

**Judicial Council of California  
Executive and Planning Committee  
March 29, 2010, 4:00–4:40 p.m.  
Conference Call**

**Members Participating:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Mary Ann O'Malley, Winifred Younge Smith, Kenneth K. So, and James Michael Welch; and Mr. Frederick K. Ohlrich, Mr. James N. Penrod, and Mr. Michael M. Roddy

**Other Council Members Participating:** Justice Brad R. Hill and Judge Dennis E. Murray

**AOC Members Participating:** Ms. Heather Anderson, Mr. Dennis Blanchard, Ms. Nancy Carlisle, Ms. Christine Cleary, Mr. Steven Crooks, Mr. Chad Finke, Ms. Donna S. Hershkowitz, Mr. Burt Hirschfeld, Ms. Bonnie Hough, Mr. Kenneth L. Kann, Mr. William L. Kasley, Ms. Susan McMullan, Mr. Douglas C. Miller, Mr. Stephen Nash, Mr. Ronald G. Overholt, Ms. Christine Patton, Ms. Pam Reynolds, Ms. Robin Seeley, Ms. Nancy E. Spero, Ms. Maria Topete, Mr. William C. Vickrey, and Mr. Michael Wright

Minutes

The committee reviewed and approved the minutes for the Executive & Planning Committee meetings held on February 11, 2010, March 8, 11, and 22, 2010, and a revision to the committee minutes of February 24, 2010.

Agenda Setting for the April 23, 2010, Judicial Council Meeting

The committee reviewed reports and set the agenda for the next Judicial Council business meeting.

Interim Policies for Third Party Use of Court Facilities

The committee reviewed and approved, on behalf of the Judicial Council under Rule 10.11(a), interim policies for third party use of appellate and trial court facilities.

Judicial Council Issues Meetings Topics

The committee reviewed the results of a March 2009 survey of council members on their interests regarding future issues meeting topics and approved the recommendation to survey the council members in April 2010.

Information Only Items

The committee received a memorandum: Action Items and Key Points from the February 24, 2010, Advisory Committee and Task Force Annual Agenda Review Meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Overholt', with a stylized, cursive script.

Ronald G. Overholt  
Chief Deputy Director

**Judicial Council of California  
Executive and Planning Committee  
April 12, 2010, 4:00–4:30 p.m.  
Conference Call**

**Members Participating:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Mary Ann O'Malley, Kenneth K. So, and James Michael Welch; and Mr. James N. Penrod and Mr. Michael M. Roddy

**Members Absent:** Judge Winifred Younge Smith and Mr. Frederick K. Ohlrich

**Other Council Members Participating:** Justice Brad R. Hill

**AOC Members Participating:** Ms. Heather Anderson, Mr. Dennis Blanchard, Ms. Deborah Brown, Mr. Steven Chang, Mr. Steven Crooks, Ms. Charlene Depner, Mr. Chad Finke, Ms. Donna S. Hershkowitz, Ms. Bonnie Hough, Mr. Kenneth L. Kann, Mr. William L. Kasley, Ms. Susan McMullan, Ms. Diane Nunn, Mr. Patrick O'Donnell, Mr. Ronald G. Overholt, Ms. Nancy E. Spero, Mr. Courtney Tucker, Mr. William C. Vickrey, and Mr. Alan Wiener

Minutes

The committee reviewed and approved the minutes for the Executive & Planning Committee meeting held on March 29, 2010.

Additional Advisory Member to the Judicial Council

Upon the recommendation of Judicial Council member Hon. Brad R. Hill, the committee acted on behalf of the Judicial Council between meetings, under California Rules of Court, rule 10.11(a), by adding one more advisory member position to the council and recommending to the Chief Justice that this position be filled by Hon. Terry B. Friedman (ret.) because of his unique and continuing leadership on statewide issues of concern to the Judicial Branch.

Agenda Setting for the April 23, 2010, Judicial Council Meeting

The committee reviewed reports and set the agenda for the next Judicial Council business meeting.

Civil Mediation and Settlement Project Awards

The committee reviewed and approved, pursuant to authorization of the Judicial Council on October 23, 2009, staff recommendations regarding Civil Mediation and Settlement Project Awards from the Fiscal Year 2010-2011 Judicial Administration Efficiency and Modernization Fund.

Requests for Public Comment at April 23, 2010, Business Meeting regarding Elkins Family Law Task Force Report

The committee reviewed and approved a process to manage possible requests for public comment on the Elkins Family Law Task Force final report at the Judicial Council's April 23, 2010, meeting. Over the past two years, there have been extensive and multiple opportunities for public comment to the task force in person and in writing. At the April 23, 2010, business meeting, the task force is specifically asking that the council accept its report and that the Administrative Director prepare and present at a future meeting an implementation plan and approvals for the task force's recommendations. The committee, therefore, determined that, in the interests of a) fostering balanced access to Judicial Council decision-making both for those who may request to speak and to those who previously submitted written and oral comments and b) providing valuable information to the council members on the questions before them for decision, in its discretion under Rule 10.6(d), the council will not take public comment on the Elkins Family Law Task Force final report at the April 23, 2010, meeting. The committee will consider further requests for public comment when specific task force recommendations are presented to the council for action at future meetings.

Superior Court of Contra Costa County Request Regarding Hours for Clerk's Office

The committee, acting on behalf of the Judicial Council under California Rules of Court, rule 10.11(a), with 5 votes in favor, 0 votes opposed, and 2 abstentions, approved the request from the Superior Court of Contra Costa County to an exception from the minimum clerk's office hours requirement set out in the Judicial Council's Operating Guidelines and Directives. This would allow the court to reduce its clerk's office hours in all seven locations from the existing schedule of 8 a.m. to 3 p.m. to the proposed schedule of 8 a.m. to 2 p.m., beginning May 1, 2010.

Respectfully submitted,



Ronald G. Overholt  
Chief Deputy Director

**Judicial Council of California**  
**Executive and Planning Committee**  
**April 15, 2010**  
**Proposal Circulated by E-mail on April 13, 2010**

**Members Voting:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Mary Ann O'Malley, Kenneth K. So, Winifred Younge Smith, and James Michael Welch; and Mr. Frederick K. Ohlrich, Mr. James N. Penrod, and Mr. Michael M. Roddy

**Staff Participating:** Ms. Nancy E. Spero

Judicial Council Resolution Thanking Mr. Jerry B. Epstein

The committee reviewed and approved a resolution on behalf of the Judicial Council, between meetings under Rules of Court, rule 10.11(a), thanking Mr. Jerry B. Epstein for his contributions to the state and to the judicial branch. A copy of the resolution text is attached to these minutes.

Respectfully submitted,



Kenneth L. Kann  
Director, Executive Office Programs Division



JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS

Resolution  
-HONORING-

MR. JERRY B. EPSTEIN

*Whereas* the Judicial Council of California, as the policymaking body for California's court system, wishes to recognize the distinguished public service contributions of Mr. Jerry B. Epstein as member and president of the Los Angeles State Building Authority, in which capacity he was instrumental in realizing the vision for the construction of the Ronald Reagan State Building, southern region location for the California Supreme Court and site of the California Court of Appeal, Second Appellate District since the building was first occupied 1991;

*Whereas* in 1983 Governor George Deukmejian established the Los Angeles State Building Authority, a three-person body that plans, finances, and oversees the state construction and management of state office facilities in downtown Los Angeles, and subsequently appointed Mr. Epstein to the Authority in that same year;

*Whereas* for almost three decades, Mr. Epstein served in this voluntary position with the Authority, generously sharing his expertise in property development to successfully complete the Ronald Reagan and Junipero Serra buildings, housing judicial branch facilities and bringing together more than 50 state agencies in downtown Los Angeles;

*Whereas* Mr. Epstein has served on several other state and local commissions to improve California's infrastructure and remains active in many civic activities to benefit the Los Angeles community and the state;

*Whereas* Mr. Epstein's commitment to the importance of the role of government is underscored by his efforts to preserve a collection of historical documents from our Founding Fathers, among them a rare copy of the Declaration of Independence, all of which he has donated to a public collection for future generations;

*Now, therefore, be it resolved* that the Judicial Council of California does express the sincere gratitude of the judicial branch to Mr. Epstein for his civic contributions to the State of California, his diligent oversight of the Ronald Reagan State Building; and his sustained support in meeting the facilities needs of the California Supreme Court and Court of Appeal, Second Appellate District over many years.

*In witness whereof*  
*I have hereunto set my hand this Xth day of April, 2010.*

Attest:

RONALD M. GEORGE  
Chief Justice of California and  
Chair of the Judicial Council of California

WILLIAM C. VICKREY  
Administrative Director of the Courts

**Judicial Council of California**  
**Executive and Planning Committee**  
**April 19, 2010**  
**Proposal Circulated by E-mail on April 15, 2010**

**Members Voting:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Mary Ann O'Malley, Kenneth K. So, Winifred Younge Smith, and James Michael Welch; and Mr. Frederick K. Ohlrich, Mr. James N. Penrod, and Mr. Michael M. Roddy

**Staff Participating:** Ms. Nancy E. Spero

Conversions of Subordinate Judicial Officer Positions (SJOs)

The committee reviewed and approved AOC staff recommendations confirming the conversions of three vacant SJO positions, two in the Superior Court of Los Angeles County and one in the Superior Court of Stanislaus County. The effective date approved by the committee for converting each of these positions is July 1, 2010, or the date of legislative ratification of the authority to convert positions in Fiscal Year 2010–2011, whichever is later. The committee authorized the courts to fill the converted positions, if desired, with retired commissioners, pending the passage of the Budget Act for Fiscal Year 2010–2011 and until a judge is appointed and sworn for each position.

Respectfully submitted,



Kenneth L. Kann  
Director, Executive Office Programs Division

**Judicial Council of California  
Executive and Planning Committee  
May 10, 2010, 11:00 a.m.–2:00 p.m.  
Judicial Council Conference Center  
Board Room and Golden Gate Room**

**Members Participating:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Winifred Younge Smith, and James Michael Welch; and Mr. Frederick K. Ohlrich (via telephone) Mr. James N. Penrod and Mr. Michael M. Roddy

**Other Judicial Officials Participating:** Justice Terence L. Bruiniers

**Members Absent:** Judges Mary Ann O’Malley and Kenneth K. So

**AOC Members Participating:** Mr. Dennis Blanchard, Ms. Margie Borjon-Miller, Ms. Nancy Carlisle, Ms. Rebecca Cenicerros, Ms. Roma Cheadle, Mr. Curtis L. Child, Mr. Mark Dusman, Mr. Glenn Fong, Ms. Donna S. Hershkowitz, Mr. Kenneth L. Kann, Mr. William L. Kasley, Mr. Mark Moore, Mr. Ronald G. Overholt, Mr. Johann Strauss, and Mr. William C. Vickrey

Minutes

The committee reviewed and approved the minutes for the Executive and Planning Committee meetings held on April 12, 15 and 19, 2010.

Superior Court of Sacramento County Notice Regarding California Courts Technology Center

The committee was briefed by AOC staff on a notice from the Superior Court of California, Sacramento County, to transfer CCMS hosting of the court’s V3 case management data application from the California Courts Technology Center (CCTC) to a local technology center. The committee decided to direct the Court and the AOC as follows:

1. The Executive and Planning Committee directs the Court to maintain the *status quo* with regard to use of the CCTC for hosting CCMS-related applications pending consideration by the Judicial Council of the Court’s stated intent to transfer such services from the CCTC to a local data center. Specifically, the Executive and Planning Committee directs the Court to defer equipment purchases, staff hiring, and all other activities requiring the dedication of economic resources pending council consideration.

2. In the interim, the Executive and Planning Committee directs the AOC to work with the Court to address the Court's concerns about quality and performance of CCMS-related hosting services provided through the CCTC, and to review the Court's analysis of potential costs and savings that may be realized were the Court to transfer such services from the CCTC to a local data center. The Executive and Planning Committee further directs the AOC to present to the Judicial Council at its next business meeting a report that addresses the Court's concerns, actions taken and actions planned to address those concerns, the policy and fiscal implications of courts withdrawing from statewide administrative infrastructure initiatives, and any related material that will help inform the council's decision-making. The committee also directed the AOC to provide an analysis of the council's authority to take action in this area.

#### Conversion of Subordinate Judicial Officer Positions (SJO)

The committee reviewed and approved the Superior Court of Orange County's request to convert a vacant SJO position to a new judgeship, including acting on behalf of the Judicial Council between meetings to increase the Orange court's Fiscal Year (FY) 2010-2011 allocation group from one to two conversions. The conversion will be effective July 1, 2010, or the date of legislative ratification of the authority to convert positions in FY 2010-2011, whichever is later. The committee authorized the court to fill the converted position, if desired, with a retired commissioner, pending the passage of the Budget Act for Fiscal Year 2010-2011 and until a judge is appointed and sworn for the position.

#### Judicial Council Nominations

The committee reviewed the nominations for upcoming council vacancies and determined its recommendations to the Chief Justice.

Respectfully submitted,



Ronald G. Overholt  
Chief Deputy Director

**Judicial Council of California  
Executive and Planning Committee  
May 18, 2010, 12:00–1:00 p.m.  
Conference Call**

**Members Participating:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Mary Ann O'Malley, Winifred Younge Smith, and James Michael Welch; and Mr. Frederick K. Ohlrich

**Members Absent:** Judge Kenneth K. So, Mr. Michael M. Roddy, and Mr. James N. Penrod

**AOC Members Participating:** Mr. Dennis Blanchard, Ms. Dianne Bolotte, Ms. Nancy Carlisle, Mr. Kenneth L. Kann, Mr. Ronald G. Overholt, and Mr. William C. Vickrey

Judicial Planning Meeting Agenda Proposal & E&P Collaboration

The committee reviewed a proposal for the planning meeting scheduled for June 23–24, 2010, and discussed the committee's role in developing the meeting agenda. The committee also discussed objectives and areas of the branch operational plan to review during the June planning meeting and provided recommendations on other topics for the meeting agenda.

Respectfully submitted,



Ronald G. Overholt  
Chief Deputy Director

**Judicial Council of California  
Executive and Planning Committee  
May 24, 2010, 12:00–12:30 p.m.  
Conference Call**

**Members Participating:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Mary Ann O'Malley, Winifred Younge Smith, and James Michael Welch; and Mr. Frederick K. Ohlrich and Mr. Michael M. Roddy

**Members Absent:** Judge Kenneth K. So and Mr. James N. Penrod

**AOC Members Participating:** Mr. Dennis Blanchard, Ms. Dianne Bolotte, Ms. Nancy Carlisle, Mr. Ronald G. Overholt, Ms. Nancy E. Spero, and Mr. William C. Vickrey

Proposal Regarding Judicial Council Membership

The committee reviewed and approved on behalf of the Judicial Council a proposal from Chief Justice George and Mr. Vickrey to add two non-voting positions to the Judicial Council and a third temporary non-voting position.

Respectfully submitted,



Ronald G. Overholt  
Chief Deputy Director

**Judicial Council of California  
Executive and Planning Committee  
June 2, 2010, 4:00–5:00 p.m.  
Conference Call**

**Members Participating:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Mary Ann O'Malley, Kenneth K. So, and James Michael Welch; and Mr. Frederick K. Ohlrich, Mr. James N. Penrod and Mr. Michael M. Roddy

**Members Absent:** Judge Winifred Younge Smith

**AOC Members Participating:** Ms. Dianne M. Bolotte, Ms. Deborah C. Brown, Ms. Nancy Carlisle, Mr. Curtis L. Child, Ms. Charlene Depner, Mr. Mark Dusman, Mr. Bruce Greenlee, Mr. Kenneth L. Kann, Ms. Susan McMullan, Ms. Diane Nunn, Mr. Ronald G. Overholt, Ms. Christine Patton, Ms. Mary M. Roberts, Ms. Nancy E. Spero, Mr. William C. Vickrey, and Ms. Leah Wilson

Minutes

The committee reviewed and approved the minutes for the Executive & Planning Committee meeting held on May 10, 2010; Judge Edmon abstained from the approval of paragraph #1 in the item regarding the Superior Court of Sacramento County. The committee also requested a revision for its approval at a future meeting.

Agenda Setting for the June 25, 2010, Judicial Council Meeting

The committee reviewed reports and set the agenda for the next Judicial Council business meeting.

Judicial Council Planning Meeting Agenda Proposal

The committee reviewed a revision of the agenda proposal for the June 23–24 planning meeting, based on the recommendations received from Executive & Planning Committee members.

Respectfully submitted,



Ronald G. Overholt  
Chief Deputy Director

**Judicial Council of California**  
**Executive and Planning Committee**  
**June 9, 2010**  
**Proposal Circulated by E-mail on June 7, 2010**

**Members Voting:** Justice Richard D. Huffman; Judges Lee Smalley Edmon, Mary Ann O'Malley, Winifred Younge Smith, Kenneth K. So, and James Michael Welch; and Mr. Frederick K. Ohlrich, Mr. James N. Penrod, and Mr. Michael M. Roddy

**Staff Participating:** Ms. Nancy E. Spero

Conversion of Subordinate Judicial Officer Position (SJO)

The committee reviewed and approved AOC staff recommendations confirming the conversion of one SJO position, vacant with the retirement of Commissioner Lori-Ann C. Jones on April 30, 2010, in the Superior Court of Los Angeles County. The effective date for converting the position is July 1, 2010, or the date of legislative ratification of the authority to convert positions in Fiscal Year 2010–2011, whichever is later. The committee authorized the court to fill the converted position, if desired, with a retired commissioner, pending the passage of the Budget Act for Fiscal Year 2010–2011 and until a judge is appointed and sworn for this position.

Respectfully submitted,



Kenneth L. Kann  
Director, Executive Office Programs Division