

Item 1 **[Jury Instructions: Additions and Revisions to Civil Instructions \(Judicial Council Civil Jury Instructions \(CACI\)\) \(Action Required\)](#)**

The Advisory Committee on Civil Jury Instructions recommends approval of the proposed additions and revisions to the *Judicial Council Civil Jury Instructions (CACI)*.

Staff: Mr. Bruce Greenlee
 Office of the General Counsel

Item 2 **[Criminal Law: Judicial Council Appointment to the California Council for Interstate Adult Offender Supervision \(Action Required\)](#)**

The Executive and Planning Committee recommends the appointment of Judge Ronald S. Coen of the Superior Court of Los Angeles County to the California Council for Interstate Adult Offender Supervision. The seven-member council must include a superior court judge appointed by the Judicial Council. The California Council is required by the Interstate Compact for Adult Offender Supervision, which governs state administration of the transfer across state lines of the supervision of adult parolees and probationers.

Staff: Mr. Arturo Castro
 Office of the General Counsel

DISCUSSION AGENDA (Items 3–5)

Item 3 **[Judicial Council Meetings: Policy Regarding Voting at Council Business Meetings \(Action Required\)](#)**
9:20–10:50 a.m. *including the possibility of a new vote of*
[Domestic Violence: Firearms Relinquishment in Criminal Protective Order Cases \(Action Required\)](#)

The Administrative Office of the Courts (AOC) recommends that the Judicial Council adopt a voting policy that council action at a business meeting requires the concurrence of a majority of the voting members. Under the current council policy, a council action requires a concurrence of a majority of a quorum of voting members. The proposed new policy will ensure that sufficient votes have been obtained for council actions at business meetings. The AOC further recommends that the council use this new voting policy to approve a new vote on the proposal for a rule on firearms relinquishment in criminal protective order cases, which was adopted in April 2010 under the current

voting policy and will not be effective until July 1, 2010. The new vote will foster certainty and reliability as to the council’s action on this matter.

Presentation/Discussion (20 minutes)

Speakers: Mr. William C. Vickrey
Administrative Director of the Courts
Mr. Kenneth L. Kann
Ms. Nancy E. Spero
Executive Office Programs Division

Discussion/Council Action (20 minutes)

If the Judicial Council adopts the recommended voting policy and approves a new vote, the Domestic Violence Practice and Procedure Task Force recommends the adoption of rule 4.700, which provides a procedure for courts issuing criminal protective orders in domestic violence cases to assist them in determining whether the defendant has complied with the court’s order to relinquish or sell any firearms the defendant owns, possesses, or controls. Under the proposed rule, the court would set a review hearing to determine compliance with its order only in those limited cases where the court, in its discretion, has “good cause to believe” that the defendant owns, possesses, or controls a firearm that must be relinquished under the terms of the court’s protective order. The rule, proposed as part of the task force’s efforts to implement the recommendations in its final report, would fill a gap in the underlying statute, Code of Civil Procedure section 527.9; establish a uniform statewide procedure; and help protect victims and ensure public safety.

A transcript of the oral presentation and discussion on Item H at the April 23, 2010, meeting, the written proposal to the council from the task force, and a copy of the roll call vote are part of the materials provided in this binder.

Presentation/Discussion (25 minutes)

Speakers: Hon. Laurence Donald Kay (Ret.)
Chair, Domestic Violence Practice and Procedure Task Force
Hon. Carol W. Overton
Superior Court of California, County of Santa Clara
Ms. Christine Cleary
Center for Families, Children & the Courts

Discussion/Council Action (25 minutes)

10:50–11:05 a.m. **BREAK**

Item 4 [Commission for Impartial Courts: Recommendations 2, 3, 5, 6, 7, 8, 9, 10, 14, 22, 25, and 28 \(Action Required\)](#)
11:05 a.m.–
12:05 p.m.

The Implementation Committee of the Commission for Impartial Courts (CIC) is presenting for Judicial Council action 12 recommendations from the CIC's final report. The recommendations have been grouped into two overarching categories that correspond to the entities to which the CIC believes those recommendations should be referred for further action—the State Bar of California and the California Supreme Court. The recommendations made in this report are consistent with the prioritization plan that the council accepted at its February 26, 2010, meeting.

Presentation/Discussion (30 minutes)

Speakers: Hon. Ming W. Chin
Chair, Commission for Impartial Courts Implementation Committee
Hon. Douglas P. Miller
Chair, Subcommittee on Judicial Campaign Conduct
Ms. Christine Patton
Regional Administrative Director,

Discussion/Council Action (30 minutes)

Item 5 **Juvenile Dependency Court-Appointed Counsel: Competitive Solicitation Policy and Collection Program Guidelines (Action Required)**
12:05–
12:30 p.m.

The Administrative Office of the Courts recommends that the council adopt a competitive solicitation policy applicable to Dependency Representation, Administration, Funding, and Training (DRAFT) program courts; direct staff to work with the Trial Court Budget Working Group, the Trial Court Presiding Judges Advisory Committee, and the Court Executives Advisory Committee to develop recommendations regarding whether such a policy should be adopted for non-DRAFT courts; and adopt the Juvenile Dependency Counsel Collection Program Guidelines. Implementation of a standardized and universal competitive solicitation policy will enable funding of the court-appointed counsel program to be maximized and will provide transparency and objectivity to a process that currently has the potential to be viewed as arbitrary. The collection program guidelines have been developed pursuant to legislative mandate; adoption of the guidelines ensures Judicial Council compliance with statutory requirements.

Presentation/Discussion (10 minutes)

Speakers: Dr. Charlene Depner
Ms. Leah Wilson
Center for Families, Children & the Courts

Discussion/Council Action (15 minutes)

Information Only Items (No Action Required)

- [Juvenile Delinquency: Status Report on Implementation of the *Juvenile Delinquency Court Assessment Final Report*](#)

This is an informational report on the efforts of the Juvenile Delinquency Court Improvement Project to implement the recommendations of the 2008 *Juvenile Delinquency Court Assessment Final Report*.

- [Trial Court Quarterly Investment Report for the Period Ending December 31, 2009](#)
- [Trial Court Quarterly Investment Report for the Period Ending March 31, 2010](#)

Trial court quarterly investment reports provide financial results for the funds invested by the Administrative Office of the Courts on behalf of the trial courts as part of the judicial branch treasury program.

There have been no Circulating Orders since the last business meeting.

Appointment Orders since the last business meeting.

[Appointment Orders Tab]

June 24, 2010

Executive Session (Cal. Rules of Court, rule 10.6(b))

4:30–5:30 p.m. Closed Session—Discussions Protected by the Attorney-Client Privilege