)	(247)	(39,752)	(37,445)	(239)	(37,684)	95%
Ventura	(406,514)	(2,580)	(409,094)	(395,118)	(2,489)	(397,607)	97%
Yolo	(110,465)	(656)	(111,121)	(105,170)	(635)	(105,804)	95%
Yuba	(47,826)	(316)	(48,143)	(47,188)	(304)	(47,493)	99%
<b>Total</b>	<b>(22,700,000)</b>	<b>0</b>	<b>(22,700,000)</b>	<b>(22,700,000)</b>	<b>(0)</b>	<b>(22,700,000)</b>	<b>100%</b>



*Superior Court*  
State of California  
County of Lake  
255 N. Forbes Street  
Lakeport, California 95453  
707-263-2374

STEPHEN O. HEDSTROM

\_\_\_\_\_  
PRESIDING JUDGE

\_\_\_\_\_  
KRISTA D. LeVIER

\_\_\_\_\_  
COURT EXECUTIVE/CLERK  
JURY COMMISSIONER

July 24, 2014

Judicial Council of California  
c/o Cliff Alumno  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

Delivered via email only to [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov)

Re: Allocation of New Benefits Funding  
Item H: Recommendation Number 2

Dear Chief Justice and Judicial Council Members:

We write to ask that you support the recommendation of the Trial Court Budget Advisory Committee related to the allocation of \$42.8 million new funding for benefit cost increases. It is important to point out that the decision before you today is how to allocate \$42.8 million in new funding, not how to allocate reductions of \$22.1 million in additional cuts.


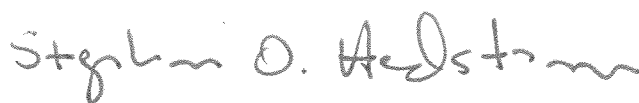
The practice of paying all or a portion of the employee's share of retirement costs has been a long standing practice not only among trial courts, but among other governmental agencies as well. According to the materials for the Trial Court Budget Advisory Committee meeting of July 7, 2014, as of the 2013/14 Fiscal Year there were in fact 33 trial courts paying all or a portion of the employee's retirement costs. It should be noted that Lake is included in the 33 courts that paid employee retirement costs as of Fiscal Year 13/14. However, as of July 1, 2014, the court no longer pays any portion of employee retirement costs. Typically, these arrangements are the result of long standing labor agreements carried over from Counties, which cannot be changed overnight. There is nothing improper about this type of arrangement. There has been no policy direction from the Judicial Council directing courts to move away

from this type of arrangement. The provisions of the California Public Employee Pension Reform Act of 2013 (PEPRA) related to cost sharing are not required to be implemented until 2018. In most instances, courts who pay a portion of retirement costs do so in lieu of some other type of benefit or lower salary rates. Approving one of the alternative options considered, but not recommended, by the TCBAC would amount to penalizing courts for a well established, accepted practice with virtually no notice or time to make budgetary adjustments. If our court was to receive the negative allocation contemplated in one of the alternative options reviewed by the TCBAC, it would certainly mean additional reductions in services to the public.

For the reasons outlined above, we again ask that you support the recommendation of the TCBAC to allocate the new benefits funding on a pro-rata basis.

Thank you for your time.

Sincerely,



Stephen O. Hedstrom  
Presiding Judge

Krista LeVier  
Court Executive Officer

COMMITTEES  
ARTS, ENTERTAINMENT, SPORTS,  
TOURISM AND INTERNET MEDIA  
BUDGET  
ENVIRONMENTAL SAFETY AND  
TOXIC MATERIALS  
HIGHER EDUCATION

# Assembly California Legislature



**RICHARD BLOOM**  
CHAIR, BUDGET SUBCOMMITTEE NO. 3 ON RESOURCES & TRANSPORTATION  
ASSEMBLYMEMBER, FIFTIETH DISTRICT

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July 28, 2014

Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

**RE: ITEM H: Trial Court Allocations**

Chief Justice Cantil-Sakauye and Member of the Judicial Council:

Like you, I am very disappointed in the shortfall in the 2014/15 Courts budget, which will result in additional cuts to vital trial court services and jobs.

Nevertheless, I believe this year's budget process was notable in exhibiting modest, but meaningful improvements in the relationship between the Executive, Legislative and Judicial Branches. I am optimistic that these improvements will accelerate as we move into next year's budget process.

In my opinion, proposals that would knowingly result in deficit spending are not fiscally prudent and do not meet with generally accepted best practices for budgeting. Moreover, I am concerned that doing so might send a message that could jeopardize the improving relationship between the branches and risk future judicial reinvestment.

In conclusion, I hope 2014/15 budget represents a turning point that results in increased future funding for the ongoing needs and capital cost of the trial courts. You have my commitment that I will continue to work with the Judicial Branch, my colleagues in the State Legislature, court advocates and the Governor's office to accomplish these goals.

Sincerely,

RICHARD BLOOM  
Assemblymember, 50th District





**JUDICIAL COUNCIL ROLL CALL / VOTING SHEET**  
**Tuesday, July 29, 2014 Meeting**


Attachment 4

Agenda Item # / Subject: ITEM "C" Roll Call AS AMENDED Voice Vote   
ITEM #1

VOTING MEMBERS		PRESENT	YES	NO	ABSTAIN	RECUSE
1.	Hon. Tani G. Cantil-Sakauye, Chair					
2.	Hon. Judith Ashmann-Gerst					
3.	Hon. Stephen H. Baker					
4.	Hon. Marvin R. Baxter					
5.	Hon. Richard Bloom T <b>ABSENT</b>					
6.	Mr. Mark G. Bonino					
7.	Hon. James R. Brandlin					
8.	Ms. Angela J. Davis					
9.	Hon. David De Alba					
10.	Hon. Emilie H. Elias					
11.	Hon. Noreen Evans					
12.	Hon. James P. Fox					
13.	Hon. Harry E. Hull, Jr.					
14.	Hon. Teri L. Jackson					
15.	✓ Hon. Douglas P. Miller T <b>PRESENT TELEPHONICALLY</b>					
16.	Hon. Gary Nadler					
17.	Hon. Mary Ann O'Malley			X		
18.	Mr. Mark P. Robinson, Jr. <b>absent</b>	N/A	N/A	N/A	N/A	N/A
19.	Hon. David Rosenberg					
20.	Hon. David M. Rubin					
21.	Hon. Dean T. Stout					

NON-VOTING MEMBERS		PRESENT
1.	Hon. Sue Alexander	
2.	Hon. Robert A. Glusman	
3.	Hon. James E. Herman	
4.	Hon. Morris D. Jacobson	
5.	Hon. Brian L. McCabe	
6.	Mr. Frank A. McGuire	
7.	Hon. Kenneth K. So	
8.	Ms. Mary Beth Todd	
9.	Hon. Charles D. Wachob	
10.	Hon. Brian C. Walsh	
11.	Mr. David H. Yamasaki	

**Totals:** Present \_\_\_\_\_ Absent \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Recuse \_\_\_\_\_

  
 Hon. Steven Jahr  
 Secretary to the Judicial Council  
 7/29/14

\* T = attending by telephone  
 \*\* For a roll call vote, the Secretary will read each voting member's name, in alphabetical order, with the Chair last. Each member 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. Changes of votes are permitted at this time, before the result is announced. In roll call voting, a record of how each member voted, as well as the result of the vote, will be entered in full in the minutes.  
 \*\*\* For a voice vote, the Secretary indicates votes as he or she heard them.