



JUDICIAL COUNCIL
OF CALIFORNIA

EXECUTIVE AND
PLANNING COMMITTEE

www.courts.ca.gov/epmeetings.htm
executiveandplanning@jud.ca.gov

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING

Tuesday, April 7, 2015

12:15 to 1:10 p.m.

Teleconference

Advisory Body Members Present: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Judges Marla O. Anderson, James R. Brandlin, Morris D. Jacobson, Marsha G. Slough, Dean T. Stout, Charles D. Wachob; Ms. Donna D. Melby and Ms. Mary Beth Todd

Advisory Body Members Absent: Justice Judith Ashmann-Gerst

Invited Guests Present: Judge Laurie M. Earl, Superior Court of California, County of Sacramento; Judge James E. Herman, Superior Court of California, County of Santa Barbara

Committee Staff Present: Ms. Jody Patel and Ms. Nancy Carlisle

Staff Present: Mr. Cliff Alumno, Ms. Deirdre Benedict, Ms. Deborah Brown, Ms. Eunice Calvert-Banks, Ms. Roma Cheadle, Ms. Linda Cox, Ms. Jessica Craven, Ms. Charlene Depner, Mr. Wes Downing, Ms. Audrey Fancy, Ms. Cristina Foti, Ms. Angela Guzman, Ms. Bonnie Hough, Ms. Anna Maves, Ms. Susan McMullan, Ms. Leslie Miessner, Mr. Patrick O'Donnell, Ms. Anne Ronan, Ms. Gabrielle Selden, Mr. Curt Soderlund, Ms. Nancy Taylor, Mr. Zlatko Theodorovic, Ms. Adrienne Toomey, and Ms. Carrie Zoller

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m. and committee staff took roll call.

Approval of Minutes

The committee reviewed and approved the minutes of its February 9 and March 12–13, 2015, meetings and the e-mail actions on February 13, 17, 18, and 25, 2015.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1

Agenda Setting for the April 16–17, 2015, Judicial Council Meeting

The committee reviewed available draft reports and proposed items and set the agenda for the April Judicial Council meeting.

Action: *The committee approved the following items for placement on the April Judicial Council business meeting agenda:*

- **Rules and Forms: Confidential Information Form under Civil Code § 1708.85 (Action Required)**
- **Rules and Forms: Notice of Application for Recognition and Entry of Tribal Court Money Judgment (Action Required)**
- **Military Service: Notification of Military Status (Action Required)**
- **Domestic Violence and Family Law: Technical Changes to Forms (Action Required)**
- **Judicial Administration: Changes to Delegations in Rules of Court (Action Required)**
- **Forms: Miscellaneous Technical Changes (Action Required)**
- **Judicial Branch Education: Court Executive Officers Education (Action Required)**
- **Trial Courts: Reporting of Reciprocal Assignment Orders (Action Required)**
- **Child Support: Midyear Funding Reallocation for Fiscal Year 2014–2015 and Base Funding Allocation for Fiscal Year 2015–2016 for the Child Support Commissioner and Family Law Facilitator Program (Action Required)**
- **Judicial Branch Report to the Legislature: Annual Report of Fiscal Year 2013–2014 Court Facilities Trust Fund Expenditures (Action Required)**
- **Subordinate Judicial Officers: Complaints and Notice Requirements (Action Required)**
- **Judicial Council Report to the Legislature and the Department of Finance: 2 Percent Set-Aside in the Trial Court Trust Fund for FY 2014–2015 (Action Required)**
- **Judicial Council Report to the Legislature: Electronic Recording Equipment (Action Required)**
- **Allocations from the State Trial Court Improvement and Modernization Fund and the Trial Court Trust Fund for 2015–2016 (Action Required)**
- **Technology: V3 Interim Case Management System Funding (Action Required)**
- **Trial Court Allocation: Restoration of Benefits Funding in 2015–2016 (Action Required)**
- **Juvenile Dependency: Court-Appointed-Counsel Funding Reallocation (Action Required)**
- **Judicial Council: Implementation of Judicial Council Directives on Judicial Council Staff Restructuring (Materials to be Distributed at Meeting; No Action Required)**
- **Court Facilities: Declaration of San Pedro Courthouse as Surplus Property (Action Required)**
- **Court Facilities: Request for Approval to Lease Plumas-Sierra Courthouse to Third Party (Action Required)**
- **Judicial Branch Workers' Compensation Program (JBWCP): Origins and Update (No Action Required)**
- **Trial Courts: Quarterly Investment Report for Fourth Quarter of 2014 (Information Only)**

- ***Court Facilities: Trial Court Facility Modification Quarterly Activity Report, Quarter 2 of Fiscal Year 2014–2015 (Information Only)***
- ***Judicial Council Restructuring: Policy 8.9, Working Remotely (Telecommuting) Program: Status Update (Information Only)***

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:00 p.m.

Approved by the advisory body on June 15, 2015.



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

Thursday, April 16, 2015

9:00 a.m. to 2:15 p.m.

William C. Vickrey Judicial Council Conference Center

Committee Members Present: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Judges Marla O. Anderson, James R. Brandlin, Morris D. Jacobson, Marsha G. Slough, Dean T. Stout, Charles D. Wachob; Ms. Donna D. Melby and Ms. Mary Beth Todd

Advisory Body Chairs and Vice Chairs Present:

- Advisory Committee on Providing Access and Fairness
Hon. Laurie Zelon and Hon. Kathleen E. O'Leary, Co-chairs
- Collaborative Justice Courts Advisory Committee
Hon. Richard Vlavianos, Chair, and Hon. Rogelio R. Flores, Vice Chair
- Court Facilities Advisory Committee
Hon. Brad R. Hill, Chair
- Court Interpreters Advisory Panel
Hon. Steven K. Austin, Chair, and Ms. Christina M. Volkens, Vice Chair
- Court-Ordered Debt Task Force
Hon. Mary Ann O'Malley, Chair
- Court Security Advisory Committee
Hon. Thomas M. Maddock, Chair
- Governing Committee of the Center for Judicial Education and Research
Hon. Ronald B. Robie, Chair, and Hon. Theodore M. Weathers, Vice Chair
- Sargent Shriver Civil Counsel Act Implementation Committee
Hon. Earl Johnson, Jr. (Ret.), Chair
- Trial Court Facility Modification Advisory Committee
Hon. David Edwin Power, Chair
- Trial Court Budget Advisory Committee
Hon. Laurie M. Earl, Co-chair
- Tribal Court-State Court Forum
Hon. Richard C. Blake and Hon. Dennis M. Perluss, Co-chairs
- Workload Assessment Advisory Committee
Hon. Lorna A. Alksne, Chair

Committee Staff Present: Ms. Jody Patel and Ms. Nancy Carlisle

Staff Present: Ms. Roma Cheadle, Dr. Diane Cowdrey, Mr. Edward Ellestad, Ms. Deana Farole, Mr. Bob Fleshman, Ms. Donna Hershkowitz, Ms. Bonnie Rose Hough, Ms. Olivia Lawrence, Mr. Bob Lowney, Mr. Chris H. Magnusson, Mr. Patrick McGrath, Ms. Catherine Price, Ms. Kelly Quinn, Ms. Leah Rose-Goodwin, Mr. Curt Soderlund, Ms. Nancy Taylor, Mr. Zlatko Theodorovic, Ms. Jennifer Walter, Ms. Kyanna Williams, and Ms. Sonia Sierra-Wolf

C L O S E D S E S S I O N

Item 1

Pursuant to California Rules of Court, rule 10.75(d)(1)

Recommendations for Judicial Council and Advisory Body Appointments

The committee reviewed materials regarding vacancies on the Judicial Council and its advisory bodies.

Action: The committee developed its recommendations to be sent to the Chief Justice regarding appointments to the Judicial Council and its advisory bodies.

O P E N M E E T I N G

Call to Order and Roll Call

The chair called the open meeting to order at 11:15 a.m. and committee staff took roll call.

D I S C U S S I O N A N D A C T I O N I T E M S (I T E M S 2 A N D 3)

Item 2

Proposal for Invitation to Comment: Amending Rule 10.63 of the California Rules of Court

The committee reviewed a proposal to circulate for comment recommending that rule 10.63, which concerns the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch, be amended to modify the description of its duties, provide more specificity to the membership criteria, and make technical changes.

Action: The committee approved the proposal for circulation for comment.

Item 3

Review of 2015 Annual Agendas

The committee reviewed the draft annual agendas of the following advisory bodies for which it has oversight:

- Advisory Committee on Providing Access and Fairness
- Collaborative Justice Courts Advisory Committee
- Court Facilities Advisory Committee
- Court Interpreters Advisory Panel
- Court-Ordered Debt Task Force
- Court Security Advisory Committee
- Governing Committee of the Center for Judicial Education and Research
- Sargent Shriver Civil Counsel Act Implementation Committee
- Trial Court Budget Advisory Committee
- Trial Court Facility Modification Advisory Committee

- Tribal Court-State Court Forum
- Workload Assessment Advisory Committee

Action: 1. The committee approved the annual agendas of the following advisory bodies as submitted:

- **Advisory Committee on Providing Access and Fairness**
- **Collaborative Justice Courts Advisory Committee**
- **Court Facilities Advisory Committee**
- **Court-Ordered Debt Task Force**
- **Court Security Advisory Committee**
- **Governing Committee of the Center for Judicial Education and Research**
- **Sargent Shriver Civil Counsel Act Implementation Committee**
- **Trial Court Budget Advisory Committee**
- **Trial Court Facility Modification Advisory Committee**
- **Tribal Court-State Court Forum**
- **Workload Assessment Advisory Committee**

2. The committee approved the annual agenda of the Trial Court Facility Modification Advisory Committee with the following amendment:

- **Amend the second paragraph of the description of the Project 1 to read, "The advisory committee does not always agree with staff's application of the specific criteria resulting in the prioritization."**

3. The committee requested that the annual agenda of the Court Interpreters Advisory Panel be amended as follows and be resubmitted to the committee for approval at its next meeting:

- **Add a project to develop a process for dedesignating a certified language.**

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 2:20 p.m.

Approved by the advisory body on June 15, 2015.



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EXECUTIVE AND
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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF ACTION BY E-MAIL

Thursday, April 30, 2015

Action by E-Mail

**Advisory Body
Members Who
Participated:**

Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Judges Marla O. Anderson, James R. Brandlin, Morris D. Jacobson, Marsha G. Slough, Dean T. Stout, and Charles D. Wachob; Ms. Donna D. Melby and Ms. Mary Beth Todd

**Advisory Body
Members Who Did
Not Participate:**

None

Committee Staff:

Ms. Jody Patel and Ms. Nancy Carlisle

DISCUSSION AND ACTION ITEM

Proposal for Review

The committee reviewed and considered a staff recommendation to approve a fractional increase in the workload of a subordinate judicial officer (SJO) position in the Superior Court of Lake County. Judicial Council staff recommended that E&P approve the time base associated with one commissioner position from 0.6 full-time equivalent (FTE) to 0.7 FTE, to be funded by the court, due to the court's need to address an increase in judicial workload associated with the creation of a veteran's court, which was made possible through a grant from the council's Recidivism Reduction Fund. The grant requires that a judicial officer lead the veteran's court project team.

Action: *The committee approved increasing the time base associated with one commissioner position from 0.6 full-time equivalent (FTE) to 0.7 FTE. The committee chair concluded that prompt action by e-mail was necessary because, as the court executive officer noted, if the time base for the position was not increased, then, most likely, the start date of the program would have been delayed, and the grant funding jeopardized as a consequence.*

CLOSURE OF ACTION

The action by e-mail concluded on Tuesday, May 5, 2015.

Approved by the advisory body on June 15, 2015.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND
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EXECUTIVE AND PLANNING COMMITTEE (E&P)

MINUTES OF ACTION BY E-MAIL

Thursday, May 11, 2015

Action by E-Mail

**Advisory Body
Members Who
Participated:**

Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Judges Marla O. Anderson, James R. Brandlin, Morris D. Jacobson, Marsha G. Slough, Dean T. Stout, and Charles D. Wachob; Ms. Donna D. Melby and Ms. Mary Beth Todd

**Advisory Body
Members Who Did
Not Participate:**

None

Committee Staff:

Ms. Jody Patel and Ms. Nancy Carlisle

DISCUSSION AND ACTION ITEM

Proposal for Review

The committee reviewed and considered new revisions to a proposal for circulation for comment on rule 10.63 of the California Rules of Court, which concerns the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E). The revisions were for the purpose of modifying the duties and membership criteria, and they also included certain technical changes. The committee reviewed and approved for comment a previous version during its April 16 meeting. Subsequent to that approval, additional changes were raised with respect to the duties and the membership provisions for A&E.

Action: *The committee approved the new revisions to the proposal for circulation for comment. The committee chair concluded that prompt action by e-mail was necessary in order to complete the public comment period in time for the council to consider the rule revisions during its June business meeting, for an effective date of July 1, 2015. This effective date allows E&P to solicit nominations beginning in July for all positions on A&E under the new membership criteria for terms effective September 15, 2015.*

CLOSURE OF ACTION

The action by e-mail concluded on Monday, May 11, 2015.

Approved by the advisory body on June 15, 2015.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION
AND LIAISON COMMITTEE

www.courts.ca.gov/pclc.htm
pccl@jud.ca.gov

POLICY COORDINATION AND LIAISON COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

March 19, 2015

4:30–5:30 p.m.

Advisory Body Members Present: Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair; Hon. Daniel J. Buckley; Hon. James E. Herman; Hon. Brian L. McCabe; Hon. Gary Nadler; Hon. Martin J. Tangeman; Mr. Mark G. Bonino; Mr. James P. Fox; and Ms. Mary Beth Todd.

Advisory Body Members Absent: Hon. David E. Gunn

Others Present: Executive and Planning Committee Chair, Hon. Douglas P. Miller; Rules and Projects Committee Chair, Hon. Harry E. Hull, Jr.; and Martin Hoshino;
Committee staff: Cory Jaspersen, Laura Speed, Daniel Pone, Andi Liebenbaum, and Monica LeBlond.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 4:30 p.m., and took roll call.

DISCUSSION AND ACTION ITEMS

Item 1

Proposal for Judicial Council-Sponsored Legislation

a) SB 213 (Block) – Juries: criminal trials: peremptory challenges

Reduces the number of peremptory challenges available in misdemeanor trials from ten (10) to six (6) in cases where the offense is punishable with a maximum term of imprisonment of one year or less. Specifies further that, in cases where two or more defendants are tried jointly, the number of additional “non-joint” peremptories (i.e., those that may be exercised separately by each defendant and the state) would be reduced from four (4) to two (2). Contains a five-year sunset of the bill’s provisions.

Action: Support and Co-sponsor

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 4:43 p.m.

C L O S E D S E S S I O N

Item 1

Approval of Minutes

The advisory body reviewed and approved the minutes of the March 5, 2015, Policy Coordination and Liaison Committee meeting.

Item 2

Pursuant to California Rules of Court, rule 10.75(d)(3)

Negotiations concerning legislation.

- a) AB 1068 (Allen) – California Environmental Quality Act: priority projects

Adjourned closed session at 4:47 p.m.

Approved by the advisory body on April 16, 2015.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION
AND LIAISON COMMITTEE

www.courts.ca.gov/pclc.htm
pclc@jud.ca.gov

POLICY COORDINATION AND LIAISON COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

April 9, 2015
4:30–5:30 p.m.

Advisory Body Members Present: Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair; Hon. Daniel J. Buckley; Hon. James E. Herman; Hon. Brian L. McCabe; Hon. Gary Nadler; Hon. Martin J. Tangeman; Mr. James P. Fox; and Ms. Mary Beth Todd.

Advisory Body Members Absent: Hon. David E. Gunn and Mr. Mark G. Bonino.

Others Present: Eve Hershcopf, Douglas C. Miller, Susan McMullan, and Leslie Miessner;
Committee staff: Laura Speed, Daniel Pone, Sharon Reilly, Andi Liebenbaum, Monica LeBlond, and Yvette Casillas-Sarcos.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 4:30 p.m., and took roll call.

DISCUSSION AND ACTION ITEMS

Item 1

Proposal for Judicial Council-Sponsored Legislation

a) *Disposition of the surplus of San Pedro Courthouse*

Authorizes the disposition of the San Pedro Courthouse once it has been declared as surplus property by the Judicial Council.

Action: *Recommend Judicial Council sponsorship.*

Item 2

Invitations to Comment

a) *Court jurisdiction over supervision revocation; calculation of the time during supervision revocation*

Addresses the jurisdiction of courts to adjudicate alleged violations of supervision that occur after the original supervision term has expired, but during a period when supervision had been summarily revoked. The amendments would clarify the legislature's intent that the time

during revocation, summary or otherwise, shall not be credited toward any period of supervision.

Action: Approved for circulation.

b) Statements of Decision in Probate Proceedings

Clarifies when statements of decision after court trials are required, are within the discretion of the court, or are not required, and to provide a procedure for issuing them, in proceedings under the Probate Code.

Action: Approved for circulation.

c) Timing of Electronic Service (Action Required)

Clarifies that service of motion papers may be made electronically, and provides that if a document is served electronically, the notice period before a hearing is extended two court days.

Action: Approved for circulation.

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 4:41 p.m.

C L O S E D S E S S I O N

Item 1

Pursuant to California Rules of Court, rule 10.75(d)(3)

Negotiations concerning legislation.

- a) AB 267 (Jones-Sawyer), as proposed to be amended – Criminal procedure:
disclosure: felony conviction consequences
- b) AB 539 (Levine), as introduced – Search warrants
- c) AB 641 (Mayes), as amended March 26, 2015 – Environmental quality: housing
developments: expedited judicial review
- d) AB 696 (Jones-Sawyer), as introduced – Defendants: arraignment
- e) AB 703 (Bloom), as amended March 23, 2015 – Juveniles: attorney qualifications
- f) AB 879 (Burke), as introduced – Juveniles: court proceedings: notice
- g) AB 1298 (Gipson), as amended March 26, 2015 – Environmental quality: City of Carson:
sports stadium
- h) SB 266 (Block), as introduced – Probation and mandatory supervision: flash incarceration
- i) SB 682 (Leno), as introduced – Courts: personal services contracts

Adjourned closed session at 5:01 p.m.

Approved by the advisory body on April 30, 2015.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION
AND LIAISON COMMITTEE

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POLICY COORDINATION AND LIAISON COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

April 30, 2015
4:30–5:30 p.m.

Advisory Body Members Present: Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair; Hon. Daniel J. Buckley; Hon. David E. Gunn; Hon. Brian L. McCabe; Hon. Martin J. Tangeman; Mr. Mark G. Bonino; Mr. James P. Fox; and Ms. Mary Beth Todd.

Advisory Body Members Absent: Hon. James E. Herman and Hon. Gary Nadler.

Others Present: Hon. Jerilyn Borack, Co-chair, and Hon. Mark A. Juhas, Co-chair, Family and Juvenile Advisory Committee; Hon. David E. Power, Chair, Trial Court Facility Modification Advisory Committee; Mr. Curtis Child and Mr. Curt Soderlund; Committee staff: Mr. Daniel Pone, Ms. Sharon Reilly, Mr. Alan Herzfeld, Ms. Andi Liebenbaum, Ms. Monica LeBlond, and Ms. Yvette Casillas-Sarcos.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 4:30 p.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the April 16, 2015, Policy Coordination and Liaison Committee meeting.

DISCUSSION AND ACTION ITEMS

Item 1

Proposal for Judicial Council-Sponsored Legislation

a) *Disposition and Demolition of the San Diego County Courthouse*

Authorizes the disposal of the (1) existing San Diego County Courthouse (the County Courthouse), which is being replaced by the New San Diego Central Courthouse (New Courthouse) currently under construction, (2) jail building adjacent to the County Courthouse (Old Jail) and (3) land on which the County Courthouse and Old Jail are located. The legislation will also authorize the disposal of the San Diego Property in a fair market value

transaction allowing the Judicial Council to fulfill obligations to the County of San Diego (County) undertaken as a result of County's transfer to the Judicial Council of the San Diego Property and the property on which the New Courthouse is being constructed, and to potentially provide for development of an underground inmate transportation tunnel similar to the one removed from the New Courthouse project due to cost considerations. Any additional proceeds would be used to offset rental or debt service payments owed with respect to the bond financing for the New Courthouse.

Action: Recommend Judicial Council sponsorship.

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 4:37 p.m.

C L O S E D S E S S I O N

Item 1

Approval of Minutes

The advisory body reviewed and approved the minutes of the April 16, 2015, Policy Coordination and Liaison Committee meeting.

Item 2

Pursuant to California Rules of Court, rule 10.75(d)(3)

Negotiations concerning legislation.

- a) AB 581 (Gomez) – State Facilities Renewal Bond Act of 2016
- b) AB 749 (Bloom) – Family Law: court reporters
- c) AB 1351 (Eggman) – Deferred entry of judgment: pretrial diversion
- d) AB 1352 (Eggman) – Deferred entry of judgment: withdrawal of plea
- e) SB 178 (Leno) – Privacy: electronic communications: search warrant
- ~~f) SB 404 (Hertzberg) – Vehicles: traffic officers (removed from agenda by staff)~~
- g) SB 405 (Hertzberg) – Criminal procedure: disclosure: felony conviction consequences
- h) Outstanding Delinquent Debt Amnesty Program
- i) SB 428 (Hall) – Juries: peace officer exemption
- ~~j) SB 603 (Hueso) – Defendant: acting as his or her own attorney (in pro per) (removed from agenda by staff)~~
- k) SB 694 (Leno) – New evidence: habeas corpus: motion to vacate judgment: indemnity

Adjourned closed session at 5:41 p.m.

Approved by the advisory body on May 21, 2015.