

JUDICIAL COUNCIL MEETING
Minutes of the August 27, 2004, Meeting
San Francisco, California

The Judicial Council of California business meeting began at 8:45 a.m. on Friday, August 27, 2004, at the Administrative Office of the Courts (AOC) in San Francisco, California, on the call of Chief Justice Ronald M. George, chair.

Judicial Council members present: Chief Justice Ronald M. George; Associate Justices Marvin R. Baxter, Norman L. Epstein, Richard D. Huffman, and Laurence Donald Kay; Judges Eric L. DuTemple, William C. Harrison, Jack Komar, William A. MacLaughlin, Heather D. Morse, William J. Murray, Jr., Michael Nash, Richard Strauss, and Barbara Ann Zúñiga; Mr. Rex S. Heinke, Mr. David J. Pasternak, Ms. Ann Miller Ravel, Mr. William C. Vickrey, and Mr. Thomas J. Warwick, Jr.; **advisory members:** Judges Frederick Paul Horn and Eric C. Taylor; Commissioner Patricia H. Wong; Ms. Tressa S. Kentner, Ms. Susan Null, and Mr. Alan Slater.

Absent: Assembly Member Ellen M. Corbett and Senator Martha M. Escutia; Judge Michael T. Garcia.

Others present included: Justices Candace D. Cooper and Joyce L. Kennard, Judges Suzanne N. Kingsbury and James M. Mize; Ms. Tamara Lynn Beard, Mr. Michael Boggs, Mr. James E. Herman, Ms. Beth Jay, Mr. Greg Jolivet, Mr. Damian Tryon, and Ms. Cindy Warwick; **staff:** Ms. Heather Anderson, Mr. Peter Belton, Mr. Michael Bergeisen, Mr. Dennis Blanchard; Mr. Scott Burritt, Mr. James Carroll, Ms. Tina Carroll, Ms. Jeanne Caughell, Ms. Yueh-Wen Chang, Ms. Roma Cheadle, Ms. Gisele Corrie, Ms. Kim K. Davis, Mr. Mark Dusman, Ms. Nina Erlich-Williams, Ms. Sheila Gonzalez, Mr. Kevin Graff, Ms. Cynthia Grossman, Ms. Janet Grove, Ms. Christine M. Hansen, Ms. Lynn Holton, Ms. Kate Howard, Mr. John A. Judnick, Mr. Kenneth Kann, Ms. Jessica Lee, Ms. Sally Lee, Mr. Dag MacLeod, Mr. Frederick Miller, Mr. Lee Morhar, Ms. Vicki Muzny, Mr. Stephen Nash, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Sue Oliker, Ms. Eraina Ortega, Mr. Ronald G. Overholt, Ms. Christine Patton, Mr. Chung-Ron Pi, Ms. Leah Rose-Goodwin, Ms. Marlene Smith, Ms. Sonya Smith, Ms. Pat Sweeten, Ms. Kim Taylor, Ms. Marcia M. Taylor, Ms. Karen M. Thorson, Mr. Courtney Tucker, Ms. Alla Urisman, Mr. Tony Wernert, and Ms. Pat Yerian; **media representatives:** Ms. Jill Duman, *The Recorder*; Mr. Philip Carrizosa and Ms. Donna Domino, *San Francisco Daily Journal*.

Except as noted, each action item on the agenda was unanimously approved on the motion made and seconded. (Tab letters and item numbers refer to the binder of Reports and Recommendations dated August 27, 2004, that was sent to members in advance of the meeting.)

Public Comment Related to Trial Court Budget Issues

Mr. Damian Tryon, the union representative for the American Federation of State, County and Municipal Employees (AFSCME) District Council 36, which represents five local unions in the Superior Court of Los Angeles County, addressed the Judicial Council. His remarks concerned contract negotiations in the Superior Court of Los Angeles County and their relation to the trial court budget processes.

Mr. Michael Boggs, president of AFSCME Local 910, addressed the council. His remarks concerned the status of labor negotiations with the research attorneys in the Superior Court of Los Angeles County.

Approval of Minutes of July 7, 2004

The council approved the minutes of the July 7, 2004, meeting.

Judicial Council Committee Presentations

Executive and Planning Committee

Justice Richard D. Huffman, chair of the Executive and Planning (E&P) Committee, reported on the committee's activities since the July council meeting. Between the July 7 and August 27 council meetings, E&P met three times by conference call and once in person. At some of those meetings, the committee acted on behalf of the council as the rules of court require it to do on occasion.

One such item was an amendment to the council's litigation management policies. The Litigation Management Committee and the Office of General Counsel raised the question of whether or not the council can or should provide defense of court employees who are subject to administrative proceedings such as a complaint to the State Bar Association or another administrative agency.

After discussion, E&P authorized the use of litigation and excess liability funds in defense of these matters consistent with Government Code section 995.6 and on the following conditions: (1) that the administrative proceeding is brought against the employee on account of an act or omission in the scope of employment with the court; (2) that the presiding judge of the court requests that the defense be provided; and (3) that the Office of General Counsel agrees that such defense would be in the best interest of the judicial branch and that the employee acted or failed to act in good faith without actual malice and in the apparent interest of the court. The committee also directed the Office of the General Counsel to report annually to the Litigation Management Committee on the nature and types of these proceedings.

Following the July 7 council meeting a question arose about the council's action adopting a policy approving Trial Court Trust Fund reserves in the amount of 10 percent of annual allocations or one hundred thousand dollars (\$100,000), whichever is greater, plus confirmed legally committed reserves and critical projects. E&P acted on behalf of the council to clarify that the council will revisit the reserve policy when the staff has evaluated and reported on the implementation of the current policy.

On August 3, the committee met by conference call and reviewed a portion of the material for the August 27, 2004, agenda. The committee also reviewed the site visit schedule for 2004–2005, which will include courts in Riverside, San Bernardino, Kings, San Luis Obispo, Santa Barbara, San Mateo, and San Francisco Counties. On behalf of the committee, Justice Huffman urged council members to participate in the site visits, which are an important tool for ensuring strong communications between the courts and the council.

Also at that meeting, the committee approved a process to encourage the participation of new judges on advisory committees. E&P directed staff to present to the Rules and Projects Committee draft rules of court that would establish one-year positions for new judges on advisory committees. The purpose of the new program is to allow judges an opportunity to participate in judicial administration early in their judicial careers.

On August 16 the committee discussed, again by conference call, the Judicial Branch Budget Advisory Committee. Changes in the budget process called for a reexamination of the role of this committee. E&P directed that a rule of court be prepared that would replace the Judicial Branch Budget Advisory Committee with a Trial Court Budget Working Group. The committee also directed staff to establish an interim Trial Court Budget Working Group pending those rule revisions.

On August 26, the committee met in person for most of the day to review 430 nominations to 17 advisory committees and develop recommendations to the Chief Justice on appointments to those committees. In addition to the standard nominations, 35 new judges applied for limited-term advisory committee positions. E&P developed recommendations to accommodate as many of the new judges as possible on the advisory committees.

E&P also acted on behalf of the council to approve the distribution of 1.785 million dollars (\$1,785,000) in Court Appointed Special Advocate grants, which the committee does each year.

The committee also reviewed a list of action items resulting from the council's discussions and objective setting at the June planning meeting. The list includes a number of activities that will increase the communication between the council and the courts and other constituencies but will require more time from council members. The committee

asked staff to return with a more detailed implementation plan so that the committee can discuss with council members those items that will require their participation.

Policy Coordination and Liaison Committee

Justice Marvin R. Baxter, chair of the Policy Coordination and Liaison Committee (PCLC), thanked the PCLC members for their fine work over the past year and welcomed the new members. He also thanked Justice Laurence Donald Kay, for serving as vice-chair of the committee, and Ray LeBov, Kate Howard, and the other staff of the Office of Governmental Affairs (OGA) for their work.

PCLC met three times following the July council meeting. At its July 8, July 20, and August 5 meetings the committee took positions on four bills relating to probate, family, and traffic law. The Legislature was then in the final days of the 2003–2004 legislative session, which ended on August 31st. The last day for the Governor to sign or veto bills is September 30th. Justice Baxter advised that once this year’s legislative process is completed, OGA will prepare the *Court News Legislative Summary*, which annually highlights the new laws of interest to the courts.

PCLC planned to review proposals for Judicial Council–sponsored legislation in October and to make recommendations to the full council in December.

Rules and Projects Committee

Justice Norman L. Epstein, chair of the Rules and Projects Committee (RUPRO), reported on the committee’s activities since the July council meeting. RUPRO met on July 29, 2004, to review two rule proposals that were on the council’s agenda for the August 27th meeting. The committee recommended approval of the fourth and final installment of the revision of appellate rules (item 4 on the August 27th discussion agenda). The committee also recommended approval of item 3 on the council’s consent agenda.

At its meetings on July 29 and August 11, RUPRO approved the public circulation of three rules and form proposals on special cycles. These proposals will be before the council at the October meeting.

Justice Epstein reported that the committee was in the process of reviewing 50 rules and form proposals that would come before the council at the October meeting. The committee planned to meet to consider the proposals on September 9. Among the proposals to be reviewed for the October council meeting were new and revised Judicial Council pattern civil jury instructions. Through three subcommittees, the committee met three times to review this extensive, and extraordinarily well done, document. RUPRO reviewed a number of suggestions, virtually all of them relatively technical, which were

forwarded to the jury instruction committee staff and Justice James D. Ward, the chair of the Advisory Committee on Civil Jury Instructions. RUPRO was looking forward to presenting these instructions to the full council in October.

Justice Epstein noted that this was his last report as chair of the Rules and Projects Committee. He thanked the committee members for their unstinting and careful attention to the reams of material that the committee reviewed during the year. He also acknowledged the highly professional and effective assistance of Kenneth Kann of the Office of General Counsel and thanked Ken for his service to the committee.

Judicial Council Court Visit Reports

Judge Jack Komar reported on two separate site visits for which he was the team leader—the first to the Superior Courts of Butte and Colusa Counties, and the second to the Superior Courts of Modoc, Lassen, and Plumas Counties. Council members Judges Frederick Paul Horn and Michael T. Garcia and Court Executives Susan Null and Alan Slater participated in the visits to the Butte and Colusa superior courts. Council members Judge Frederick Paul Horn and Commissioner Patricia H. Wong, and Court Executive Susan Null participated in the visits to Modoc, Lassen, and Plumas superior courts.

CONSENT AGENDA

Item 1 Report to the Department of Finance on Service of Process Fees Billed to the Trial Courts under Chapter 1009, Statutes of 2002

AOC staff provides for consideration of the council a report to the Department of Finance as required by the Budget Act of 2003. The act provided \$3 million in funding for reimbursement to the trial courts for charges from law enforcement for service of process of specific types of orders and injunctions. This report is to be submitted to the Department of Finance by September 1, 2004.

Council action

The Judicial Council approved the Report to the Department of Finance on Service of Process (Stats. 2002, ch. 1009) for submission to the Department of Finance.

Item 2 Revisions to Base Allocations for Child Support Commissioner and Family Law Facilitator Program for Fiscal Year 2004–2005

The Family and Juvenile Law Advisory Committee recommends that the council approve annual non-trial court funding to local courts for the child support commissioner and family law facilitator program. The funds for this program are provided by a cooperative agreement between the California Department of Child Support Services (DCSS) and the

Judicial Council. Two-thirds of these funds are federal funds and the remaining one-third are state General funds (non-trial court funding).

Council action

The Judicial Council, effective July 1, 2004:

1. Approved the Family and Juvenile Law Advisory Committee's revised base allocations for the child support commissioner program for 2004–2005; and
2. Approved the committee's revised base allocations for the family law facilitator program for 2004–2005.

Item 3 Appellate Procedure: Filing Brief by Mail (amend Cal. Rules of Court, rule 40(k))

The Appellate Advisory Committee recommends that rule 40(k) be amended to replace the option of filing an appellate brief by certified mail with the option of sending the brief by priority mail. This amendment would provide litigants with a quicker and lower-cost delivery option for appellate briefs.

Council action

The Judicial Council, effective January 1, 2005, amended rule 40(k) of the California Rules of Court, to allow the option of filing a brief by Priority or Express Mail.¹

DISCUSSION AGENDA

Item 4 Revision of Appellate Rules: Fourth Installment—Rules Governing Appeals and Writs in Juvenile Cases, Miscellaneous Other Appeals, General Appellate Procedures, Original Proceedings in Reviewing Courts, Administrative Provisions, and Rules for Publication of Appellate Opinions²

Justice Joyce L. Kennard, chair of the Appellate Advisory Committee, and Mr. Peter Belton, presented this item.

The Appellate Advisory Committee recommends adoption of this fourth and final installment of its multiyear project to revise the appellate rules of the rules of court. The installment covers the rules governing appeals and writs in juvenile cases, miscellaneous other appeals, general appellate procedures, original proceedings in reviewing courts, administrative provisions governing reviewing courts, and rules for publication of

¹ Rule 40 was further revised and renumbered to be rule 40.1 as part of the fourth installment of the revisions to the appellate rules proposed by the Appellate Advisory Committee (Item 4 below).

² This agenda item was heard out of order, before the Judicial Council Court Visit Reports.

appellate opinions. The revision is necessary because many provisions of the rules have become unduly complex, difficult to understand, or inconsistent with current law or practice. The revision undertakes to cure these deficiencies by simplifying the wording of the rules and restructuring them to clarify their meanings and facilitate their use.

Council action

The Judicial Council, effective January 1, 2005:

1. Repealed existing rules 39–44, 45–47, 48–60, 75–80, and 976–979 of the California Rules of Court;
2. Adopted amended rules 37–60, 70–80, 976–979, and related Advisory Committee Comments; and
3. Amended rules 2, 15, and 30.1.

Item 5 Report of the Collaborative Court-County Working Group on Enhanced Collections

Ms. Sheila Gonzalez and Ms. Jessica Lee presented this item with the participation of Mr. Scott Burritt.

The Collaborative Court-County Working Group on Enhanced Collections recommends that the council adopt the report proposals, which are intended to enhance the collection of court fines and fees on a statewide basis as required by Senate Bill 940. These recommendations will improve court collections by providing guidelines and standards for courts to use in enhancing their collection programs, establishing reporting procedures, and providing courts with other tools to improve collections. These recommendations are necessary in order to establish statewide practices to enhance the collection of court fines and fees.

Council action

The Judicial Council took the following actions based on the recommendations of the Collaborative Court-County Working Group on Enhanced Collections:

1. *Legislation (Tab A)*
 - a. Agreed to sponsor legislation that will allow courts (in addition to counties) to charge a fee for setting up installment payments when a person is not paying his or her full fine or fee at one time, and will increase the fee for setting up installment payments from \$35 or less to \$50 (tab A, page 2); and
 - b. Directed staff to review the feasibility of charging interest on delinquent fees and fines (tab A, page 2).

2. *Guidelines and Standards (Tab B)*
 - a. Adopted the standards and guidelines and approved the definition of delinquent accounts/payments, for use by courts and counties as a road map in the development or enhancement of a collection program (tab B, exhibit A);
 - b. Directed the trial courts, in collaboration with their counties, to establish countywide enhanced collection and compliance coordination committees (tab B, page 4);
 - c. Directed the trial courts, in collaboration with their counties, to enter into written memoranda of understanding (MOUs) (tab B, page 4);
 - d. Declined to make an amnesty program part of the comprehensive collections program (tab B, page 3-4); and
 - e. Adopted the standards for discharge of accountability and required the courts to comply with Government Code section 25258 when discharging court-ordered debt (tab B, page 7-9).
3. *Operations/Fee Waivers (Tab C)*

Established a task force, under the direction of the Collaborative Court-County Working Group on Enhanced Collections, to develop standards and guidelines to assist judicial officers and staff in the approval or denial of fee waivers (tab C, page 9).
4. *Reporting (Tab D)*
 - a. Directed each trial court that has a collections program in collaboration with its county to report to the council on December 1, 2004, its beginning balance for fiscal year 2004-2005 (as of July 1, 2004) (tab D, page 2-3);
 - b. In addition to legislatively mandated requirements that courts and counties submit year-end reports, directed the trial courts, in collaboration with their counties, to submit midyear reports on the first weekday in March of each year (the first midyear report, for fiscal year 2004-2005, will be due on March 1, 2005; legislatively mandated year-end reports should be submitted by the first weekday in October, and the fiscal year 2004-2005 year-end reports will be due on October 3, 2005) (tab D, pages 3-4); and
 - c. Approved the proposed report template and directed that all reports be submitted on the Judicial Council-approved template (tab D, exhibit A).
5. Reappointed the chair and current members to the Collaborative Court-County Working Group on Enhanced Collections for a term to run through October 2005 and directed the working group to continue with Senate Bill 940 implementation and to work with courts and counties to establish or enhance their collections programs.

Item 6 Update of Judicial Needs Study

Mr. Dag MacLeod and Mr. Chung-Ron Pi presented this item.

AOC staff recommends that the council renew the multiyear plan adopted by the council in 2001 to sponsor legislation for 150 new judgeships over the next three years.

Council action

The Judicial Council:

1. Approved a minor modification of the methodology for evaluating judgeship needs so that filings data averaged over multiple years will be used for these calculations instead of filings data for a single year; and
2. Directed AOC staff to take appropriate action to seek legislative authority and funding to add 150 new judgeships and associated staff over three years as follows: From fiscal year 2005–2006 to fiscal year 2007–2008, 50 judgeships per year would be created. In the first year, 20 trial courts would receive 50 new judgeships. In the second year, 24 trial courts would receive 50 new judgeships. In the third year 22 trial courts would receive 50 new judgeships. The allocation of new judgeships to these trial courts will be contingent on the courts' ability to provide adequate facilities for additional judges and support staff. AOC staff will also validate the findings of the judicial needs study with individual trial courts.

Item 7 Criteria for Reimbursement of Trial Court Trust Fund Reserves Utilized to Offset a Portion of the Fiscal Year 2004–2005 Unallocated Reduction

Ms. Christine M. Hansen presented this item with the participation of Ms. Vicki Muzny.

AOC staff provides recommendations for criteria to be used in determining reimbursement for utilization of Trial Court Trust Fund reserves to partially offset the unallocated reductions included in the budget for fiscal year 2004–2005. The proposals would provide for the possibility of partial reimbursement in the future for some courts whose reserves were used to partially offset the unallocated reduction. The council directed staff at its July 7 business meeting to present these proposals at the August meeting.

Council action

The Judicial Council approved proposed criteria for determining the reimbursement of Trial Court Trust Fund (TCTF) reserves to those courts that received a reduction in reserves, as follows:

1. Reimbursement can be provided up to the level of 50 percent of the TCTF reserves the court contributed to the one-time reduction, less an offset for (a) the

50 percent one-time reduction credit applied as an offset to the court's share of the statewide unallocated reduction in fiscal year 2004–2005, and (b) the total of all new funding provided to the court in fiscal year 2004–2005 and the following fiscal years to resolve underfunding issues. Any reimbursement must meet the following criteria:

- The amount of reserves to be reimbursed, added to a court's current TCTF reserves, cannot exceed the Judicial Council–approved reserve level (the council-approved threshold for fiscal year 2004–2005 is 10 percent of annual allocations, or \$100,000, whichever is greater, plus funding needed for legally committed reserves and confirmed essential projects).
 - The court must have an identified essential business need for existing operations that cannot be addressed without additional one-time funding.
2. Any reimbursements provided in accordance with the preceding criteria cannot be made prior to July 1, 2005, and must be made prior to June 30, 2009.
 3. Requests for reimbursement of reserves must be submitted to the trial court's respective regional administrative director. An executive management committee, consisting of the Chief Deputy Director, each regional administrative director, and the director of the AOC Finance Division, will review, consider availability of one-time funding, and make recommendations on each request to the Judicial Council.

Item 8 Trial Court Budget Request: Fiscal Year 2005–2006

Mr. Stephen Nash and Ms. Christine M. Hansen presented this item with the participation of Ms. Vicki Muzny.

AOC staff provides recommendations to the council regarding funding requests for the trial courts for fiscal year 2005–2006. These include requests that will be funded under the State Appropriations Limit (SAL) and therefore do not require submission to the Governor and the Legislature, requests to be submitted as fall budget change proposals, and requests that are to be submitted as Spring Finance Letter proposals.

Council action

The Judicial Council:

1. Directed staff to compile the funding needs from the trial courts in the following fiscal year 2005–2006 priority program areas:

- Trial court staff negotiated salary increases (NSIs) and benefits;
- Increased costs for county-provided services;
- Court interpreters' workload growth;
- Trial court workers' compensation cost increases;
- Court-appointed counsel;
- Trial court staff retirement; and
- Security NSIs, retirement, and other benefits.

Once the final State Appropriations Limit (SAL) adjustment percentage for fiscal year 2005–2006 is known, staff will develop allocation recommendations for adjustments in those programs that fall within the SAL computation and present these to the council no later than its August 2005 meeting.

2. Directed staff to submit fall Budget Change Proposals (BCPs) for any program increases in approved priority areas that are determined to be above the SAL adjustment percentage.
3. Directed staff to develop a fall budget package with supporting schedules, to be updated in the spring, which applies the SAL adjustment percentage for the following fiscal year to overall trial court base funding to determine the annual SAL adjustment, consistent with the provisions of Government Code section 77202. Staff will submit this package to the state Department of Finance (DOF) and, subsequently, to the Legislature.
4. Approved submission of a fall fiscal year 2005–2006 BCP to adjust the base budget for the trial courts for ongoing structural deficiencies in the following areas: new judgeships; historical base budget underfunding; provision of security that is below established security standards and the provisions of Senate Bill 1396, where the provisions still apply; and any other identified substantive, ongoing structural deficiencies.
5. Approved submission of a fall fiscal year 2005–2006 BCP to address unfunded mandatory needs in the current fiscal year (2004–2005) in the areas of court employee salaries, health benefits, and retirement; security salaries, benefits, and retirement; and increased charges for county-provided services.
6. Authorized staff to seek additional one-time funds in the current year if, after resurveying the courts and updating their security needs, taking into account the \$22 million reduction, and allocating the \$4 million in one-time funds approved by the council at its July 7, 2004 meeting, staff determine that the overall court security budget remains insufficient to address public safety concerns in the state's trial courts.

7. Delegated to the Administrative Director of the Courts the authority to make technical adjustments to the recommended fiscal year 2005–2006 statewide trial court budget proposals.
8. Authorized staff to submit a fall BCP if county governments impose costs on courts that are above the SAL adjustment percentage or if there is a recognized need to accommodate other operational or programmatic changes.
9. Authorized staff to submit a fall BCP if legislation is proposed that would impose an increased financial obligation on the courts in fiscal year 2005–2006.
10. Directed staff to affirm the prior commitment with the Governor’s staff and the DOF that, with the implementation of the SAL methodology for funding the trial courts, they will no longer be subject to one-time or ongoing unallocated budget reductions.

Due to the significant changes in the process for submitting funding requests for the trial courts under the SAL, the council also directed staff to:

- a. Present a status report to the council at its December 2004 meeting regarding negotiations with the DOF;
- b. Present a status report to the council at its February 2005 meeting regarding further negotiations over the Governor’s January budget and any tentative estimates of funding under SAL; and
- c. Present a status report to the council following the May revise.

Item 9 Fiscal Year 2005–2006 Judiciary Budget Request (to include the Supreme Court, the California Judicial Center Library, the Courts of Appeal, and the Judicial Council/Administrative Office of the Courts)

Ms. Christine M. Hansen and Mr. Stephen Nash presented this item with the participation of Ms. Gisele Corrie.

The Judicial Council has the statutory authority to approve budget requests and budget changes for the Supreme Court, the Courts of Appeal, and the Judicial Council/Administrative Office of the Courts. Approved budget requests will be submitted to the state Department of Finance for consideration for inclusion in the Governor’s 2005–2006 budget and, subsequently, to the Legislature. These requests will include a proposal to increase reimbursements in fiscal year 2004–2005 to offset costs associated with various administrative and information system services.

Justice Norman L. Epstein did not participate in the discussion about this item nor did he vote on any of the recommendations that were presented for council approval.

Council action

The Judicial Council:

1. Approved fiscal year 2005–2006 judiciary Budget Change Proposals (BCPs) described within this report as follows, with fiscal year 2004–2005 impact as noted:
 - Fiscal year 2005–2006 General Fund budget requests for \$3.261 million, including a placeholder BCP for rent increases, and providing notification to the state Department of Finance (DOF) of a possible late BCP to be submitted in the spring of 2005 to request additional appellate court justices, if deemed necessary;
 - Increased appropriation authority in fiscal year 2004–2005 for an amount up to \$3.836 million, and for an amount up to \$30.552 million in fiscal year 2005–2006, to accept reimbursements from the Trial Court Trust Fund and the Trial Court Improvement Fund, per Government Code section 68085(a)(4), and the State Court Facilities Construction Fund for various trial court administrative and facility support-service initiatives. Also approved adjustment of the Court Facilities Trust Fund appropriation level once county contributions are established to fund operations and maintenance expenditures; and
 - Increased appropriation authority by \$1.084 million in fiscal year 2005–2006 from available Appellate Court Trust Fund revenues for support of the appellate courts.
2. Approved revision of the fiscal year 2005–2006 capital outlay BCPs as submitted with the judiciary’s five-year plan to address a 5.5 percent increase from the published fiscal year 2003–2004 California Construction Index Cost of 4100 to 4328.
3. Approved the development of possible funding proposals to be submitted in the fall of 2004 as a result of the impact of recently enacted legislation on judicial branch resources.
4. Delegated authority to the Administrative Director of the Courts to make technical changes to this budget as necessary.

INFORMATIONAL ITEMS

Judicial Branch Budget Hearing: Feedback from California Channel Viewer

Copy of letter sent by Mr. Ken Seaton-Msemaji, President of United Domestic Workers of America.

Circulating Orders

No circulating orders were approved since the last business meeting.

Appointment Orders

Copies of appointment orders are for information only; no action was necessary.

There being no further public business, the meeting was adjourned at 12:45 p.m.

Respectfully submitted,

William C. Vickrey
Administrative Director of the Courts and
Secretary of the Judicial Council