



## JUDICIAL COUNCIL OF CALIFORNIA MEETING

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.6(a))

Administrative Office of the Courts • Sacramento Offices

2860 Gateway Oaks Drive, Suite 400 • Sacramento, California 95833

**Thursday, January 23, 2014 • 8:30 a.m.–2:55 p.m.**

Meeting materials will be hyperlinked to agenda titles as soon as possible after receipt by Judicial Council Support Services. Please check the agenda at <http://www.courts.ca.gov/24819.htm> for recent postings of hyperlinked reports.

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**THURSDAY, JANUARY 23, 2014**

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### **OPEN MEETING (RULE 10.6(A))—BUSINESS MEETING AGENDA**

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- 8:30–8:35 a.m.**      **Approval of Minutes**  
Approve minutes of the [December 12–13, 2013](#), Judicial Council meeting.
- 8:35–8:45 a.m.**      **Chief Justice’s Report**  
Chief Justice Tani G. Cantil-Sakauye will report.
- 8:45–8:55 a.m.**      **[Administrative Director’s Report](#)**  
Hon. Steven Jahr, Administrative Director of the Courts, will report.
- 8:55–9:55 a.m.**      **Public Comment**  
[See Cal. Rules of Court, rules 10.6(d) and 10.6(e).]  
Note: The Chief Justice has waived certain requirements under Rule 10.6(d) for requests to speak at this meeting. If you are requesting the opportunity to comment at the meeting, please e-mail your request to [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov) or mail or deliver your request to the Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102-3688, Attention: Roma Cheadle. A request must pertain to a matter affecting judicial administration or an item on the business agenda and be received by **4 p.m., Tuesday, January 21, 2014**. In the request, please state:

*NOTE: Time is estimated. Actual start and end times may vary.*

- The speaker's name, occupation, and (if applicable) name of the entity that the speaker represents;
- The speaker's e-mail address, telephone number, and mailing address; and
- The agenda item on which the speaker wishes to comment. If the requestor wants to speak on a matter generally affecting judicial administration, state the nature of the comment in a few sentences.

Time is reserved for public comment about consent agenda items or matters generally affecting the administration of justice at the beginning of the meeting. Time is reserved for public comment about discussion agenda items at the beginning of the presentation on each item. The amount of time allocated to each speaker will be no more than five minutes, the specific time allocation to be determined based on the number of speakers and available time.

The Judicial Council is the policy-making body for the judicial branch. Comments pertaining to a specific court case will not be received.

#### **Written Comments Received**

Written comments pertaining to a matter affecting judicial administration or an item on this agenda may be e-mailed to [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov) or mailed or delivered to the Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102-3688, Attention: Roma Cheadle.

Only written comments received by **1 p.m. on Wednesday, January 22, 2014**, will be distributed to council members at the meeting. All comments received will be posted directly to the public Judicial Council web page.

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### **CONSENT AGENDA (ITEMS A–C)**

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*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 Carlisle at 415-865-7614 at least 48 hours before the meeting.*

#### **Item A    Judicial Branch Report to the Legislature: State Trial Court Improvement and Modernization Fund Expenditures for Fiscal Year 2012–2013 (Action Required)**

The Administrative Office of the Courts (AOC) recommends that the Judicial Council approve the *Annual Report of State Trial Court Improvement and Modernization Fund*

*Expenditures for Fiscal Year 2012–2013*, and direct the AOC to submit the report to the Legislature.

Hon. Steven Jahr, Administrative Director of the Courts

Mr. Zlatko Theodorovic, Fiscal Services Office

**Item B Judicial Council Report to the Legislature: Trial Court Revenue, Expenditure, and Fund Balance Constraints for Fiscal Year 2012–2013 (Action Required)**

The AOC recommends that the Judicial Council approve the *Report of Trial Court Revenue, Expenditure, and Fund Balance Constraints for Fiscal Year 2012–2013*, as required by Government Code sections 68502.5(b) and 77202.5(b), to be sent to the chairs of the Senate Committee on Budget and Fiscal Review, the Senate Committee on Judiciary, and the Assembly Committees on Budget and Judiciary.

Hon. Steven Jahr, Administrative Director of the Courts

Mr. Zlatko Theodorovic, Fiscal Services Office

**Item C Judicial Council Report to the Legislature: Fee Revenue and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2012–2013 (Action Required)**

The AOC recommends approving *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2012–2013*, as required by Government Code section 68086(c), to be sent to the chair and vice-chair of the Joint Legislative Budget Committee.

Hon. Steven Jahr, Administrative Director of the Courts

Mr. Zlatko Theodorovic, Fiscal Services Office

**Break 9:55–10:10 a.m. (approx.)**

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**DISCUSSION AGENDA (ITEMS D–J)**

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**Item D 10:10–10:50 a.m.**

**Court Interpreters: Expenditure of Unused Savings from Program 45.45 (Action Required)**

The Ad Hoc Joint Working Group to Address Court Interpreter Issues recommends that the Judicial Council make explicit that allowable expenses for court interpreter funds in the Trial Court Trust Fund (Program 45.45) funds, and the unused savings related to Program 45.45 funds, include expenditures on court interpreters for all appearances in domestic violence cases, family law cases in which there is a domestic violence issue, and elder or dependent abuse cases,

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thereby eliminating the \$1.73 million cap currently in place for such expenditures. The working group also recommends that the council make explicit that allowable expenses for Program 45.45, and the unused savings related to Program 45.45, include expenditures on court interpreters for indigent parties in civil cases.

*Public Comment and Presentation (20 minutes) • Discussion (20 minutes)*

Speakers: Hon. Steven K. Austin, Chair, Ad Hoc Joint Working Group to Address Court Interpreter Issues  
Ms. Donna Hershkowitz, Court Operations Special Services Office

**Item E 10:50–11:15 a.m.**

**Judicial Council-Sponsored Legislation: Providing Interpreters in Civil Matters (Action Required)**

The Policy Coordination and Liaison Committee and the Ad Hoc Joint Working Group to Address Court Interpreter Issues recommend that the Judicial Council sponsor legislation to add a section to the Government Code to authorize courts, subject to available funding, to provide interpreters to parties in civil actions at no cost to the parties, regardless of the income of the parties.

*Public Comment and Presentation (15 minutes) • Discussion (10 minutes)*

Speakers: Hon. Kenneth K. So, Chair, Policy Coordination and Liaison Committee  
Mr. Alan Herzfeld, Office of Governmental Affairs

**Item F 11:15–11:35 a.m.**

**Domestic Violence—Family Law Interpreter Program Allocations (Action Required)**

At its August 23, 2013, meeting, the Judicial Council approved \$1.73 million for fiscal year (FY) 2013–2014 for the Domestic Violence—Family Law Interpreter Program (DVFLI) using Program 45.45 (Court Interpreter) expenditure authority from the Trial Court Trust Fund Program instead of the State Trial Court Improvement and Modernization Fund. Since 2001–2002, the DVFLI program has reimbursed courts for costs related to providing interpreters in domestic violence, elder abuse, and family law matters up to the allocation. However, for many years, the requests for funding for interpretation of domestic violence cases alone has exceeded the funding available. This report requests council approval of the funding formula and allocations approved by the Trial Court Budget Advisory Committee on January 16, 2014.

*Public Comment and Presentation (10 minutes) • Discussion (10 minutes)*

Speakers: Mr. Curtis L. Child, Chief Operating Officer  
Ms. Donna Hershkowitz, Court Operations Special Services Office  
Ms. Diane Nunn and Ms. Bonnie Hough, Center for Families, Children & the Courts

**Item G            11:35–11:50 a.m.**

**Court Facilities: Update on Bidding and Construction of San Diego Central Courthouse (No Action Required.)**

Construction recently began on the new San Diego Central Courthouse; the accepted bids are approximately \$3 million or 0.6 percent below the approved construction budget. This report provides an overview of the new court building project and results of the Bidding Phase of the New San Diego Central Courthouse.

*Public Comment and Presentation (5 minutes) • Discussion (10 minutes)*

Speakers:            Mr. Curtis L. Child, Chief Operating Officer  
                              Mr. William Guerin, Judicial Branch Capital Program Office  
                              Mr. Clifford Ham, Judicial Branch Capital Program Office

**Item H            11:50 a.m.–12:30 p.m.**

**Governor’s Proposed Budget for 2014–2015 (No Action Required. There are no materials for this item.)**

The AOC presents an informational update on the Governor's proposed 2014–15 budget, which was released on January 10.

*Public Comment and Presentation (20 minutes) • Discussion (20 minutes)*

Speakers:            Mr. Curt Soderlund, Chief Administrative Officer  
                              Mr. Cory Jasperson, Office of Governmental Affairs  
                              Mr. Zlatko Theodorovic, Fiscal Services Office

**Lunch            12:30–1:30 p.m. (approx.)**

**Item I            1:30–2:30 p.m.**

**Judicial Branch Technology: Technology Planning Task Force Update (Action Required)**

The Judicial Council Technology Committee (JCTC) will provide an update to the Judicial Council on the work to date of the Technology Planning Task Force. This task force is charged with defining judicial branch technology governance, developing a strategic plan for technology at the Supreme Court, Court of Appeal, and superior court levels, and developing recommendations for funding judicial branch technology.

*Public Comment and Presentation (45 minutes) • Discussion (15 minutes)*

Speakers:            Hon. James E. Herman, Chair, Technology Committee and Chair, Technology Planning Task Force  
                              Hon. Judith Ashmann-Gerst, Member, Technology Committee and Member, Technology Planning Task Force

***NOTE: Time is estimated. Actual start and end times may vary.***

Mr. Robert Oyung, Technology Planning Task Force

**Item J**            **2:30–2:55 p.m.**

**Judicial Branch Technology: Budget Change Proposal Update (No Action Required.)**

The JCTC will provide an update on the Budget Change Proposal on Foundation for Digital Courts–Phase One (Case Management System Replacement and Expansion of LAN/WAN Telecommunications program).

*Public Comment and Presentation (10 minutes) • Discussion (15 minutes)*

Speakers:            Hon. James E. Herman, Chair, Technology Committee and Chair, Technology Planning Task Force  
                              Mr. Curt Soderlund, Chief Administrative Officer  
                              Mr. Mark W. Dusman, Information Technology Services Office  
                              Mr. Zlatko Theodorovic, Fiscal Services Office

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**INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**INFO 1    Court Facilities: Trial Court Facility Modification Advisory Committee Fiscal Year 2012–2013 Annual Report**

The Trial Court Facility Modification Advisory Committee (TCFMAC) has completed its facility modification funding for fiscal year 2012–2013. In compliance with the Trial Court Facility Modifications Policy adopted by the Judicial Council on July 27, 2012, the TCFMAC is submitting the annual report for fiscal year 2012–2013.

**INFO 2    Court Facilities: Trial Court Facility Modification Quarterly Activity Report, Quarter 1 of Fiscal Year 2013–2014**

The TCFMAC has completed its facility modification funding for the first quarter of fiscal year 2013–2014. In compliance with the *Trial Court Facility Modifications Policy*, adopted by the Judicial Council on July 27, 2012, the TCFMAC is submitting its *Trial Court Facility Modification Quarterly Activity Report: Quarter 1, Fiscal Year 2013–2014* as information for the council.

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

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