



## JUDICIAL COUNCIL OF CALIFORNIA MEETINGS

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

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

**Monday, October 27, 2014 • 1:30 p.m.–4:00 p.m.**

**Tuesday, October 28, 2014 • 8:30 a.m.–12:50 p.m.**

Meeting materials will be hyperlinked to agenda titles as soon as possible after receipt by Judicial Council Support. For recent postings of hyperlinked reports, please check the agenda at <http://www.courts.ca.gov/27469.htm>.

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### CLOSED SESSION (RULE 10.6(b))

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<b>Session</b>	<b>1:30–1:50 p.m.</b>
<b>Break</b>	<b>1:50–2:00 p.m. (approx.)</b>

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### OPEN SESSION (RULE 10.6(a))—MEETING AGENDA (ITEMS 1–4)

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<b>2:00–2:15 p.m.</b>	<b>Swearing in of New and Reappointed Judicial Council Members and the Administrative Director</b> The Chief Justice will administer the oath of office to new and reappointed council members and the Administrative Director.
<b>2:15–2:20 p.m.</b>	<b>Approval of Minutes</b> Approve minutes of the <a href="#">August 21–22</a> and <a href="#">September 2</a> , 2014, Judicial Council meetings.
<b>2:20–2:35 p.m.</b>	<b>Chief Justice’s Report</b> Chief Justice Tani G. Cantil-Sakauye will report.

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

**2:35–2:50 p.m. Administrative Director’s Report**

Mr. Martin Hoshino, Administrative Director, will report.

**Item 1 2:50–3:05 p.m.**

**Family and Juvenile Law: Special Immigrant Juvenile Status and the California Courts  
(No Action Required)**

In response to the escalating number of foreign minors crossing into California and other border states, state courts have been confronted with an unprecedented number of cases that involve federal immigration law, specifically the Special Immigrant Juvenile Status visa procedure. Eligibility for this visa status is contingent on findings made in state court during family, juvenile, or guardianship proceedings rather than in immigration court. In response to this situation, recently enacted California legislation, Senate Bill 873, clarifies the role and responsibility of the superior courts in making these findings. This report provides information regarding the background for this legislation as well as the efforts underway to assist the courts (i.e., providing education, resources, and other services).

*Public Comment and Presentation (10 minutes) • Discussion (5 minutes)*

Speakers: Mr. Curtis L. Child, Chief Operating Officer  
Mr. Corby Sturges, Center for Families, Children & the Courts

**3:05–3:35 p.m. Public Comment**

The Judicial Council welcomes public comment, as it can enhance the council’s understanding of the issues coming before it. To accommodate members of the public, the Judicial Council encourages those who wish to comment at the meeting, on either a specific agenda item or on a more general topic of judicial administration, to provide notice in order to ensure that all requests are acknowledged during the meeting.

Notice can be provided in two ways:

1) Written notice by **4:00 p.m., Thursday, October 23, 2014**

- by e-mail to [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov), or
- by postal mail or delivery in person to:  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, California 94102-3688  
Attention: Cliff Alumno

In the notice, please state the speaker’s first and last name and the specific agenda item to be addressed or, if not on the agenda, the topic to be addressed.

- 2) Sign in at the meeting reception, on the day of the meeting
  - before the call for general public comment, or
  - before the specific agenda item of interest is introduced.

Each speaker will have three minutes or less, depending on the number of requests, to address the council.

Please note that anyone wishing to speak on a specific agenda topic should arrive at the beginning of the meeting on which the agenda item will be heard, as agenda times are subject to change.

The Judicial Council is the policy-making body for the judicial branch. Comments pertaining to a specific court case will not be received.

#### **Written Comments Received**

Written comments pertaining to a matter affecting judicial administration or an item on this agenda may be e-mailed to [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov), or mailed or delivered to:

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

Written comments received by **1:00 p.m. on Friday, October 24, 2014**, will be distributed to council members at the meeting. All comments received will be posted directly to the public Judicial Council web page.

#### **(ITEM 2 DEFERRED)**

**Item 3            3:35–3:50 p.m.**

#### **[Trial Courts: Recidivism Reduction Fund Court Grant Program](#) (No Action Required)**

The Budget Act of 2014 (Sen. Bill 852; Stats. 2014, ch. 25) appropriated \$15 million from the Recidivism Reduction Fund (RRF) for a competitive grant program designated to support the administration and operation of trial court programs and practices known to reduce adult offender recidivism and enhance public safety. The grant program must be developed and administered by the Judicial Council, and the designated court programs and practices include collaborative courts for adult offenders, pretrial programs, and court use of risk and needs assessments. This report provides information on the establishment of the RRF, the RRF request for proposals, and the next steps in the process of awarding grants.

*Public Comment and Presentation (10 minutes) • Discussion (5 minutes)*

Speakers: Mr. Curtis L. Child, Chief Operating Officer  
Ms. Shelley Curran, Criminal Justice Services

**Item 4 3:50–4:00 p.m.**

**Judicial Branch Administration: Update to Court Technology Governance and Strategic Plan (Action Required)**

The Judicial Council Technology Committee recommends that the Judicial Council adopt the updated Court Technology Governance and Strategic Plan. This document outlines a new judicial branch technology governance and funding model, strategic plan, and tactical plan, which will provide a comprehensive and cohesive technology strategy, with clear, measurable goals and objectives at the branch level. The Governance and Strategic Plan was submitted to the Judicial Council at the August 2014 meeting with the understanding that updates to reflect the importance of language access as a component of the plan would be added to the plan and distributed at the October 2014 meeting.

*Public Comment and Presentation (5 minutes) • Discussion (5 minutes)*

Speaker: Hon. James E. Herman, Chair, Judicial Council Technology Committee

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## TUESDAY, OCTOBER 28, 2014 AGENDA

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

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**8:30–8:50 a.m.      Judicial Council Committee Presentations**

Policy Coordination and Liaison Committee

Hon. Kenneth K. So, Chair

Executive and Planning Committee

Hon. Douglas P. Miller, Chair

Rules and Projects Committee

Hon. Harry E. Hull, Jr., Chair

Technology Committee

Hon. James E. Herman, Chair

**8:50–9:15 a.m.      Judicial Council Members' Liaison Reports**

Judicial Council members will report on their liaison work:

Hon. Morris D. Jacobson, reporting on the Superior Court of California,  
County of Contra Costa

Hon. David Rosenberg, reporting on the Superior Court of California,  
County of Solano

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### CONSENT AGENDA (ITEMS A1–A17 THROUGH K)

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*A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Nancy Carlisle at 415-865-7614 at least 48 hours before the meeting.*

**ITEMS A1–A17      RULES AND FORMS**

***Appellate***

**Item A1      [Appellate Procedure: Confidential Records](#) (Action Required)**

The Appellate Advisory Committee recommends amending the advisory committee comments accompanying the rules regarding confidential records to: (1) highlight that many laws establish specific requirements regarding the confidentiality of particular records, and those laws supersede the rules of court; (2) note that, under case law, much of the contents of probation reports is not confidential; and (3) remove probation reports as one of the examples of confidential records cited in these advisory committee comments. These changes are

intended to address concerns raised about the application of the general rule regarding references to confidential records in appellate filings to information contained in probation reports.

Hon. Raymond Ikola, Chair, Appellate Advisory Committee

Ms. Heather Anderson, Legal Services

**Item A2 [Appellate Procedure: Extensions of Time to File Briefs](#) (Action Required)**

The Appellate Advisory Committee recommends (1) amending the rule governing stipulations for extensions of time to file a brief in a civil appeal to clarify that such stipulations are not available if the time to file the brief has already been extended by the court on application of the party and to reflect the recent amendments to the rules on sealed records; (2) revising the existing form for applying to the Court of Appeal for extensions of time to file briefs in civil appeals to, among other things, give form users the option of specifying the reasons for an extension on the form or on an attached declaration; (3) adopting new optional forms for applying to the Court of Appeal for extensions of time to file briefs in criminal and juvenile cases; and (4) adopting a new optional form for stipulations to extend briefing time in civil appeals. These changes are intended to reduce courts' costs associated with the preparation of individualized applications for extensions of time by appointed counsel and the review of applications and stipulations for extensions of time that are in a wide variety of formats.

Hon. Raymond Ikola, Chair, Appellate Advisory Committee

Ms. Heather Anderson, Legal Services

**Item A3 [Appellate Procedure: Judicial Notice Requests](#) (Action Required)**

The Appellate Advisory Committee recommends amending the rules relating to motions for judicial notice to require that the pages of documents submitted with the motion be consecutively paginated. This change will facilitate more accurate citation by parties and make it easier for the court to locate cited material.

Hon. Raymond Ikola, Chair, Appellate Advisory Committee

Ms. Heather Anderson, Legal Services

**Item A4 [Appellate Procedure: Record in Juvenile Appeals](#) (Action Required)**

The Appellate Advisory Committee recommends that the rules relating to the record on appeal in juvenile dependency cases be amended to (1) provide that a copy of the record will only be provided to a child who is not the appellant if either the child is represented by counsel or a recommendation for appointment of counsel for the child is pending; (2) require that a copy of the record be provided to an Indian tribe that has intervened in either a case concerning termination of parental rights or other dependency proceedings in certain counties; and (3) make other nonsubstantive changes. These changes are primarily intended

to reduce costs by eliminating the preparation of unnecessary copies of the record in juvenile cases.

Hon. Raymond Ikola, Chair, Appellate Advisory Committee

Ms. Heather Anderson, Legal Services

### ***Criminal Law***

#### **Item A5 Criminal Justice Realignment: Petition and Order for Dismissal (Action Required)**

In response to criminal justice realignment legislation that provides a new statutory basis for dismissals, the Criminal Law Advisory Committee recommends revising the *Petition for Dismissal* (form CR-180) and *Order for Dismissal* (form CR-181) to add data fields to facilitate dismissals under Penal Code section 1203.41 for cases in which the petitioner received a felony county jail sentence under Penal Code section 1170(h)(5). The committee recommends revising forms CR-180 and CR-181 to assist courts in specifying the granting or denial of a dismissal request under Penal Code sections 1203.4, 1203.4a, or 1203.41 for each conviction in a case, and to confirm which convictions, if any, are reduced from felonies to misdemeanors under Penal Code section 17(b). The committee also recommends related revisions to the format, advisements, and instructions on both forms.

Hon. Tricia Ann Bigelow, Chair, Criminal Law Advisory Committee

Ms. Eve Hershcopf, Criminal Justice Services

#### **Item A6 Criminal Justice Realignment: Petitions for Revocation of Supervision (Action Required)**

The Criminal Law Advisory Committee recommends revising the *Petition for Revocation* (form CR-300) to apply the form to proceedings to revoke probation or mandatory supervision under Penal Code section 1170(h)(5)(B) in response to recent legislation that applied long-standing probation revocation procedures to all categories of supervision engendered by criminal justice realignment. This proposal was developed at the request of courts to promote uniform revocation procedures.

Hon. Tricia Ann Bigelow, Chair, Criminal Law Advisory Committee

Ms. Kimberly DaSilva, Criminal Justice Services

#### **(ITEM A7 DEFERRED)**

### ***Family and Juvenile Law***

#### **Item A8 Child Support: Revise Income Withholding for Support and Related Instructions (Action Required)**

The Family and Juvenile Law Advisory Committee recommends revising *Income Withholding for Support* (form FL-195/OMB No. 0970-0154) and *Income Withholding for*

*Support— Instructions* (form FL-196/OMB No. 0970-0154) to comply with Family Code section 5208 and federal law.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Anna L. Maves, Center for Families, Children and the Courts

**Item A9 [Family Law: Petition and Response for Dissolution, Legal Separation, and Nullity of Marriage and Domestic Partnership](#) (Action Required)**

In light of the changes to federal and state laws legalizing marriages between persons of the same sex, the Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve the use of one petition (*Petition—Marriage/Domestic Partnership* (form FL-100)) and one response (*Response—Marriage/Domestic Partnership* (form FL-120)) in actions for dissolution, legal separation, or nullity of a marriage or domestic partnership. The committee also recommends that the council revoke forms *Petition—Domestic Partnership/Marriage* (form FL-103) and *Response—Domestic Partnership/Marriage* (form FL-123), which were previously adopted for use by persons in a same-sex marriage or domestic partnership (or both); amend rule 5.76 (Domestic partnership); and revise other forms so they conform to these changes. In addition, the committee recommends revising forms FL-100 and FL-120 to implement amendments to Family Code sections 2310–2312 (Assem. Bill 1847; Stats. 2014, ch. 144), effective January 1, 2015, by deleting references to the term “incurable insanity” and replacing them with the term “permanent legal incapacity to make decisions.”

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Bonnie Rose Hough and Ms. Gabrielle D. Selden, Center for Families, Children, and the Courts

**Item A10 [Family Law: Uniform Standards of Practice for Providers of Supervised Visitation](#) (Action Required)**

The Family and Juvenile Law Advisory Committee recommends amending standard 5.20 of the California Standards of Judicial Administration, governing providers of supervised visitation, to conform to the requirements of recently enacted Family Code section 3200.5. The committee also recommends making additional changes to standard 5.20 to enhance its internal consistency. In addition, the committee recommends revising the *Supervised Visitation Order* (form FL- 341(A)) to eliminate references to “therapeutic visitation” to maintain consistency with the provisions of section 3200.5 and to make technical changes to make the form consistent with other Judicial Council forms that relate to child custody matters.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee



Ms. Tracy Kenny and Ms. Shelly LaBotte, Center for Families, Children, and the Courts

**Item A11 Family and Juvenile Law: Parentage (Action Required)**

The Family and Juvenile Law Advisory Committee recommends amending 11 rules of court and revising two mandatory Judicial Council forms to conform to recent legislation. Assembly Bill 1403 (Stats. 2013, ch. 510) updated California's version of the Uniform Parentage Act to clarify that a *natural parent* need not be biologically related to his or her child and to replace the terms *father* and *paternity* with the gender-neutral terms *parent* and *parentage* where appropriate. The amendments and revisions ensure that the rules and forms are consistent with statute and case law. They also make technical corrections and clarifications.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Mr. Corby Sturges, Center for Families, Children, and the Courts

**Item A12 Juvenile Dependency: Attorney Training (Action Required)**

The Family and Juvenile Law Advisory Committee recommends amending rule 5.660 to conform to a recent statutory change to the education and training requirements for attorneys appointed to represent children in juvenile dependency proceedings. Assembly Bill 868 amended section 317(c) of the Welfare and Institutions Code, effective January 1, 2014, to require that this training include instruction on sensitivity to the needs of lesbian, gay, bisexual, and transgender youth. The proposed amendment would add this topic to those required by the rule and make other minor, nonsubstantive modifications to clarify the text.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Mr. Corby Sturges, Center for Families, Children, and the Courts

**Item A13 Juvenile Dependency: Information Form for Parents (Action Required)**

The Family and Juvenile Law Advisory Committee recommends revoking two existing dependency court information forms and approving a new information form that complies with the statutory requirements of Welfare and Institutions Code section 307.4, which requires the Judicial Council, in consultation with the County Welfare Directors Association of California, to adopt a form to provide to parents or guardians whose children are being removed that explains their procedural rights and the preliminary stages of the dependency process.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Tracy Kenny, Center for Families, Children, and the Courts

## ***Miscellaneous***

### **Item A14 Judicial Administration: Rule for Trial Court Budget Advisory Committee (Action Required)**

The Executive and Planning Committee (E&P) recommends amending California Rules of Court, rule 10.64, the rule for the Trial Court Budget Advisory Committee, to make a change to the membership category for presiding judges. It would provide that “presiding judge,” as used in the rule, means a current presiding judge or an immediate past presiding judge. The rule would also be amended to eliminate a provision concerning the appointment of cochairs and to make minor technical changes.

Hon. Douglas P. Miller, Chair, Executive and Planning Committee

Ms. Susan R. McMullan, Legal Services

### **Item A15 Rules and Forms: Miscellaneous Technical Changes (Action Required)**

Various Judicial Council advisory committee members, court personnel, members of the public, and Judicial Council staff have identified errors in rules and forms resulting from inadvertent omissions, typographical errors, and changes resulting from legislation. The staff to the Judicial Council recommends making the necessary corrections to avoid confusing court users, clerks, and judicial officers.

Hon. Harry E. Hull, Jr., Chair, Rules and Projects Committee

Ms. Susan R. McMullan, Legal Services

## ***Probate and Mental Health***

### **Item A16 Decedents’ Estates: Waiver of Bond by Beneficiaries of Estates (Action Required)**

In response to concerns expressed by judicial officers in the probate departments of several superior courts, the Probate and Mental Health Advisory Committee recommends the adoption of a mandatory form that beneficiaries of decedents’ estates would be required to sign to waive surety bonds that otherwise would be required of the proposed personal representatives of these estates.

Hon. Mitchell L. Beckloff, Chair, Probate and Mental Health Advisory Committee

Mr. Douglas C. Miller, Legal Services

### **Item A17 Probate Conservatorship and Guardianship: Accounting Schedules for Gains and Losses on Sales of Estate Assets (Action Required)**

The Probate and Mental Health Advisory Committee recommends that the Judicial Council revise the accounting schedules that may be, or in some cases must be, used by conservators and guardians of estates to show the gains and losses on the sale of estate assets. The revision would request the total of the carry values of the property sold and the total of the sale prices, in addition to the total of the gains or losses on the sales. This change is recommended to

facilitate reconciliation of the accountings by judicial officers and court staff in their review and analysis of the accounts filed by these fiduciaries.

Hon. Mitchell L. Beckloff, Chair, Probate and Mental Health Advisory Committee

Mr. Douglas C. Miller, Legal Services

**Item B**     **[2014 Report to the Legislature: Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice](#)**  
**(Action Required)**

The Workload Assessment Advisory Committee recommends that the Judicial Council approve the transmittal of the attached report to the Legislature, “Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice.” Government Code section 77001.5 requires the Judicial Council to adopt and annually report on “judicial administration standards and measures that promote the fair and efficient administration of justice, including, but not limited to, the following subjects: (1) Providing equal access to courts and respectful treatment for all court participants; (2) Case processing, including the efficient use of judicial resources; and (3) General court administration.”

Hon. Lorna A. Alksne, Chair, Workload Assessment Advisory Committee

Ms. Leah Rose-Goodwin, Court Operations Services

**Item C**     **[Equal Access Fund: Distribution of Funds for Partnership Grants and IOLTA-Formula Grants](#)** **(Action Required)**

As stated in its report on the *Equal Access Fund: Distribution of Fourteenth Year Equal Access Fund Grants*, the State Bar Legal Services Trust Fund Commission notes that the Budget Act of 2014 includes \$15,409,250 in the Equal Access Fund for distribution to legal services providers and support centers. Equal Access funds are distributed primarily in two parts, IOLTA-Formula Grants and Partnership Grants (with a small amount also distributed for administration). The State Bar Legal Services Trust Fund Commission requests approval of the distribution of \$14,462,250 in IOLTA-Formula Grants for fiscal year (FY) 2014–2015, according to the statutory formula in the state Budget Act. It further requests that the Judicial Council approve distribution of \$1,445,635 in partnership grants for 2015 and approve the commission's findings that the proposed budget for each individual grant complies with statutory and other relevant guidelines.

Mr. Adrian Dollard, Cochair, Legal Services Trust Fund Commission

Ms. Bonnie Rose Hough, Center for Families, Children, and the Courts

**Item D**     **[Judicial Administration: Change of the Duties of the Advisory Committee on Financial Accountability and Efficiency of the Judicial Branch](#)** **(Action Required)**

The Executive and Planning Committee (E&P) recommends that the frequency of the reports on Judicial Council contracts prepared by the Advisory Committee on Financial Accountability and Efficiency of the Judicial Branch (A&E) be changed from semiannually

to biennial. On August 23, 2013, the council adopted guidelines that require the reports on contracts to be made semiannually. Such frequent reporting is not considered necessary due to the biennial review of contracts by the California State Auditor (CSA) and therefore E&P recommends that the guidelines be modified to require the A&E Advisory Committee to review and report on contracts to the council biennially instead of semiannually (alternating years from the CSA).

Hon. Douglas P. Miller, Chair, Executive and Planning Committee

Mr. John Judnick, Audit Services

**Item E [Judicial Council Report to the Legislature: Allocations and Reimbursements to the Trial Courts for Fiscal Year 2013–2014](#) (Action Required)**

Judicial Council Staff recommends approving the *Report of Allocations and Reimbursements to the Trial Courts for Fiscal Year 2013–2014*. Government Code section 77202.5(a) requires that the Judicial Council report to the Legislature on all approved allocations and reimbursements to the trial courts in each fiscal year to the chairs of the Senate Committees on Budget and Fiscal Review and Judiciary and the Assembly Committees on Budget and Judiciary.

Mr. Zlatko Theodorovic and Mr. Steven Chang, Finance

**Item F [Judicial Council Report to the Legislature: Allocation of New Judgeships Funding in Fiscal Year 2013–2014](#) (Action Required)**

Judicial Council staff recommend approval of the attached *Report on Allocation of Funding in Fiscal Year (FY) 2013–2014 for Support of New Judgeships Authorized in FY 2007–2008*. The Budget Act of 2007 requires that this report be submitted each year until all judgeships are appointed and new staff hired.

Mr. Zlatko Theodorovic and Mr. Patrick Ballard, Finance

**Item G [Judicial Council Report to the Legislature: Electronic Recording Equipment](#) (Action Required)**

Judicial Council staff recommend approval of the attached *Report on Purchase or Lease of Electronic Recording Equipment by Superior Courts (January 1–June 30, 2014)*. Government Code section 69958 requires that the Judicial Council report to the Legislature semiannually on all purchases and leases of electronic recording equipment that will be used to record superior court proceedings.

Mr. Zlatko Theodorovic and Mr. Patrick Ballard, Finance

**Item H [Juvenile Dependency: Proposed Allocation for Fiscal Year 2014–2015 for Court Appointed Special Advocate Local Assistance](#) (Action Required)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve Court Appointed Special Advocate (CASA) program grant funding allocations for

FY 2014–2015. The recommended allocations were calculated based on the CASA funding methodology approved by the Judicial Council at the August 2013 business meeting. Allocations will fund 45 programs serving 50 counties. The committee also recommends a modification to the allocation methodology to temporarily reserve funding for counties which were served by a CASA program at the time of the last grant allocation, but are currently developing new programs and do not have a designated CASA program.

Hon. Jerilyn L. Borack and Hon. Kimberly J. Nystrom-Geist, Cochairs, Family and Juvenile Law Advisory Committee

Ms. Amy Nuñez, Center for Families, Children, and the Courts

**Item I**     [Judicial Council Report to the Legislature: Cash-Flow Loans Made to Trial Courts in Fiscal Year 2013–2014 \(Action Required\)](#)

Judicial Council Staff recommends approving the *Report of Cash-Flow Loans Made to Trial Courts Pursuant to Government Code Section 68502.6 in Fiscal Year 2013–2014*. Government Code section 68502.6 requires that Judicial Council Staff report to the Legislature and the Department of Finance on loans made to trial courts pursuant to Government Code section 68502.6.

Mr. Zlatko Theodorovic, Finance

**Item J**     [Trial Courts: Allocations from the State Trial Court Improvement and Modernization Fund for Fiscal Year 2014–2015 \(Action Required\)](#)

After the council approved the FY 2014–2015 allocations funded from the State Trial Court Improvement and Modernization Fund (IMF) in April 2014, the Governing Committee of the California Center for Judicial Education and Research presented the FY 2014–2015 and FY 2015–2016 Judicial Branch Education Plan to the council. The proposed plan was approved by the council in April. In order to implement this newly approved plan, the line item allocation for several IMF-funded education programs needs to be adjusted to reflect the required funding amounts for the programs with no change to the total, previously approved IMF allocation amount of \$1.414 million.

Hon. Laurie Earl, Cochair, Trial Court Budget Advisory Committee

Mr. Zlatko Theodorovic, Finance

**Item K**     [Juvenile Dependency: Proposed Allocation for Fiscal Year 2014–2015 for Juvenile Dependency Counsel Collections Program \(Action Required\)](#)

The Juvenile Dependency Counsel Collections Program (JDCCP) is a program under which courts collect reimbursements from parents and other responsible persons liable for the cost of dependency-related legal services to the extent that those persons are able to pay. The Trial Court Budget Advisory Committee (TCBAC) recommends that the council allocate \$525,139 remitted through the JDCCP in fiscal year 2013–2014 to the trial courts, according to the methodology adopted by the council at its August 23, 2013, meeting.

Hon. Laurie Earl, Cochair, Trial Court Budget Advisory Committee

Mr. Zlatko Theodorovic, Finance

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## DISCUSSION AGENDA (ITEMS L–P)

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**Item L**            **9:15–9:45 a.m.**

**Court Adoption and Permanency Month: Judicial Council Resolution (Action Required)**

The Family and Juvenile Law Advisory Committee recommends adopting a resolution proclaiming November to be Court Adoption and Permanency Month. As it has for the past 14 years in observance of National Adoption Month, the Judicial Council can recognize the ongoing efforts of California’s juvenile courts and their justice partners to provide children and families with access to fair, understandable judicial proceedings leading to timely, well-informed, and just permanency outcomes. The proclamation will also give courts the opportunity to hold special events finalizing adoptions from foster care and raising community awareness of the importance of finding safe, stable, and permanent homes for every child or youth in foster care.

*Public Comment and Presentation (20 minutes) • Discussion (10 minutes)*

Speakers:            Hon. Michael Nash, Superior Court of California, County of Los Angeles  
                             Ms. Diane Nunn, Center for Families, Children and the Courts  
                             Adoptive Family, San Francisco County

**Item M**            **9:45–10:15 a.m.**

**Trial Court Budget: 2 Percent State-Level Reserve Process and Minimum Operating and Emergency Fund Balance Policy (Action Required)**

The TCBAC recommends changes to the current Judicial Council–approved process for the allocation of the 2 percent state-level reserve in the Trial Court Trust Fund, in 2014–2015, to expedite the distribution of the unexpended reserve funds to trial courts earlier in the fiscal year, and to establish a process for courts to apply for funding for emergencies after these funds have been distributed. For 2015–2016, the TCBAC recommends proposing amendments to the statute that establishes the 2 percent state-level reserve. The TCBAC also recommends that the Judicial Council extend the suspension of the minimum operating and emergency fund balance policy for two fiscal years, and requests that the policy be in addition to the 1 percent reserve cap required by statute.

*Public Comment and Presentation (15 minutes) • Discussion (15 minutes)*

Speakers:            Hon. Laurie Earl, Chair, Trial Court Budget Advisory Committee  
                             Mr. Michael Planet, Executive Officer, Superior Court of Ventura County  
                             Mr. Zlatko Theodorovic, Finance

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



This is the final report of the Task Force on Self-Represented Litigants. This task force was charged by the council to implement the Statewide Action Plan for Serving Self-Represented Litigants (Action Plan) which was approved on February 27, 2004. This report identifies those recommendations in the Action Plan that have been put into place, those that remain to be done, and those that require ongoing education, technical assistance, research and evaluation. In accordance with the direction given by the Executive and Planning and Rules and Projects Committees the task force is recommending that the Advisory Committee on Providing Access and Fairness be directed by the council to be responsible for the ongoing implementation of the Action Plan and the remaining tasks of the Task Force on Self-Represented Litigants.

*Public Comment and Presentation (10 minutes) • Discussion (10 minutes)*

Speakers: Hon. Kathleen E. O’Leary, Chair, Implementation Task Force on Self-Represented Litigants

Ms. Bonnie Hough, Center for Families, Children & the Courts

Ms. Deborah Chase, Center for Families, Children & the Courts

**Lunch 12:50 p.m. (approx.)**

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## **INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**INFO 1** [Judicial Council: Implementation of Judicial Council Directives on Judicial Council Staff Restructuring](#)

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

**INFO 2** [Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks’ Office Hours \(Gov. Code, § 68106—Report No. 27\)](#)

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks’ offices or reducing clerks’ regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 27th report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, 15 superior courts—those of Santa Barbara, Solano, Glenn, Plumas, Sierra, Mono, Humboldt, Fresno, Kings, Contra Costa, Santa Clara, Amador, Stanislaus, Napa, and Yolo Counties—have issued new notices.



**INFO 3** [Trial Courts: Fiscal Year 2013–2014 50/50 Excess Split Revenue Distribution to Trial Courts](#)

This report provides the status of the FY 2013–2014 fee, fine, and forfeiture revenue deposited in the State Trial Court Improvement and Modernization Fund (STCIMF). Government Code section 77205(a) and California Rules of Court, rule 10.105 require the Judicial Council to allocate 80 percent of the 50/50 excess split revenues that exceed the total amount from FY 2002–2003 base level, among the following: the trial court in the county from which the revenue was deposited; other trial courts, as provided in paragraph (1) of subdivision (a) of Government Code section 68085; and for retention in the STCIMF.

**INFO 4** [Court Facilities: Trial Court Facility Modification Quarterly Activity Report, Quarter 4 of Fiscal Year 2013–2014](#)

The Trial Court Facility Modification Advisory Committee has completed its facility modification funding for the fourth quarter of FY 2013–2014. In compliance with the *Trial Court Facility Modifications Policy*, adopted by the Judicial Council on July 27, 2012, the advisory body is submitting its *Trial Court Facility Modification Quarterly Activity Report: Quarter 4, Fiscal Year 2013–2014* as information for the council. This report summarizes the activities of the Trial Court Facility Modification Advisory Committee from April 1, 2014, to June 30, 2014.

**INFO 5** [Trial Courts: Annual Investment Report for Fiscal Year 2013–2014](#)

This *Trial Court Annual Investment Report* provides the financial results for the funds invested by the Judicial Council on behalf of the trial courts as part of the judicial branch treasury program. The report is submitted under agenda item 10, Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004, and the report covers the period of July 1, 2013, through June 30, 2014.

[Circulating Order \(CO-14-05\)–Judicial Council Report to the Legislature: Evaluation of the Superior Court of Orange County's Mandatory E-Filing Pilot Project](#)

[Appointment Orders](#) since the last business meeting.