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Judicial Council Votes on Legislative Priorities to Improve Access to Justice

Foster Care Reforms, New Judges, and Retirement Changes

San Francisco—By a unanimous vote, the Judicial Council of California today approved its top legislative priorities for 2009, including foster care reforms, funding for new trial court judges, and retirement modifications for judicial officers.

“With today’s vote, the Judicial Council has underscored the importance of legislation that will help reform our foster care system to ensure that children have safe and permanent homes,” stated Chief Justice Ronald M. George, chairperson of the council.

“The council also will request 50 additional judgeships that will assist our courts in processing cases fairly and efficiently, as well as judicial retirement reforms that are needed to attract and retain attorneys from ethnically and racially diverse backgrounds and from a wide array of public and private legal practices.”

These legislative priorities were approved by the council:

- Enact legislation necessary to implement the recommendations of the Blue Ribbon Commission on Children in Foster Care.
- Establish the third set of 50 new trial court judgeships that will be allocated consistent with the council’s Judicial Needs Assessment updated in 2007.
- Ratify the conversion of 16 vacant subordinate judicial officer positions to judgeships in eligible courts in fiscal year 2009-2010.
- Modify the Judges’ Retirement System II to provide a defined benefit after 10 years of service on the bench for judges at least 63.

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In other actions today, the Judicial Council:

Probate Conservatorship Reforms: Approved 20 best practices for improving the administration of probate conservatorship cases and agreed to publish them in a guide for the California trial courts. The council also approved a progress report on the status of 85 recommendations that were made by the Probate Conservatorship Task Force in October 2007. All the task force recommendations -- and those contained in the best practices -- were developed for courts, judicial partners, and the community support system to protect and benefit conservatees. The task force's study followed a 2005 series in the *Los Angeles Times* that exposed problems in the probate conservatorship system.

Electronic Discovery: Agreed to sponsor and resubmit legislation on the following issues: (1) electronic discovery; 2) postjudgment fees in small claims proceedings; (3) Court Interpreters Advisory Panel membership: American Sign Language interpreters; (4) reimbursement for costs associated with providing minor's counsel in dependency cases; and (5) collection of unpaid bail amounts by the Franchise Tax Board.

Criminal Jury Instructions: Approved various revisions and additions to the Judicial Council of California Criminal Jury Instructions. The changes will improve the clarity, accuracy, and breadth of the instructions.

Uniform Bail and Penalty Schedules: Approved revisions to the Uniform Bail and Penalty Schedules to become effective January 1, 2009. Vehicle Code section 40310 provides that the Judicial Council must annually adopt a uniform traffic penalty schedule for all nonparking Vehicle Code infractions.

Collaborative Justice Courts: Approved distribution of \$1.2 million in California Collaborative and Drug Project funds to local jurisdictions in the form of grants distributed through the Collaborative Justice Courts Project. The Budget Act for fiscal year 2008–2009 provided for this allocation.

The agenda and reports for today's meeting are available on the California Courts Web site at www.courtinfo.ca.gov/jc/documents/age120908.pdf. The meeting is audiocast live at www.courtinfo.ca.gov/jc.

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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 promotes leadership and excellence in court administration.