

Item 1B

Discovery: When Time for Completion Falls on a Weekend or Holiday (Code Civ. Proc., § 2024) (Action Required)

[Tab 1B]

Staff: Ms. Nini Redway

The Policy Coordination and Liaison Committee recommends sponsoring legislation to clarify the deadline for completing discovery or hearing motions concerning discovery when the deadline falls on a weekend or holiday.

Item 1C

Small Claims Court: Representation of Nonresident Drivers (Code Civ. Proc., § 116.540) (Action Required)

[Tab 1C]

Staff: Ms. Nini Redway

The Civil and Small Claims Advisory Committee and the Policy Coordination and Liaison Committee recommend sponsoring legislation to permit out-of-state small claims defendants to submit a written declaration supporting their defense, or allowing another person to appear on their behalf if that individual is serving without compensation.

Item 1D

1999 Mediation Pilot Program: Statement of Nonagreement and Definition of General Civil Case (Code Civ. Proc., §§ 1731 and 1738) (Action Required)

[Tab 1D]

Staff: Ms. Nini Redway

The Policy Coordination and Liaison Committee recommends sponsoring legislation to clarify the definition of a general civil case and the legislative intent of the mediation pilot program.

Item 1E

Create the Integrated Justice Enterprise Information Act of 2000 (Action Required)

[Tab 1E]

Staff: Ms. June Clark

The Policy Coordination Liaison Committee recommends sponsoring legislation to establish a multibranch technology oversight task force charged with creating an integrated justice information system plan, contingent on the California Attorney General's commitment of co-sponsorship.

Item 1F

Alternative Dispute Resolution: General Civil Case Mediation Referrals (Code Civ. Proc., § 1760 et seq.) (Action Required)

[Tab 1F]

Staff: Ms. Nini Redway

The Policy Coordination and Liaison Committee recommends *not* including in the council-sponsored legislation package for 2000 a proposal authorizing courts to refer general civil cases to mediation. Instead, the committee recommends that staff study the issue further.

Item 1G

Additional Accrual of Retirement Benefits for Judges With 20 Years of Service (Action Required)

[Tab 1G]

Staff: Ms. Rochelle Terrell
Mr. Anthony Williams

The Policy Coordination and Liaison Committee recommends *not* including in the council's sponsored legislation package for 2000 a proposal to allow judges with 20 years of service to continue to pay 8 percent contribution in return for an additional retirement benefit of up to 2 percent of retirement compensation for each additional year of service.

Item 1H

Traffic Trials by Written Declaration: Trial De Novo and Witness Statements (Veh. Code, §§ 40508 and 40902) (Action Required)

[Tab 1H]

Staff: Ms. Terrie Wilfong

The Traffic Advisory Committee and the Policy Coordination and Liaison Committee recommend sponsoring legislation to amend Vehicle Code section 40508 to allow a defendant to submit as evidence a sworn declaration of any witness in support of his or her defense, and section 40902 to eliminate a defendant's right to a trial de novo.

Item 1J

Failure to Appear: Trials in Absentia (Veh. Code, § 40903) (Action Required)

[Tab 1J]

Staff: Ms. Terrie Wilfong

The Traffic Advisory Committee and the Policy Coordination and Liaison Committee recommend sponsoring legislation to amend Vehicle Code section 40903 to clarify that when a defendant fails to appear on a traffic infraction he or she has elected to have a trial in absentia.

Item 2

Family Law Support Actions: Rules and Forms Implementing Recent Legislation on Trial Court Acceptance of Credit Cards and on Wage and Earnings Assignments in Family Law (adopt rule 6.703, revise Forms 1285.70 and OMB 0970-0154, and revoke Forms 1296.77, 1296.78, and 1299.25) (Action Required)

[Tab 2]

Staff: Mr. Michael Fischer

Staff recommends rule and form changes to conform to legislation taking effect January 1, 2000.

Item 3

**Revised Conflict of Interest Code for the Judicial Council
(Action Required)**

[Tab 3]

Staff: Ms. Lyn Hinegardner

AOC staff recommends revising the Conflict of Interest Code for the Judicial Council to include advisory members.

Item 4

**Revised Conflict of Interest Code for the Administrative
Office of the Courts (Action Required)**

[Tab 4]

Staff: Ms. Lyn Hinegardner

AOC staff recommends revising the Conflict of Interest Code for the Administrative Office of the Courts to include several new job classifications.

Item 5

**New Rules for Mediation Pilot Programs (amend rule 1600.1
and adopt rules 1640–1640.8 of the California Rules of
Court) (Action Required)**

[Tab 5]

Staff: Ms. Heather Anderson

The Alternative Dispute Resolution Subcommittee of the Civil and Small Claims Advisory Committee recommends amending and adopting rules to establish exemptions from the mediation pilot programs, mediator selection and compensation requirements, and other procedures for the mediation pilot programs.

Item 6

**Administration of the Litigation Fund and the Excess
Liability Fund (Action Required)**

[Tab 6]

Staff: Mr. Michael Bergeisen

AOC staff recommends adoption of policies to govern key aspects of the administration of the Funds, which will be used to pay certain expenses incurred in claims and litigation involving the trial courts.

Discussion Agenda (Tab Nos. 7–11)

Item 7
8:45–9:05 a.m.

**Equal Access Fund: Distribution of Funds for IOLTA-
Formula and Partnership Grants (Action Required)**
[Tab 7]

AOC staff recommends approving the distribution of IOLTA-
Formula Grants and delegating authority to the Executive and
Planning Committee to oversee distribution of Partnership
Grants.

Presentation (10 minutes)

Speakers: Mr. Christopher Lynch
Ms. Judith Garlow
Mr. Ben McClinton
Ms. Bonnie Hough

Discussion/Council Action (10 minutes)

Item 8
9:05–9:20 a.m.

Ralph N. Kleps Awards for 1999 (Action Required)
[Tab 8]

The California Judicial Administration Conference Planning
Committee recommends approval of the committee's selections
for winners of the Ralph N. Kleps Award for Improvement in
Judicial Administration.

Presentation (5 minutes)

Speaker: Ms. Sheila Gonzalez, Chair
Ms. Sandy Claire
Ms. Claudia Fernandes

Discussion/Council Action (10 minutes)

Item 9
9:20–9:30 a.m.

**Judicial Council Distinguished Service Awards for 1999
(Action Required)**
[Tab 9]

The chairs of the council's internal committees recommend
approval of the winners of the 1999 Distinguished Service
Awards.

Presentation (5 minutes)

Speaker: N/A

Discussion/Council Action (5 minutes)

ITEM 10

JUDICIAL COUNCIL–SPONSORED LEGISLATION

Item 10A

9:20–9:35 a.m.

Alternative Dispute Resolution: Changes to Court’s Reference Authority (Code Civ. Proc., §§ 638 et seq.) (Action Required)

[Tab 10A]

The Task Force on the Quality of Judicial Service, Subcommittee on Alternative Dispute Resolution recommends sponsoring legislation to revise the court’s authority to make discovery and other references.

Presentation (5 minutes)

Speaker: Ms. Nini Redway

Discussion/Council Action (10 minutes)

Item 10B

9:35–9:45 a.m.

Alternative Dispute Resolution: Los Angeles Early Mediation Pilot Program (Code Civ. Proc., 1780 et seq) (Action Required)

[Tab 10B]

The Task Force on the Quality of Judicial Service, Subcommittee on Alternative Dispute Resolution and the Policy Coordination and Liaison Committee recommend sponsoring legislation to establish an Early Mediation Pilot Project in Los Angeles.

Presentation (5 minutes)

Speaker: Ms. Nini Redway

Discussion/Council Action (5 minutes)

Item 10C

9:45 – 10:10 a.m.

Judicial Retirement System Proposals (Action Required)

[Tab 10C]

(a) Delayed Retirement Option Program

The Task Force on the Quality of Justice, Subcommittee on the Quality of Judicial Service, and the Policy Coordination and Liaison Committee recommend sponsoring legislation to direct the Public Employees’ Retirement System to establish a cost-neutral Delayed Retirement Option Program for judges with more than 20 years of service.

(b) Supplemental Contributions Program

The Task Force on the Quality of Justice, Subcommittee on the Quality of Judicial Service, and the Policy Coordination and Liaison Committee recommend sponsoring legislation to allow judges to participate in the supplemental savings program offered to other state employees.

(c) Eliminate Judges’ Contribution to the Judicial Retirement System After 20 Years of Service

The Task Force on the Quality of Justice, Subcommittee on the Quality of Judicial Service, and the Policy Coordination and Liaison Committee recommend sponsoring legislation to eliminate the requirement that judges continue to contribute eight percent of their salary when they are able to retire or after achieving 20 years of service.

(d) Judges’ Retirement System II: Reciprocity Equity

The Task Force on the Quality of Justice, Subcommittee on the Quality of Judicial Service, and the Policy Coordination and Liaison Committee recommend sponsoring legislation to allow judges in the Judges’ Retirement System II to have the same reciprocity rights provided by the Judges’ Retirement System.

Presentation (10 minutes)

Speakers: Hon. Robert Mallano, Chair
Ms. Rochelle Terrell
Mr. Anthony Williams

Discussion/Council Action (15 minutes)

10:10–10:25 a.m.

Break

Item 11

10:25–10:55 a.m.

Applications for Exemption from One-Day/One-Trial Jury Service Rule (Cal. Rules of Court, rule 861(d)) (Action Required)

[Tab 11]

AOC staff presents recommendations on applications for exemption from the one-day/one-trial rule on jury service.

Presentation (15 minutes)

Speaker: Ms. Kate Harrison
Ms. Kim Taylor

Discussion/Council Action (15 minutes)

Item 12
10:55 –11:25 a.m.

Court Interpreter Compensation (Action Required)
[Tab 12]

AOC staff recommends policies for compensating court interpreters.

Presentation (15 minutes)

Speaker: Mr. Peter Kiefer
Mr. Joseph Wong

Discussion/Council Action (15 minutes)

Item 13
11:25–11:55 a.m.

Trial Court Coordination: Los Angeles County’s Plan (Action Required)
[Tab 13]

AOC staff recommends action on Los Angeles County’s trial court coordination plan for FY 1999–2001.

Presentation (10 minutes)

Speaker: Ms. Kate Harrison
Ms. Lesley Duncan

Discussion/Council Action (20 minutes)

Judicial Council Appointment Orders Since Last Business Meeting

[Appointment Order Tab]