

Judicial Council of California
Executive and Planning Committee
August 2, 2011
Proposal Circulated by E-mail on August 2, 2011

Members Voting: Justices Douglas P. Miller; Judges Stephen H. Baker, Kevin A. Enright, Kenneth K. So, and David S. Wesley; and Mr. Alan Carlson, Mr. Frederick K. Ohlrich, and Mr. James N. Penrod

Staff Participating: Ms. Nancy E. Spero

Retirement Resolution for Hon. Terrance R. Duncan, Superior Court of California, County of Monterey

The committee reviewed and approved, on behalf of the Judicial Council pursuant to rule of court 10.11(a), a retirement resolution honoring Judge Terrance R. Duncan for his years of public service to the state of California.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth L. Kann", written in a cursive style.

Kenneth L. Kann
Director, Executive Office Programs Division

Executive and Planning Committee

August 5, 2011

12:00–1:00 p.m.

Conference Call

Members Participating: Justice Douglas P. Miller; Judges Stephen H. Baker, Kevin A. Enright, Kenneth K. So, and David S. Wesley; Mr. Alan Carlson and Mr. James N. Penrod

Member Absent: Mr. Frederick K. Ohlrich

AOC Members Participating: Ms. Deborah C. Brown, Ms. Nancy Carlisle, Mr. Curtis L. Child, Ms. Donna Clay-Conti, Ms. Jessica Craven, Ms. Monica Fiorentini, Ms. Cristina Foti, Mr. Evan M. Garber, Ms. Donna S. Hershkowitz, Mr. John A. Judnick, Mr. Kenneth L. Kann, Mr. Pat McGrath, Ms. Susan McMullan, Ms. Diane Nunn, Mr. Ronald G. Overholt, Ms. Mary R. Roberts, Ms. Jessica Sanora, Ms. Mary M. Roberts, Ms. Nancy E. Spero, Mr. Zlatco Theodorovic, Mr. Todd Torr, Mr. William C. Vickrey, and Mr. Michael Wright

Agenda Setting for the August 25 & 26, 2011, Judicial Council Business Meeting

The committee discussed the open educational session format for the August Judicial Council meeting and set the agenda for the August 25 and 26, 2011, meetings.

Court Facilities

The committee reviewed recommendations from the Trial Court Facility Modification Working Group and the Administrative Office of the Courts to approve, as delegated by the Judicial Council in December 2005, (1) the FY 2011–2012 budget for court facilities modification and planning and (2) the prioritized list of facilities modifications. The committee set this matter on the council's August 26, 2011, discussion agenda.

Judicial Council Resolutions

The committee reviewed and approved, on behalf of the Judicial Council under California Rules of Court, Rule 10.11(a), judicial retirement resolutions (attached) for:

Hon. Martha E. Bellinger, Superior Court of California, County of Los Angeles

Hon. William J. Birney, Jr., Superior Court of California, County of Los Angeles

Hon. Stephen Thomas Kroyer, Superior Court of California, County of Napa

Hon. Kevin J. Murphy, Superior Court of California, County of Santa Clara

Hon. Michael J. Naughton, Superior Court of California, County of Orange

Request to Permit Advisory Committee to Comment on Proposal to Amend Canons of the Code of Judicial Ethics

The committee reviewed a request from the Access and Fairness Advisory Committee that the advisory committee be permitted to comment on a pending proposal to amend the canons of the Code of Judicial Ethics. The committee determined, consistent with the council's governance policies, that comment may not be made in the name of the council's advisory committee.

However, the committee observed that the chair or members of the advisory committee may submit their comments as individuals and may state their role on the advisory committee.

Evaluation by Council Members of June 2011 Council Meetings

The committee reviewed data from a survey of council members to evaluate the June 2011 council meetings. The committee provided direction to staff on next steps, including periodic similar evaluations in the future.

Further Response to Assembly Member Beall

The committee reviewed a memo from the chairs of the Elkins Family Law Implementation Task Force and the Family and Juvenile Law Advisory Committee. The committee had requested at its June 23, 2011, meeting that these two advisory groups provide information so that the committee could respond to an inquiry from Assembly Member Jim Beall, Jr. requesting information on systemic issues regarding family court procedures raised by a constituent. The committee approved the E&P Chair's recommendation that he respond to Assembly Member Beall based on the information in this memo.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Overholt', with a stylized, cursive script.

Ronald G. Overholt
Chief Deputy Director



JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

Resolution

—HONORING—

Hon. Martha E. Bellinger

Whereas on the occasion of the retirement from the judiciary of Judge Martha E. Bellinger of the Superior Court of California, County of Los Angeles after 20 years of public service to the State of California and the people of Los Angeles County, having provided justice in a fair, accessible, effective, and efficient manner while resolving disputes arising under the law;

Whereas the California judicial branch is fortunate to have benefited from her distinguished service as a jurist—since her appointment as commissioner by the judges of the court in 1991, her elevation to the superior court bench by appointment of Governor Arnold Schwarzenegger in 2005, and her subsequent election by the citizens of Los Angeles County;

Whereas Judge Bellinger has been recognized by our justice system partners for her service, innovation, and commitment to the judiciary, having been named 1999 Outstanding Jurist in the Delinquency Courts by the Juvenile Courts Bar Association, 2001 Outstanding Jurist to Children by the American Association of University Women, and 2001 Woman of Achievement by the YWCA for her service to women and children;

Whereas Judge Bellinger has applied her expertise in the law and commitment to the administration of justice and the independent, consistent, and impartial interpretation of the law through her participation as Adjunct Professor of the Law at the University of La Verne College of Law;

Whereas before her appointment to the bench, Judge Bellinger served our justice system with distinction, contributing to the resolution of legal issues for the people of Los Angeles as a deputy district attorney in the Los Angeles County District Attorney's Office (1984–1991), as assistant legal counsel for the Pomona-Claremont Bonita Unified School District (1983–1984), and as an attorney in private practice (1983); and

Whereas Judge Bellinger earned a juris doctorate from Whittier College School of Law in 1982 and was admitted to the State Bar of California;

Now, therefore, be it resolved that I, Tani Cantil-Sakauye, Chief Justice and Chair of the Judicial Council of California, do commend the achievements of Judge Martha E. Bellinger and express the gratitude of the judicial branch for her contributions to the promotion of public trust and confidence in the integrity and independence of the judiciary and for her application of the rule of law to protect the rights and liberties guaranteed for all Californians by the Constitution of our great state.

In witness whereof

I have hereunto set my hand this 31st day of July, 2011

Attest:

T. Cantil-Sakauye

TANI CANTIL-SAKAUYE
Chief Justice of California and
Chair of the Judicial Council of California

William C. Vickrey

WILLIAM C. VICKREY
Administrative Director of the Courts



JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

Resolution

— HONORING —

Hon. William J. Birney, Jr.

Whereas on the occasion of the retirement from the judiciary of Judge William J. Birney, Jr., of the Superior Court of California, County of Los Angeles after more than 23 years of public service to the State of California and the people of Los Angeles County, having provided justice in a fair, accessible, effective, and efficient manner while resolving disputes arising under the law;

Whereas Judge Birney has demonstrated true public service values throughout his career, adhering to the highest ethical standards, respecting the dignity and integrity of all people, and seeking solutions and honoring commitments while fostering open communication and mutual support for court clients, staff, members of the judicial branch, and justice system partners;

Whereas the California judicial branch is fortunate to have benefited from his distinguished service as a jurist since his appointment to the Superior Court by Governor George Deukmejian in 1988;

Whereas Judge Birney has been engaged in bringing about enhancements to the judicial branch and promoting the role of the judiciary through his participation as a member of the California Judges Association, American Bar Association, Los Angeles County Bar Association, and American Board of Trial Advocates;

Whereas Judge Birney earned a juris doctorate from the Southwestern University School of Law in 1960 and was admitted to the State Bar of California in 1961;

Whereas before his appointment to the bench, Judge Birney served our justice system with distinction, contributing to the resolution of legal issues for the people of Los Angeles County as a Deputy City Attorney (1961–1962), Deputy County Counsel (1962–1968), and General Counsel, Vons Grocery Company (1968–1988);

Now, therefore, be it resolved that I, Tani Cantil-Sakauye, Chief Justice and Chair of the Judicial Council of California, do commend the achievements of Judge William J. Birney, Jr., and express the gratitude of the judicial branch for his contributions to the promotion of public trust and confidence in the integrity and independence of the judiciary and for his application of the rule of law to protect the rights and liberties guaranteed for all Californians by the Constitution of our great state.

*In witness whereof
I have hereunto set my hand this 12th day of July, 2011*

Attest:

T. Cantil-Sakauye

TANI CANTIL-SAKAUYE
Chief Justice of California and
Chair of the Judicial Council of California

William C. Vickrey

WILLIAM C. VICKREY
Administrative Director of the Courts



JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

Resolution

— HONORING —

Hon. Stephen Thomas Kroyer

Whereas on the occasion of the retirement from the judiciary of Judge Stephen Thomas Kroyer of the Superior Court of California, County of Napa after more than 13 years of public service to the State of California and the people of Napa County, having provided justice in a fair, accessible, effective, and efficient manner while resolving disputes arising under the law;

Whereas the California judicial branch is fortunate to have benefited from his distinguished service as a jurist—since his appointment to the Municipal Court by Governor Pete Wilson in 1997, his elevation to the Superior Court in 1998, his subsequent election and reelection by the citizens of Napa County, and his judicial leadership as Assistant Presiding Judge in 2008 and Presiding Judge in 2010;

Whereas Judge Kroyer has participated in bringing about enhancements to the judicial branch and promoting the role of the judiciary through his participation as a member of the Judicial Council's Trial Court Presiding Judges Advisory Committee (2010–2011);

Whereas Judge Kroyer has applied his expertise in the law and demonstrated his commitment to the community through his service as a board member and president of the Volunteer Center of Napa Valley, as chair of the Napa County Family Violence Prevention Council; and as a member of the California Judges Association, the Napa County Bar Association, Napa County Women Lawyers, the Napa County Hispanic Network, the California Narcotic Officers' Association, and the Napa County Peace Officers Association;

Whereas before his appointment to the bench, Judge Kroyer served our justice system with distinction, contributing to the resolution of legal issues for the people of the State of California as Deputy District Attorney, Napa County District Attorney's Office (1979–1984 and 1985–1997); as a police officer, Napa Police Department (1984–1985); and as an attorney in private practice (1978–1979); and

Whereas Judge Kroyer earned a juris doctorate from Western State University College of Law in 1978 and was admitted to the State Bar of California;

Now, therefore, be it resolved that I, Tani Cantil-Sakauye, Chief Justice and Chair of the Judicial Council of California, do commend the achievements of Judge Stephen Thomas Kroyer and express the gratitude of the judicial branch for his contributions to the promotion of public trust and confidence in the integrity and independence of the judiciary and for his application of the rule of law to protect the rights and liberties guaranteed for all Californians by the Constitution of our great state.

In witness whereof

I have hereunto set my hand this 27th day of June, 2011

Attest:

TANI CANTIL-SAKAUYE
Chief Justice of California and
Chair of the Judicial Council of California

WILLIAM VICKREY
Administrative Director of the Courts



JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

Resolution

—HONORING—

Hon. Kevin J. Murphy

Whereas on the occasion of the retirement from the judiciary of Judge Kevin J. Murphy of the Superior Court of California, County of Santa Clara after 28 years of public service to the State of California and the people of Santa Clara County, having provided justice in a fair, accessible, effective, and efficient manner while resolving disputes arising under the law;

Whereas Judge Murphy has throughout his career demonstrated true public service values, adhering to the highest ethical standards, respecting the dignity and integrity of all people, and seeking solutions and honoring commitments while fostering open communication and mutual support for court clients, staff, members of the judicial branch, and justice system partners;

Whereas the California judicial branch is fortunate to have benefited from his distinguished service as a jurist—since his election to the Municipal Court in 1982, his appointment by Governor George Deukmejian in 1989, and his subsequent election and reelection by the citizens of Santa Clara County;

Whereas Judge Murphy has applied his expertise in the law and commitment to the administration of justice and the independent, consistent, and impartial interpretation of the law through his extensive service as a professor at De Anza College (1977–present), a professor in the Santa Clara University Paralegal Program (1986–1999), and an adjunct member of the Santa Clara University School of Law (1999–present);

Whereas before his appointment to the bench, Judge Murphy served our justice system with distinction, contributing to the resolution of legal issues for the people of Santa Clara County as Deputy District Attorney, County of Santa Clara Office of the District Attorney (1973–1983); and

Whereas Judge Murphy earned a juris doctorate from the University of California, Los Angeles, School of Law in 1973 and was admitted to the State Bar of California;

Now, therefore, be it resolved that I, Tani Cantil-Sakauye, Chief Justice and Chair of the Judicial Council of California, do commend the achievements of Judge Murphy and express the gratitude of the judicial branch for his contributions to the promotion of public trust and confidence in the integrity and independence of the judiciary and for his application of the rule of law to protect the rights and liberties guaranteed for all Californians by the Constitution of our great state.

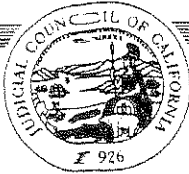
In witness whereof

I have hereunto set my hand this 27th day of June, 2011

Attest:

TANI CANTIL-SAKAUYE
Chief Justice of California and
Chair of the Judicial Council of California

WILLIAM C. VICKREY
Administrative Director of the Courts



JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

Resolution

—HONORING—

Hon. Michael J. Naughton

Whereas on the occasion of the retirement from the judiciary of Judge Michael J. Naughton of the Superior Court of California, County of Orange after more than 10 years of public service to the State of California and the people of Orange County, having provided justice in a fair, accessible, effective, and efficient manner while resolving disputes arising under the law;

Whereas the California judicial branch is fortunate to have benefited from his distinguished service as a jurist—since his appointment to the Municipal Court by Governor Edmund G. Brown, Jr., in 1978; his appointment to the Superior Court by Governor Gray Davis in 2002; and his subsequent election and reelection by the citizens of Orange County;

Whereas Judge Naughton has been engaged in bringing about enhancements to the judicial branch and promoting the role of the judiciary through his participation as president of the Family Law Institute and Continuing Judicial Studies Program of the Administrative Office of the Courts (2004–2007) and as a member of the Orange County Bar Association's Family Law Section (1994–1999), where he held the offices of president, vice-president, treasurer, and secretary;

Whereas Judge Naughton has been recognized by our justice system partners for his service, innovation, and commitment to the judiciary as a recipient of the 2006 J.E.T. Rutter Award for Outstanding Contributions as a Jurist from the Orange County Bar Association and the 2007 Orange County Family Law Jurist of the Year Award from the American Academy of Matrimonial Lawyers;

Whereas before his appointments to the bench, Judge Naughton served our justice system with distinction, contributing to the resolution of legal issues as an attorney in private practice (1969–1978 and 1979–2002) and as a staff judge advocate in the U.S. Marine Corps (1965–1969); and

Whereas Judge Naughton earned a juris doctorate from the De Paul University College of Law in 1965 and was admitted to the State Bar of California in 1969;

Now, therefore, be it resolved that I, Tani Cantil-Sakauye, Chief Justice and Chair of the Judicial Council of California, do commend the achievements of Judge Michael J. Naughton and express the gratitude of the judicial branch for his contributions to the promotion of public trust and confidence in the integrity and independence of the judiciary and for his application of the rule of law to protect the rights and liberties guaranteed for all Californians by the Constitution of our great state.

In witness whereof

I have hereunto set my hand this fifth day of August, 2011

Attest:

T. Cantil-Sakauye

TANI CANTIL-SAKAUYE
Chief Justice of California and
Chair of the Judicial Council of California

WILLIAM C. VICKREY
Administrative Director of the Courts

**Judicial Council of California
CCMS Internal Committee
July 18, 2011, 5:00 p.m. – 6:00 p.m.
Conference Call**

Members Participating: Justice Harry E. Hull, Jr.; Judges Stephen H. Baker, James E. Herman, Ira R. Kaufman, Teri L. Jackson, and David S. Wesley; and Ms. Edith R. Matthai, Mr. James N. Penrod, and Ms. Kim Turner

Member Absent: Mr. Michael M. Roddy

AOC Members Participating: Ms. Nancy Carlisle, Mr. Steven Chang, Mr. Kenneth L. Kann, Mr. Mark A. Moore, Mr. Ronald G. Overholt, and Ms. Virginia Sanders-Hind

Minutes

The committee reviewed and approved the minutes of the committee's meeting on June 21, 2011.

Background on Trial Court Budget Working Group Recommendations for CCMS Deployment
AOC staff summarized and the committee discussed options presented at the July 13 Trial Court Budget Working Group meeting to develop recommendations for allocating branch budget reductions.

CCMS Internal Committee Recommendations to the Judicial Council

The committee formulated its recommendation on the transfer of CCMS funding in response to the Trial Court Budget Working Group's budget recommendations, for presentation at the Judicial Council business meeting on July 22, 2011.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ronald G. Overholt', written in a cursive style.

Ronald G. Overholt
Chief Deputy Director

**JUDICIAL COUNCIL OF CALIFORNIA
POLICY COORDINATION AND LIAISON COMMITTEE**

**Conference Call Meeting
July 20, 2011
Summary Minutes of Meeting**

Policy Coordination and Liaison Committee members present: Hon. Marvin R. Baxter, Chair; Hon. James E. Herman, Vice-Chair; Hon. Judith Meisels Ashmann-Gerst; Hon. Sharon J. Waters; Ms. Miriam Krinsky; and Mr. Michael M. Roddy.

Policy Coordination and Liaison Committee members absent: Hon. Keith D. Davis; Hon. Terry B. Friedman (Ret.); Hon. Winifred Younge Smith; and Ms. Edith R. Matthai.

OGA staff present: Mr. Curtis Child, Ms. Donna Hershkowitz, Ms. June Clark, Mr. Daniel Pone, and Ms. Monica LeBlond.

ACTION ITEMS

1. Approval of minutes

The minutes of the June 15, 2011, and the June 29, 2011, conference calls were approved as submitted.

2. Consent Item

N/A

3. Discussion Item

N/A

4. Informational Item

a) Budget update

Curtis Child provided an update on meetings with and preliminary reactions of key legislative staff regarding the recommendations of the Trial Court Budget Working Group that would be presented to the Judicial Council on July 22, 2011. **PCLC Action:** Adopt the Administrative Presiding Justices Advisory Committee recommendation to create a responsive filing fee of \$325 for appeals, and urge the Governor to sign Assembly Bill 110 (Blumenfield).

Respectfully submitted,

Curtis L. Child, Director
Office of Governmental Affairs
Administrative Office of the Courts