

**JUDICIAL COUNCIL MEETING**  
**Minutes of the April 15, 2005, Meeting**  
**San Francisco, California**

Chief Justice Ronald M. George, Chair, called the meeting to order at 8:40 a.m. on Friday, April 15, 2005, at the Administrative Office of the Courts (AOC) in San Francisco, California.

**Judicial Council members present:** Chief Justice Ronald M. George; Justices Marvin R. Baxter, Candace D. Cooper, Richard D. Huffman, and Laurence Donald Kay; Judges J. Stephen Czuleger, Eric L. DuTemple, Michael T. Garcia, Suzanne N. Kingsbury, Jack Komar, Douglas P. Miller, William J. Murray, Jr., Michael Nash, and Richard E. L. Strauss; Senator Joseph Dunn; Mr. Rex S. Heinke, Mr. James E. Herman, Mr. David J. Pasternak, and Mr. William C. Vickrey; **advisory members:** Judge James M. Mize; Commissioner Patricia H. Wong; Ms. Tamara Lynn Beard, Ms. Tressa S. Kentner, and Mr. Alan Slater.

**Absent:** Judges Frederick Paul Horn and Heather D. Morse; Assembly Member Dave Jones; Ms. Ann Miller Ravel.

**Others present included:** Justices Richard D. Aldrich, Ronald B. Robie, and David G. Sills; Assembly Member Tom Umberg; Mayor Miguel A. Pulido; Mr. Richard Demerjian, Mr. Joseph Fletcher, Dr. Michael Gottfredson, Ms. Beth Jay, Mr. Michael Planet, Mr. David Ream, Mr. Jim Ross, and Mr. Damian Tryon; **staff:** Ms. Karene Alvarado, Ms. Stephanie Atigh, Ms. Deirdre Benedict, Mr. Michael Bergeisen, Mr. Dennis Blanchard, Ms. Dianne Bolotte, Ms. Marcia Caballin, Ms. Sheila Calabro, Ms. Eunice Calvert-Banks, Mr. Philip Carrizosa, Mr. James Carroll, Ms. Casie Casados, Ms. Jeanne Caughell, Ms. Roma Cheadle, Ms. Yvonne Choong, Mr. Robert Emerson, Ms. Sherri Eng, Ms. Nina Erlich-Williams, Mr. Michael Fischer, Mr. Malcolm Franklin, Ms. Susan Goins, Mr. Ruben Gomez, Mr. Clifford Ham, Ms. Charlene Hammitt, Ms. Christine M. Hansen, Mr. Burt Hirschfeld, Ms. Lynn Holton, Ms. Kathleen T. Howard, Mr. Richard Kai, Mr. Kenneth Kann, Mr. Gary Kitajo, Ms. Yolanda Leung, Mr. Ken Levy, Ms. Zenaida Mananquil, Mr. Vernell McGee, Ms. Carolyn McGovern, Ms. Leslie Miessner, Mr. Douglas C. Miller, Mr. Frederick Miller, Mr. Lee Morhar, Ms. Vicki Muzny, Ms. Diane Nunn, Mr. Patrick O'Donnell, Mr. Ronald G. Overholt, Ms. Christine Patton, Ms. Romunda Price, Ms. Harriet Raphael, Ms. Mary Roberts, Mr. Michael Roddy, Ms. Rona Rothenberg, Mr. Peter Shervanick, Ms. Joyce Shimamoto, Ms. Beth Shirk, Ms. Dale Sipes, Ms. Marlene Smith, Ms. Nancy Spero, Ms. Pat Sweeten, Ms. Marcia Taylor, Mr. Courtney Tucker, Mr. Jim Vesper, Ms. LaVerne Weaver, Mr. Tony Wernert, Mr. Lee Willoughby, Ms. Kenyetta Wilson, Mr. Mark Woodworth, and Ms. Patricia M. Yerian; **media representatives:** Ms. Jill Duman, *The Recorder*; and Ms. Donna Domino, *San Francisco Daily Journal*.

**Public Comment Related to Trial Court Budget Issues**

The Chief Justice noted that there had been no requests from the public to comment on trial court budget issues.

### **Approval of Minutes of February 18, 2005**

The council unanimously approved the minutes of its February 18, 2005, business meeting.

### **Special Presentation**

Judge Michael Nash presented Justice Richard D. Huffman with a special award from the Juvenile Court Judges of California recognizing his numerous contributions to children and families in the California court system.

### **Judicial Council Committee Presentations**

#### *Executive and Planning Committee*

Justice Richard D. Huffman, chair of the Executive and Planning Committee (E&P), reported that the committee had met three times since the February council meeting.

On February 24, 2005, the committee met by telephone conference and acted upon assessment and planning grant applications from various courts, granting some of them. Other applications were denied with instructions to staff to communicate to the courts involved that those proposals could be resubmitted with further development. The committee agreed to act by e-mail on applications that needed clarification or supplementation.

On March 24, 2005, the committee met by telephone conference and reviewed nominees for the judicial representative on the California Council for Interstate Adult Offender Supervision. It selected one to recommend that the Judicial Council appoint. The committee determined that the new Advisory Committee on Criminal Jury Instructions, created by rule 6.59 of the California Rules of Court, effective July 1, 2005, shall have 13 members. Since 6 current members on the Task Force on Jury Instructions, Criminal Subcommittee, have agreed to serve on the new advisory committee, nominations shall be solicited for the remaining 7 positions. The committee reviewed nominations and supplemental materials and made a recommendation to the Chief Justice for an appointment to fill a vacancy. Staff briefed the committee on the status of the Judicial Council planning meeting, reset to June 22–23. The committee determined, on behalf of the Judicial Council, that it would be a sponsor of the National Foster Care Awareness Month event, which will take place on May 3, 2005, at the state capitol in Sacramento. The committee reviewed the supplementary materials from staff and approved several more assessment and planning grant applications from various courts. The committee reviewed materials and set the agenda for the April 15, 2005, Judicial Council business meeting.

On April 8, 2005, by telephone conference, the committee reviewed further materials and revised the agenda for the April 15, 2005, council meeting. The committee was briefed by staff on the April 14 hearing, "Protecting Access to Justice in California: Testimony by Court Users on Access to Justice, Court Facilities and Security Issues, and the Independence of the Judiciary."

The committee received four requests to speak at the April 15 business meeting: from the City of Santa Ana; from the University of California at Irvine; from Assembly Member Tom Umberg; and from Presiding Justice David G. Sills, Court of Appeal, Fourth Appellate District, Division Three. All speakers requested to speak in connection with item D, selection of a building site for the Court of Appeal, Fourth Appellate District, Division Three, in Orange County.

Currently, nominations for vacancies on the Judicial Council and advisory committees are being solicited. Nominations are encouraged.

#### *Policy Coordination and Liaison Committee*

Justice Marvin R. Baxter, chair of the Policy Coordination and Liaison Committee (PCLC), reported that the committee had met three times by telephone conference since the February council meeting.

During those meetings, the committee took positions on 20 bills relating to a wide variety of subjects. With the concurrence of Rules and Projects Committee (RUPRO) Chair Justice Laurence Donald Kay and Executive and Planning Committee Chair Justice Richard D. Huffman, the committee approved a bill for Judicial Council sponsorship that permits the conversion of eligible subordinate judicial officer positions to judgeships. The committee also approved 6 proposals pertaining to civil procedure and traffic law for Judicial Council sponsorship to be circulated for public comment.

Four Judicial Council-sponsored bills are proceeding through the Legislature. Senate Bill 396 (Escutia) is the California Facilities Bond Act of 2006, which states the intent of the Legislature to place a bond on the ballot for the acquisition, construction, financing, and rehabilitation of court facilities.

On March 15, 2005, the Chief Justice delivered his annual State of the Judiciary address to a joint session of the Legislature, followed by the Eleventh Annual Judicial-Legislative-Executive Forum, attended by representatives of the executive, legislative, and judicial branches, as well as bench-bar coalition members.

Recently, the committee met with officers and key staff of the State Bar of California, including President John Van de Kamp.

## *Rules and Projects Committee*

Justice Laurence Donald Kay, chair of the Rules and Projects Committee, reported that the committee had met two times since the February council meeting.

On March 24, 2005, the committee met by telephone conference to review rules and forms for the April 15, 2005, business meeting. RUPRO recommends approval of all rules and forms on the April 15 agenda, items A1–A14.

On April 14, 2005, the committee met in person to review 49 proposals for public circulation in the spring 2005 comment cycle.

The committee will meet on April 27, 2005, to consider two tabled matters and the recommendations from the Task Force on Jury System Improvements.

On March 4, RUPRO approved by e-mail the distribution of a circulating order to the council to revise the *Information Sheet on Waiver of Court Fees and Costs* (form 982(a)(17)(A)) to conform to the federal poverty guidelines.

During the first week of May, council members will receive the approximately 700 proposed new plain language criminal jury instructions, the product of the Task Force on Jury Instructions, Criminal Subcommittee. These proposed instructions have already received substantial review and public comment. On May 25 and June 30, RUPRO will review these proposed instructions in anticipation that they will be presented to the council at the August business meeting.

## **CONSENT AGENDA**

### **Item A1 Appellate Procedure: Technical Amendment Regarding Costs in Writ Proceedings (amend Cal. Rules of Court, rule 56)**

Staff recommends a technical amendment to the rule relating to costs in writ proceedings. A reference to criminal and juvenile proceedings that was deleted from this rule effective January 1, 2005, would be reinstated. As part of the previous overall revision of the appellate rules, this reference to criminal and juvenile proceedings was replaced with a general reference to proceedings in which a party is entitled to appointed counsel. These previous amendments were not intended to effect any substantive change in the rule but, inadvertently, could be interpreted to have made such a change. Reinstating the deleted language would correct this and avoid possible misinterpretation of the rule.

#### ***Council action***

The Judicial Council, effective July 1, 2005, amended rule 56(l) of the California Rules of Court to reinstate a specific reference to criminal and juvenile proceedings as proceedings in which the prevailing party is not entitled to costs.

**Item A2 Electronic Submission of Documents to Chair of Judicial Council (adopt Cal. Rules of Court, rule 1511.5)**

The Civil and Small Claims Advisory Committee recommends adoption of a rule to authorize parties to complex coordination proceedings, or cases for which coordination is sought, to submit documents electronically to the Chair of the Judicial Council. The rule would permit, but not require, electronic submission. Electronic submission of coordination documents would reduce the amount of paper submitted, simplify organizing and tracking of documents, and reduce delay in receiving and processing documents.

***Council action***

The Judicial Council, effective July 1, 2005, adopted rule 1511.5 of the California Rules of Court to allow electronic submission of coordination documents to the Chair of the Judicial Council.

**Item A3 Child Support: Telephone Appearance in Title IV-D Hearings (adopt Cal. Rules of Court, rule 5.324; adopt form FL-679; approve form FL-681)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council adopt a rule of court that permits telephone appearances in title IV-D hearings involving local child support agencies. Assembly Bill 1704 requires the Judicial Council, by July 1, 2005, to adopt a rule of court allowing telephone appearances in interstate and intrastate child support cases in which the local child support agency is providing services. Under the proposed rule, whether to permit a telephone appearance is a matter of the court's discretion. Five court days before the hearing, the court must notify or direct specified persons to notify the parties of its decision whether to permit a telephone appearance. The mandatory form provides the court with information about the person requesting the telephone appearance, such as residing out of state, being disabled, or wishing to not appear personally because of domestic violence. The optional form assists clerks in calendaring the telephone appearance phone number.

***Council action***

The Judicial Council, effective July 1, 2005:

- Adopted rule 5.324 of the California Rules of Court;
- Adopted form FL-679, *Request for Telephone Appearance (Governmental)*; and
- Approved form FL-681, *Clerk Calendar Cover Sheet*.

**Item A4 Child Support: Miscellaneous Technical Changes (revise forms FL-342, FL-530, FL-615, FL-625, FL-665, FL-687, and FL-688)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council revise forms related to child support. This form proposal includes implementation of legislative amendments and technical and formatting changes. The legislative

amendments include deletion of the requirement that the court state the reasons for ordering a low-income adjustment, elimination of the requirement to provide form FL-191 in cases in which the local child support agency is providing child support services, and providing a requirement that parents notify the local child support agency of any changes in the name and address of their employment.

***Council action***

The Judicial Council, effective July 1, 2005, revised forms FL-342, FL-530, FL-615, FL-625, FL-665, FL-687, and FL-688 to:

1. Comply with Assembly Bills 1704 and 1752;
2. Update and clarify procedural requirements;
3. Replace gender-specific terms with gender-neutral terms;
4. Comply with updated forms guidelines; and
5. Correct technical and typographical errors.

**Item A5 Child Support: Miscellaneous Technical Changes Relating to California's Child Support Case Registry (revise forms FL-191, FL-630, FL-632, and FL-692)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council revise forms related to child support. This form proposal includes revisions requested by the California Department of Child Support Services (CDCSS). Under a federal mandate, CDCSS is implementing a state disbursement unit (SDU) for the collection and distribution of all child support collected by wage assignment. The Judicial Council has already developed mandatory forms to facilitate this process. In order to obtain more accurate information for the SDU, CDCSS has requested revisions to clarify that a wage assignment has been issued, to indicate the amount of past-due support, and to provide specific directions to a parent reporting changes in his or her place of residence or employment to the Child Support Case Registry. This form proposal also includes technical and formatting changes.

***Council action***

The Judicial Council, effective July 1, 2005 revised forms FL-191, FL-630, FL-632, and FL-692 to:

1. Comply with a federal mandate;
2. Update and clarify procedural requirements;
3. Replace gender-specific terms with gender-neutral terms where appropriate;
4. Comply with new forms guidelines; and
5. Correct technical and typographical errors.

**Item A6 Domestic Violence (revise forms DV-100, DV-110, DV-120, DV-130, DV-500, DV-505, DV-520, DV-540, JV-245, and JV-250)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council revise forms related to domestic violence. This form proposal includes implementation of legislative amendments and technical and formatting changes. The legislative amendments include notice on applicable Judicial Council forms that, upon service of a protective order, the respondent must relinquish possession or control of any firearms; notice on applicable Judicial Council forms that the court must consider whether failure to make specified orders will jeopardize the safety of the petitioner and the children for whom custody or visitation orders are sought; notice on applicable Judicial Council forms that the court must also consider safety concerns related to financial needs of the petitioner and children; and spousal support requests and orders in Domestic Violence Prevention Act (DVPA) actions.

***Council action***

The Judicial Council, effective July 1, 2005 revised forms DV-100, DV-110, DV-120, DV-130, DV-500, DV-505, DV-520, DV-540, JV-245, and JV-250 to implement legislative, technical, and formatting changes.

**Item A7 Family Law: Technical Changes Regarding Deadlines for Service and Filing of Motions and Documents Supporting or Opposing Motions (revise forms DV-160, FL-192, FL-300, FL-301, FL-662, FL-680, and FL-683)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council revise forms related to child support. This form proposal includes implementation of legislative amendments and technical and formatting changes. The legislative amendments include the new deadlines for service and filing of specified moving, supporting, opposing, and reply papers made by Assembly Bill 3078, which was effective January 1, 2005.

***Council action***

The Judicial Council, effective July 1, 2005 revised forms DV-160, FL-192, FL-300, FL-301, FL-662, FL-680, and FL-683 to:

1. Comply with Assembly Bill 3078 timelines;
2. Update and clarify procedural requirements;
3. Replace gender-specific terms with gender-neutral terms;
4. Add a provision to request accommodations for persons with disabilities;
5. Make their format consistent with the current plain language forms manual; and
6. Correct technical and typographical errors.

**Item A8 Family Law: Ex Parte Request to View or Obtain Copy of Sealed Family Law Documents (approve form FL-317)**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2005, approve form FL-317 to allow litigants, their counsel,

and the local child support agency, if joined to the action, to view or obtain copies of documents in sealed family law files. This proposal is in response to comments received during a special cycle comment period necessitated by urgency legislation. With that proposal the Judicial Council, effective January 1, 2005, approved numerous changes in its family law forms to alert litigants to the opportunity to seal documents containing information that identifies or locates their assets and debts. The council also approved a new optional form, *Ex Parte Application to Seal Financial Forms (Family Law)* (form FL-316). Several commenters on form FL-316 wrote that a form that would allow parties to obtain copies of documents in their own cases would be helpful. Form FL-317, *Ex Parte Request to View or Obtain Copy of Sealed Family Law Documents*, is designed to meet that request.

***Council action***

The Judicial Council, effective July 1, 2005 approved form FL-317 to allow litigants, their counsel, and the local child support agency, if joined to the action, to view or obtain copies of documents in sealed family law files.

**Item A9 Miscellaneous Technical Changes to Rules, Forms, Standards, and Family Law Information Center Guidelines (amend Cal. Rules of Court, rules 15, 38.4, 38.5, 6.43, and 7.903; repeal rules 1640–1640.8; amend Cal. Stds. Jud. Admin., § 20.6; amend Fam. Law Inf. Center Guidelines, div. V; revise forms 982(a)(15.2), 982(A)(15.3), 982(a)(15.4), APP-001, APP-006, CR-120, FL-311, JV-220, JV-305, JV-310, MC-030, MC-031, MC-050, MC-275, UD-100, revoke form 982(a)(11S))**

This item relates to proposed miscellaneous technical changes to the California Rules of Court, California Standards of Judicial Administration, Family Law Information Center Guidelines, and Judicial Council forms. Advisory committee members, court personnel, members of the public, and AOC staff have identified technical inaccuracies in rules, standards, and forms resulting from prior amendments, renumbering, and inadvertent omissions. Staff recommends council approval of the noncontroversial corrections of these errors.

***Council action***

The Judicial Council, effective July 1, 2005, amended rules 15, 38.4, 38.5, 6.43, and 7.903 and repealed rules 1640–1640.8 of the California Rules of Court; amended section 20.6 of the California Standards of Judicial Administration; revised division V of the Family Law Information Center Guidelines; revised forms 982(a)(15.2), 982(A)(15.3), 982(a)(15.4), APP-001, APP-006, CR-120, FL-311, JV-220, JV-305, JV-310, MC-030, MC-031, MC-050, MC-275, and UD-100; and revoked form 982(a)(11S) to:

1. Reflect the appellate rules organization;
2. Correct and update cross-references to rules and statutes;



3. Reflect recent legislative changes; and
4. Correct typographical, layout, and formatting errors.

**Item A10 Probate: Notices of Hearing and Proof of Service (revise forms DE-120 and GC-020; adopt form GC-020(C); approve forms DE-120(P), GC-020(P), DE-120(MA)/GC-020(MA), and DE-120(PA)/GC-020(PA))**

The Probate and Mental Health Advisory Committee recommends that the notice of hearing forms commonly used in probate matters be revised and new proof-of-service attachments to these forms be approved. The notices of hearing would be revised to improve their accuracy and clarity, provide for notice to hearing-impaired persons of their right to apply for assistance from the court at the hearings referenced in the notices, instruct petitioners in guardianships and conservatorships about service and proof-of-service requirements, and for other purposes. The proposed new proof-of-service attachments would provide a means to show personal service of the notice forms or additional personal or mailed service of notice on persons not listed on the notice forms or on other attachments.

***Council action***

The Judicial Council, effective July 1, 2005, revised forms DE-120 and GC-020; adopted form GC-020(C); and approved forms DE-120(P), GC-020(P), DE-120(MA)/GC-020(MA), and DE-120(PA)/GC-020(PA) to improve the accuracy and clarity of the notice forms and provide a means for proving their personal or mailed service.

**Item A11 Probate Guardianships and Conservatorships: Notices From Financial Institutions to Courts of New or Changed Accounts or Safe-Deposit Boxes Reflecting Ownership Interests in Guardians or Conservators (revise form GC-051)**

The Probate and Mental Health Advisory Committee recommends revision of the form used by financial institutions to disclose to appointing courts information about the institution's accounts and safe-deposit boxes reflecting ownership interests held by the appointed guardians and conservators. The revision would reflect changes made in 2004 to the statute that requires the disclosure and would make the form easier to complete, read, and use.

***Council action***

The Judicial Council, effective July 1, 2005, revised *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe Deposit Box* (form GC-051) to comply with the new requirements of Probate Code section 2892 and to make it easier to complete, read, and use.

**Item A12 Probate Conservatorships: Securing Preappointment Medical Testimony Under the Health Insurance Portability and Accountability Act of 1996 (adopt forms GC-333 and GC-334)**

The Probate and Mental Health Advisory Committee recommends adoption of an ex parte application and order that would make it possible for medical expert declarants to complete, sign, and deliver Judicial Council form declarations concerning the mental capacity or physical condition of proposed conservatees in compliance with medical information privacy regulations under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

***Council action***

The Judicial Council, effective July 1, 2005, adopted mandatory forms *Ex Parte Application for Order Authorizing Completion of Capacity Declaration—HIPAA* (form GC-333) and *Ex Parte Order Re Completion of Capacity Declaration—HIPAA* (form GC-334) so that a medical expert declarant can be authorized by a court to offer testimony on a proposed conservatee's mental capacity or physical condition before the hearing on a petition for appointment of a conservator, in full compliance with the regulations under HIPAA.

**Item A13 Traffic: Ignition Interlock Device Forms (revise forms ID-100, ID-110, ID-120, ID-140, and ID-150)**

The Traffic Advisory Committee recommends that the Judicial Council, effective July 1, 2005, revise five ignition interlock device forms. The forms would be revised both to correct outdated references to statutory authority and to state that the court will provide the defendant with the California Department of Motor Vehicles' official list of certified manufacturers.

***Council action***

The Judicial Council, effective July 1, 2005, revised forms ID-100, *Order to Install Ignition Interlock Device*; ID-110, *Ignition Interlock Installation Verification*; ID-120, *Ignition Interlock Calibration Verification and Tamper Report (Ignition Interlock Device)*; ID-140, *Ignition Interlock Removal and Modification to Probation Order (Ignition Interlock Device)*; and ID-150, *Notice to Employers of Ignition Interlock Restriction (Ignition Interlock Device)*.

**Item A14 Traffic: Notice to Appear Forms and Traffic Violator School (amend Cal. Rules of Court, rule 851; revise forms TR-115, TR-120, and TR-130; revise *Notice to Appear and Related Forms*)**

The Traffic Advisory Committee recommends that the Judicial Council, effective September 20, 2005, amend rule 851 and revise three notice to appear forms and form instructions. The amended rule excludes drivers with a commercial driver's license, as specified, and drivers of specified commercial vehicles from eligibility for dismissal of

traffic violations for attendance at traffic violator school. Adoption of the amended rule and revised forms and instructions will conform them to statutory changes.

***Council action***

The Judicial Council, effective September 20, 2005:

- Amended rule 851 of the California Rules of Court (traffic violator school);
- Revised form TR-115, *Automated Traffic Enforcement System Notice to Appear*;
- Revised form TR-120, *Nontraffic Notice to Appear*;
- Revised form TR-130, *Traffic/Nontraffic Notice to Appear*; and
- Revised form instructions, *Notice to Appear and Related Forms*.

**Item B      Judicial Council Appointment to the California Council for Interstate Adult Offender Supervision**

The Executive and Planning Committee recommends Judge Rebecca S. Riley for Judicial Council appointment to the California Council for Interstate Adult Offender Supervision. The state council has seven members: four selected by the Governor, two by the Legislature, and one superior court judge selected by the Judicial Council (Pen. Code, § 11181(c)). In December 2003 the council appointed Judge J. Richard Couzens. Because Judge Couzens has recently retired, a new appointment should be made.

***Council action***

The Judicial Council, effective April 15, 2005, appointed Judge Rebecca S. Riley, of the Superior Court of California, County of Ventura, to the California Council for Interstate Adult Offender Supervision.

**DISCUSSION AGENDA**

**Item C      Ralph N. Kleps Awards for 2004–2005**

Justice Ronald B. Robie, Chair, Ralph N. Kleps Awards Committee, and Mr. Michael D. Planet, Executive Officer, Superior Court of Ventura County, presented this item.

The Ralph N. Kleps Awards Committee recommends approval of the winners of the 2004–2005 Ralph N. Kleps Awards to recognize and honor the innovative contributions made by individual courts in California to the administration of justice.

***Council action***

The Judicial Council approved the following courts and programs as winners of the 2004–2005 Ralph N. Kleps Awards:

Category 1 (courts with 2–10 authorized judicial positions (AJPs))

**Superior Court of Calaveras County**

Legal Assistance Center

**Superior Court of Siskiyou County**  
Siskiyou/Modoc Joint Court

Category 2 (courts with 11–39 AJPs)

**Superior Court of Santa Barbara County**  
Court Web Site for Press Information in High-Profile Cases

**Superior Court of Yolo County**  
Gaining Education Through Determination (G.E.D.)

Category 3 (courts with 40-plus AJPs)

**Superior Court of Alameda County**  
Elder Abuse Protection Court: Preventing Reoccurrence of Elder Abuse by  
Improving Court Access

**Superior Court of Los Angeles County**  
New Judge Orientation

**Superior Court of Orange County**  
Complex Civil Electronic Filing Pilot Project

**Superior Court of San Bernardino County**  
Automated File Management

**Superior Court of San Francisco County**  
ACCESS—Assisting Court Customers With Education and Self-Help  
Services

Category 4 (Appellate Courts)

No nominations were submitted in this category.

Category 5 (Collaborative Projects)

**Superior Courts of Butte, Glenn and Tehama Counties**  
SHARP—Self-Help and Regional Assistance Program

**Superior Courts of Monterey, Santa Cruz, San Benito, and Santa Clara  
Counties**  
Regional Education Consortium

**Item E State Appropriations Limit Allocation Process and Template**

Ms. Christine M. Hansen, Director, Finance Division, presented this item with the participation of Ms. Marcia Caballin, Finance Division.

The Trial Court Budget Working Group and AOC staff recommend adoption of a specified methodology for allocation of funding received through the State Appropriations Limit (SAL) budget process.

***Council action***

The Judicial Council:

- Adopted the State Appropriations Limit Allocation Process and Template; and
- Delegated authority to the Administrative Director of the Courts to make amendments to the State Appropriations Limit Allocation Process and Template when technical corrections are necessary.

**Item F Recommendations on Trial Court Security Funding Standards and Methodology**

Justice Richard D. Aldrich, Chair, Working Group on Court Security, presented this item with the participation of Mr. Michael Roddy, Regional Administrative Director, Northern/Central Regional Office, and Ms. Christine M. Hansen, Director, Finance Division.

The Working Group on Court Security and AOC staff recommend the approval of (1) recommendations concerning a funding allocation methodology to establish standards for determining future court security funding and to assign the ongoing court security reduction among the trial courts and (2) changes to the existing court security budget process to improve accountability and consistency.

***Council action***

The Judicial Council approved:

1. Funding standards for entrance screening stations; courtroom and internal security; and holding cells, internal transportation, and control rooms; the methodology replaced the interim standards approved at the July 7, 2004, Judicial Council meeting.

**Entrance Screening**

PC 830.1 FTEs per entrance screening station (Mid-Step)	Average Weighted Filings/Location
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1.4	0–249,999
1.6	250,000–899,000
1.85	900,000–2,000,000

**Courtroom and Internal Security**

Cluster	Judicial Position Equivalents (JPEs)	PC 830.1 FTEs per JPE/AJN (Mid-Step)
1	1.1 to 4.0	1.140
2	4.1 to 20.0	1.260
3	20.1 to 59.9	1.300
4	60.0 to 600.0	1.340

**Internal Transportation, Holding Cells, and Control Room Standards**

Cluster	Judicial Position Equivalents (JPEs)	PC 830.1 FTEs per JPE/AJN (Mid-Step)
1	1.1 to 4.0	0.1700
2	4.1 to 20.0	0.1900
3	20.1 to 59.9	0.2300
4	60.0 to 600.0	0.4100

2. A permanent funding standard of 1 sergeant position per 12 nonsupervisory security positions.
3. Delegation of authority to staff to make technical adjustments to the court security standards.
4. The implementation policy that, beginning in FY 2004–2005, trial court security budgets that are above the level produced under the proposed methodology will be reduced to the standard.
5. The allocation of \$8.8 million in one-time reductions in FY 2004–2005, using the recommended methodology and applying the standards.
6. The allocation of \$13.3 million in ongoing reductions in FY 2005–2006, using the recommended methodology and applying the standards.
7. The policy that, beginning in FY 2005–2006, courts that are below the recommended standards and that reduced security services in response to temporary reductions in FY 2003–2004 and FY 2004–2005 will have security funding reduction restored to the base level.
8. The following policies to improve the annual court security budget process:
  - a. Changes in court security salary ranges, benefits, and retirement costs known as of May 15 of each year for the following fiscal year will be funded within the scope of available funding. When full funding of the recommended

standards is achieved, the objective is that each court's total security budget would be limited to the amount provided under the funding model. Any cost changes (increases or decreases) that occurred during the year would be recorded and the budget would be adjusted during the following year, subject to available funding.

- b. Create a court security budget line item that requires that court security budget allocations may only be expended for that purpose and that unused funds would roll over on an annual basis to be reallocated to fund one-time costs.
- c. Direct the Working Group on Court Security to perform regular reviews of the court security funding standards to ensure that the standards continue to reflect trial court security needs and practices.
- d. Pursue a FY 2006–2007 security budget change proposal that, in combination with the current security baseline and State Appropriations Limit funding applied to security, will fund all courts at the proposed security standards.

**Item D      Selection of a Building Site for the Court of Appeal, Fourth Appellate District, Division Three**

Mr. Clifford Ham, Office of Court Construction and Management, presented this item with the participation of Mr. Lee Willoughby, Office of Court Construction and Management.

Representing the City of Santa Ana, Mr. Miguel A. Pulido, Mayor; Mr. David N. Ream, City Manager; and Mr. Paul Walters, Chief of Police, addressed the council.

Representing the University of California at Irvine, Dr. Michael Gottfredson, Executive Vice Chancellor of Academic Affairs; and Mr. Richard Demerjian, Director of Campus and Environmental Planning, addressed the council.

Assembly Member Tom Umberg also addressed the council.

The AOC Office of Court Construction and Management recommends selection of a building site for the Court of Appeal, Fourth Appellate District, Division Three, in Orange County, under Government Code section 69204(a).

***Council action***

The Judicial Council, effective immediately:

- Approved the selection of the Santa Ana Civic Center as the site for the new Court of Appeal building; and
- Directed staff to complete a property acquisition agreement with the City of Santa Ana for approval by the Judicial Council.
- Directed staff to proceed with requests for additional funding.

*Informational Items*

**Item G      Amendment of Division VII of the Appendix to the California Rules of Court**

Civil Code section 1714.1(c) requires the Judicial Council to compute, adjust, and publish every two years the liability limit of a parent or guardian for the willful misconduct of a minor. The Judicial Council has authorized the Administrative Director of the Courts to make the adjustment.

On March 22, 2005, the Administrative Director of the Courts adjusted the liability limit as mandated by Civil Code section 1714.1(c) and as authorized by the Judicial Council.

    | *Council action*  
    | For information only; no action was necessary.

**Circulating Orders**

Copies of circulating orders are for information only; no action was necessary.

**Appointment Orders**

Copies of appointment orders are for information only; no action was necessary.

There being no further public business, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

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William C. Vickrey  
Administrative Director of the Courts and  
Secretary of the Judicial Council