

AOC staff recommends that the council approve the Internal Audit Services Charter. Internal audit organizations are required to be an independent appraisal activity within organizations. That independence is acknowledged and approved through the Internal Audit Services Charter.

Item 3

**Child Support Commissioner and Family Law Facilitator
Midyear Funding Reallocation for Fiscal Year 2003–2004
(Action Required)**

Staff: Mr. Michael Wright
Center for Families, Children & the Courts

The Judicial Council is required to allocate non-trial court funding annually to local courts for the child support commissioner and family law facilitator program. Under an established procedure contained in the standard agreement with each superior court, the Judicial Council redistributes at midyear any unallocated funds and funds from courts that are projected not to spend their full grants to other courts that have a documented need for additional funds. The funds for this program are provided by a cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council. Two-thirds of these funds are federal funds and the remaining one-third state General Funds (non-trial court funding).

Discussion Agenda (Tabs 4–9)

Item 4

8:40–10:10 a.m.

**Facilities Planning: Trial Court Five-Year Capital Outlay Plan
(Action Required)**

The council will review staff recommendations and discuss project prioritization for proposed capital projects for the trial courts. The council will be asked to approve a ranked list of projects to be submitted to the Department of Finance, to approve application of FY 2004–2005 funds to ten demonstration projects, to approve submittal of a budget request for FY 2005–2006, and to direct staff to develop a broad range of financing alternatives for discussion at a future council meeting.

Presentation (60 minutes)

Speakers: Ms. Kim Davis
Office of Court Construction and Management
Mr. Robert Emerson
Office of Court Construction and Management

Discussion/Council Action (30 minutes)

Item 5
10:10–10:30 a.m. **Early Mediation Pilot Programs: Evaluation Report and Recommendations (Action Required)**

As part of the legislation establishing the Early Mediation Pilot Programs, Code of Civil Procedure section 1742 requires the Judicial Council to submit a report to the Legislature and Governor on these pilot programs. The council is asked to approve the report that was prepared to fulfill that statutory mandate, for submission to the Legislature and Governor. Based on the benefits of the pilot programs outlined in the report, the council is also asked to support the continuation of early mediation programs as part of the core operations in the existing pilot courts, support the expansion of such programs to other courts based on those courts' needs, and direct the Civil and Small Claims Advisory Committee and staff to take actions to encourage and support the expansion of such programs.

Presentation (10 minutes)

Speakers: Mr. Michael Bergeisen, Office of the General Counsel
Ms. Heather Anderson, Office of the General Counsel
Mr. Ron Pi, Executive Office Programs

Discussion/Council Action (10 minutes)

10:30–10:45 a.m. **BREAK**

Item 6
10:45–11:05 a.m. **Report of the Task Force on Self-Represented Litigants and Statewide Action Plan (Action Required)**

The Task Force on Self-Represented Litigants recommends that the council approve the Statewide Action Plan for Self-Represented Litigants. The task force was created by the Judicial Council to make recommendations to the council on how to respond to the growing number of unrepresented litigants, who are having a great impact on the court system. The task force was charged with reviewing current activities and developing a Statewide Action Plan with recommendations for the future to assist the council in efficiently and effectively implementing its goals of increasing access to the courts and improving the quality of justice and service to the public.

Presentation (10 minutes)

Speaker: Hon. Kathleen E. O'Leary
Court of Appeal, Fourth Appellate District

Discussion/Council Action (10 minutes)

Item 7
11:05–11:25 a.m.

Juvenile Law: Responsibilities of Children’s Counsel in Delinquency Proceedings (adopt Cal. Rules of Court, rule 1479) (Action Required)

The Family and Juvenile Law Advisory Committee recommends adoption of a rule that would clarify the extent of a child’s counsel’s responsibilities in delinquency proceedings. By consolidating relevant statutory provisions, the rule helps to ensure protection of the child’s interest at every stage of the proceedings.

Presentation (10 minutes)

Speakers: Hon Susan D. Huguenor
Superior Court of San Diego County
Co-chair, Family and Juvenile Law Advisory Committee
Ms. Diane Nunn
Center for Families, Children & the Courts
Ms. Audrey Evje
Center for Families, Children & the Courts
Ms. Melissa Ardaiz
Center for Families, Children & the Courts

Discussion/Council Action (10 minutes)

Item 8
11:25 a.m.–12:15 p.m.

Budget Status Report on Fiscal Years 2003–2004, 2004–2005, and 2005–2006 (Action Required)

AOC staff will provide information on budget issues affecting the judicial branch and recommend that the Judicial Council approve budget change proposal priorities for fiscal year 2005–2006. Among the multiyear funding issues discussed will be shortfalls in fee revenues and the State Court Facilities Construction Fund loan, the Judges’ Retirement System I deficiency, the Trial Court Trust Fund, and reductions in funding for court security and consolidated administrative services. Budget change proposals and unallocated reductions for fiscal year 2004–2005 will also be discussed, as well as spring Finance letters.

Presentation (30 minutes)

Speakers: Ms. Christine M. Hansen, Finance Division
Mr. Stephen Nash, Finance Division

Discussion/Council Action (20 minutes)

Item 11
1:20–2:20 p.m.

Access to Electronic Court Records: Interim Rule to Allow Trial Courts to Provide Internet Access to Electronic Court Records in Selected Criminal Cases (adopt Cal. Rules of Court, rule 2073.5) (Action Required)

AOC staff recommends the adoption of interim rule 2073.5, which would allow courts to post criminal case records on the Internet in a high-publicity case under specified circumstances. Rule 2073 currently allows courts to provide remote (i.e., Internet) access to all electronic court records in civil cases, but not in criminal cases, because of privacy concerns. However, in high-publicity criminal cases, the use of the Internet may be appropriate, as it will significantly ease burdens on court staff and most information in the court file is already widely disseminated through the media. The rule would become effective immediately upon approval by the Judicial Council and would be in affect only until the end of the year, at which time the council could consider whether to adopt a permanent rule.

Presentation (15 minutes)

Speakers: Ms. Melissa Johnson, Office of the General Counsel
Mr. Joshua Weinstein, Office of the General Counsel

Discussion/Council Action (45 minutes)

Circulating Orders Approved Since Last Business Meeting
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Judicial Council Appointment Orders Since Last Business Meeting
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