



NEWS RELEASE

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Judicial Council to Seek Funding To Keep State Courts Open, Accessible

Other Actions Taken Today on Family Law Courts, Domestic Violence, and Complex Litigation

San Francisco—At a public meeting today, the Judicial Council of California voted to seek sufficient funding to ensure that state courts are open and accessible every business day of the year through all viable ongoing, limited-term, and one-time funding solutions.

“The level of reductions and unfunded costs facing all 58 of California’s trial courts is far too large and is not sustainable—courts will require additional funding to be able to avoid significant reductions, including potentially substantial staff reductions and furloughs over the next three years,” according to a report that was accepted by the council, the policymaking body for the state courts.

As part of its action, the council decided it would not pursue legislation to redirect substantial ongoing funding from the State Court Facilities Construction Fund as proposed by the Superior Court of Los Angeles County to defer a planned layoff of 500 employees in fiscal year 2010–2011.

The State Court Facilities Construction Fund was created to provide and maintain safe, accessible, and fully functional facilities for conducting court business that accommodate the needs of all court users. Many California courthouses are in a state of significant disrepair and urgently need repairs and renovations.

Rather than deplete funding planned for critically needed facility projects, the report urged a “broad and flexible approach” to working with the

Legislature and Governor as a way to achieve financial stability for California’s 58 superior courts.

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The report accepted by the council is posted at www.courtinfo.ca.gov/jc/documents/reports/20100423itemf.pdf.

OTHER ACTIONS

In other actions, the Judicial Council:

Elkins Family Law Task Force: Accepted the Elkins Family Law Task Force final report, which makes 117 comprehensive recommendations to increase access to justice for all family litigants, ensure fairness and due process, and create more effective and consistent family law rules, policies, and procedures in California's family courts. The council also directed that a committee be established to implement the task force's recommendations. The report is discussed further in News Release 15 which is posted at <http://www.courtinfo.ca.gov/presscenter/newsreleases> .

Executive Officer Compensation: Amended California Rules of Court, rule 10.603, which outlines the authority and duties of presiding judges of the state superior courts. The amended rule requires the development of policies and procedures related to the setting and modification of a court executive officer's total compensation package to ensure appropriate accountability and transparency. The report to the council is the final report of a working group convened in September 2009 to study court executive officer compensation.

Firearms Relinquishment in Criminal Protective Order Cases: Adopted California Rules of Court, rule 4.700 to provide a procedure for courts issuing criminal protective orders in domestic violence cases to assist them in determining whether the defendant has complied with the court's order to relinquish or sell any firearms that the defendant owns, possesses, or controls. Under the rule, the trial court will set a review hearing to determine compliance with its order only in those limited cases where the court, in its discretion, has "good cause to believe" that the defendant owns, possesses, or controls a firearm that must be relinquished under the terms of the court's protective order. Proposed by the Domestic Violence Practice and Procedure Task Force, the rule is designed to fill a gap in the underlying statute, Code of Civil Procedure section 527.9; establish a uniform statewide procedure; and help protect victims and ensure public safety.

Complex Litigation Courts: Adopted a resolution recognizing the 10th anniversary of the Complex Civil Litigation Program and honoring the judges, staff, and participating courts for their contributions in ensuring access to justice for Californians. Based on recommendations made by a statewide task force in 1997, the Judicial Council has established six centers for complex litigation in the Superior Courts of Alameda, Contra Costa, Los Angeles, Orange, San Francisco, and Santa Clara Counties.

AOC Conflict of Interest Code: Approved updates to the Conflict of Interest Code of the Administrative Office of the Courts (AOC). Since the code was last amended in March 2009, the AOC determined that other classifications should be included as designated positions in the Conflict of Interest Code to bring it up to date. Staff also identified the types of financial interests that employees in these classifications should be required to disclose. In addition, two other classifications cited in the code no longer exist and were deleted. In accordance with Government Code sections 87303 and 87306, the Judicial Council must review proposed amendments to the code and approve the code as amended or direct that it be further revised and resubmitted for approval.

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The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and ensures leadership and excellence in court administration.