

**JUDICIAL COUNCIL MEETING**  
**Minutes of December 5, 2003, Meeting**  
**Los Angeles, California**

**Judicial Council members present:** Chief Justice Ronald M. George; Associate Justices Norman L. Epstein, Richard D. Huffman, and Laurence Donald Kay; Judges Eric L. Du Temple, Michael T. Garcia, Judge William C. Harrison, Jack Komar, William A. MacLaughlin, Heather D. Morse, William J. Murray, Jr., Michael Nash, Richard Strauss, and Barbara Ann Zúñiga; Mr. Rex S. Heinke, Mr. David J. Pasternak, Ms. Ann Miller Ravel, and Mr. William C. Vickrey; **advisory members:** Judges Frederick Paul Horn and Eric C. Taylor; Commissioner Patricia H. Wong; Ms. Tressa S. Kentner and Ms. Susan Null.

**Absent:** Associate Justice Marvin R. Baxter, Assembly Member Ellen M. Corbett, Senator Martha M. Escutia, Mr. Alan Slater, and Mr. Thomas Joseph Warwick, Jr.

**Others present included:** Associate Justice Ronald B. Robie, Mr. Fernando Becerra, Jr., Ms. Karen Blank, Mr. Michael W. Boggs, Ms. Beth Jay, Ms. Miriam Krinsky, Ms. Alea Manners, Mr. James Partridge, Mr. Michael Planet, Ms. Carole Prescott, Mr. Chris Stewart, and Mr. Dean T. Stout; **staff:** Mr. Michael Bergeisen, Mr. Dennis Blanchard, Ms. Dianne Bolotte, Ms. Roma Cheadle, Ms. Kim K. Davis, Ms. Audrey Evje, Mr. Bob Fleshman, Ms. Sheila Gonzalez, Ms. Christine M. Hansen, Ms. Lynn Holton, Ms. Susan M. Hough, Ms. Kate Howard, Ms. Tracy Kenny, Mr. Ray LeBov, Ms. Diane Nunn, Mr. Ronald G. Overholt, Ms. Christine Patton, Mr. Daniel Pone, Mr. Michael M. Roddy, Ms. Beth Shirk, Ms. Sonya Smith, Mr. Corby Sturges, Ms. Pat Sweeten, Ms. Marcia M. Taylor, Ms. Karen M. Thorson, Mr. Jack Urquhart, and Mr. Tony Wernert; **media representative:** Ms. Erica Williams, *Los Angeles Daily Journal*.

Except as noted, each action item on the agenda was unanimously approved on the motion made and seconded. (Tab letters and item numbers refer to the binder of Reports and Recommendations dated December 5, 2003, that was sent to members in advance of the meeting.)

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

Mr. Michael W. Boggs, president of the American Federation of State, County and Municipal Employees (AFSCME) Local 910, which represents attorneys and law clerks who provide legal research support to judges, thanked the Administrative Office of the Courts (AOC) for assisting the courts by securing additional funding. He noted that the last time he addressed the Judicial Council he spoke of how the state financial crisis was affecting the legal research unit, resulting in the possible termination of some experienced employees to be replaced by less-expensive new employees. Mr. Boggs

stated that he was hopeful the additional money would be applied to his unit and thanked the AOC for its role in securing the funds.

Mr. Boggs also spoke in favor of item 14 on the council agenda, Public Access to Trial Court Budget Information and Processes, and encouraged the council to adopt rule 6.620 of the California Rules of Court.

Chief Justice Ronald M. George thanked Mr. Boggs for his comments and noted that he was pleased that the AOC and the council could work together with the Superior Court of Los Angeles County and the employee groups to ameliorate the financial situation that the court was facing.

Ms. Carole Prescott, president of AFSCME Local 575, representing the court clerks of the Superior Court of Los Angeles County, stated that she also had come to thank the AOC and the council for their role in augmenting funds to the trial courts. She stated that she is seeking some of those funds to cover negotiated bonus items and is hopeful that such an allocation will pave the way for better relations between the employees and the court.

Ms. Prescott also encouraged the council to adopt rule 6.620 concerning public access to trial court budget information and processes.

Chief Justice Ronald M. George thanked Ms. Prescott for her comments. He commented that during difficult budgetary times the courts' priorities remain to avoid court closures and employee layoffs.

### **Approval of Minutes of October 21, 2003**

The council approved the minutes of its October 21, 2003, meeting.

### **Judicial Council Committee Presentations**

#### *Executive and Planning Committee*

Associate Justice Richard D. Huffman, chair, reported on the committee's activities since the October Judicial Council meeting.

The Executive and Planning Committee acted on behalf of the council to approve a minor modification to the interim facilities guidelines applicable to two appellate court projects. The modification allows the Administrative Director of the Courts to appoint one or more public members to the facilities advisory project teams in order to expand the diversity of the representation.

The committee met on November 12 to set the agenda for the December 5 Judicial Council meeting. At that meeting the committee also developed recommendations to the Chief Justice for appointments to the Advisory Committee on Civil Jury Instructions. Some members of the original Task Force on Jury Instructions continued as advisory committee members, while a public solicitation for nominations was conducted for the remaining positions. The committee reviewed the nominations and made recommendations to the Chief Justice on appointments to the new advisory committee.

The committee met again on November 21 to conclude its review of the agenda for the December council meeting. The committee had deferred consideration of two items dealing with juvenile law, one of which appears on the December council agenda—children with dual status in juvenile court (item 13). The rule dealing with the duties of counsel in delinquency cases was deferred to the February meeting to allow the Family and Juvenile Law Advisory Committee to do some further work on the language and to confer with the stakeholders and representatives.

Lastly, the committee allocated, on behalf of the council, \$22.1 million in additional discretionary funding to the trial courts. This funding was approved following a series of discussions between the Director of the state Department of Finance, the Director of the Department of Personnel Administration, and the Administrative Director of the Courts in accordance with the Budget Act of 2003. Under the Budget Act, the funding is to be used to meet the various needs of the trial courts, including the need to negotiate local memoranda of understanding with recognized bargaining agents and to meet other salary and benefits needs of the trial courts. The allocation to individual trial courts was based on each court's prorated share of total state salary and wage costs for authorized permanent and temporary Trial Court Trust Fund employees (excluding commissioners, referees, hearing officers, and court interpreters pro tempore) as reported in the courts' FY 2003-2004 Salary and Position Worksheets (Schedule 7A).

#### *Policy Coordination and Liaison Committee*

Associate Justice Laurence Donald Kay, vice-chair, reported on the committee's activities since the October Judicial Council meeting.

The committee met on October 20 and 28 to review and adopt recommendations for council-sponsored legislation in 2004. The committee's recommendations for council action appear in the December Judicial Council binder at tab 1, items A through E. The legislative proposals address a range of issues, including civil procedure filing fees, small claims, subordinate judicial officers, and family and juvenile law.

Justice Kay announced that, as part of the ongoing focus on enhancing relationships with other court-related organizations, staff of the AOC Office of Governmental Affairs, on behalf of the Chief Justice, are arranging the annual liaison meetings. Those meetings will be held with the state Attorney General, State Bar, California State Sheriffs'

Association, California State Association of Counties, California Attorneys for Criminal Justice, Consumer Attorneys of California, California Defense Council, and California District Attorneys Association. Mr. William C. Vickrey, Mr. Ray LeBov, Justice Marvin R. Baxter, other members of the Policy Coordination and Liaison Committee, and AOC staff participate in these meetings, which have been highly successful in forging the solid relationships necessary to operate effectively in the Legislature.

Justice Kay also announced that the Judicial Council will host the Tenth Annual Judicial Legislative Executive Forum at the state capitol in early 2004. The forum is an information event for legislators, the Governor, and executive branch officials. As in the past, the forum will take place in conjunction with the Chief Justice's State of the Judiciary address to the Legislature. This event will most likely take place in March. The date will be announced as soon as that information is available.

#### *Rules and Projects Committee*

Associate Justice Norman L. Epstein, chair, reported on the committee's activities since the October Judicial Council meeting.

Justice Epstein reported that the committee met by conference call on November 20 and will meet again next week to review items for the spring cycle of proposed rule changes.

The committee recommends approval of consent agenda items 2–6 and 8 and discussion agenda item 14. Item 14 proposes a rule on public access to trial court budget information and processes. The committee received and considered a number of letters expressing concern about that rule. It was the judgment of the committee that, while the matter is not perfect, it is in an acceptable form that respects the integrity of the branch and will be workable. Based on that, the committee recommends approval.

Justice Epstein commented on two items on the consent agenda. He thanked Justice Kay for his assistance in reviewing and making suggestions on the probate rules, particularly item 3, concerning the implementation of the graduated probate filing fee. He also noted that the statute underlying the proposed rule is a complicated piece of legislation. Thus, while the rule is somewhat complicated, it is necessarily so and reflects the statute fairly.

Justice Epstein also commented on consent agenda item 6, which recommends the repeal of two rules requiring the collection of data by the courts. The legislation requiring this data collection will sunset at the end of 2003. The committee welcomed the opportunity to strike a procedure that is no longer needed from the rules.

## CONSENT AGENDA

### ITEM 1 JUDICIAL COUNCIL–SPONSORED LEGISLATION

#### Item A Service and Filing of Motion Papers and Discovery Cutoff Dates (Code Civ. Proc., §§ 1005, 2024, and 2034) (Action Required)

The Policy Coordination and Liaison Committee recommends sponsoring legislation to amend sections 1005, 2024, and 2034 of the Code of Civil Procedure to clarify the proper dates for service and filing of law and motion papers.

#### *Council action:*

The Judicial Council voted to sponsor legislation amending sections 1005, 2024, and 2034 of the Code of Civil Procedure.

#### Item B Small Claims: Standing of Emancipated Minors (Code Civ. Proc., § 116.410) (Action Required)

The Policy Coordination and Liaison Committee recommends sponsoring legislation to clarify that a legally emancipated minor may be a party to a small claims action, to be consistent with the Family Code.

#### *Council action:*

The Judicial Council voted to sponsor legislation to add a provision to the Small Claims Act that an emancipated minor may be a party to a small claims action.

#### Item C Filing Fees: Notice of Return for Nonpayment of Check (Code Civ. Proc., § 411.20) (Action Required)

The Policy Coordination and Liaison Committee recommends sponsoring legislation to amend section 411.20 of the Code of Civil Procedure to clarify that the party in an action or a proposed action shall be given notice if a check tendered for payment of a filing fee is returned for nonpayment.

#### *Council action:*

The Judicial Council voted to sponsor legislation to amend section 411.20 of the Code of Civil Procedure to clarify that the party in an action or a proposed action shall be given notice if a check tendered for payment of a filing fee is returned for nonpayment.

**Item D Appellate Filing Fees: Eliminate Fees in Lanterman-Petris-Short Act Proceedings (Gov. Code, §§ 68926 and 68927) (Action Required)**

The Policy Coordination and Liaison Committee recommends sponsoring legislation to amend Government Code sections 68926 and 68927 to (1) eliminate appellate filing fees in Lanterman-Petris-Short Act proceedings both in the Courts of Appeal and in the California Supreme Court and (2) clarify that the exemptions from filing fees for juvenile cases and freedom-from-parental-custody-or-control cases that now apply in the Courts of Appeal under section 68926 also apply in petitions for review in the California Supreme Court.

***Council action:***

The Judicial Council voted to sponsor legislation to amend Government Code sections 68926 and 68927 to:

1. Eliminate appellate filing fees in Lanterman-Petris-Short Act proceedings both in the Courts of Appeal and in the California Supreme Court; and
2. Clarify that the exemptions from filing fees for juvenile cases and freedom-from-parental-custody-or-control cases that now apply in the Courts of Appeal under section 68926 also apply in petitions for review in the California Supreme Court.

**Item E Subordinate Judicial Officers: Postretirement Compensation (Gov. Code, §§ 71622, 72190, and 72407) (Action Required)**

The Policy Coordination and Liaison Committee recommends that the Judicial Council cosponsor legislation to allow retired subordinate judicial officers (SJOs) to serve on assignment subject to the applicable limits of the SJOs' retirement plan, at a rate of pay not to exceed 85 percent of a retired judge's compensation while serving on assignment.

This legislation will improve court administration by giving the courts flexibility to use the services of experienced and well-qualified retired SJOs to meet short-term SJO needs of the court. The proposal is consistent with postretirement service options that are available to analogous county employees.

***Council action:***

The Judicial Council voted to cosponsor legislation with the California Judges Association to allow retired subordinate judicial officers to serve on assignment subject to the applicable limits of the SJOs' retirement plan, at a rate of pay not to exceed 85 percent of a retired judge's compensation while serving on assignment.

**Item 2      Jury Instructions: Format for Proposed Instructions (amend Cal. Rules of Court, rule 229) (Action Required)**

Rule 229 on the format of jury instructions should be updated. The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2004, amend rule 229 of the California Rules of Court to clarify and specify the format for proposed jury instructions in more detail, to preempt any local forms or rules on the format of proposed jury instructions, and to delete the requirement that a judge endorse on refused instructions the reason for refusal.

***Council action:***

The Judicial Council, effective January 1, 2004, amended rule 229 of the California Rules of Court to specify the format for proposed jury instructions in more detail, to preempt any local forms or rules on the format of proposed jury instructions, and to delete the requirement that a judge endorse on refused instructions the reason for refusal.

**Item 3      Probate: Mandatory Adjustments to the Graduated Filing Fee in Probate Filings (amend Cal. Rules of Court, rule 7.550, and adopt rule 7.552) (Action Required)**

The Probate and Mental Health Advisory Committee recommends amendment of rule 7.550 and adoption of rule 7.552 in title 7 of the California Rules of Court. Government Code section 26827 requires payment of a graduated filing fee to commence a decedent's estate proceeding, based on the estimated value of the estate. The statute requires an adjustment in the filing fee based on a comparison of the actual and estimated values of the estate when the final account is filed, after the estate's actual value has been determined. Proposed rule 7.552 would prescribe how this adjustment is to be made.

Rule 7.550 specifies the showing that must be made in a report by the personal representative of a decedent's estate when a complete accounting has been waived. This rule would be amended to require the information necessary to make the filing fee adjustment described above, even when the final account has been waived.

***Council action:***

The Judicial Council, effective January 1, 2004, amended rule 7.550 and adopted rule 7.552 of the California Rules of Court to provide a mechanism for adjusting the graduated filing fee in decedents' estate proceedings, as required by Government Code section 26827.

**Item 4      Probate: Reimbursement of Graduated Filing Fee Paid by Unsuccessful Petitioner (adopt Cal. Rules of Court, rule 7.151) (Action Required)**

The Probate and Mental Health Advisory Committee recommends adoption of rule 7.151 in title 7 of the California Rules of Court. Recent legislation amending the statute that imposes a graduated filing fee on decedents' estates requires the personal representative of a decedent's estate to reimburse another party in the proceeding for a portion of the graduated filing fee paid by the other party under certain circumstances. The Legislature directed the Judicial Council to prescribe by rule the manner in which this reimbursement is to be made. Proposed rule 7.151 is a response to this directive.

***Council action:***

The Judicial Council, effective January 1, 2004, adopted rule 7.151 of the California Rules of Court to establish procedures for implementing the statutory requirement that a personal representative appointed on a later-filed petition for probate reimburse the party that filed the first petition for probate for a portion of the filing fee paid by that party. The rule will be circulated for public comment after it takes effect to determine whether any amendments are appropriate.

**Item 5      Fees for Court Reporting Services (amend Cal. Rules of Court, rule 892) (Action Required)**

Existing rule 892 is authorized by Government Code section 68086, which was recently amended to provide that fees collected pursuant to that statute are only to be used to pay the cost for services of an official court reporter and that fees are to be collected for any proceeding lasting more than one hour. Rule 892 should be amended to conform to the statute.

***Council action:***

The Judicial Council, effective January 1, 2004, amended rule 892 of the California Rules of Court to delete subdivisions (b), (c), and (d) to conform the rule to amended Government Code section 68086(b) and to make other clarifying changes.

**Item 6      Termination of Requirements to Collect and Forward Reference Orders and Reports (repeal Cal. Rules of Court, rules 244.1(h) and 244.2(i)) (Action Required)**

The Judicial Council adopted rules 244.1(h) and 244.2(i) of the California Rules of Court requiring that courts collect and forward orders and reports concerning references to the Administrative Office of the Courts, to carry out a study mandated by Code of Civil Procedure sections 638(c), 639(e), and 640.5. The statutory requirements that the council



collect information concerning references will expire on January 1, 2004. Staff are recommending that the Judicial Council repeal the reporting requirements of rules 244.1(h) and 244.2(i), effective on the same date, to eliminate an unnecessary future administrative burden on courts of collecting and forwarding this information.

***Council action:***

The Judicial Council, effective January 1, 2004:

1. Repealed rule 244.1(h) of the California Rules of Court to terminate the requirement that copies of orders and reports concerning references under Code of Civil Procedure section 638 be forwarded to the office of the presiding judge and then to the Administrative Office of the Courts; and
2. Repealed rule 244.2(i) of the California Rules of Court to terminate the requirement that copies of orders and reports concerning references under Code of Civil Procedure section 639 be forwarded to the office of the presiding judge and then to the Administrative Office of the Courts.

**Item 7      Conflict of Interest Code for the Administrative Office of the Courts  
(Action Required)**

AOC staff recommends that the Judicial Council adopt an amended conflict of interest code for the Administrative Office of the Courts that will reflect the addition of new job classifications over the past year.

***Council action:***

The Judicial Council, effective December 5, 2003, adopted the revised AOC Conflict of Interest Code, which adds 23 new job classifications and 6 that existed prior to this year but have not previously been included in the code or have been moved to other divisions.

**Item 8      Family Law: Technical Revision to Judgment Form (revise form FL-180) (Action Required)**

The council adopted a revision to form FL-180, *Judgment*, at its October 21, 2003, meeting. Because of a typographical error, the revised form deleted a line permitting the court to order custody and visitation as set forth in an attached marital settlement agreement, stipulation for judgment, or other written agreement. This text was present on previously adopted versions of form FL-180 and should not have been removed in the most recent revision. Staff recommends that the council adopt a revised form to correct this omission and clarify that the court may order custody as set forth in an attached agreement.

***Council action:***

The Judicial Council, effective January 1, 2004, revised form FL-180 to add a new line (4)(k)(1) to provide that child custody and visitation may be ordered as set forth in an attached marital settlement agreement, stipulation for judgment, or other written agreement.

**Item 9 Model Jury Summons Pilot Study (Action Required)**

Over the past year the Administrative Office of the Courts, in conjunction with Polaris Research and Development, Inc., has conducted a test of the new model jury summons developed by the Task Force on Jury System Improvements. The test included focus group review of the proposed model summons, development of the summons in four test jurisdictions (Alameda, Shasta, San Diego, and Ventura Counties), implementing the summons in the test jurisdictions, and evaluating outcomes. As the report details, the new format achieved substantially greater benchmarks over the existing summonses in the four test jurisdictions. Staff recommends that the council encourage courts to implement the voluntary model summons. (A sample jury summons was inserted in the front pocket of binders.)

***Council action:***

The Judicial Council endorsed the voluntary use of the Model Jury Summons and “Court and Community” information pamphlet and endorsed their implementation statewide, on a voluntary basis, through a working group of participating courts.

**Item 10 Judicial Council Appointee to the California Council for Interstate Adult Offender Supervision (Action Required)**

The California Council for Interstate Adult Offender Supervision was created in 2001 by Senate Bill 2023 (Stats. 2000, ch. 658). Under Senate Bill 2023, the Judicial Council is to appoint one superior court judge to serve on the state council. (Pen. Code, § 11181(c).) In March 2002, the Judicial Council appointed Judge Richard B. Iglehart to serve as the judicial representative on the state council. Judge Iglehart has recently passed away. Thus, it is recommended that the Judicial Council, effective December 5, 2003, appoint Judge J. Richard Couzens, of the Superior Court of Placer County, to the California Council for Interstate Adult Offender Supervision.

***Council action:***

The Judicial Council, effective December 5, 2003, appointed Hon. J. Richard Couzens, of the Superior Court of Placer County, to the California Council for Interstate Adult Offender Supervision.

**DISCUSSION AGENDA**

**Item 11 Judicial Council Distinguished Service Awards for 2003 (Action Required)**

Associate Justice Richard D. Huffman presented this item.

The chairs of the council's internal committees recommend approval of the winners of the 2003 Distinguished Service Awards for significant and positive contributions to court administration in California.

***Council action:***

The Judicial Council unanimously approved the recommendations to give Distinguished Service Awards to the following individuals:

Hon. Leonard P. Edwards, Superior Court of Santa Clara County; and Associate Justice Carol A. Corrigan, Court of Appeal, First Appellate District, and Associate Justice James D. Ward, Court of Appeal, Fourth Appellate District (Joint Award)—Jurists of the Year.

Ms. Jeanne Millsaps, Executive Officer, Superior Court of San Joaquin County, and Ms. Christine M. Hansen, Chief Financial Officer, California Judicial Branch, and Director, AOC Finance Division—Judicial Administration Award.

Mr. James Herman, Immediate Past President, State Bar of California, and Hon. George Deukmejian, former Governor, Attorney General, Assembly Member, and Senator—Bernard E. Witkin Amicus Curiae Award.

**Item 12 Ralph N. Kleps Awards for 2003 (Action Required)**

Associate Justice Ronald B. Robie and Mr. Michael D. Planet presented this item.

The Ralph N. Kleps Award Committee recommends approval of the winners of the 2003 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 2003 Ralph N. Kleps Awards:

Category 1 (courts with 0–6 authorized judicial positions (AJPs))

**Superior Court of Inyo County**

Night Court for Child Support Calendar

**Superior Court of Siskiyou County**

Visual Guides to the Courts

Category 2 (courts with 7–19 AJPs)

**Superior Court of Yolo County**

Guardianship Facilitation and Outreach Program

Category 3 (courts with 20–49 AJPs)

**Superior Court of Fresno County**

Spanish Self-Help Center—*Centro de Recursos Legales*

**Superior Court of San Mateo County**

EZLegalFile Service Bureau

**Superior Court of Ventura County**

Tip of the Day Radio Program

Category 4 (50+ AJPs)

**Superior Court of Los Angeles County**

Teachers' Courthouse Seminar

**Superior Court of Orange County**

I-CAN (Interactive Community Assistance Network)

Category 5 (Appellate Courts)

**Court of Appeal, Fourth Appellate District**

Step-by-Step Civil Appellate Manual

**Court of Appeal, Fifth Appellate District**  
Courts as Curriculum

**Item 13 Juvenile Court: Children With Dual Status (Action Required)**

Ms. Tracy Kenny and Ms. Audrey Evje presented this item.

The Policy Coordination and Liaison Committee and the Family and Juvenile Law Advisory Committee recommend sponsoring Assembly Bill 129, which sets forth the Legislature's intent to enact provisions authorizing a county to create a dual-status protocol for children in juvenile court, allowing them to receive services as a dependent and a ward.

***Council action:***

The Judicial Council voted to sponsor Assembly Bill 129 to create dual-status protocol for children in juvenile court, allowing them to receive services as a dependent and a ward.

**Item 14 Public Access to Trial Court Budget Information and Processes (adopt Cal. Rules of Court, rule 6.620) (Action Required)**

Mr. Ray LeBov presented this item.

Senate Bill 144 (Stats. 2003, ch. 367, Escutia) added section 68511.6 to the Government Code to require the Judicial Council to adopt rules providing for notice to the public and for public input to decisions concerning the administrative and financial functions of a trial court and requiring trial courts to give notice to the public of other appropriate decisions concerning the administrative and financial functions of the trial courts. Staff is recommending that the council adopt rule 6.620 to require trial courts to solicit input from the public before taking action on certain administrative and financial issues and to inform the public of action taken on other administrative and financial issues.

***Council action:***

The Judicial Council, effective January 1, 2004, adopted rule 6.620 of the California Rules of Court to:

1. Require a trial court to seek public input—giving at least 15 court days' notice by varied means—on specified decisions concerning administrative and financial functions that are likely to have a significant impact on the public;

2. Require a trial court to give notice if it is planning to make recommendations in response to the annual request of the Judicial Branch Budget Advisory Committee concerning which items should be statewide budget priorities, and state that interested parties may also make recommendations on this subject;
3. Require a trial court to give public notice, within 15 court days, of the specific major decisions that affect the public; and
4. Provide for public availability of written factual materials that have been gathered specifically for the consideration of the person or entity making any decision for which public input is being sought.

**Item 15 Trial Court Improvement Fund and Judicial Administration Efficiency and Modernization Fund: Amended Guidelines (Action Required)**

Mr. Ronald G. Overholt and Ms. Christine M. Hansen presented this item.

AOC staff recommends that the council approve the updated guidelines for the Trial Court Improvement Fund and Judicial Administration Efficiency and Modernization Fund and delegate authority to the Administrative Director of the Courts to approve or amend allocations consistent with the approved guidelines.

***Council action:***

The Judicial Council, effective December 5, 2003:

1. Approved the amended Trial Court Improvement Fund and Judicial Administration Efficiency and Modernization Fund internal guidelines; and
2. Delegated authority to the Administrative Director of the Courts to approve or amend allocations consistent with the approved guidelines.

**Item 16 Judicial Council Operational Plan for Fiscal Years 2003–2004 Through 2005–2006: Scheduled Three-Year Revision of Plan (Action Required)**

Mr. William C. Vickrey presented this item.

The council's inaugural operational plan, adopted in August 2000 on a three-year cycle, is currently due for revision. The revised operational plan represents a concerted effort by the council and many other judicial branch stakeholders to realign branch high priority objectives and desired outcomes with California's changing demographics and fiscal environments.

A collaborative planning process, guided by the council's Executive and Planning Committee over a period of 11 months, identified the priorities contained in the

operational plan. The planning process was informed by an analysis of local court trends and priorities as reported in the 58 individual trial court operational plans. In addition to this trial court input, council members, presiding judges, court executive officers, advisory committee members, representatives of the bar and legislature, and AOC directors and managers all took part in the planning process.

These efforts culminated on July 17-18, 2003, at the council's annual planning meeting, where council members participated in facilitated panel discussions, plenary sessions, and breakout workshops directed at achieving consensus on judicial branch priorities and objectives. The proposed operational plan, which will be evaluated annually, is the result of these collaborative efforts. It is presented for the council's approval.

***Council action:***

The Judicial Council, effective January 1, 2004, adopted the Judicial Council Operational Plan for Fiscal Years 2003–2004 Through 2005–2006, following the Administrative Office of the Courts staff presentation of specifics for the plan's implementation and evaluation at the council's issues meeting of December 4, 2003. The council instructed the AOC to broadly communicate the plan within the courts and to judicial branch stakeholders.

**Circulating Orders**

No circulating orders were approved since the last business meeting.

**Appointment Orders**

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

There being no further business, the meeting was adjourned at 11:30 a.m.

Respectfully submitted,

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