

Judicial Council of California
Executive and Planning Committee Meeting Minutes
August 13, 2008, 10:30 a.m.—4:30 p.m.
Judicial Council Conference Center, Golden Gate Room

Members Participating: Justices Richard D. Huffman and Brad R. Hill; Judges Terry B. Friedman, Carolyn B. Kuhl, Dennis E. Murray and Nancy Wieben Stock; Commissioner Ronald E. Albers; Mr. Raymond G. Aragon and Ms. Sharol Strickland.

Members Absent: N/A

Staff Participating: Mr. Dennis Blanchard, Ms. Donna Clay-Conti, Ms. Kim Davis (by telephone), Mr. Ruben Gomez, Mr. Kenneth L. Kann, Ms. Maria Kwan, Mr. Dag MacLeod, Mr. Stephen H. Nash, Mr. Ronald G. Overholt, Ms. Chris Patton, Ms. Rona Rothenberg, Ms. Nancy E. Spero, Mr. Frank Tang, and Mr. William Vickrey.

Minutes

The committee reviewed and approved the minutes of its July 23, 2008, and August 7, 2008, E&P meetings.

Agenda Setting for the August 15, 2008, Judicial Council Meeting

The committee reviewed reports and further set the agenda for the August 15, 2008, Judicial Council business meeting.

Advisory Committees Nominations

The committee reviewed materials and made recommendations to be sent to the Chief Justice regarding advisory committee vacancies.

Conversion of Subordinate Judicial Officer (SJO) Positions in Superior Court of Los Angeles, Riverside, and Solano Counties

The Superior Court of Los Angeles County notified AOC staff that two SJO positions, subsequent to those considered by E&P by email vote on August 6, 2008, have become vacant and requested that these be confirmed converted. The Superior Court of Riverside County requested that a commissioner position expected to be vacated on November 6, 2008, not be converted.

The committee confirmed the conversion of the two positions in Los Angeles. It also denied the request from Riverside, confirming that position for conversion conditional on the passage of the Budget Act of 2008-2009 with authorization to convert SJO positions to judgeships.

The committee considered the request of the Solano court to convert one position, as circulated for email vote on August 6. The committee confirmed the conversion of the Solano position, also subject to SJO conversion authorization with the passage of the Budget Act of 2008-2009.

The committee authorized the Los Angeles, Riverside, and Solano courts to fill these vacant SJO positions with temporary commissioners until the naming and swearing in of judges for those positions.

Special Funds Briefing

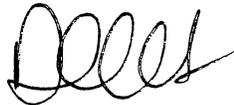
The committee was briefed by staff regarding the condition of the special funds as of the end of fiscal year 2007-08.

Court Appointed Special Advocate (CASA) Grants Program

Under authority delegated by the Judicial Council to E&P at its February 9, 1999, meeting, the committee approved the recommendations of staff, subject to the passage of this year's budget act with sufficient funding to meet these continued allocations:

1. To continue the fiscal year 2007-2008 Judicial Council CASA grant allocations to all operating CASA programs;
2. To continue the fiscal year 2007-2008 allocation of funds for the development grant for one court planning to implement a CASA program;
3. Continue the fiscal year 2007-2008 allocation of funds for technical support of the CASA program data reporting network; and if received;
4. Allocate any 2008-2009 SAL increase to existing programs' funding awards.

Respectfully submitted,



Ronald G. Overholt
Chief Deputy Director

Judicial Council of California
Executive and Planning Committee Meeting Minutes
October 1, 2008, 11:45 a.m.—1:00 p.m.
Conference Call

Members Participating: Justice Richard D. Huffman; Judges Peter P. Espinoza, Thomas M. Maddock, Winifred Younge Smith, Kenneth K. So, and J. Michael Welch; and Mr. Michael D. Planet.

Members Absent: Mr. Raymond G. Aragon

Staff Participating: Mr. Dennis Blanchard, Mr. Robert Emerson, Mr. Ronald G. Overholt, Ms. Jody Patel, Ms. Kelly Quinn, Ms. Nancy E. Spero, Mr. William Vickrey, and Mr. Lee Willoughby.

Introduction and Orientation

Justice Richard D. Huffman, Chair, welcomed and briefly oriented the new members.

Briefing Regarding Judicial Council October 23, 2008, Issues Meeting

Regional Administrative Director Jody Patel briefed the committee regarding the October 23, 2008, issues meeting which is being planned to occur at the Northern Central Regional Office, to present on-site information about the judicial branch's Phoenix financial and human resources systems as well as the analogous statewide executive branch financial projects, 21st Century and FisCal.

Briefing Regarding Pending Facilities Policy Issues

Staff from the AOC Office of Court Construction and Management briefed the committee regarding facilities policies reports coming to the council for decision at its October 24, 2008, business meeting. Under the rules of court, the Executive and Planning committee oversees the development of the council's policies and procedures regarding court facilities.

Respectfully submitted,



Ronald G. Overholt
Chief Deputy Director

Judicial Council of California
Executive and Planning Committee Meeting Minutes
October 6, 2008, 12:00 p.m.—1:00 p.m.
Conference Call

Members Participating: Justice Richard D. Huffman; Judges Peter P. Espinoza, Thomas M. Maddock, Winifred Younge Smith, Kenneth K. So, and J. Michael Welch; and Mr. Raymond G. Aragon and Mr. Michael D. Planet.

Members Absent: none

Staff Participating: Ms. Mara Bernstein, Mr. Dennis Blanchard, Ms. Debbie Brown, Ms. Charlene Depner, Mr. Robert Emerson, Mr. Bob Fleshman, Mr. Malcolm Franklin, Mr. Michael Giden, Ms. Bonnie Hough, Mr. Kenneth Kann, Mr. Dag MacLeod, Ms. Angela McIsaac, Ms. Susan McMullan, Ms. Ruth McCreight, Mr. Douglas C. Miller, Mr. Stephen Nash, Mr. Ronald Overholt, Ms. Kelly Quinn, Ms. Anne Ronan, Ms. Nancy Spero, Ms. Sonya Tafoya, Mr. William Vickrey, Mr. Alan Wiener, and Mr. Lee Willoughby.

Minutes

The committee reviewed and approved the August 5, 2008, and August 6, 2008, E&P meeting minutes.

October 10, 2008, Judicial Council business meeting

AOC staff briefed members of the Executive and Planning Committee on the development of recommendations for trial court funding allocations for fiscal year 2008-2009 coming to the council at its October 10 special meeting. Staff projected that the report would be forwarded to E&P for agenda setting purposes later this day or on the next day. The committee set a meeting for noon, Wednesday, October 8, to review the report and to set the October 10 business meeting agenda.

Agenda setting for the October 24, 2008, Judicial Council Meeting

The committee reviewed reports and set the agenda for the October 24 Judicial Council business meeting.

Conversion of SJO Position in Superior Court of Orange County

The committee confirmed effective immediately the conversion of a vacant SJO position to a judicial position in the Superior Court of Orange County. The committee also approved filling that position with a retired commissioner, should the court choose to do so, pending the naming and swearing in of a judge for that position.

Nominations

The committee reviewed materials and made a recommendation to be sent to the Chief Justice regarding a vacancy on the Court Technology Advisory Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Overholt', with a long horizontal stroke extending to the right.

Ronald G. Overholt
Chief Deputy Director

Judicial Council of California
Executive and Planning Committee Meeting Minutes
October 8, 2008, 12:00 p.m.—12:15 p.m.
Conference Call

Members Participating: Justice Richard D. Huffman; Judges Peter P. Espinoza, Winifred Younge Smith, Kenneth K. So, and J. Michael Welch; and Mr. Raymond G. Aragon and Mr. Michael D. Planet.

Members Absent: Judge Thomas M. Maddock

Staff Participating: Mr. Dennis Blanchard, Mr. Bob Fleshman, Mr. Ruben Gomez, Mr. Kenneth Kann, Ms. Angela McIsaac, Ms. Vicki Muzny, Mr. Stephen Nash, Mr. Ronald Overholt, and Ms. Nancy Spero.

Agenda Setting for the October 10, 2008, Judicial Council Meeting

The committee reviewed the report and set the agenda for the October 10 business meeting.

Agenda setting for the October 24, 2008, Judicial Council Meeting

The committee further set the agenda for the October 24 Judicial Council business meeting.

Respectfully submitted,



Ronald G. Overholt
Chief Deputy Director

Judicial Council of California
Executive and Planning Committee Meeting Minutes
October 10, 2008, 10:30 a.m.—10:45 a.m.
Judicial Council Conference Center, Golden Gate Room

Members Participating: Justice Richard D. Huffman; Judges Peter P. Espinoza, Thomas M. Maddock, Kenneth K. So, and J. Michael Welch; and Mr. Raymond G. Aragon and Mr. Michael D. Planet.

Members Absent: Judge Winifred Younge Smith

Staff Participating: Mr. Dennis Blanchard, Ms. Donna Hershkowitz, Mr. Kenneth Kann, Mr. Dag MacLeod, Ms. Angela McIsaac, Mr. Ronald Overholt, and Ms. Nancy Spero.

Agenda setting for the October 24, 2008, Judicial Council Meeting

The committee further set the agenda for the October 24 Judicial Council business meeting.

Respectfully submitted,



Ronald G. Overholt
Chief Deputy Director

Judicial Council of California
Executive and Planning Committee
October 20, 2008
Proposal Circulated by E-mail on October 17, 2008

Members Voting: Justice Richard D. Huffman; Judges Thomas M. Maddock, Winifred Young Smith, Kenneth K. So, and James Michael Welch; and Mr. Michael D. Planet and Mr. Raymond G. Aragon.

Members Not Voting: Judge Peter Paul Espinoza

Staff Participating: Ms. Nancy E. Spero

Agenda setting for the October 24, 2008, Judicial Council Meeting

The committee reviewed the Item F report and approved it as ready for the October 24 Judicial Council business meeting.

Nominations

The committee reviewed materials and made a recommendation to be sent to the Chief Justice regarding a vacancy on the Civil and Small Claims Advisory Committee.

Respectfully submitted,



Ronald G. Overholt
Chief Deputy Director

Judicial Council of California
Executive and Planning Committee Meeting Minutes
November 17, 2008, 12:00 p.m.—12:30 p.m.
Conference Call

Members Participating: Justice Richard D. Huffman; Judges Peter P. Espinoza, Thomas M. Maddock, and Winifred Younge Smith; and Mr. Raymond G. Aragon and Mr. Michael D. Planet.

Members Absent: Judges Kenneth K. So and J. Michael Welch

Staff Participating: Ms. Debbie Brown, Mr. Curt Child, Ms. Charlene Depner, Mr. Ruben Gomez, Ms. Bonnie Hough, Mr. Kenneth Kann, Mr. Dag MacLeod, Ms. Angela McIsaac, Ms. Susan McMullan, Mr. Douglas C. Miller, Mr. Stephen Nash, Ms. Christine Patton, Mr. Ronald Overholt, Ms. Nancy Spero, and Mr. William Vickrey.

Minutes

The committee reviewed and approved the August 13, 2008, October 1, 2008, October 6, 2008, October 8, 2008, and October 10, 2008, E&P meeting minutes.

Agenda setting for the December 9, 2008, Judicial Council Meeting

The committee reviewed reports and set the agenda for the December 9 Judicial Council business meeting.

SJO Conversions

The committee confirmed effective immediately the conversion of one vacant SJO position to a judicial position in the Superior Court of Orange County and another such position in the Superior Court of Los Angeles County. The committee also confirmed effective December 26, 2008, the conversion of a position anticipated to become vacant in the Superior Court of Merced County. The committee approved the filling of these positions with retired commissioners, should the courts choose to do so, pending the naming and swearing in of a judge for those positions. With these three conversions, there remain only two more SJO positions which the legislature has authorized to be converted in fiscal year 2008-2009.

The committee voted to approve the Los Angeles court's request for an exception to the conversion of two other presently vacant SJO positions. The committee did so with the understanding that the Los Angeles court will have two more vacant SJO positions eligible for conversion later this fiscal year. The committee also voted to approve the request from the Superior Court of San Diego that the three SJO vacancies which it anticipates by the end of this fiscal year not be converted. To date, including the most recent conversions, the Los Angeles court has had 7 out of 78 eligible SJO positions converted and the San Diego court has had 2 out of 7 eligible SJO positions converted.

Judicial Council Issues Meetings

The committee reviewed the results of a survey of 2008-2009 members regarding issues meetings topics and provided staff with their ideas, priorities, and direction. The committee directed staff to develop issues meetings topics for future council meetings and to consult with the committee regarding specific topics as a meeting approaches.

2009 E&P Meeting Dates

The committee reviewed and set meeting dates for 2009.

Respectfully submitted,



Ronald G. Overholt
Chief Deputy Director

Judicial Council of California
Executive and Planning Committee Meeting Minutes
December 2, 2008, 12:00 p.m.—12:05 p.m.
Conference Call

Members Participating: Justice Richard D. Huffman; Judges Peter P. Espinoza, Thomas M. Maddock, Kenneth K. So, and J. Michael Welch; and Mr. Raymond G. Aragon and Mr. Michael D. Planet.

Members Absent: Judge Winifred Younge Smith

Staff Participating: Mr. Dennis Blanchard, Mr. Stephen Chang, Mr. Ruben Gomez, Mr. Kenneth Kann, Mr. Stephen Nash, Ms. Nancy Spero, and Mr. Frank Tang.

Minutes

The committee reviewed and approved the November 17, 2008, E&P meeting minutes.

Agenda setting for the December 9, 2008, Judicial Council Meeting

The committee reviewed one report and further set the agenda for the December 9 Judicial Council business meeting.

Respectfully submitted,



Kenneth L. Kann
Director, Executive Office Programs Division

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

**Conference Call Meeting
July 31, 2008 – 4:30 p.m.**

Summary Minutes of Meeting

Policy Coordination and Liaison Committee members present: Hon. Marvin R. Baxter, Chair; Hon. Barbara J. Miller, Vice-Chair; Hon. Ira R. Kaufman; Hon. Charles W. McCoy, Jr.; Mr. Anthony P. Capozzi; Mr. Thomas V. Girardi; and Mr. Michael M. Roddy.

Policy Coordination and Liaison Committee members absent: Ms. Barbara Parker

Other Participants Present: Hon. Eileen Moore, Chair, Rules and Projects Committee; Hon. Raymond J. Ikola, Legislative Subcommittee of the Appellate Advisory Committee; Hon. Hilary A. Chittick, Joint Legislation Working Group of the Trial Court Presiding Judges and Court Executives Advisory Committees; and Hon. Dennis E Murray, Vice-Chair, Executive and Planning Committee.

OGA staff present: Mr. Curtis Child, Ms. Donna Hershkowitz, Ms. Tracy Kenny, Mr. Janus Norman, Mr. Henry Sepulveda, and Ms. Yvette Trevino.

ACTION ITEMS

1. Approval of minutes

The minutes of the July 10, 2008, conference call were approved as submitted.

2. Consent Item

Action on Pending Legislation:

- a) AB 545 (Walters), as proposed to be amended – Judicial retirement: military service credit

Amends the Judges' Retirement System II (JRS II) statute to allow a judge who is on leave from the bench because of active duty service in the military to elect to purchase retirement service credit by repaying his or her missed contributions to JRS II.

PCLC Action: Support

3. Discussion Items

Action on Pending Legislation:

- a) AB 2379 (Evans), as amended July 10, 2008 – Court records: appeal

Provides that an appeal from an order granting or denying a motion to seal or unseal a court record may be made by filing an extraordinary writ petition or notice of appeal. If a party or intervenor seeks an appeal, the bill requires that

the record relating to the matter and the opening brief be filed within 30 days of notice of entry of the trial court's order. It further requires the respondent to file the respondent's brief within 30 days of the filing of the opening brief, and permits 15 additional days for any reply brief. Once the appellant notifies the court that briefing has been completed, AB 2379 requires the clerk of the reviewing court to set the appeal for a hearing on the first available court date.

PCLC Action: Oppose

Proposal for Judicial Council-Sponsored Legislation:

- b) **AB 3050 (Jones), as proposed to be amended – Legal aid: court interpreters**
Requires the Judicial Council to establish a working group to identify and develop best practices to expand the use of interpreters in civil proceedings. Requires the Judicial Council to implement a three-year pilot project to provide interpreters in civil proceedings, in up to five courts, to implement the best practices identified by the working group to create models for providing interpreters in all civil matters statewide.

Requires that the Judicial Council enter into one or more master agreements to provide for uniformity in the fees charged for telephonic appearances in civil cases and provides that funding from this source will provide the revenue for the interpreter pilot project.

PCLC Action: Approved interpreter pilot project for Judicial Council sponsorship; no position on legal aid provisions.

OTHER BUSINESS

Confirm next PCLC conference call:

Proposed date: August 21, 2008

Respectfully submitted,

Curtis L. Child, Director
Office of Governmental Affairs