

JUDICIAL COUNCIL MEETINGS
Administrative Office of the Courts
Malcolm M. Lucas Board Room
455 Golden Gate Avenue
San Francisco, California 94102-3688
Open to the Public (Except When Otherwise Noted)

AGENDA

August 24, 2005 **New Member Orientation (Closed)**
11:00 a.m.–4:30 p.m.

August 25, 2005 **New Member Orientation (Closed)**
8:30 a.m.–12:00 p.m.

Follow-up on June 2005 Planning Meeting (Closed)
1:30 p.m.–2:00 p.m.
Mr. Ronald G. Overholt, Chief Deputy Director

**Legal Briefing about Item 5 on August 26, 2005,
Agenda (Closed)**
2:00–2:20 p.m.
Mr. Michael Bergeisen, Office of the General
Counsel
Mr. Kenneth Kann, Office of the General Counsel

**Orientation and Security Briefing Regarding Statewide
Judicial Branch Conference (Closed)**
2:20–2:50 p.m.
Ms. Karen Thorson, Education Division/CJER
Mr. Malcolm Franklin, Emergency Response and Security

**Update on Negotiations with Legislative and Executive
Branches (Closed)**
2:50 p.m.–3:20 p.m.
Mr. William C. Vickrey, Administrative Director of the
Courts

August 26, 2005 **Business Meeting**
8:30 a.m.–3:00 p.m.

- 8:30–8:45 a.m. **Public Comment Related to Trial Court Budget Issues***
 [Subject to requests]
 *This time is reserved for public comment on discussion
 agenda items relating to trial court budgets.
- 8:45–8:50 a.m. **Approval of Minutes**
 June 24, 2005 and July 25, 2005 business
 meetings
 [Minutes Tab]
- 8:50–9:10 a.m. **Judicial Council Committee Presentations**
 Executive and Planning Committee
 Hon. Richard D. Huffman, Chair
 Policy Coordination and Liaison Committee
 Hon. Marvin R. Baxter, Chair
 Rules and Projects Committee
 Hon. Laurence Donald Kay, Chair
 [Council Reports Tab]
- 9:10–9:25 a.m. **Judicial Council Court Visit Reports**
 Hon. Michael T. Garcia
 Ms. Christine Patton
 Report on visits to the Superior Courts of San Francisco and
 San Mateo Counties.
- 9:25–9:30 a.m. **Chief Justice’s Report**
 Chief Justice Ronald M. George will report on activities in which he
 has been involved since the last Judicial Council meeting.

Consent Agenda (Items 1–2)

(Council members wishing to request that any item be moved from the Consent Agenda to the Discussion Agenda, please notify Nancy Spero at 415-865-7915 at least 48 hours before the meeting.)

[Item 1](#) **Access to Visitation Grant Program: Approve Funding Allocations for Fiscal Years 2005–2006 and 2006–2007 (Action Required)**

The Family and Juvenile Law Advisory Committee recommends approval of funding allocations for the Access to Visitation Grant Program for fiscal years 2005–2006 and 2006–2007, pursuant to Family Code sections 3204(a) and 3204(b)(2).

Staff: Ms. Shelly Glapion

Item 2

Equal Access Fund: Distribution of Funds for IOLTA-Formula Grants (Action Required)

AOC staff recommends that the council follow the State Bar Legal Services Trust Fund Commission determinations and recommendations to approve the distribution of \$8.55 million of Equal Access Fund (IOLTA-Formula) grants according to the 2005-2006 Budget Act.

Staff: Ms. Bonnie Hough
Center for Families, Children & the Courts

Discussion Agenda (Items 3–10)

Item 3

9:30–9:40 a.m.

Judicial Council Distinguished Service Awards for 2004–2005 (Action Required)

The Chairs of the Executive and Planning, Rules and Projects, and Policy Coordination and Liaison Committees recommend approval of the winners of the 2004–2005 Distinguished Service Awards for significant and positive contributions to court administration in California.

Presentation (5 minutes)

Speaker: Hon. Marvin R. Baxter
Chair, Policy Coordination and Liaison Committee
Supreme Court of California

Discussion/Council Action (5 minutes)

Item 4

9:40–10:25 a.m.

Judicial Council Jury Instructions: Approve Publication of Criminal Instructions Prepared by the Task Force on Jury Instructions (Action Required)

The Judicial Council Task Force on Criminal Jury Instructions recommends approval for publication of new Judicial Council criminal jury instructions.

Presentation (15 minutes)

Speakers: Hon. Carol A. Corrigan
First Appellate District, Division Three
Chair, Task Force on Criminal Jury Instructions
Hon. James D. Ward
Fourth Appellate District, Division Two

Vice Chair, Task Force on Criminal Jury
Instructions
Ms. Robin Seeley
Office of the General Counsel
Discussion/Council Action (30 minutes)

10:25–10:40 a.m. **BREAK**

Item 5 **Judicial Council Jury Instructions: Amend Rules of Court
10:40–10:55 a.m. (amend Cal. Rules of Court, rules 229 and 855; repeal Cal. Stds.
Jud. Admin., section 5) (Action Required)**

AOC staff recommends approval of the amendment of two rules and repeal of a standard to state that the Judicial Council endorses use of the new Judicial Council criminal jury instructions. Rule 855 also would be amended to authorize the Administrative Office of the Courts to take steps to ensure that publication of the instructions by commercial publishers does not occur without its permission, including ensuring that commercial publishers accurately publish the Judicial Council instructions, accurately credit the Judicial Council as the source of the instructions, and do not claim copyright of the instructions. The amendment also would state the Judicial Council's intent that the instructions be freely available for use by parties, attorneys, and the public, except as limited by the rule.

Presentation (5 minutes)

Speakers: Mr. Ken Kann
Office of the General Counsel
Ms. Robin Seeley
Office of the General Counsel

Discussion/Council Action (10 minutes)

Item 6 **Fiscal Year 2006–2007 Trial Court Budget Request (Action
10:55–11:55 a.m. Required)**

AOC staff recommends approval of the fiscal year 2006–2007 trial court budget requests for submission to the Governor and Legislature in September 2005.

Presentation (40 minutes)

Speakers: Ms. Christine M. Hansen
Finance Division
Ms. Sheila Calabro
Southern Regional Office
Mr. Mike Roddy

Northern/Central Regional Office
Ms. Patricia M. Yerian
Information Services Division
Discussion/Council Action (20 minutes)

11:55–12:25 p.m. **LUNCH BREAK**

Item 7 **Fiscal Year 2006–2007 Judiciary Budget Request (to include the Supreme Court, the California Judicial Center Library, the Courts of Appeal, and the Judicial Council/Administrative Office of the Courts (Action Required))**
12:25–1:05 p.m.

AOC staff recommends approval of the fiscal year 2006–2007 budget requests of the Supreme Court, Courts of Appeal, the California Judicial Center Library, and the Administrative Office of the Courts.

Presentation (20 minutes)

Speakers: Mr. Ronald G. Overholt
Chief Deputy Director, AOC
Ms. Christine M. Hansen
Finance Division
Mr. Stephen Nash
Finance Division

Discussion/Council Action (20 minutes)

Item 8 **Implementation of Assembly Bill 139 Provisions and Establishment of a Statewide Enhanced Civil Assessments Program (Action Required)**
1:05–2:20 p.m.

AOC staff and the Enhanced Civil Assessments Working Group recommend the establishment of a statewide enhanced civil assessments program. This includes provisions relating to criteria for an effective civil assessment program and a methodology for the distribution of civil assessments collected.

Presentation (45 minutes)

Speakers: Ms. Christine M. Hansen
Finance Division
Co-Chair, Enhanced Civil Assessments Working Group
Hon. Sharon J. Waters
Superior Court of Riverside County
Chair, Distribution Subcommittee of the
Enhanced Civil Assessments Working Group

Discussion/Council Action (30 minutes)

Item 9

2:20–2:35 p.m.

California Juvenile Dependency Court Improvement Program Reassessment (Action Required)

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council receive the attached AOC staff report entitled “California Juvenile Dependency Court Improvement Program Reassessment,” a comprehensive examination of juvenile dependency law and court operations in California, and an analysis of progress made by the dependency courts since the assessment report of 1997. The report includes recommendations for improving the experiences of and outcomes for children and families in the dependency system, increase permanency, and reduce the number of children in the system.

Presentation (10 minutes)

Speakers: Ms. Iona Mara-Drita
Center for Families, Children & the Courts
Ms. Diane Nunn
Center for Families, Children & the Courts
Ms. Charlene Depner
Center for Families, Children & the Courts

Discussion/Council Action (5 minutes)

Item 10

2:35–3:00 p.m.

Dependency Representation, Administration, Funding and Training (DRAFT) Pilot Program Update (Action Required)

AOC staff recommends that the council receive the first year program update on the Dependency Representation, Administration, Funding and Training (DRAFT) pilot program and direct staff to provide a second year update to the council in 2006.

Presentation (15 minutes)

Speakers: Mr. Lee Morhar
Center for Families, Children & the Courts
Ms. Diane Nunn
Center for Families, Children & the Courts
Ms. Leah Wilson
Center for Families, Children & the Courts

Discussion/Council Action (10 minutes)

There have been no Circulating Orders Since the Last Business Meeting

Judicial Council Appointment Orders Since the Last Business Meeting
[Appointment Orders Tab]