



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
June 25, 2010	For Your Information
To	Deadline
Members of the Judicial Council	N/A
From	Contact
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Subject	
Report on Activities of the Administrative Office of the Courts	

The following information outlines some of the many activities taking place to further the Judicial Council's goals and agenda for the judicial branch. (It does not address issues on which the council has been briefed through other information sources.)

Issues and activities highlighted include the following:

- Judicial Council-Sponsored Legislation/Legislative Issues (*p. 2*)
- Appointment by the Chief Justice of Tribal/State Court Coalition (*p. 3 & 14*)
- JusticeCorps Receives \$3 Million Grant and National Recognition Award (*p. 4 & 15*)
- Juvenile Dependency Contract Increases Representation and Decreases Costs (*p. 3 & 14*)
- Recovery Act Project on Domestic Violence (*p.4*)
- Administrative Infrastructure Initiatives (*p. 6 & 15*)
- Judicial Appointments and Vacancies (*p. 3 & 27*)
- Advisory Committees, Task Forces, and Working Groups (*p. 9 & 12*)
- Education Programs for Judges and Court Personnel, including 20th Anniversary Conference of Beyond the Bench (*p. 9 & 19*)
- *Attachment:* Judicial Council Policy Coordination and Liaison Committee Action on 2010 Legislation and Status of Bills

SUMMARY

* Please note: Page numbers next to summary items reference more detailed information.

Legislation/Issues

Following is a list Judicial Council-sponsored bills:

Juvenile Court Costs, AB 1229 (Evans): Clarifies provisions enacted in AB 131 (Stats. 2009, ch. 413), which authorized the courts to collect reimbursements from parents for attorneys costs in dependency proceedings. The bill would allow courts to designate staff to serve as financial evaluation officers without the agreement of the county.

Status: Passed out of the Senate Judiciary Committee on June 10, and will next be heard by the Senate Appropriations Committee on June 28.

Modernizing Trial Court Records, AB 1926 (Evans): Authorizes courts to create, maintain, and preserve records in any form—including paper, optical, electronic, magnetic, micrographic, photographic media—that satisfies standards or guidelines. The bill requires the Judicial Council to adopt rules of court to establish the guidelines or standards. The amended statutes would not apply to court reporters' transcripts or electronic recordings made as the official record of oral proceedings.

Status: Will be heard in the Senate Judiciary Committee on June 29.

Escheat, AB 2767 (Committee on Judiciary): Among other things: (1) Clarifies the disposition of unclaimed victim restitution money held by the superior court; and (2) adjusts, from 2010 to 2013, the date on which the Judicial Council is required to submit the first report to the Legislature regarding increased dollar amounts for homestead exemptions.

Status: The bill passed the Assembly and will be heard in the Senate Appropriations Committee on June 28.

E-Service, SB 1274 (Committee on Judiciary): Authorizes service by electronic notification by defining electronic service to include both electronic transmission and electronic notification. The bill also explicitly authorizes electronic service of all types of documents and expands the courts ability to serve certain documents electronically.

Status: On the Assembly Floor.

Judicial Branch Report to the Legislature: The following report was submitted to the Legislature since the last Judicial Council meeting: *Notification of Vacancies and Allocation of Conversion of Subordinate Judicial Officer Positions as Required Under Government Code Section 69615* (May 2010). As a result of 16 conversions in fiscal year 2007–2008, 2008–2009,

and 2009–2010, along with the 12 conversions already tentatively approved for fiscal year 2010–2011, 5 of the 25 courts designated for conversions have converted all of their eligible positions to judgeships, leaving 20 courts and 102 subordinate judicial officer positions remaining to be converted. (Reports are routinely posted to the California Courts public Web site under the Reference section.)

Bench-Bar Coalition: Coalition members are making “Day in the District” constituent visits to their legislators’ district offices during May and June to support the proposed fiscal year 2010–2011 judicial branch budget package and share perspectives on the impact of budget reductions on local trial court operations.

Liaison Meetings Conducted by the Chief Justice: The Chief Justice and AOC leadership hosted liaison meetings with the State Bar and the California State Sheriffs’ Association.

Chief Justice Appoints Tribal/State Court Coalition: A new coalition charged with developing measures to improve working relationships between California’s tribal and state courts has been appointed by the Chief Justice. Judicial Council member Justice Richard D. Huffman is the co-chair. Members include chairs of several Judicial Council advisory committees. The coalition will make recommendations on such areas as enforcement of protective orders and judgments (*page 14*).

New Judgeships and Vacancies (*Page 27*):

- Six new judicial appointments were made by the Governor: Orange (2); Riverside (1); Sonoma (1); and Ventura (2).
- Currently, there are 49 trial court judicial vacancies and 4 appellate court vacancies.

Voluntary Salary Waiver Program: In May, 692 days of compensation were waived by 692 judges participating in the voluntary salary waiver program. (Figures do not include additional days donated.) Many other judges contribute to local non-profit funds to support the justice system (e.g., nearly all judges in Los Angeles contribute a day of compensation each month to a local fund).

New Contract for Juvenile Dependency Representation in San Diego Courts Increases Representation and Reduces Costs: A newly formed non-profit organization, Dependency Legal Group of San Diego, was selected to provide court appointed juvenile dependency representation in the superior court of San Diego County, providing a 53 percent increase in attorney representation, almost doubling the number of investigators, and saving \$2 million over three years (*page 14*).

Rose Bird Memorial Award Presented to Solano Judge: The California Women Lawyers association presented Hon. Ramona Joyce Garrett of the Superior Court of Solano County with its prestigious Rose Bird Memorial Award. The award honors judges for judicial excellence, public service, and inspiration to women lawyers. Judge Garrett has served the Judicial Council as a member of the Trial Court Presiding Judges Advisory Committee, the Trial Court Budget Working Group, and the Working Group on Judicial Pay and Benefits.

JusticeCorps Receives \$3 Million Grant and National Award:

- The Corporation for National and Community Service announced awards for 2010–2011 competitive AmeriCorps grants. California's JusticeCorps program's application for just over \$1 million per year for three years was approved. Previously, the program has been funded at the state level by California Volunteers, an agency of the Governor's Office. This expansion makes JusticeCorps one of the largest AmeriCorps programs in the state (*page 15*).
- The National Center for State Courts has announced that the California JusticeCorps program has been selected to receive a Justice Achievement Award from the National Association for Court Management.

Calendaring and Caseflow Management: The AOC received a grant from the State Justice Institute to help a limited number of juvenile courts improve their calendaring and caseflow management practices. The last of the project's four site visits was held in Fresno County. Superior Courts of Placer, San Bernardino, and Yolo Counties also are participating.

Recovery Act Projects: The Promising Practices Outreach Project, funded by the American Recovery and Reinvestment Act of 2009, has selected four courts to receive technical assistance and funding to identify and implement promising practices and procedures in domestic violence cases. Courts participating in the project are Santa Clara, Napa, Inyo, and Tulare. Areas of focus include juvenile restraining orders, teen-dating violence, self-help assistance for Native American litigants, and on-line directories for promising practices.

Community Corrections Program:

- *Parolee Reentry Courts:* The seven pilot courts were selected by the California Emergency Management Agency: Alameda, Los Angeles, Orange, San Diego, San Francisco, San Joaquin, and Santa Clara.
- *California Risk Assessment Pilot Project:* Two trainings were held for 70 participants from the three court sites: Napa, San Francisco, and Santa Cruz.
- *Evidence-Based Probation Supervision:* Evidence-based practice plans for all 58 counties were reviewed.

Judges, Courts, and the Law—First Amendment Cartoon Contest: The AOC, in collaboration with the Constitutional Rights Foundation, launched a First Amendment Cartoon contest to promote student understanding of the United States Constitution and the Bill of Rights. On Law Day, May 1, 2010, student winners were announced from among more than 850 submissions. Winners were selected at each grade span for a total of six top prizes and 30 honorable mentions. Winning artwork from elementary through high school students may be viewed on the website www.courtsed.org.

Juror Appreciation Week: The second full week in May was established as Juror Appreciation Week by the California Legislature in 1998. Each year, the AOC develops materials to support the courts' efforts to recognize the contribution of jurors. This year, the AOC provided a certificate of special recognition for jurors signed by the Chief Justice, a civics matching game to test prospective jurors' knowledge of law and government, and a word search puzzle of key jury-related terms.

Presiding Judges and Executive Officers Regional Meetings: The AOC sponsors quarterly regional meetings that offer judicial branch leaders an opportunity to plan and discuss topics of interest to their courts. Common topics included:

- Legislative and budget updates by AOC executives
- Interstate Corrections Compact for the Supervision of Adult Offenders
- Court discussion on the impacts of budget reductions and innovative ways courts are handling the reductions
- Office of Emergency Response and Security update
- Audit governance update

Bay Area/Northern Coastal Region: 14 of 16 courts in the region attended. Region specific topics included: Assigned judges program update; Judicial Administration Certificate Program, San Jose City College; and Judicial Council forms in foreign languages.

Northern/Central Region: 29 of 31 courts in the region attended. Topics included: Statewide trends in labor negotiations.

Southern Region: All 11 trial courts in the region attended. Topics included: California Department of Child Support Services proposal to assume responsibility for establishing and modifying child support orders.

Recommendation on No New Languages for Interpretation: The Court Interpreter's Advisory Panel discussed the findings and recommendations of the 2010 study on *Language Use and Interpreter Need in California Courts*. Based on the findings, the panel did not recommend any new languages for designation. (There are currently 12 certified languages.) The Legislature

requires the Judicial Council to conduct this study every five years and to consider its findings when making policy decisions such as targeted recruitment, or designating a language for inclusion in the certification process.

Labor and Employee Relations: At the courts' request, AOC human resources staff represented seven courts in union negotiations to obtain budget relief for fiscal year 2010–2011; represented six courts in negotiations on memoranda of understandings (MOUs); and assisted 34 more courts on a range of labor and employee relations issues (*page 15*).

Judicial Branch Internal Audits:

- A request for comments on recommendations concerning the governance of the Judicial Branch Audit Program was sent to presiding judges and executive officers. Comments received, as well as discussions and informational exchanges at both regional and court leadership meetings, will be compiled for a report to the Judicial Council in August.
- Additionally, a regular cycle comprehensive audit was initiated in the Superior Court of Shasta County, and monthly reports were issued on the Independent Project Oversight and Verification and Validation for the California Court Case Management System development project.

Court Appointed Special Advocates (CASA): AOC staff conducted evaluations of CASA programs in Kern, Tulare, and San Bernardino Counties to ensure compliance with California Rules of Court and National CASA Standards.

Administrative Infrastructure Initiatives

Facilities (*Page 15*):

Transfers:

- The State Public Works Board approved the transfer of title submittals for the Cameron Park (El Dorado County), and Compton and El Monte courthouse and parking structure (Los Angeles County).
- Deeds were recorded for three courthouses in Los Angeles County: West Los Angeles; Torrance; and Metropolitan.

Implementation of Senate Bill 1732: The grand opening of the **Plumas-Sierra courthouse** was held June 10. This is the first trial court project completed start-to-finish by the AOC, and the first multijurisdictional courthouse in the state. The project was completed on budget and eight months ahead of schedule.

Implementation of Senate Bill 1407 (Courthouse Construction Bond Bill):

- The Solano County Board of Supervisors unanimously approved the donation of the “**Old Solano County Courthouse**” to the AOC to be renovated in the state capital-outlay program for re-occupancy as a civil courthouse. This concluded a 10-year effort by the court to recover the building for court use. The building was constructed as a courthouse in 1911, abandoned in the 70’s, and used until 2005 as a county administration building.
- The State Public Works Board authorized a further six new courthouse projects, bringing the total of authorized projects for fiscal year 2009–2010 to 37. Kickoff meetings were held for four projects: Alpine–Markleeville courthouse; Plumas–Quincy courthouse; Sierra–Downieville courthouse; and Kern–Mojave courthouse.

Capital Projects:

- ***In site selection/acquisition:*** 35 projects, total value of \$4 billion. The AOC is working with many counties and cities that have offered equity swaps, exchanges, and property donations for siting these projects.
- ***In design:*** 12 projects, total value of over \$1.6 billion.
- ***In construction:*** 3 projects, total value of over \$157 million.
- ***In planning:*** 3 projects. Staff prepared and submitted funding requests for the remaining projects for submission and approval by July 2010.
- ***Other:*** 1 project. Funding as a facility modification project to be requested in fiscal year 2010–2011.

State Public Works Board Approval: The board authorized site selections for three projects:

- New Hanford courthouse, Kings County (the court’s preferred site)
- Oregon/Yuba site for the new Redding courthouse, Shasta County
- Ardmore Site for the new Southeast Los Angeles courthouse

The new San Andreas courthouse, Calaveras County, was approved for preliminary plans.

Performance-Based Infrastructure Project for New Long Beach Court Building: The preferred proposal and AOC analysis for design and construction of the courthouse were submitted to the Department of Finance for review and approval. The preferred provider will be announced shortly.

Facility Modifications: These include repairs and renovations costing between \$1,000 and \$2 million.

- ***In progress:*** 419 active facility modifications at a value of \$39 million.

Technology (Page 16):

Case Management Systems

California Court Case Management System: The courts, AOC, and Deloitte Consulting continue the validation of the CCMS core product. Preparation work for deploying CCMS to the early adopter courts is under way. All courts are live on the latest release of the Civil, Small Claims, Probate, and Mental Health (V3) product.

V2 Criminal and Traffic Case Management System: Implemented changes to support ABX8 3, to increase the DNA penalty under Government Code Section 76104.7, effective June 10, 2010.

Data Integration

Justice Partner Data Integration Project:

- Web service description language and schemas for all data exchanges were delivered by the CCMS vendor and posted to the AOC justice partner data integration Web site.
- San Luis Obispo and Ventura, CCMS early adopter courts, participated in justice partner data integration outreach meetings facilitated by the AOC.

Statewide Electronic Business Services-E-Filing: Deployed e-filing in the Superior Court of Orange County.

Pilot Program for Traffic e-Citation, e-Filing (eCitations): The AOC is leveraging the existing CCMS infrastructure and working with the CHP to deploy an electronic citation solution to four pilot courts. The requirements phase concluded in May; the design phase runs from April to July.

California Courts Protective Order Registry: With the goal of creating a centralized statewide repository for protective order information, the registry was deployed to the first two courts (Marin and Santa Cruz) in June; a total of 20 courts are scheduled to be deployed in 2010.

Infrastructure & Security

Technology Refresh Program: This project helps maintain court network standards and emerging network needs for new enterprise applications. Implementation of the technology "refresh" is under way for 41 courts; 51 courts will participate in the program.

Advisory Committees, Task Forces, and Working Groups (Page 12):

Advisory committees will hold only one in-person meeting per year until the fiscal situation improves. Other meetings will be convened using video- or audio-conferencing.

The following committees met since the Judicial Council's April meeting:

1. Appellate Indigent Defense Oversight Advisory Committee
2. Blue Ribbon Commission on Children in Foster Care
3. Center for Judicial Education and Research (CJER) Governing Committee
4. Collaborative Justice Courts Advisory Committee
5. Court Executives Advisory Committee and Conference of Court Executives
6. Criminal Jury Instructions Advisory Committee
7. Criminal Law Advisory Committee
8. Domestic Violence Practice and Procedure Task Force
9. Judicial Recruitment and Retention Working Group
10. Task Force for Criminal Justice Collaboration on Mental Issues
11. Trial Court Presiding Judges Advisory Committee

Education and Training Programs (Page 19):

Judicial Education

1. Attacks on Judgments—Family Law
2. Civil Expert Witnesses
3. Civil Harassment
4. Criminal Evidence Hot Topics and Jury Misconduct in Criminal Cases
5. Criminal Law Primary Assignment Orientation
6. Difficult Custody Modifications
7. Faculty Development Fundamentals
8. How To Effectively Serve Self-Represented Litigants (with disabilities)
9. How To Effectively Serve Jurors and Customers (with disabilities)
10. Institute for Court Management courses
11. Judicial Application of Domestic Violence Law
12. Judicial Ethics
13. Juvenile Court Ethics
14. Local Judicial Education Programming
15. Mental Health Issues in the Courts
16. New Judge Orientation
17. Orientation for Experienced Civil Law Judges
18. Qualifying Ethics Program

Judicial Officer, Court Employee, and Justice System Stakeholder Education

19. Access to Visitation Grant Program
20. Assistant Supervisors, for court leads and seniors
21. Beyond the Bench Conference
22. California Court Employee Code of Ethics, for appellate staff
23. California Risk Assessment Pilot Project training, for pilot courts in Napa, San Francisco, and Santa Cruz Counties
24. Core 40, for court managers and supervisors
25. Elder Access to the Courts
26. Evidence-Based Probation Supervision Program trainings for all probation departments in the state
27. Family Dispute Resolution Regional Training
28. Family Dispute Resolution "Train the Trainer" Course
29. Family Dispute Resolution – Webinar – Moveaways: the "End" or just the "Beginning?"
30. Neuroscience and the Psychology of Decision Making
31. Payroll, for court HR professionals
32. Processing Family and Medical Leaves, for court HR and payroll staff
33. Straus Institute 23rd Annual Summer Professional Skills Program in Dispute Resolution
34. Statewide Conference on Self-Represented Litigants
35. Tribal Court/State Court Operational Issues
36. Youth Court Summit

Broadcasts

37. Everyday Managing and Supervising: Felony Minute Orders, for managers and supervisors
38. Great Minds: The Science of Aging—Impact in Elder Abuse Cases, for judges
39. How a Rule of Court is Created, for court staff
40. Implementing Elkins Recommendations in Family Court
41. Juvenile Delinquency Law Update: discussion of new laws and cases affecting dependency court proceedings
42. Preventing and Responding to Sexual Harassment, for managers and supervisors
43. Professional Demeanor in the Courts, for court staff

New Online Courses

44. How To Run a Busy Calendar, for judicial officers

Online Resources

45. 2009 Trial Court Judicial Attorneys Institute videos
46. Bail and Own-Recognizance Release Procedures
47. Local Blue Ribbon Commission Web site
48. Videos uploaded for viewing on Serranus: Civil Law Update; Criminal Law Update; Introduction to Special Motions to Strike; and Overview of Hoarding Behavior; Courthouse Security: Perimeter, Interior, and Courtroom

Publications

49. Policy Paper and Research Report Relating to Family Violence in Native Communities in California
50. Child Custody Mediation Snapshot Study 2008: Summary Findings

Updated and Revised Benchguides

51. Before Trial, 2010 supplement
52. Juvenile Dependency: Disposition Hearing
53. Property Characterization and Division
54. Conservatorship: Appointment and Powers of Conservator

Updated and Revised Benchbook

55. Fairness and Access

Additional Detail on Summary Items

Advisory Committees/Task Forces/Working Groups

Appellate Indigent Defense Oversight Advisory Committee

- Audited 140 attorney compensation claims paid from January through March 2010. (*This committee reviews the work performed by the appellate projects and audits the work of individual attorneys.*)

Assigned Judges Program Advisory Committee

- Chair of the Assigned Judges Program Advisory Committee, Hon. William R. Bailey, Jr., met with the Executive Committee of the Trial Court Presiding Judges Advisory Committee to discuss shared judicial assignments in a difficult budget year.
- Appellate and Trial Court Judicial Services Director Chad Finke discussed the formation of a group of presiding judges and executive officers to consult and provide input on the limited budget and possible changes in the budget allocation formula for the program.

Blue Ribbon Commission on Children in Foster Care

- Reviewed the first year of implementation activities that advance its recommendations. Significant progress made on implementation efforts around the state.
- Forty-five local county teams met again at a joint family/juvenile summit, advancing the key recommendation to form local foster care collaboratives in every county and set local priorities for foster care reform.
- Heard briefings on legislation, budget, and other matters relevant to its work.

Collaborative Justice Courts Advisory Committee

- Presentation made on the drug court cost study.
- Discussed education initiatives and research.

Criminal Jury Instructions Advisory Committee

- Approved proposed revisions to 30 criminal jury instructions for circulation for public comment in summer 2010.

Criminal Law Advisory Committee

- Reviewed bail scheme and considered recommendations to enhance public safety.
- Selected members to serve on a working group to develop an appropriate rule or legislative recommendations to govern the collection and disbursement of fines and fees collected after inter-county probation transfer under Penal Code section 1203.9.
- Considered a proposal to recommend adoption of rules governing fax filings in criminal cases.

Domestic Violence Practice and Procedure Task Force

- Task force members, together with additional judicial and court executive officers (30 participants), attended an interactive forum on the appropriate role of the court in reducing risk in domestic violence cases.
- The John Hopkins University School of Nursing presented research on evidence-based risk assessment tools. Participants discussed: (1) fatality review reports, (2) court procedures that enhance safety, (3) safety planning, (4) supervised visitation, (5) crafting visitation orders, (6) internal court communication, and (7) court/community communication.
- A summary of participants' recommendations will be presented to the task force at its next meeting.

Judicial Recruitment and Retention Working Group

- The first meeting was co-chaired by Hon. Tani Cantil-Sakauye, Associate Justice of the Court of Appeal, Third Appellate District, and Jody Patel, AOC Regional Administrative Director.
- Formed to continue work initiated by the Senate Bill X2 11 Working Group, the new working group will further review the impact of disparities in judicial benefits on the state's ability to continue to attract and retain a highly qualified and diverse judiciary. A report will be submitted to the Judicial Council in late 2011 with additional information on monetary and non-monetary factors that affect judicial recruitment and retention.
- Currently developing surveys for dissemination in fall 2010 to all justices and judges as well as a sample of bar members to determine factors perceived to impact the recruitment and retention of judges.

CJER Governing Committee

Approved:

- Draft governing committee guidelines on proposals from other advisory committees and task forces that include education or training.
- Feedback to be provided on a group of recommendations from the Commission for Impartial Courts Implementation Committee.

Received reports and updates on:

- Proposal to amend education rules regarding education on ethics for court executive officers.
- Implementation of new curriculum committees, and appointments to fill gaps in the committees.
- 2010 annual agenda for the committee.
- Education programs and distance delivery in a period of budget reductions.

Court Executives Advisory Committee and Conference of Court Executives

- At the second business meeting of 2010, topics included:
 - Operational and budget impacts on the trial courts as a result of the budget crisis; and mitigating budget reductions.
 - Proposed rules of court and legislation to amend government codes for court records management.
 - Overview of the next scope of work for the Presiding Judges/Court Executive Officers Rules and Roles Working Group.
 - Community Corrections Program update.

Task Force for Criminal Justice Collaboration on Mental Health Issues

- Finalized draft report for circulation for public comment in summer.
- Members and AOC staff met with representatives of California's state mental hospitals to discuss and resolve issues related to court/state hospital interactions.

Administrative Office of the Courts

Chief Justice Appoints Tribal/State Court Coalition:

- Co-chaired by Judge Richard C. Blake, Chief Judge of the Hoopa Tribal Court and Presiding Judge of the Smith River Rancheria Tribal Court, and Judicial Council member Justice Richard D. Huffman, Associate Justice of the Court of Appeal, Fourth Appellate District, coalition members include state and tribal court judges; chairs of the Judicial Council's advisory committees on access and fairness, criminal law, civil and small claims, family and juvenile, and traffic; and the director of Native American Affairs for the State Attorney General's Office.
- The coalition will study and provide recommendations on such areas as enforcement and recognition of protective and other kinds of orders and judgments; the sharing, allocation, and transfer of jurisdiction; tribe-specific information to document Native American crime and victimization; and how to ensure access to justice in Indian country in the areas of domestic violence, sexual assault, stalking, and teen-dating violence.

New Contract for Juvenile Dependency Representation in the Superior Court of San Diego County Increases Representation and Reduces Costs:

- In response to a request for proposals, submissions were made by four organizations, including San Diego County, which holds the current contract to provide these services through the Public Defender's office. The proposal submitted by the Dependency Legal Group of San Diego was selected after review by an evaluation team that included representatives from the San Diego court and the AOC.

- The contract, effective July 1, 2010, provides for a 53 percent increase in the number of attorneys providing representation to parents and children in the San Diego dependency court, as well as almost twice as many investigators to assist on cases. The contract reflects a six percent reduction from the current contract, resulting in savings of nearly \$2 million over the three years of the contract.

JusticeCorps Receives \$3 Million Grant: This successful shift to national funding greatly raises the profile of the JusticeCorps program and the courts' work to improve access to justice in our communities. The funding will allow the program to expand to recruit, train and place over 300 undergraduate assistants in court-based legal access self-help centers in Los Angeles, San Diego, Alameda, San Francisco, Santa Clara, San Mateo, Sacramento, Yolo, and Placer Counties.

Labor and Employee Relations: The AOC assisted 34 courts on a range of labor and employee relations issues including:

- Personnel policies revision in a non-union setting and preparation of related training for staff following policy roll-out
- Establishment of salary ranges in a non-union setting
- Drafting job descriptions/specifications and performance improvement plans
- Advising employees on the process for salary surveys
- Submission of positions statements to Public Employment Relations Board in response to unfair practice charges related to court reporter staffing changes
- Investigation of and assistance on responses to complaints submitted to the Department of Fair Employment and Housing
- Investigations into allegations of harassment and discrimination

Administrative Infrastructure Initiatives

Facilities

Lease Acquisition:

- Ongoing work on 75 lease transactions (revenue and expense leases).
- Nine new occupancy agreements and 18 event licenses completed.

Capital Projects:

Senate Bill 1732:

- Mono-Mammoth Lakes Courthouse: Groundbreaking ceremony on this new, two-courtroom, 20,000 square-foot courthouse was held in May, and was attended by the mayor, past and present presiding judges, court CEOs, and AOC representatives.

Implementation of Senate Bill 1407: The AOC received 215 submissions from 81 architectural and engineering firms in response to a request for qualifications for the next nine projects. Short listed teams for each project have been interviewed and final selections will be announced in July.

The State Public Works Board authorized the following new courthouse projects:

- LA Mental Health: 3 courtrooms
- LA Eastlake: 5 courtrooms
- Riverside Hemet courthouse: 9 courtrooms
- Nevada City: 6 courtrooms
- Santa Clara Family Justice Center: 20 courtrooms (re-authorization of a previously funded project)
- Sacramento criminal courthouse: 44 courtrooms (re-authorization of a previously funded project)

Facilities Management: Since January 2010, the AOC has inventoried 41,106 drawings; scanned 14,295, and uploaded about 10,000 to the Computer Aided Facilities Management System. Since the completion of the transfers, approximately 8,000 MOUs, Due Diligence, Transfer, and County Facility Payment documents have been uploaded.

Technology

California Court Case Management System:

Product Development:

- Work is continuing with court subject matter experts to validate the application code against the final functional design to ensure the delivery of a high quality product. Deloitte is two-thirds complete with the Final Functional Design validation process and one-third of the way through applying fixes to the code.
- The core product will be delivered to the AOC to begin Product Acceptance Testing in February 2011, and the goal is to complete final acceptance by April 30, 2011.
- The portals, Statewide Data Reporting Warehouse, Data Exchange, and e-filing will be done at a later date, but the revised schedule will not impact the early adopter courts' implementation.

Deployment: The AOC and Deloitte Consulting have finalized the legal issues in the Statement of Work and will begin assessment activities at the three early adopters in July (Superior Courts of San Diego, Ventura, and San Luis Obispo).

Civil, Small Claims, Probate, and Mental Health (V3):

- Los Angeles, Orange, Sacramento, San Diego, San Joaquin, and Ventura County Superior Courts implemented the latest release of V3, Release 10.01, which includes the ability to process e-filed documents. This latest release contains the following functionality:
 - Electronic clerk review
 - Digital stamping and endorsing
 - Electronic notification of filing and return of endorsed documents
 - System verification that data elements are complete and accurate
- The Superior Court of Sacramento County went live with the upgrade on May 17. On May 27 the court identified a problem with security levels on select documents. On June 4, the court shut down their Web site because tentative rulings drafts and other confidential documents were viewable to the public. An assessment of the problem revealed that the court's document management system and local configurations were primary factors in the issue. Security is a top AOC priority, and as soon as the CCMS team was notified steps were taken to fix the issues in Sacramento. The other V3 courts were not impacted by this problem.

Outreach: CCMS outreach activities included product demonstrations and presentations to the following groups:

- Superior Court of San Luis Obispo County– judges, managers, and justice partners
- Ventura County Justice Policy Council
- Court Interpreter Program
- Newly-appointed court executive officers orientation

Case Management Programs

V2 Criminal and Traffic Case Management System

- Implemented changes to support ABX8 3 to increase the DNA penalty under Government Code Section 76104.7, effective June 10, 2010.
- Deployed the first phase of a software stack upgrade that will ensure continued vendor support. The upgrade is scheduled to be completed in June.

Sustain Justice Edition (Interim Case Management System)

- Installed updates for the ABX-83 legislative update pertaining to the DNA assessment fund.
- Installed Wintel and security patches at the California Courts Technology Center.
- The Superior Court of Modoc County will upgrade in June.

Data Integration

Justice Partner Data Integration Project: This project supports integration of electronic data sharing between the superior courts and state and local justice partners as they transition to CCMS. In this period:

- One hundred and twenty one Web service definition language descriptions and schemas were completed and posted on the AOC's Justice Partner Data Integration Web site.
- Four data exchanges selected as a reference implementation for the integration partner on-boarding documentation were completed.
- State partner outreach for justice partner CCMS product acceptance testing readiness is being planned.

Pilot Program for Traffic e-Citation, e-Filing (eCitations): The AOC is leveraging existing statewide infrastructure, including CCMS data exchange standards, and working with the California Highway Patrol (CHP) to deploy an e-citation solution to four pilot courts (Orange, San Bernardino, Santa Clara, and Ventura). The e-Citations project is automating the CHP 215 form, which is currently filled out by hand.

- Completed the requirements phase, which was shared with integration partners at the CHP and four pilot courts.
- Deployment will not automate CHP citations throughout each pilot county, but will be rolled out on a limited basis, based on the CHP's acquisition of approximately 200 handheld devices (based on a grant). The CHP expects to complete their Information for Bid for these devices by July 2010.
- The project is in the design phase, and the team is working with each integration partner to build the data exchange transport mechanism and security protocols between them and the AOC's integration services backbone.

Statewide Electronic Business Services - E-Filing

- The AOC partnered with the Institute for the Future to develop a strategic vision for the branch that describes an organizational and technological framework for comprehensive, integrated, user-centric e-business systems. A key goal of this initiative is to devise a roadmap to facilitate planning for a fully e-business model for court operations.
- The AOC and the National Center for State Courts (NCSC) are developing initiatives to standardize statewide electronic filing, including developing business cases and project review board proposals for conversion of Judicial Council forms to smart forms technology, and the feasibility of a branch-supported electronic filing portal.
- NCSC is developing functional, legal, and technical requirements for statewide contracts with electronic filing service providers, as a method of establishing standards

for e-filing services. The final report and recommendation for these initiatives is due at the end of June.

- Orange, Ventura, and Sacramento participated in user acceptance testing of the civil, small claims, probate, and mental health case management system (Release 10.1) e-filing functionality.
- E-filing was successfully deployed in Orange in June. Ventura and Sacramento will deploy later this year, following the 10.2 release in September.

Administrative & Management Systems

Web Application Aids Resource Allocation Study: The Web Development team developed an application for the AOC's Office of Court Research to gather multi-dimensional data for a court resource allocation study. This technique uses a brief (8-question) Web-based survey at multiple quasi-random moments from multiple individuals in the courts. The survey delves into details of the case-related activity in which a court employee was engaged during the selected random moment. From this sampling, over multiple days, multiple employees and multiple random moments, a picture of which resources are allocated to particular activities emerges. Courts can be compared and contrasted and further studies made as to the causes of these differences.

Education Programs

Beyond the Bench Conference – 20th Anniversary:

- The 20th anniversary conference drew more than 1,150 judicial officers, court staff, and stakeholders for three days of policy and educational events. The multi-disciplinary event, historically for juvenile dependency and delinquency issues, was expanded to a wider range of court and partner professionals in family law, collaborative justice, and related matters with the theme, "Collaboration Works! Improving Outcomes and Achieving Safety and Stability in Challenging Times."
- Attendees were offered 20 hours of continuing education credit and attended multidisciplinary training; a special educational track for youth; and meetings of advisory bodies and working groups.
- The events were funded by a combination of registration fees, grants, and special funds.
- Special events and educational offerings included:
 - *Advanced Domestic Violence Training for Family Court Services Directors:* A four-hour training was provided to approximately 50 family court services (child custody mediation) directors. The training provided materials for discussion on orientation, intake, screening and risk assessment, as well as updated information on research and cases.

- ***Statewide Summit Addressing Critical Issues Facing Juvenile and Family Law Courts:*** Over 600 people attended the day-long summit of 45 county teams to plan implementation of the recommendations of the Blue Ribbon Commission on Children in Foster Care and the Elkins Family Law Task Force. The teams discussed critical issues in both juvenile and family law courts that can be addressed through collaboration, with the limited resources available today. The summit built on the success of the 2008 Blue Ribbon Commission Summit for juvenile court teams. Juvenile issues included access to local services, access to data, and communication with partners. This summit began a parallel process in family court, built around the recommendations of the Elkins Family Law Taskforce by discussing how to implement those recommendations that do not require significant additional resources. Juvenile and family court teams discussed issues of child safety that relate to all case types. Team members included the presiding judge of the court, the juvenile court presiding judge, the family law supervising judge, child support commissioner, court administrators and family court managers, the family law facilitator or self-help attorney, the director of family court services, the director of the county child welfare agency, a representative of attorneys who appear in juvenile court, the director of the Court Appointed Special Advocates (CASA) program, and others. Each team developed a plan for implementation of projects on a local level.
- ***Court Appointed Special Advocate (CASA) Executive Directors Meeting:*** Executive directors, program managers, and board members from 40 CASA programs serving 42 counties and one intertribal CASA program serving four tribal courts attended. Meeting topics included strategies for using volunteers to manage caseloads, non-profit financial assessment, strengthening data collection for CASA programs, confidentiality of mental health records, and accessing Title IV-E funding for CASA training.
- ***Delinquency Court Orientation Video:*** The AOC produced a short video to help youth, their parents, and victims of juvenile crime understand delinquency court. The video premiered at the conference and is available online for the public (<http://www.courtinfo.ca.gov/programs/cfcc>) and on DVD for California courts and their justice partners.
- ***Family Court Services (FCS) Training:*** FCS directors from 39 trial courts gathered for training on domestic violence practices, development of a FCS management curriculum, and effective complaint procedures.

- **Judicial Officer Training:** The judicial track theme was “Practical Judging in Juvenile and Family Law.” More than 125 judicial officers were offered plenary sessions, four breakout sessions, and an evening educational event.
- **Juvenile Dependency Law and Practice:** An overview of Juvenile Dependency Law and Practice allowed attorneys to meet the eight-hour requirement for attorneys seeking to accept court-appointed cases.
- **MacArthur Foundation's Juvenile Indigent Defense Action Network:** As part of California's involvement in the network, this year's conference included a four-hour education session for delinquency trials lawyers who want to improve their ability to draft motions, file writs, and create an appellate record.
- **New Mediator Training:** New child custody mediators from five courts received 13.5 hours of initial training.
- **Should Judges Join Social Network Sites?** Judge James Herman presented an educational program for judges, highlighting the potential ethical perils for judicial officers who join social networking sites, such as Facebook or MySpace.
- **Evidence-Based Best Practices:** This Best Practices Approach Initiative provided eight hours of education on Evidence-Based Practices for delinquency practitioners including how best to implement these practices in community supervision practices when working with substance-abusing youth.
- **Tribal Court/State Court Issues:** Three workshops were convened on Tribal Customary Adoption, Active Efforts, and Tribal Court/State Court Civil and Criminal Jurisdiction. Tribal and state court judges shared their experiences working together on how to ensure access to justice in Indian country in the areas of domestic violence, sexual assault, stalking, and teen-dating violence.
- **Violence Against Women Education Project:** Participants chose from a wide selection of grant-funded workshops and plenary sessions on the topic of domestic violence cases, including: Domestic Violence and Diversity Issues, Reasonable Efforts in Dependency Cases Involving Domestic Violence, Understanding Fatherhood in the Context of Domestic Violence, Statewide Leadership Group on Domestic Violence, Interviewing Children About Abuse and Domestic Violence, Assessing Risk in Domestic Violence Cases, the California Courts Restraining Order Registry, and Firearms Restrictions and Relinquishment.

Ethics Training

Qualifying Judicial Ethics Training: Five core ethics classes were held—San Joaquin, Long Beach, San Francisco, San Diego North County, and Santa Monica. Two additional classes were offered at the California Judges Association mid-year meeting.

Family Dispute Resolution Regional Training: A six-hour training on ethics, based on the Code of Ethics for the Court Employees of California, was held in Los Angeles for 93 child custody mediators and evaluators and juvenile dependency mediators.

Juvenile Court Ethics: Having visited all juvenile courts in the state, AOC Judge-in-Residence, Judge Len Edwards (Ret.) and the AOC's Center for Families Children & the Courts launched an education project that addresses more than 60 ethical situations frequently encountered by juvenile court judges. The project has expanded greatly as juvenile court judges around the state have added to the list of ethical issues. Education courses provide two hours of elective ethics credits. A comprehensive overview of the Juvenile Court Ethics Project content may be published.

California Court Employee Code of Ethics: Four 90-minute sessions (via videoconference) were offered for appellate court staff, addressing the updated Code of Ethics and exploring the application of the code to every-day workplace situations.

Local Education Delivery

Processing Family and Medical Leaves: A one-day session for the Alameda court's HR and Payroll teams addressed state and federal leave of absence laws, military leave, integration among laws, calculation and tracking methods, intermittent leave, curbing leave abuse, and processing multiple qualifying events.

Judicial Education Day: At Orange County's Judicial Education Day approximately 60 judges and commissioners attended a plenary session on personal security, courthouse security, and judicial privacy and selected an option from the following six courses: Civil Expert Witnesses, Civil Harassment, Attacks on Judgments (family law), Difficult Custody Modifications, Criminal Evidence Hot Topics, and Jury Misconduct in Criminal Cases.

Restraining Orders: A local judicial education program on restraining orders was held in the Superior Court of San Joaquin County.

California Risk Assessment Pilot Project: Two trainings were held with 70 participants for pilot courts in Napa, San Francisco, and Santa Cruz Counties. Four national experts served as faculty. Attendees developed plans for their counties to incorporate risk and needs assessments for decisions at initial sentencing and responding to violations.

Assistant Supervisors, Leads, and Seniors: Piloted a three-day training session for 30 court assistant supervisors in Bakersfield. Course topics included: the role of the assistant supervisor, group development, group dynamics, leadership styles, communication, and challenges facing assistant supervisors (including leading former peers).

Faculty Development

Faculty Development: Training was offered for 26 judges and subordinate judicial officers who will serve as seminar or faculty leaders at the 2010 B. E. Witkin Judicial College of California.

Faculty Development Fundamentals: Over three days, 21 judges and subordinate judicial officers were trained in Burbank; 18 will serve as faculty for the Judicial Education Seminar program of the Superior Court of Los Angeles County. Faculty were introduced to the basics of course design, development, and delivery. In late June, participants will present demonstrations of the courses they worked on.

Family Dispute Resolution "Train the Trainer" Course: Faculty development fundamentals for 16 family court services mediators and evaluators from nine Southern California courts were addressed in a three-day training.

Core 40: The five-day regional training session was provided for 21 court managers and supervisors. Course topics included the role of the supervisor, group development and group dynamics, leadership styles, employment law, and elements of performance management.

Evidence-Based Probation Supervision Program: Trainings were developed and conducted for all probation departments in the state to help them meet their outcome measures reporting requirements.

Elder Access to the Courts: Nearly 40 participants from throughout the justice system attended the second regional elder court roundtable funded by a grant from the Archstone Foundation and the Domestic Violence Safety Partnership Program. This included an elder court site visit and presentations from elder abuse experts.

Family Dispute Resolution Interactive Webinars: A live two-hour training with 20 attendees from the Sacramento Superior Court —“Moveaways: The ‘End’ or Just the ‘Beginning’?” presented by Judge James M. Mize—was simultaneously broadcast via Internet/WebEx to approximately 200 court-connected mediators and evaluators in 28 courts.

Family Dispute Resolution: Straus Institute 23rd Annual Summer Professional Skills Program in Dispute Resolution: The AB 1058 Child Support Program sponsored 21 scholarships for family law facilitators to attend this program through the Pepperdine University School of Law. The objective of the scholarships is to provide facilitators with skills necessary to implement alternative dispute resolution techniques to resolve child support cases without the need for adversarial proceedings.

Institute for Court Management: Six courses were held during this reporting period.

- Managing Technology Projects and Resources (two sessions)
- Fundamental Issues of Caseflow Management
- Court Performance Standards: CourTools
- Managing Court Financial Resources
- Purposes and Responsibilities of Courts

Local Blue Ribbon Commission on Children in Foster Care Web Site: At the California Statewide Summit Addressing Critical Issues Facing Juvenile and Family Law Courts, the AOC launched the Local Blue Ribbon Commission Web site. This Web site, a component of the California Dependency Online Guide, allows members of county-level Blue Ribbon Commissions to share information with members of their own commission, learn from resources posted by other counties' commissions, and access statewide materials.

Payroll: This day-long regional session for 29 human resources professionals in the trial and appellate courts focused on state and federal laws and regulations, internal processes, employee communications, handling under and over payments, garnishments, collections, and deductions.

Statewide Conference on Self-Represented Litigants: More than 300 people attended the conference held at the AOC. Attendees included self-help center staff, family law facilitators, small claims advisors, law librarians, public librarians and court staff. The conference theme was “Meeting the Needs of the Public During Tough Economic Times.” All day sessions on the law and procedure were offered in small claims, landlord/tenant, and domestic violence proceedings as well as a skills-based workshop on mediation.

Supervised Visitation: A two-day training on Uniform Standards of Practice for Providers of Supervised Visitation (Standard 5.20) was conducted for court grant recipients and their local subcontractors to ensure compliance with state grant requirements under Family Code section 3202(a). The training offered a panel of multidisciplinary experts addressing court and professional practitioner's challenges regarding the operation and administration of supervised visitation services. Recommended strategies and approaches were offered to ensure compliance with state standards and professional best practices.

Tribal Court/State Court Operational Issues:

- Two workshops on the Tribal Court/State Court Coalition and Tribal Customary Adoption (AB 1325) were held at the California Indian Legal Services Tribal Court's Conference.
- A workshop was held on the Indian Child Welfare Act for social service and other stakeholders in Glenn County.
- A workshop was held on Tribal Court/State Court Coalition and Tribal Projects at the 17th Annual Statewide Indian Child Welfare Act Conference.

Broadcasts

How is a Rule of Court Created?: The program aired twice and addressed the creation of a Rule of Court (including steps in the proposal process and submitting comments) and the impact of Rules of Court on day-to-day roles and duties.

Preventing and Responding to Sexual Harassment: This two-hour program for managers and supervisors aired twice. The program met the mandate of California Government Code section 12950.1.

Great Minds Judicial Broadcast: *The Science of Aging*, featuring Superior Court of Los Angeles County Judge Mitchell Beckloff and Dr. Solomon Liao, director of palliative care services in the program in Geriatrics at the University of California at Irvine.

Videos Uploaded for Viewing on the Serranus Web Site

- Civil Law Update
- Criminal Law Update
- Introduction to Special Motions to Strike
- Overview of Hoarding Behavior

Publications

Policy Paper and Research Report Relating to Family Violence in Native Communities in California:

- ***Policy Paper: Native American Communities Justice Project — Beginning the Dialogue: Domestic Violence, Sexual Assault, Stalking, & Teen-Dating Violence:*** This policy paper provides a California lens on what we know to be a national public safety crisis in tribal communities and helps to ensure that tribal voices inform the direction state courts take to address that crisis. The policy report reviews the history and prevalence of family violence in Native American communities, describes the project goals, summarizes the research findings, and identifies the next steps taken by the AOC in response.
(<http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/NACJPolicyPaper051810.pdf>)
- ***Report: Beginning the Dialogue: Domestic Violence, Sexual Assault, Stalking, & Teen-Dating Violence:*** These research findings inform the policy direction of the state courts, and represents the experiences and wisdom of over 500 Native Americans concerned about family violence in their communities and constitute the most comprehensive look at this issue in California to date. The report compiles the information shared during tribal community meetings and lists problems and solutions identified by meeting participants.
(<http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/NACJPResearchReport051310.pdf>)
- ***Study: Child Custody Mediation Snapshot Study 2008: Summary Findings:*** This update summarizes the results of the latest in a series of statewide studies of mediators and families involved in court-based child custody mediation. Topics covered include case background, client characteristics, family violence, the mediation process and outcomes, and client satisfaction.
(<http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/Snapshot2008SummaryFindings.pdf>)

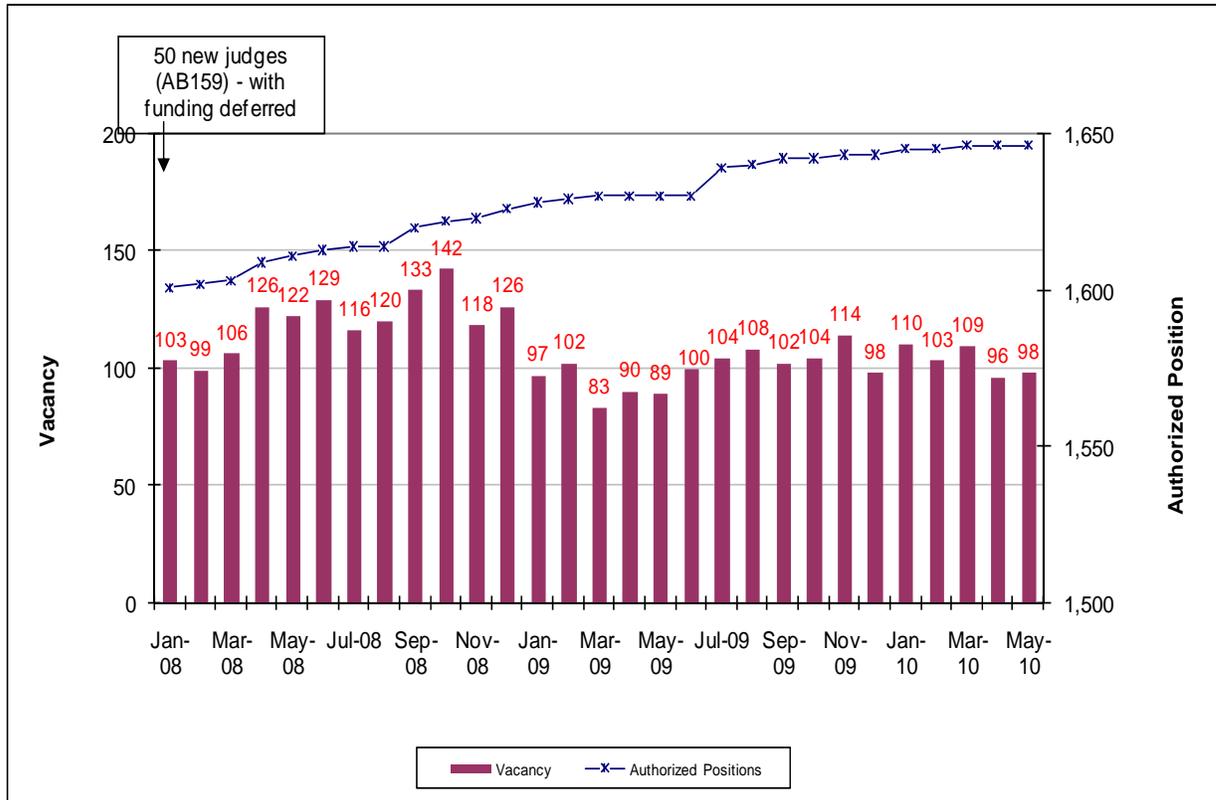
JUDICIAL VACANCY REPORT**Number of Judgeships Authorized, Filled and Vacant as of June 7, 2010**

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (AB 159 positions)	Filled(Last Month)	Vacant(Last Month)
Supreme Court	1	7	7	0	0	7	0
Courts of Appeal	6	105	101	4	0	102	3
Superior Courts	58	1646	1547	49	50*	1549	97
All Courts	65	1758	1655	103		1658	100

* Authorized January 1, 2008, 50 new (AB 159) judgeships are added. However, funding for these judgeships has been deferred.

Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month, from January 2008 through May 2010								
Month	Superior Court				Court of Appeal			
	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Jan-08	1,601	1,498	103	6.4%	105	100	5	4.8%
Feb-08	1,602	1,503	99	6.2%	105	100	5	4.8%
Mar-08	1,603	1,497	106	6.6%	105	100	5	4.8%
Apr-08	1,609	1,483	126	7.8%	105	101	4	3.8%
May-08	1,611	1,489	122	7.6%	105	101	4	3.8%
Jun-08	1,613	1,484	129	8.0%	105	103	2	1.9%
Jul-08	1,614	1,498	116	7.2%	105	102	3	2.9%
Aug-08	1,614	1,494	120	7.4%	105	102	3	2.9%
Sep-08	1,620	1,487	133	8.2%	105	101	4	3.8%
Oct-08	1,622	1,480	142	8.8%	105	101	4	3.8%
Nov-08	1,623	1,505	118	7.3%	105	100	5	4.8%
Dec-08	1,626	1,500	126	7.7%	105	100	5	4.8%
Jan-09	1,628	1,531	97	6.0%	105	98	7	6.7%
Feb-09	1,629	1,527	102	6.3%	105	96	9	8.6%
Mar-09	1,630	1,547	83	5.1%	105	96	9	8.6%
Apr-09	1,630	1,540	90	5.5%	105	96	9	8.6%
May-09	1,630	1,541	89	5.5%	105	96	9	8.6%
Jun-09	1,630	1,530	100	6.1%	105	100	5	4.8%
Jul-09	1,639	1,535	104	6.3%	105	101	4	3.8%
Aug-09	1,640	1,532	108	6.6%	105	102	3	2.9%
Sep-09	1,642	1,540	102	6.2%	105	102	3	2.9%
Oct-09	1,642	1,538	104	6.3%	105	102	3	2.9%
Nov-09	1,643	1,529	114	6.9%	105	102	3	2.9%
Dec-09	1,643	1,545	98	6.0%	105	102	3	2.9%
Jan-10	1,645	1,535	110	6.7%	105	102	3	2.9%
Feb-10	1,645	1,542	103	6.3%	105	101	4	3.8%
Mar-10	1,646	1,537	109	6.6%	105	101	4	3.8%
Apr-10	1,646	1,550	96	5.8%	105	102	3	2.9%
May-10	1,646	1,548	98	6.0%	105	102	3	2.9%

Trial Court Authorized Positions and Vacancies



JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Third Appellate District	2	Retirement	Hon. Rodney Davis	02/16/09
Third Appellate District		Retirement	Hon. Fred K. Morrison	01/31/09
Fourth Appellate District	1	Retirement	Hon. Barton C. Gaut	02/28/10
Fifth Appellate District	1	Retirement	Hon. Steven M. Vartabedian	05/31/10
TOTAL VACANCIES	4			

JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day In Office
Alameda	1	Retirement	Hon. Stephen A. Dombrink	03/31/10
Contra Costa	1	Converted	New Position	01/29/10
Kern	1	Retirement	Hon. L. Bryce Chase	06/01/10
Lake	1	Retirement	Hon. Arthur H. Mann	11/02/09
Lassen	1	Retirement	Hon. Stephen D. Bradbury	01/31/10
Los Angeles	15	Retirement	Hon. Emily A. Stevens	05/11/10
Los Angeles		Retirement	Hon. William R. Weisman	05/10/10
Los Angeles		Elevated	Hon. Elizabeth A. Grimes	04/05/10
Los Angeles		Converted	New Position	03/16/10
Los Angeles		Retirement	Hon. Michael S. Mink	03/02/10
Los Angeles		Retirement	Hon. Terry B. Friedman	02/28/10
Los Angeles		Retirement	Hon. William R. Chidsey, Jr.	02/25/10
Los Angeles		Converted	New Position	01/04/10
Los Angeles		Converted	New Position	01/04/10
Los Angeles		To Fed Court	Hon. Jacqueline H. Nguyen	12/08/09
Los Angeles		Retirement	Hon. Brett Carroll Klein	11/30/09
Los Angeles		Retirement	Hon. Bob T. Hight	10/31/09
Los Angeles		Retirement	Hon. Judith C. Chirlin	09/30/09
Los Angeles		Retirement	Hon. Josh M. Fredricks	09/12/09
Los Angeles		Converted	New Position	07/27/09
Marin	2	Retirement	Hon. John A. Sutro, Jr.	02/28/10
Marin		Retirement	Hon. Michael B. Dufficy	02/18/10
Merced	1	Retirement	Hon. Frank Dougherty	11/24/09
Mono	1	Retirement	Hon. Edward Forstenzer	03/31/10
Monterey	1	Retirement	Hon. Jonathan R. Price	11/14/09

Orange	2	Retirement	Hon. Peter J. Polos	02/19/10
Orange		Retirement	Hon. Daniel J. Didier	10/12/09
Riverside	3	Retirement	Hon. Patrick F. Magers	05/16/10
Riverside		Retirement	Hon. Edward D. Webster	04/30/10
Riverside		Retirement	Hon. Graham A. Cribbs	01/24/10
Sacramento	3	Retirement	Hon. Michael T. Garcia	05/31/09
Sacramento		Retirement	Hon. Richard H. Gilmour	03/31/09
Sacramento		Retirement	Hon. Thomas M. Cecil	02/01/09
San Bernardino	2	Retirement	Hon. Raymond Paul Van Stockum	05/10/10
San Bernardino		Dis Retirement	Hon. Linda M. Wilde	05/10/10
San Diego	2	Retirement	Hon. Michael B. Orfield	08/21/09
San Diego		Dis Retirement	Hon. John L. Davidson	06/26/09
San Francisco	1	Retirement	Hon. David L. Ballati	08/11/09
San Joaquin	1	Retirement	Hon. Thomas M. Harrington	11/27/09
Santa Barbara	2	Converted	New Position	09/20/09
Santa Barbara		Converted	New Position	07/01/09
Santa Clara	5	Retirement	Hon. John J. Garibaldi	04/17/10
Santa Clara		Retirement	Hon. James C. Emerson	01/31/10
Santa Clara		Retirement	Hon. John F. Herlihy	12/31/09
Santa Clara		Retirement	Hon. Thomas C. Edwards	12/31/09
Santa Clara		Retirement	Hon. Jack Komar	10/31/09
Santa Cruz	1	Retirement	Hon. Robert B. Atack	05/09/10
Sonoma	1	Retirement	Hon. Arnold D. Rosenfield	12/31/09
Yolo	1	Retirement	Hon. Thomas E. Warriner	03/31/10
TOTAL VACANCIES	49			

Butte	1	(AB 159)*	New Position	1/1/2008
Contra Costa	1	(AB 159)*	New Position	1/1/2008
Del Norte	1	(AB 159)*	New Position	1/1/2008
Fresno	4	(AB 159)*	New Positions	1/1/2008
Kern	3	(AB 159)*	New Positions	1/1/2008
Kings	1	(AB 159)*	New Position	1/1/2008
Los Angeles	1	(AB 159)*	New Position	1/1/2008
Madera	1	(AB 159)*	New Position	1/1/2008
Merced	2	(AB 159)*	New Positions	1/1/2008
Monterey	1	(AB 159)*	New Position	1/1/2008
Orange	1	(AB 159)*	New Position	1/1/2008
Placer	2	(AB 159)*	New Positions	1/1/2008
Riverside	7	(AB 159)*	New Positions	1/1/2008
Sacramento	6	(AB 159)*	New Positions	1/1/2008
San Bernardino	7	(AB 159)*	New Positions	1/1/2008
San Joaquin	3	(AB 159)*	New Positions	1/1/2008
Shasta	1	(AB 159)*	New Position	1/1/2008
Solano	1	(AB 159)*	New Position	1/1/2008
Sonoma	1	(AB 159)*	New Position	1/1/2008
Stanislaus	2	(AB 159)*	New Positions	1/1/2008
Tulare	2	(AB 159)*	New Positions	1/1/2008
Yolo	1	(AB 159)*	New Position	1/1/2008
TOTAL VACANCIES	99			



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

TO: Honorable Ronald M. George
Members of the Policy Coordination and Liaison Committee
William C. Vickrey, Administrative Director of the Courts

FROM: Curtis L. Child, Director
Office of Governmental Affairs

DATE: June 24, 2010

RE: Status of 2010 legislation considered by the Policy Coordination and Liaison Committee

Following is the status report on 2010 legislation considered by the Judicial Council's Policy Coordination and Liaison Committee (PCLC) during the 2009-2010 legislative session. The bills are listed in numerical order by house (Assembly and Senate) and are indexed by subject matter. The second column, "description" summarizes the relevant portions of the bill—and the version of the bill—on which the PCLC position is based. The description column also includes an updated summary to reflect the most current version of the bill. The "Judicial Council position" column tracks the council's initial position and any subsequent change to that position.

The text of all versions of a bill, committee analyses, vote information, history, and bill status can be found on the Legislature's website (including past session information) at: <http://www.leginfo.ca.gov/bilinfo.html>

JUDICIAL COUNCIL OF CALIFORNIA
Policy Coordination and Liaison Committee Action on 2010 Legislation
and Status of Bills

Judicial Council-sponsored Legislation (See Appendix)

AB 1229 (Evans) – Juvenile court costs.....	A
AB 1596 (Hayashi) – Protective orders: emergency protective orders: enforcement priority: sexual assault.....	A
AB 1926 (Evans) – Court records: preservation guidelines.....	A
AB 2767 (Committee on Judiciary) – Civil omnibus bill.....	A
SB 1274 (Committee on Judiciary) – Electronic service of process.....	B

Legislation Index by Subject

Civil and Small Claims

AB 2119 (Tran) – Civil procedure: deadlines: computation	4
AB 2284 (Evans) -- Jury trial: expedited jury trials	5
SB 1274 (Committee on Judiciary) – Electronic service of process	7

Court Facilities, Employees, and Technology

AB 790 (Hernandez) – State employee compensation	1
AB 1699 (Hernandez) – State employee compensation	2
AB 1749 (Lowenthal, Bonnie) – Whistleblower Protection Act: Administrative Office of the Courts	3
AB 1926 (Evans) – Court records: preservation guidelines	3
AB 1987 (Ma) – Public retirement: final compensation: computation: retirees	4
SB 1425 (Simitian) – Public Retirement: final compensation: computation: retirees	7

Criminal Law and Procedure

AB 1925 (Salas) – Veterans courts	3
AB 2056 (Miller) – Criminal procedure: continuances: assault with intent to commit rape	4
AB 2505 (Strickland) – Warrants: electronic signature: computer server transmission	5
SB 1449 (Leno) – Marijuana possession: reclassification	7
SCA 27 (Harman) – Death penalty appeals: transfer	7

Family Law

AB 1596 (Hayashi) – Protective orders: emergency protective orders: enforcement priority: sexual assault	2
AB 2475 (Beall) – Judicial immunity	5

Judicial Officers

AB 1335 (Lieu) – Judicial elections: write-in candidates	1
AB 1894 (Monning) – Judges: disqualification	3

AB 2116 (Evans) – Subordinate judicial officers: gifts and honoraria	4
AB 2487 (Feuer) – Judge disqualification	5
AB 2763 (Committee on Judiciary) – Judicial needs assessment and subordinate judicial officer conversions	6

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Juvenile Dependency

AB 1229 (Evans) – Juvenile court costs	1
AB 1655 (Evans) – Dependent children: psychotropic medications	2
AB 1852 (Portantino) – Dependent children: locating extended family members	3
AB 743 (Portantino) – Foster care: sibling placement	1
SB 962 (Liu) – Prisoners: adjudication of parental rights: participation	6

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AB 2499 (Portantino) – Traffic violator schools: regulation	5
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AB 2521 (Torrico) – Courts: budget and fiscal management	6
AB 2767 (Committee on Judiciary) – Civil omnibus bill	6

JUDICIAL COUNCIL OF CALIFORNIA
Policy Coordination and Liaison Committee Action on 2010 Legislation
and Status of Bills

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of June 21, 2010
AB 743 (Tracy Kenny)	AB 743 (Portantino) – Foster care: sibling placement As amended May 17, 2010 Modifies the standard for sibling visitation to require that if siblings are not placed together the social worker must explain why placement together would be contrary to the safety or well-being of any sibling. Requires a social worker considering a change of placement that will result in sibling separation to notify the attorney for the child being moved as well as the attorney for any affected sibling ten calendar days prior to the change, unless an emergency requires an immediate change.	Support	Children’s Law Center of Los Angeles	Senate Judiciary Committee
AB 790 (Donna Hershkowitz)	AB 790 (Hernandez) – State employee compensation As amended March 22, 2010 Provides that the General Fund and other special funds are to be continuously appropriated in an amount necessary for to pay compensation and employee benefits, so state employees will be fully paid in the absence of a state budget.	Oppose unless amended to provide equal treatment for judicial branch employees	California Association of Professional Scientists; Professional Engineers in California Government	Senate Floor
AB 1229 (Tracy Kenny)	AB 1229 (Evans) – Juvenile court costs As amended January 4, 2010 Clean-up to AB 131 of last year (Stats. 2009, ch. 413), clarifies that courts can designate their own financial evaluation officers.	Sponsor	Judicial Council	Senate Appropriations Committee
AB 1335 (June Clark)	AB 1335 (Lieu) – Judicial elections: write-in candidates As amended June 9, 2010 Requires that a write-in candidate for the office of superior court judge include on the statement of intent to run his or her compliance with eligibility provisions for a judge of a court of record. Revises the number of signatures needed for placing an uncontested judicial election on the ballot for a potential write-in contest, extends the time required for a write-in candidate to declare his or her intentions to run.	Support	California Judges Association	Senate Appropriations Committee

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of June 21, 2010
AB 1596 (Tracy Kenny)	<p>AB 1596 (Hayashi) – Protective orders: emergency protective orders: enforcement priority: sexual assault</p> <p>As amended May 19, 2010 Provides that when two or more protective orders issued pursuant to the Code of Civil Procedure, the Family Code, the Penal Code, or the Welfare and Institutions Code involve at least one of the same protected persons, and the same restrained person, and the orders are in conflict, then they are to be enforced in the manner that provides the greatest protection to the protected persons and the greatest restrictions on the restrained person. Contains numerous technical changes to create more consistency in protective order statutes.</p>	Sponsor	Judicial Council	Senate Judiciary Committee
AB 1655 (Tracy Kenny)	<p>AB 1655 (Evans) – Dependent children: psychotropic medications</p> <p>As introduced Establishes a pilot project in three counties, operative until January 1, 2014, to enhance procedures relating to approval of psychotropic medication requests for youth in foster care. Requires the Department of Social Services to report on the findings of the pilot project and mental health outcomes for foster youth by July 1, 2014. Requires the Judicial Council to adopt rules and forms to implement the project by July 1, 2011.</p>	Support	Children’s Law Center of Los Angeles	Assembly Appropriations Committee—Dead.
AB 1697 (Donna Hershkowitz)	<p>AB 1697 (Hall) – Court security</p> <p>As introduced and as conceptually proposed to be amended Takes the authority to allocate funding for court security away from the Judicial Council. Directs that the allocation to each sheriff be determined by the Judicial Council’s Working Group on Court Security; makes all persons who provide court security services employees of and under the direction of the county sheriff; extends the sunset date on the \$10 increase in court security fee from 2011 to 2016 and directs that the revenue from this fee be placed in a special account; provides that this fee shall be adjusted annually based on the change in the California Price Index.</p> <p>UPDATE: As amended May 28, 2010 <i>In lieu of the above, extends the sunset date on the \$10 increase in the court security fee from June 30, 2011, to June 30, 2013, and creates a court security account in the Trial Court Trust Fund which shall be used solely for court security purposes.</i></p>	<p>Oppose as introduced; oppose as conceptually proposed to be amended; inappropriately interferes with Judicial Council governance; inappropriately takes funding authority away from the Judicial Council.</p> <p>Update: As amended April 15, 2010 Neutral</p>	California State Sheriffs’ Association; Peace Officers Research Association of California; and Los Angeles County Sheriff Lee Baca	Senate Judiciary Committee
AB 1699 (Donna Hershkowitz)	<p>AB 1699 (Hernandez) – State employee compensation</p> <p>As introduced Provides that the General Fund and other special funds are to be continuously appropriated in an amount necessary for employee compensation and benefits, so that state employees will be fully paid in the absence of a state budget. The contents of this bill are identical to the provisions of AB 790.</p>	Oppose unless amended to provide equal treatment for judicial branch employees.	Professional Engineers in California Government; California Association of Professional Scientists	Senate Public Employment & Retirement Committee

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of June 21, 2010
AB 1749 (Tracy Kenny)	<p>AB 1749 (Lowenthal, Bonnie) – Whistleblower Protection Act: Administrative Office of the Courts</p> <p>As introduced Extends the existing provisions of the California Whistleblower Protection Act (CWPA) to the Administrative Office of the Courts.</p> <p>UPDATE: As amended April 27, 2010 Includes the trial courts, courts of appeal and Supreme Court in the CWPA. Provides that the State Personnel Board will only make recommendations to the judicial branch employer on retaliation complaints.</p>	<p>Oppose unless amended to address separation of powers concerns</p> <p>Update: As amended April 27, 2010 Support</p>	Author	Senate Judiciary Committee
AB 1852 (Tracy Kenny)	<p>AB 1852 (Portantino) – Dependent children: locating extended family members</p> <p>As introduced Requires the county welfare department to document in the reports it provides to the court at the disposition hearing its efforts to locate and contact relative and non-relative extended family members of a dependent child to establish permanent familial connections between the child and his or her family.</p>	Support	California Youth Connection	Assembly Appropriations Committee—Dead.
AB 1894 (Daniel Pone)	<p>AB 1894 (Monning) – Judges: disqualification</p> <p>As amended June 10, 2010 Extends, for civil cases only, the time period for moving to disqualify a judge from 10 to 15 days and requires the moving party to notify all other parties within 5 days of making the motion.</p>	Support	Consumer Attorneys of California	Senate Judiciary Committee
AB 1925 (June Clark)	<p>AB 1925 (Salas) – Veterans courts</p> <p>As amended May 28, 2010 Authorizes superior courts to develop and implement veterans courts for eligible veterans of the United States military.</p>	No position	Author	Senate Veterans Affairs Committee
AB 1926 (Tracy Kenny)	<p>AB 1926 (Evans) – Court records: preservation guidelines</p> <p>As amended April 6, 2010 Authorizes courts to create, maintain, and preserve records in any form or forms—including paper, optical, electronic, magnetic, micrographic, or photographic media or other technology—that satisfies standards or guidelines. Requires the Judicial Council to adopt rules to establish the guidelines or standards for the creation, maintenance, reproduction, and preservation of court records. The amended statutes would not apply to court reporters’ transcripts or electronic recordings made as the official record of oral proceedings.</p>	Sponsor	Judicial Council	Senate Judiciary Committee

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of June 21, 2010
AB 1987 (Donna Hershkowitz)	AB 1987 (Ma) – Public retirement: final compensation: computation: retirees As amended June 1, 2010 For 1937 Act retirement systems, prohibits the practice of “pension spiking” by excluding from the calculation of pension benefits out of the ordinary compensation increases paid for the principal purpose of enhancing individuals’ pension benefits. Prohibits “double dipping” by requiring at least six months separation before any employee covered by a state or local pension system may return to service.	Oppose the provision mandating a period of time for separation, unless amended to exclude subordinate judicial officers. No position on remaining provisions.	Author	Senate Public Employment & Retirement Committee
AB 2056 (June Clark)	AB 2056 (Miller) – Criminal procedure: continuances: assault with intent to commit rape As amended April 28, 2010 Adds cases involving assault with the intent to commit rape to the list of types of cases that are categorically eligible for a good cause continuance in criminal proceedings when the prosecuting attorney assigned to the case has another trial, preliminary hearing, or motion to suppress in progress in another case.	Oppose; inappropriately interferes with the court’s function to have the court determine whether there is good cause for a continuance on a case-by-case basis.	Riverside County District Attorney Rod Pacheco	Assembly Public Safety Committee— Failed passage.
AB 2116 (June Clark)	AB 2116 (Evans) – Subordinate judicial officers: gifts and honoraria As amended April 5, 2010 Extends existing provisions regulating gifts and honoraria limitations for judges and justices to subordinate judicial officers.	Support	California Judges Association	Senate Appropriations Committee
AB 2119 (Daniel Pone)	AB 2119 (Tran) – Civil procedure: deadlines: computation As introduced Provides that when any law governing civil procedure requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, excluding the date of the hearing.	Support	State Bar of California – Committee on the Administration of Justice	To enrollment
AB 2217 (June Clark)	AB 2217 (Fuentes) – Jurors: electronic communications As amended March 25, 2010 Requires the court, when admonishing the jury against conversation about the trial, to clearly explain, as part of the admonishment, that the prohibition on conversation applies to all forms of communication, including electronic and wireless. Requires the officer in charge of a jury to prevent any form of electronic or wireless communication. Includes “research and dissemination” in the prohibition. Violation of this admonishment would be included in the list of acts constituting criminal and civil contempt of court.	Support	Author	Senate Public Safety Committee
AB 2271 (Daniel Pone)	AB 2271 (Silva) – Probate: appeals As amended June 16, 2010 Adds temporary trustees to the list of persons who may be appointed by the court during an appeal of certain probate orders.	Support	Conference of California Bar Associations	Senate Floor

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of June 21, 2010
AB 2284 (Daniel Pone)	<p>AB 2284 (Evans) – Jury trial: expedited jury trials</p> <p>As amended June 21, 2010</p> <p>Establishes the Expedited Jury Trials Act. Among other things, defines expedited jury trial as a binding jury trial before a reduced jury panel and judicial officer. Requires the Judicial Council, by January 1, 2011, to adopt implementing rules and forms.</p>	Support, but reserve the right to modify the position, as necessary, after consideration of all public comments received on the rules proposal.	Consumer Attorneys of California (co-sponsor) California Defense Counsel (co-sponsor)	Senate Judiciary Committee
AB 2475 (Tracy Kenny)	<p>AB 2475 (Beall) – Judicial immunity</p> <p>As amended April 28, 2010</p> <p>Provides that the doctrine of judicial or quasi-judicial immunity shall not apply to any private third party engaged by the court for his or her expertise in family law matters in an advisory capacity. Requires the Bureau of State Audits to establish a compliance unit to review compliance of family courts and public employees with family laws and procedures.</p> <p>UPDATE: As amended May 11, 2010 <i>Requires the Judicial Council to adopt a statewide complaint procedure for family court appointees.</i></p>	<p>Oppose</p> <p>Update: <i>As amended May 11, 2010</i> <i>No position</i></p>	Author	Assembly Appropriations Committee—Dead.
AB 2487 (June Clark)	<p>AB 2487 (Feuer) – Judge disqualification</p> <p>As amended May 4, 2010</p> <p>Requires a judge to disqualify himself or herself when the judge has received a contribution in excess of \$1,500 from a party or counsel in a matter before the judge, and the contribution was received either in support of the judge’s election, if the election occurred within the last six years, or in support of an upcoming election. Allows the non-contributing party to waive the disqualification. Also requires the judge to disclose on the record any contribution of an amount that a judicial candidate would be required to report to the Fair Political Practices Commission (currently \$100).</p>	Support if amended to limit the mandatory disqualification to two years instead of six years.	Author	Senate Judiciary Committee
AB 2499 (June Clark)	<p>AB 2499 (Portantino) – Traffic violator schools: regulation</p> <p>As amended June 16, 2010</p> <p>Consolidates all traffic violator school programs under the licensing authority of the Department of Motor Vehicles. Requires courts to transmit to DMV abstracts of judgment for convictions of traffic violations rather than the court dismissing the case upon completion of the TVS program.</p>	Support	Author	Senate Transportation & Housing Committee
AB 2505 (June Clark)	<p>AB 2505 (Strickland) – Warrants: electronic signature: computer server transmission</p> <p>As amended April 8, 2010</p> <p>Allows an oath by an affiant seeking a search warrant to be made using a telephone and computer server, in addition to a fax machine or email, and allows the affiant’s signature to be in the form of an electronic signature.</p>	Support	Ventura County District Attorney Greg Totten	Senate Floor

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of June 21, 2010
AB 2521 (Donna Hershkowitz)	<p>AB 2521 (Torrico) – Courts: budget and fiscal management</p> <p>As amended June 17, 2010 Requires the Controller to perform a compliance audit all funds and accounts under the jurisdiction and control of each trial court every four years. Requires the Controller to perform a compliance audit all funds under the jurisdiction and control of the Administrative Office of the Courts (AOC) every 2 years. Provides that the first audit of the trial courts shall be a pilot with six trial courts established by December 15, 2012. Audits of all trial courts, and the AOC shall begin by December 15, 2013. Requires the results of the audits to be issued to the Legislature, Judicial Council, and Department of Finance. Provides that the costs of the audits shall be borne by the trial courts and the AOC within existing resources.</p>	Oppose unless funded, concerns noted about the scope and frequency of the audits.	Services Employees International Union	Senate Judiciary Committee
AB 2763 (Donna Hershkowitz)	<p>AB 2763 (Committee on Judiciary) – Judicial needs assessment and subordinate judicial officer conversions</p> <p>As amended March 25, 2010 Requires the Judicial Council to prepare and submit to the Legislature a Judicial Needs Assessment that revises the time study specifically as to family and juvenile law judgeship needs. Authorizes the Judicial Council to convert up to an additional 10 subordinate judicial officer positions to judgeships each year, upon vacancy, if the conversion of these additional positions will result in a judge being assigned to a family or juvenile law assignment previously presided over by a subordinate judicial officer.</p>	Support	Author	Senate Judiciary Committee
AB 2767 (Daniel Pone)	<p>AB 2767 (Committee on Judiciary) – Civil omnibus bill</p> <p>As amended June 15, 2010 Among other things: (1) Clarifies the disposition of unclaimed victim restitution money held by the superior court; and (2) Adjusts, from April 1, 2010, to April 1, 2013, the date on which the Judicial Council is required to submit the first report to the Legislature regarding increased dollar amounts for homestead exemptions.</p>	(1) Sponsor (2) Support	(1) Judicial Council (2) California Teamsters Union	Senate Appropriations Committee
SB 962 (Tracy Kenny)	<p>SB 962 (Liu) – Prisoners: adjudication of parental rights: participation</p> <p>As amended June 17, 2010 Allows incarcerated parents to participate in specified court proceedings concerning parental rights via videoconferencing or teleconferencing if the technology is available. Prohibits the loss of job placement or reduction in earned privileges while incarcerated for attendance by parents at court proceedings for which they are entitled to be transported unless the absence from custody is for 10 days or more. Allows the California Department of Corrections and Rehabilitation to establish a pilot project to facilitate parental involvement in dependency court hearings if private funding can be obtained.</p>	Support	Los Angeles Dependency Lawyers, Inc.	Assembly Judiciary Committee

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of June 21, 2010
SB 1041 (Daniel Pone)	SB 1041 (Harman) – Hearsay evidence: wills and revocable trusts As amended May 6, 2010 Among other things, provides that evidence of a statement made by a declarant who is unavailable as a witness that he or she has or has not established or revoked a revocable trust, or that identifies his or her revocable trust, is not made inadmissible by the hearsay rule because the declarant is unavailable as a witness.	Support	Conference of California Bar Associations	Assembly Judiciary Committee
SB 1274 (Daniel Pone)	SB 1274 (Committee on Judiciary) – Electronic service of process As amended March 23, 2010 Authorizes service by electronic notification by defining electronic service to include both electronic transmission and electronic notification. The bill also explicitly authorizes electronic service of all types of documents and expands the courts ability to serve certain documents electronically.	Sponsor	Judicial Council	Assembly Appropriations Committee
SB 1417 (June Clark)	SB 1417 (Cox) – Corporations for prevention of cruelty to children or animals: endorsement and appointment As amended May 18, 2010 Modifies the process for formation of Societies for the Prevention of Cruelty to Animals and for the appointment of humane officers.	Support if amended to provide clear court process.	State Humane Association of California; Placer County Counsel; California State Sheriffs Association	Assembly Judiciary Committee
SB 1425 (Donna Hershkowitz)	SB 1425 (Simitian) – Public Retirement: final compensation: computation: retirees As amended May 4, 2010 For Public Employees’ Retirement System (PERS) and State Teachers’ Retirement System (STRS) prohibits the practice of “pension spiking” by excluding from the calculation of pension benefits out of the ordinary compensation increases paid for the principal purpose of enhancing individuals’ pension benefits. Prohibits “double dipping” by requiring at least six months separation before any employee covered by PERS or STRS may return to service.	Oppose the provision mandating a period of time for separation, unless amended to exclude judicial officers. No position on remaining provisions.	Author	Assembly Public Employees Retirement & Social Security Committee
SB 1449 (June Clark)	SB 1449 (Leno) – Marijuana possession: reclassification As amended April 5, 2010 Reclassifies from a misdemeanor to an infraction simple possession and possession while driving of not more than 28.5 grams of marijuana.	Support	Author	Assembly Public Safety Committee
SCA 27 (June Clark)	SCA 27 (Harman) – Death penalty appeals: transfer As introduced Authorizes the Supreme Court to transfer a case to a court of appeal when a judgment of death has been pronounced and requires the Supreme Court to review the resulting decision of the court of appeal affirming or reversing that judgment.	Support	Author	Senate Public Safety Committee— failed passage.

Appendix
Status of 2010 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of June 21, 2010
AB 1229 (Tracy Kenny)	<u>AB 1229 (Evans) – Juvenile court costs</u> As amended January 4, 2010 Clean-up to AB 131 of last year (Stats. 2009, ch. 413), clarifies that courts can designate their own financial evaluation officers.	Judicial Council	Senate Appropriations Committee
AB 1596 (Tracy Kenny)	<u>AB 1596 (Hayashi) – Protective orders: emergency protective orders: enforcement priority: sexual assault</u> As amended May 19, 2010 Provides that when two or more protective orders issued pursuant to the Code of Civil Procedure, the Family Code, the Penal Code, or the Welfare and Institutions Code involve at least one of the same protected persons, and the same restrained person, and the orders are in conflict, then they are to be enforced in the manner that provides the greatest protection to the protected persons and the greatest restrictions on the restrained person. Contains numerous technical changes to create more consistency in protective order statutes.	Judicial Council	Senate Public Safety Committee
AB 1926 (Tracy Kenny)	<u>AB 1926 (Evans) – Court records: preservation guidelines</u> As amended April 6, 2010 Authorizes courts to create, maintain, and preserve records in any form or forms—including paper, optical, electronic, magnetic, micrographic, or photographic media or other technology—that satisfies standards or guidelines. Requires the Judicial Council to adopt rules to establish the guidelines or standards for the creation, maintenance, reproduction, and preservation of court records. The amended statutes would not apply to court reporters’ transcripts or electronic recordings made as the official record of oral proceedings.	Judicial Council	Senate Judiciary Committee
AB 2767 (Daniel Pone)	<u>AB 2767 (Committee on Judiciary) – Civil omnibus bill</u> As amended June 15, 2010 Among other things: (1) Clarifies the disposition of unclaimed victim restitution money held by the superior court; and (2) Adjusts, from April 1, 2010, to April 1, 2013, the date on which the Judicial Council is required to submit the first report to the Legislature regarding increased dollar amounts for homestead exemptions.	(1) Sponsor (2) Support	Senate Appropriations Committee

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