



# JUDICIAL COUNCIL OF CALIFORNIA

ADVISORY COMMITTEE ON AUDITS AND  
FINANCIAL ACCOUNTABILITY FOR THE  
JUDICIAL BRANCH

[www.courts.ca.gov/auditcommittee.htm](http://www.courts.ca.gov/auditcommittee.htm)  
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## ADVISORY COMMITTEE ON AUDITS AND FINANCIAL ACCOUNTABILITY FOR THE JUDICIAL BRANCH

### MINUTES OF OPEN MEETING WITH CLOSED SESSION

July 21, 2022  
12:15 p.m. - 1:15 p.m.  
Conference Call

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**Advisory Body Members Present:** Hon. David Rosenberg, Hon. Salvatore T. Sirna, Mr. Neal Taniguchi, Mr. Charles Johnson, Ms. Kate Bieker, Mr. Michael Powell, Mr. Phil Jelcich (non-voting advisory member);

**Advisory Body Members Absent:** Hon. Arthur A. Wick

**Others Present:** Mr. Grant Parks (Principal Manager, Judicial Council Audit Services), Ms. Dawn Tomita (Manager, Judicial Council, Audit Services), Ms. Michelle O'Connor (Senior Auditor, Judicial Council Audit Services), Mr. Jason Galkin (Court Executive Officer, Nevada Superior Court), Mr. Oliver Cheng (Attorney, Legal Services Office of the Judicial Council), John Prestianni (Attorney, Legal Services Office of the Judicial Council), Jimmy Nguyen (Attorney, Legal Services Office of the Judicial Council),

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair welcomed committee members and called the meeting to order at 12:15 p.m. and took roll call.

##### Approval of Minutes

Judge Sirna moved to approve the minutes of the June 29, 2022, meeting. Ms. Kate Bieker seconded the motion. There was no further discussion of the minutes. Motion to approve passed by unanimous voice vote of the committee members present.

No public comments were received for this meeting.

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#### DISCUSSION AND ACTION ITEMS

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##### Info Item 1

##### General Discussion by Audit Committee Members

No items were discussed.

**Action Item 1**

**Revisions to the Judicial Branch Contracting Manual (Action Required)**

Oliver Cheng from Judicial Council Legal Services Office provided an overview of proposed changes to the Judicial Branch Contracting Manual (JBCM) thirteenth edition. Under Rule of Court 10.63, the Audit Committee reviews proposed revisions to JBCM. If this committee finds the proposed revisions acceptable, they will be provided to the Executive and Planning Committee. Then these changes will be placed on consent agenda for Judicial Council's meeting in September. The first set of revisions are edits to Chapter 3 of JBCM to reflect new statutory requirements to Disabled Veteran Business Enterprise (DVBE) program. Second set of revisions is to add cross-reference to the Trial Courts Financial Policies and Procedures Manual to reference a section on encumbering funds in connection with contracting procurement.

Mr. Nguyen provided more information on edits to Disabled Veteran Business Enterprise Program. This program is governed in large by section 999 of Military and Veterans Code. Since section 999.7 of the Military and Veterans code has been recently amended, JCC Legal Services Office is proposing some edits to DVBE Program guidance. Chapter 3 reflects new statutory changes. The proposed changes will only affect a sub-set of DVBE contracts, specifically, they only apply to prime contractors who are using DVBE sub-contractors to satisfy the proposed DVBE participation goals. For the sub-set of prime contractors, they require to submit a certification, which will certify the DVBE sub-contractors have indeed completed the work they promised to complete and sub-contractors have been paid exact amount by the prime contractor. JBCM would now require judicial branch entities to withhold up to \$10,000 from the final payment to prime contractor until that certification is provided to the judicial branch entity.

Mr. Cheng provided information related to second revision to JBCM. This revision will add a cross-reference in Chapter 11 of JBCM to the section in Trial Courts Financial Policies and Procedures Manual to provide courts a guidance on how to encumber more funds.

**Action:** Mr. Taniguchi moved to approve draft of proposed changes to JBCM (seconded by Mr. Powell). The motion passed by unanimous voice vote of the committee members present.

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**A D J O U R N M E N T**

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There being no further open meeting business, the meeting was adjourned to closed session at 12:50 p.m.

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

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**Item 2**

**Draft Audit Report – Rule of Court 10.75(d) (6) (Action Required)**

**Non-final audit reports or proposed responses to such reports**

Committee members discussed the draft audit report for Nevada Superior Court, per Rule of Court 10.63(c)(1).

**Action:** Ms. Bieker moved to approve this report for posting (seconded by Mr. Powell). The motion passed by unanimous voice vote of the committee members present.

Adjourned closed session at 12:42 pm.