



**Item 1B**

**Amend Juvenile Rules and Forms (Cal. Rules of Court, amend rules 39.1B, 1425, 1426, 1431, 1438, 1456, 1460, 1461, 1462, 1463, 1465, and 1466; and amend forms JV-325, JV-550, and JV-820) (Action Required)**

[Tab 1B]

Staff: Ms. Diane Nunn

The Juvenile Law Subcommittee of the Family and Juvenile Law Advisory Committee recommends amending a number of juvenile law rules and forms to clarify them and conform to statutory changes.

**Item 1C**

**Adopt and Amend Miscellaneous Family Law and Child Support Forms (Cal. Rules of Court, adopt rules 1285.61A, 1285.61B, 1296.50, 1296.81, 1298.32, 1298.52, 1298.54, and 1298.56; amend forms 1281, 1282, 1285.60, 1285.92, 1286.50, 1296.80, 1299.28, 1299.55, 1285.75, 1285.90, 1287, 1296.31A, 1296.605, and 1298.50; and repeal forms 1296.31B(2) and 1298.04) (Action Required)**

[Tab 1C]

Staff: Mr. Michael Fischer

The Family and Juvenile Law Advisory Committee recommends adopting, amending, and repealing forms to comply with new statutory requirements in family law and child support and to improve and make more efficient the processing of family law and child support cases in the courts.

**Item 1D**

**Amend Rule on Record on Appeal — Clerk’s Transcript (Cal. Rules of Court, amend rule 5(a)) (Action Required)**

[Tab 1D]

Staff: Mr. Ben McClinton

The Appellate Advisory Committee recommends amending rule 5(a) to clarify that any party may elect to proceed under rule 5.1, choosing to file an appendix in lieu of having the clerk prepare a clerk’s transcript.



**Item 1H**

**Adopt Notice to Consumer or Employee and Objection (Form 982(a)(15.5)) (Action Required)**

[Tab 1H]

Staff: Mr. Patrick O'Donnell

The Civil and Small Claims Advisory Committee recommends a new form to (1) provide a means for parties requesting documents to give the statutorily required notice to consumers and employees that their records are being subpoenaed, and (2) provide a means for nonparties to object to the production of their records.

**Item 1I**

**Identifying Mandatory and Optional Forms and Clarifying Use of Legal Forms (add division III (forms list) to the Appendix to the Cal. Rules of Court; amend rules 982, 982.1, and 982.9; and repeal rules 982.5 and 982.7) (Action Required)**

[Tab 1I]

Staff: Mr. Ben McClinton

The Rules and Projects Committee recommends amending rule 982 to (1) identify clearly whether forms are mandatory and optional, (2) require publication of a list identifying mandatory and optional forms as an appendix to the rules, (3) clarify what changes local courts may make to the forms, and (4) make other clarifications on use of legal forms. The committee also recommends repealing the rules with partial lists of mandatory and optional forms and replace them with a complete list in the appendix to the rules.

**Item 1J**

**Technical Amendments to Rules and Forms (Cal. Rules of Court, amend rules 1257.3, 1435, 1464, 1600, 1600.1, 1603, Title Six rules 6.51, 6.655, and forms 982(a)(17)(A), and JV-101) (Action Required)**

[Tab 1J]

Staff: Ms. Melissa Johnson

The Rules and Projects Committee recommends adopting technical amendments to rules and forms to clarify requirements and conform to new statutes, forms, and government code sections.

**Item 1K**

***Adopt Petition for Order Striking and Releasing Lien or Other Encumbrance on Property of Public Officer or Employee (Form MC-100) and Order to Show Cause Why Lien or Other Encumbrance on Property of a Public Officer or Employee Should Not be Stricken and Released (Form MC-101) (Action Required)***

[Tab 1K]

Staff: Mr. Patrick O'Donnell

The Civil and Small Claims Advisory Committee recommends adopting two forms to enable public officers and employees to petition for the removal of improper liens.

**Item 2**

**Update to Judicial Branch Strategic Plan (Action Required)**

[Tab 2]

Staff: Ms. Dale Sipes

AOC staff recommends approving an updated judicial branch strategic plan and directing staff to publicize it to the judicial, executive, and legislative branches and to other external entities as appropriate.

**Item 3**

**Criteria for 1999–2000 Drug Court Mini-Grant Awards (Action Required)**

[Tab 3]

Staff: Ms. Fran Jurcso

The Oversight Committee for the Drug Court Project recommends adopting criteria for review of mini-grant applications for 1999–2000 similar to those used in fiscal year 1998–1999.

**Item 4**

**Report to the Legislature on Special Motions to Strike Strategic Lawsuits Against Public Participation (“SLAPP Suits”) (Action Required)**

[Tab 4]

Staff: Mr. Patrick O’Donnell

The Civil and Small Claims Advisory Committee recommends approving the report on special motions to strike SLAPP suits and directing staff to submit the report to the Legislature.

**Discussion Agenda (Tab Nos. 5–14)**

**(Note: agenda items are not in order from this point on)**

**Item 5**

1:10–1:40 p.m.

**Report of the Task Force on the Quality of Justice Subcommittee on the Quality of Judicial Service (Action Required)**

[Tab 5]

The Task Force on the Quality of Justice Subcommittee on the Quality of Judicial Service recommends action to ensure that (1) judges remain on the bench for full careers; (2) older judges who are healthy and fit have the option to remain on the bench; (3) judges who are no longer fully able to serve retire at an appropriate time; and (4) compensation and benefits to attract and retain highly qualified attorneys.

*Presentation (15 minutes)*

Speakers: Hon. Robert Mallano, Chair  
Ms. Rochelle Terrell

*Discussion/Council Action (15 minutes)*

**Item 14**  
1:40–1:55 p.m.

**Drug Court Partnership Act of 1998 Grant Awards (Action Required)**

[Tab 14]

The Oversight Committee for the California Drug Court Project recommends allocations of grants totaling \$7.6 million over two years.

*Presentation (10 minutes)*

Speakers: Ms. Elaine Bush, Acting Director of the Alcohol and Drug Programs  
Hon. Patrick Morris, Chair  
Hon. Stephen Manley

*Discussion/Council Action (5 minutes)*

**Item 7**  
1:55–2:40 p.m.

**Adopt Statewide Uniform Rules in Preempted Fields: (amend and renumber Cal. Rules of Court, rule 302 as new rule 981.1 (Preemption of Local Rules); adopt rules 330 (Good Faith Settlement and Dismissal) and 981.2 (Exemption); and amend rules 105 (Recycled Paper), 201 (Tumble Forms), 298 (Telephone Appearance), 359 (Preliminary Injunctions) 367 (Consolidation of Cases), 370 (Ex Parte Applications), 501 (Tumble Forms), 598 (Telephone Appearance), and 981 (Local Rules Procedures) (Action Required)**

[Tab 7]

The Civil and Small Claims Advisory Committee recommends amending rule 302 and renumbering it as rule 981.1 (preemption of local rules) and adopting and amending a number of other rules to establish statewide uniform rules in pretrial proceedings in civil cases.

*Presentation (15 minutes)*

Speakers: Hon. Jamie Jacobs-May, Chair  
Mr. Patrick O'Donnell

*Discussion/Council Action (30 minutes)*

**Item 8**  
2:40–2:50 p.m.

**Amend and Adopt Rules on Case Management and Meet and Confer Conferences (Cal. Rules of Court, amend rule 212 and adopt rule 512); Revise *Case Management Conference Statement* (Form CM-110); and Repeal *Case Management Conference Orders* (Form CM-120) (Action Required)**

[Tab 8]

*Presentation (5 minutes)*

Speakers: Hon. Jamie Jacobs-May, Chair  
Mr. Patrick O'Donnell

*Discussion/Council Action (5 minutes)*

The Civil and Small Claims Advisory Committee recommends amending and adopting case management rules to encourage early discussion and settlement; making technical and stylistic changes to a case management form; and repealing a form no longer used by the courts.

2:50–3:05 p.m.

**Break**

**Item 9**  
3:05–3:50 p.m.

**Fiscal Year 2000–2001 Trial Court Budget Priority Program Areas (Action Required)**

[Tab 9]

The Trial Court Budget Commission recommends priority program areas for the council's budget request to the Governor and Legislature.

*Presentation (15 minutes)*

Speakers: Hon. Ray Hart, Chair  
Mr. Jonathan Wolin

*Discussion/Council Action (30 minutes)*

**Item 10**  
3:50–4:05 p.m.

**Fiscal Year 1998–1999 Additional Allocations (Action Required)**

[Tab 10]

The Trial Court Budget Commission recommends additional allocations to countywide trial court systems in the areas of (1) Court-Appointed Counsel for Juvenile Dependency and Family Code 3150 matters; (2) fiscal year 1996–1997 base year budget adjustments; and (3) cost-of-living increases to municipal court judges and subordinate judicial officers whose salaries are tied to increases in salaries for superior court judges.

*Presentation (5 minutes)*

Speakers: Hon. Ray Hart, Chair  
Mr. Jonathan Wolin

*Discussion/Council Action (10 minutes)*

**Item 11**  
4:05–4:45 p.m.

**One-Day/One-Trial: Implementation of Government Code Section 68550 (Cal. Rules of Court, adopt rule 861) (Action Required)**

[Tab 11]

The Task Force on Jury System Improvements recommends adopting rule 861 to implement state law limiting jury service to either one day or one trial.

*Presentation (10 minutes)*

Speakers: Hon. Dallas Holmes, Chair  
Ms. Kim Taylor

*Discussion/Council Action (30 minutes)*

**Item 6**  
4:45–5:10 p.m.

**2000 Statewide Judicial Needs Determination (Action Required)**

[Tab 6]

The Court Profiles Advisory Committee recommends conducting an assessment of judgeship needs statewide this year without regard to the 29 judgeships deferred by the council to the fall of 1999.

*Presentation (10 minutes)*

Speakers: Hon. Brad Hill, Chair  
Mr. John Larson

*Discussion/Council Action (15 minutes)*

**Item 13**  
5:10–5:40 p.m.

**Statutory Authorization of Commissioner Positions (Action Required)**

[Tab 13]

Staff recommends approving including in omnibus staffing legislation a provision to authorize those trial court commissioner positions that were in existence as of January 1, 1999 that do not already have specific statutory authorization. If the council approves this approach, appropriate language will be drafted and presented through the Policy Coordination and Liaison Committee.

*Presentation (10 minutes)*

Speakers: Ms. Kate Harrison  
Mr. John Larson

*Discussion/Council Action (20 minutes)*

**Item 12**  
5:40–6:00 p.m.

**Examination in a Small Claims Appeal (Cal. Rules of Court, adopt rule 157) (Action Required)**

[Tab 12]

The Civil and Small Claims Advisory Committee recommends adopting a rule to permit parties and attorneys representing parties to a small claims appeal to conduct direct and cross-examination, but that the court, to ensure informality, shall carefully control the manner, mode, and duration of examination.

*Presentation (5 minutes)*

Speaker: Ms. Cara Vonk

*Discussion/Council Action (15 minutes)*

**Circulating Orders Approved Since Last Business Meeting**

[Circulating Orders Tab]

**Judicial Council Appointment Orders Since Last Business Meeting**

[Appointment Order Tab]