



9:35–9:45 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 business meeting.

### **Consent Agenda (Items 1–4)**

*A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Nancy Spero at 415-865-7915 at least 48 hours before the meeting.*

#### **Item 1**

#### **Franchise Tax Board: Court-Ordered Debt Program’s Request for Support (Action Required)**

The Franchise Tax Board (FTB) requests a statement of concurrence from the Judicial Council to use a portion of the court-ordered debt (COD) continuous appropriation account to prevent significant delays in the COD Expansion Project for fiscal year 2007–2008. Senate Bill 246 mandates the FTB to design, develop, and implement a collection system that will expand its collection services to all 58 superior courts and counties. It also requires the FTB, in consultation with the Judicial Council, to seek whatever resources are needed to implement this collection system and accommodate statewide expansion.

Staff: Ms. Sheila Calabro  
Southern Regional Office  
Mr. Stephen H. Nash  
Finance Division

#### **Item 2**

#### **Civil Jury Instructions: Approve Publication of Revisions to the California Civil Jury Instructions (Action Required)**

The Advisory Committee on Civil Jury Instructions recommends approval of the publication of revisions and additions to the *California Civil Jury Instructions*, which were first published in September 2003 and last revised in April 2007. This proposal includes revisions to six punitive damages instructions, revisions to two Fair Employment and Housing Act instructions, and a new series of instructions on unlawful detainer (16 new instructions). The changes to the punitive damages instructions are required by the February 20, 2007, decision of the United States Supreme Court in *Philip Morris USA v. Williams* (2007) 549 U.S. \_\_ [127 S.Ct. 1057].

Staff: Mr. Bruce Greenlee  
Office of the General Counsel

**Item 3**

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

The State Bar Legal Services Trust Fund Commission has submitted its annual report on distribution of Equal Access Fund grants. In that report, the commission requests that the Judicial Council approve distribution of \$14,400,000 according to the statutory formula set out in the State Budget and reports that it has complied with the guidelines given for distribution of those funds. The Budget Act authorizing the Equal Access Fund provides that the Judicial Council must approve the commission's recommendations if the Judicial Council determines that the awards comply with statutory and other relevant guidelines.

\* IOLTA: Interest on Lawyers' Trust Accounts

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

**Item 4**

**Access to Visitation Grant Program: Approve Funding Allocations for Fiscal Years 2007–2008 and 2008–2009 (Action Required)**

The Family and Juvenile Law Advisory Committee recommends approval of the multiyear funding allocations for the Judicial Council Access to Visitation Grant Program for fiscal years 2007–2008 and 2008–2009. Family Code sections 3204(a) and 3204(b)(2) require the Judicial Council to annually apply for federal Child Access and Visitation Grant funds from the U.S. Department of Health and Human Services, Administration for Children and Families, under section 669B of the 1996 Federal Personal Responsibility and Work Opportunity Recovery Act and award funding to superior courts throughout California. These grants enable states to establish and administer programs that support and facilitate noncustodial parents' access to and visitation with their children. Each year (or for multiple years), the council is required to determine the final number and amounts of grants.

Staff: Ms. Shelly La Botte  
Center for Families, Children & the Courts

**Discussion Agenda (Items 5–11)**

**Item 5**

9:45–9:55 a.m.

**Judicial Council Distinguished Service Awards (Action Required)**

The chairs of three Judicial Council internal committees recommend that the council approve the winners of the 2007 Distinguished Service

Awards. Their recommendations will be distributed at the council meeting. The awards will be presented at the California Bench-Bar Biannual Conference in September.

*Presentation (5 minutes)*

Speaker: Hon. Marvin R. Baxter, Chair  
Policy Coordination and Liaison Committee

*Discussion/Council Action (5 minutes)*

**Item 6**

9:55–10:15 a.m.

**Blue Ribbon Commission on Children in Foster Care Interim Report (No Action Required)**

This is an interim report from the Blue Ribbon Commission on Children in Foster Care. The commission will be making recommendations in its final report (to be presented to the council in 2008). This interim report chronicles the major commission activities during the past year and describes the commission's plan for its second and final year of operation.

*Presentation (15 minutes)*

Speaker: Hon. Carlos R. Moreno, Chair

*Discussion/Council Action (5 minutes)*

10:15–10:30 a.m.

**BREAK**

**Item 7**

10:30–11:40 a.m.

**Budget Adjustment for Fiscal Year 2006–2007, Fiscal Year 2007–2008 Trial Court Allocations, and Allocation of Fiscal Years 2005–2006 and 2006–2007 Workers' Compensation Program Adjustment (Action Required)**<sup>2</sup>

This item presents recommendations for fiscal year 2006–2007 allocation for court-appointed counsel and allocation of fiscal year 2007–2008 funding for trial courts, including the state appropriations limit (SAL) funding and budget augmentations for entrance screening, new judgeships, and implementation of the Omnibus Conservatorship and Guardianship Reform Act of 2006. It also presents a recommendation for an allocation related to fiscal years 2005–2006 and 2006–2007 adjustments for trial courts participating in the Judicial Branch Workers' Compensation Program.

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<sup>2</sup> This item is subject to final action on the State Budget.

*Presentation (45 minutes)*

Speakers: Mr. Stephen H. Nash  
Finance Division  
Ms. Marcia Caballin  
Finance Division

*Discussion/Council Action (25 minutes)*

**Item 8**

11:40 a.m.–  
12:05 p.m.

**Fiscal Year 2008–2009 Budget Request for the Supreme Court, Courts of Appeal, California Judicial Center Library, and Administrative Office of the Courts (Action Required)**<sup>3</sup>

AOC staff recommends that the council review and approve the fiscal year 2008–2009 budget requests of the Supreme Court, Courts of Appeal, California Judicial Center Library, and Administrative Office of the Courts

*Presentation (15 minutes)*

Speakers: Mr. Stephen H. Nash  
Finance Division  
Mr. Ruben Gomez  
Finance Division  
Ms. Diane Lowery  
Finance Division

*Discussion/Council Action (10 minutes)*

12:05–12:35 p.m.

**BREAK**

**Item 9**

12:35–1:20 p.m.

**Civil Assessments Working Group Recommendations (Action Required)**

This item presents recommendations related to (1) standardization of civil assessment programs statewide, (2) distributions of civil assessment revenues, and (3) allocation of reductions to trial courts as a result of Assembly Bill 139, in which counties' contributions to offset a \$31 million General Fund reduction have been reduced and will eventually be eliminated over a five-year period that began in fiscal year 2005–2006.

*Presentation (20 minutes)*

Speakers: Mr. Stephen H. Nash  
Finance Division

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<sup>3</sup> This item is subject to final action on the State Budget.

Mr. Ruben Gomez  
Finance Division  
*Discussion/Council Action (25 minutes)*

**Item 10**  
1:20–1:55 p.m.

**Judicial Branch Education: Minimum Education Requirements, Expectations, and Recommendations** (repeal Cal. Stds. Jud. Admin., stds. 10.10–10.15; adopt Cal. Rules of Court, rules 10.469, 10.471, 10.472, 10.479, and 10.491; amend rules 10.452, 10.461, and 10.462; and amend and renumber rules 5.30, 10.463, 10.464, and 10.471 as rules 10.463, 10.473, 10.474, and 10.481, respectively) (Action Required)

The Governing Committee of the Center for Judicial Education and Research (CJER) recommends adoption of rules to establish and implement a comprehensive system of minimum education requirements for Supreme Court and Court of Appeal justices, clerk/administrators, managing attorneys, supervisors, and other personnel and a system of minimum education requirements for Administrative Office of the Courts’ executives, managers, supervisors, and other employees. The proposed rules would also incorporate relevant key provisions, including education recommendations, from the Standards of Judicial Administration related to education. The rules include minimum education requirements for both new and experienced individuals, allow delivery of education content by many education providers, and allow approval of courses by other providers. The rules would improve court administration by helping to ensure the professional competency of justices, court personnel, and AOC personnel to most effectively serve the public. The rules would also demonstrate the judicial branch’s public commitment to ongoing professional development and create a branchwide environment of professional excellence.

*Presentation (15 minutes)*

Speakers: Hon. Fumiko Hachiya Wasserman, Chair  
Governing Committee of CJER  
Hon. Ronald B. Robie, Vice-chair  
Governing Committee of CJER  
Ms. Karen M. Thorson  
Education Division/CJER  
Mr. James M. Vesper  
Education Division/CJER

*Discussion/Council Action (20 minutes)*

**Item 11**  
1:55–2:25 p.m.

**Revisions to the *Payment Policies for Contract Court Interpreters***  
**(Action Required)**<sup>4</sup>

The Court Executives Advisory Committee recommends revising the *Payment Policies for Contract Court Interpreters*. The revisions include daily compensation rates, the definition of half-day and full-day sessions, compensation for after-hours proceedings, and mileage reimbursement requirements.

*Presentation (15 minutes)*

Speakers: Ms. Tamara Lynn Beard, Chair  
Court Executives Advisory Committee,  
Subcommittee on Contract Court Interpreters  
Ms. Christine Patton  
Bay Area/Northern Coastal Regional Office  
Ms. Marlene Smith  
Executive Office Programs Division

*Discussion/Council Action (15 minutes)*

**Circulating Orders since the last business meeting.**

[Circulating Orders Tab]

**Appointment Orders since the last business meeting.**

[Appointment Orders Tab]

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<sup>4</sup> This item is subject to final action on the State Budget.