

AMENDMENTS TO THE CALIFORNIA RULES OF COURT

Adopted by the Judicial Council on August 26, 2016,
effective on August 26, 2016, and January 1, 2017

1 **Rule 10.804. Superior court financial policies and procedures**

2
3 **(a) Adoption of ~~financial policies and procedures by the Judicial Council~~**

4
5 As part of its responsibility for regulating the budget and fiscal management of the
6 trial courts, the Judicial Council adopts Tthe *Trial Court Financial Policies and*
7 *Procedures Manual*. The manual contains regulations establishing budget
8 procedures, recordkeeping, must be consistent with the rules of court and policies
9 adopted by the Judicial Council and must include accounting standards, and other
10 financial guidelines for superior courts, and policies and procedures for
11 procurement and contracting by superior courts. These policies and procedures
12 must not modify superior courts' existing authority to procure, contract for, or use
13 goods or services or the requirement that a court have authorized funding available
14 in order to procure or contract for any good or service. The manual sets out a
15 system of fundamental internal controls that will enable the trial courts to monitor
16 their use of public funds, provide consistent and comparable financial statements,
17 and demonstrate accountability.

18
19 *(Subd (a) amended effective August 26, 2016; previously amended effective January 1,*
20 *2007, and July 1, 2015.)*

21
22 **(b) Amendments ~~Comment period for financial policies and procedures~~**

23
24 (1) Before amending making any substantive amendments to the *Trial Court*
25 *Financial Policies and Procedures Manual*, the Judicial Council must make
26 it ~~the~~ amendments available to the superior courts, the California Department
27 of Finance, and the State Controller's Office for 30 days for comment.

28
29 (2) The Judicial Council delegates to the Administrative Director, under
30 article VI, section 6 of the California Constitution and other applicable law,
31 the authority to make technical changes and clarifications to the manual,
32 provided the changes and clarifications are consistent with council policies.

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34 *(Subd (b) amended effective August 26, 2016; previously amended effective January 1,*
35 *2007, and July 1, 2015.)*

36
37 **(c) ~~Date of adherence to financial policies and procedures~~**

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39 Superior courts must adhere to the requirements contained in the *Trial Court*
40 *Financial Policies and Procedures Manual*, except as otherwise provided in the

1 manual. Superior courts must not be required to adhere to any substantive
2 amendment to the manual sooner than 60 days after the amendment is adopted.

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4 *(Subd (c) amended effective August 26, 2016; previously amended January 1, 2007.)*

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6 *Rule 10.804 amended effective August 26, 2016; adopted as rule 6.707 effective January 1, 2001;*
7 *previously amended and renumbered effective January 1, 2007; previously effective July 1, 2015.*

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9 **Advisory Committee Comment**

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11 **Subdivision (a).** Procurement and contracting policies and procedures for judicial branch entities,
12 including superior courts, are addressed separately in the *Judicial Branch Contracting Manual*,
13 which the Judicial Council adopted under Public Contract Code section 19206.

14
15 **Subdivision (b)(2).** Technical changes and clarifications include clarifying language that (1) does
16 not change any substantive requirement imposed on courts; and (2) corrects typographical errors
17 or citations, or makes reimbursement rate adjustments and other changes that result from changes
18 in federal, state, or local rules, regulations or applicable law.

19
20 **Rule 10.491. Minimum education requirements for Judicial Council executives,**
21 **managers, supervisors, and other employees**

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23 **(a) Applicability**

24
25 Orientation and ongoing professional development for Judicial Council staff
26 enables them to effectively provide service, leadership and expertise to the courts
27 and to enhance trust and confidence in the judicial branch. All Judicial Council
28 executives, managers, supervisors, and other employees must complete minimum
29 education requirements. These education requirements are included as a part of the
30 employee performance evaluation process.

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32 *(Subd (a) amended effective January 1, 2017; previously amended effective January 1,*
33 *2016.)*

34
35 **~~Content-based requirements~~ Education requirements for new employees and**
36 **new managers and supervisors**

37
38 (1) ~~Each new manager or supervisor must complete the New~~
39 ~~Manager/Supervisor Orientation within six months of being hired or assigned~~
40 ~~as a manager or supervisor. Each new employee with supervisory or~~
41 ~~management responsibilities must complete the New Manager/Supervisor~~
42 ~~Orientation within six months of being hired or appointed or as soon as~~
43 ~~possible after being hired or appointed.~~
Each new employee with supervisory or management responsibilities must complete the New Manager/Supervisor Orientation within six months of being hired or appointed or as soon as possible after being hired or appointed.

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(2) ~~Each new employee, including each new manager or supervisor, must complete New Employee Orientation within six months of being hired and should complete it as soon as possible after being hired. Each new employee, including those with supervisory or management responsibilities, must complete the New Employee Orientation within six months of being hired or as soon as possible after being hired.~~

(3) ~~The Administrative Director may require new managers, supervisors, and other employees to complete specific compliance courses in addition to the required orientation courses. Completion of the orientation courses counts toward the education hours requirement in (c).~~

(Subd (b) amended effective January 1, 2017; previously amended effective January 1, 2016.)

(c) ~~Hours-based requirements~~ Continuing education requirements

(1) ~~Each executive must complete 30 hours of continuing education every two years. Each employee must complete 20 hours of continuing education every two years, beginning on January 1, 2017.~~

(2) For new employees beginning employment after July 1 of any year, the education hours may be prorated for that year at the discretion of the employee's supervisor.

~~(2)(3) Each manager or supervisor must complete 18 hours of continuing education every two years. The Administrative Director may require employees to complete specific compliance courses or specific courses for management. This compliance education applies toward the continuing education requirement in (c)(1) on an hour-for-hour basis.~~

~~(3)(4) Each employee who is not an executive, manager, or supervisor must complete 12 hours of continuing education every two years. Education offered by an approved provider described in rule 10.481(a), as well as education that is approved by the employee's supervisor as meeting the criteria listed in rule 10.481(b), applies toward the employee's continuing education requirement.~~

(5) Continuing education may be live (face-to-face) or distance education, such as webinars, videoconferencing, online courses, and broadcasts.

1 ~~(4)(6)~~ The orientation courses and the compliance courses required for new
2 managers, supervisors, and other employees under (b) do not apply toward
3 the required hours of continuing education. Each new executive enters the
4 two-year continuing education period on the first day of the quarter following
5 his or her appointment, and each new manager, supervisor, and employee
6 enters the two-year continuing education period on the first day of the quarter
7 following the six-month period provided for his or her completion of the
8 orientation courses and the compliance courses required under (b); the
9 quarters begin on January 1, April 1, July 1, and October 1. Each executive,
10 manager, supervisor, or employee who enters the two-year continuing
11 education period after it has begun must complete a prorated number of
12 continuing education hours for that two-year period, based on the number of
13 quarters remaining in it. Participation in education, whether as a learner or as
14 faculty, counts toward an employee's continuing education requirement
15 under this rule on an hour-for-hour basis.

16
17 (5) Any education offered by an approved provider (see rule 10.481(a)) and any
18 other education, including education taken to satisfy a statutory, rules-based,
19 or other education requirement, that is approved by the employee's
20 supervisor as meeting the criteria listed in rule 10.481(b) applies toward the
21 continuing education required under (c)(1)–(3).

22
23 (6) Each hour of participation in traditional (live, face-to-face) education;
24 distance education such as broadcasts, videoconference courses, and online
25 coursework; and faculty service counts toward the requirement on an hour-
26 for-hour basis. The Administrative Director or an executive, manager, or
27 supervisor, if delegated by the Administrative Director, has discretion to
28 determine the number of hours, if any, of traditional (live, face-to-face)
29 education required to meet the continuing education requirement.

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31 (7) An executive, manager, supervisor, or employee who serves as faculty by
32 teaching legal or judicial education to a legal or judicial audience may apply
33 education hours as faculty service. Credit for faculty service counts toward
34 the continuing education requirement in the same manner as all other types of
35 education—on an hour-for-hour basis.

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37 (8) The Administrative Director of the Courts may require executives, managers,
38 supervisors, and other employees to complete specific AOC compliance
39 courses as part of the continuing education requirements.

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41 *(Subd (c) amended effective January 1, 2017; previously amended effective January 1,*
42 *2012, July 1, 2013, and January 1, 2016.)*

1 **(d) Extension of time**

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3 (1) ~~For good cause, the Administrative Director or an executive, manager, or~~
4 ~~supervisor, if delegated by the Administrative Director, may grant a one-year~~
5 ~~extension of time to complete the education requirements in this rule. If an~~
6 ~~extension is granted, the subsequent two-year compliance period begins~~
7 ~~immediately after the extended compliance period ends, unless otherwise~~
8 ~~determined by the Administrative Director.~~

9
10 (2) ~~If the Administrative Director, or an executive, manager, or supervisor,~~
11 ~~grants a request for an extension of time, the individual who made the~~
12 ~~request, in consultation with the Administrative Director or the individual's~~
13 ~~supervisor, must also pursue interim means of obtaining relevant educational~~
14 ~~content.~~

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16 **(e) Records of participation**

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18 (1) ~~An employee's completion of any course listed in the learning management~~
19 ~~system is automatically tracked.~~

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21 (2) ~~An employee's completion of specified online training is automatically~~
22 ~~tracked as well.~~

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24 (3) ~~Each employee is responsible for tracking completion of any training that is~~
25 ~~not automatically tracked in the learning management system. After~~
26 ~~completion of the training, the employee must enter it in the employee's~~
27 ~~individual record in the learning management system.~~

28
29 **(f) Responsibilities of Administrative Director and of Judicial Council executives,**
30 **managers, and supervisors**

31
32 ~~The Administrative Director and each Judicial Council executive, manager, and~~
33 ~~supervisor:~~

34
35 (1) ~~Must grant sufficient time to all employees to enable them to complete the~~
36 ~~minimum education requirements stated in (b)–(c);~~

37
38 (2) ~~Should allow and encourage employees, in addition to participating as~~
39 ~~students in education activities, to serve on employee education committees~~
40 ~~and as faculty at judicial branch education programs when an employee's~~
41 ~~services have been requested for these purposes;~~

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