

# STATE OF THE JUDICIARY ADDRESS & BENCH-BAR COALITION DAY IN SACRAMENTO

Tuesday, March 19, 2019

Judicial Council of California  
Governmental Affairs



Briefing Location:

Stanley Mosk Library and Courts Building  
Room 402A  
914 Capitol Mall  
Sacramento, California 95814  
On-site Telephone: 925-212-6833  
GA Telephone: 916-323-3121

# **BENCH-BAR COALITION DAY IN SACRAMENTO LEGISLATIVE VISITS**

**Tuesday, March 19, 2019**  
**Stanley Mosk Library and Courts Building, Room 402A**  
**914 Capitol Mall, Sacramento, California**

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**Bench-Bar Coalition (BBC) Day in Sacramento & State of Judiciary Address  
 Tuesday, March 19, 2019  
 State Capitol, Sacramento, California**

**ITINERARY**

<p>10:00 a.m.–10:30 a.m.  <b>Stanley Mosk Library and Courts Building,          4<sup>th</sup> Floor, Room 402A          914 Capitol Mall</b></p>	<p>BBC Day in Sacramento Check-In          Welcome/Introductions/Agenda Review</p> <p>Briefing:</p> <ul style="list-style-type: none"> <li>• Sponsored Legislation and Budget Status Update</li> </ul>
<p>10:30 a.m.  <b>Stanley Mosk Library and Courts Building,          4<sup>th</sup> Floor, Room 402A          914 Capitol Mall</b></p>	<p>Seating for the State of the Judiciary will be distributed at this time.  <b>NOTE: One pass per BBC participant.</b></p> <p>Those attendees with SOJ passes will be escorted to the Capitol third floor for seating in the balcony. All other attendees will view the address via closed-circuit television in Room 402A.</p> <p>Governmental Affairs will staff Room 402A for the duration of the speech. Briefcases, coats, etc., may be placed here during the address.</p>
<p>11:00 a.m.–11:30 a.m.  <b>Senate Chambers</b></p>	<p>Chief Justice Tani G. Cantil-Sakauye delivers State of the Judiciary address to the Legislature.</p>
<p>12:00 p.m.–1:00 p.m.  <b>Local Restaurants</b></p>	<p>Lunch (on your own)</p>
<p>1:00 p.m.–4:00 p.m.  <b>State Capitol</b></p>	<p>Scheduled appointments with legislators.</p>
<p>4:30 p.m.  <b>Stanley Mosk Library and Courts Building,          4<sup>th</sup> Floor, RM: 402A</b></p>	<p>Room 402A at the courts building closes. Please reclaim all personal items.</p>
<p>4:30 p.m.–6:00 p.m.  <b>Stanley Mosk Library and Courts Building,          914 Capitol Mall</b></p>	<p>Meet and Greet with Chief Justice Tani G. Cantil-Sakauye and judicial branch leaders.</p>

## Sacramento Restaurants

January 2019

Listed below are some Sacramento restaurants within walking distance of the capitol.

Restaurant	Address	Phone Number	Cuisine
<b>Ambrosia</b> <a href="http://ambrosiafinefood.com">http://ambrosiafinefood.com</a>	1030 K Street	(916) 444-8129	American
<b>Brasserie Capitale</b> <a href="http://brasseriecapitale.com">http://brasseriecapitale.com</a>	1201 K Street #100	(916) 329-8033	French
<b>Cafeteria 15L</b> <a href="http://cafeteria15l.com">http://cafeteria15l.com</a>	1116 15th Street (near L Street)	(916) 492-1960	American
<b>Crest Café</b> <a href="http://www.crestcafeonline.com">www.crestcafeonline.com</a>	1017 K Street (Next to the Crest Theatre)	(916) 444-2722	Mediterranean
<b>Ella Dining Room and Bar</b> <a href="http://www.elladiningroomandbar.com">www.elladiningroomandbar.com</a>	1131 K Street	(916) 443-3772	Californian
<b>Empress Tavern</b> <a href="http://www.empresstavern.com">www.empresstavern.com</a>	1013 K Street	(916) 662-7694	American
<b>Esquire Grill</b> <a href="http://www.esquiregrill.com">www.esquiregrill.com</a>	1213 K Street	(916) 448-8900	Californian
<b>Frank Fat's</b> <a href="http://www.fatsrestaurants.com">www.fatsrestaurants.com</a>	806 L Street	(916) 442-7092	Chinese
<b>House Kitchen &amp; Bar</b> <a href="http://www.houseoncapitol.com">www.houseoncapitol.com</a>	555 Capitol Mall #155	(916) 498-9924	American
<b>Il Fornaio</b> <a href="http://www.ilfornaio.com/sacramento">www.ilfornaio.com/sacramento</a>	400 Capitol Mall	(916) 446-4100	Italian
<b>La Bou Bakery</b> <a href="http://www.labou.com">www.labou.com</a>	1122 11th Street	(916) 930-0171	American
<b>Ma Jong's</b> <a href="http://majongs.com">http://majongs.com</a>	1431 L Street	(916) 442-7555	Asian
<b>Mayahuel</b> <a href="http://experiencemayahuel.com">http://experiencemayahuel.com</a>	1200 K Street	(916) 441-7200	Mexican
<b>Mother</b> <a href="http://www.mothersacramento.com">www.mothersacramento.com</a>	1023 K Street	(916) 594-9812	Vegan/Vegetarian
<b>Statehouse Café</b> <a href="http://www.statehouserestaurant.com">www.statehouserestaurant.com</a>	6th Floor, Capitol Building	(916) 862-3155	On the Go: Salads, Sandwiches
<b>Statehouse Restaurant</b> <a href="http://www.stathouserestaurant.com">www.stathouserestaurant.com</a>	Basement, Capitol Building	(916) 862-3155	American



# Background on the Bench-Bar Coalition

The statewide Bench-Bar Coalition (BBC) was formed in 1993 under the leadership of the California Association of Local Bars (CALB), the State Bar of California, and the Judicial Council to enhance communication and coordinate activities with the state, local, and specialty bar associations on issues of common interest to the judicial branch—particularly in the legislative arena. Securing adequate, dependable, and stable funding for the trial courts has been a primary focus for the BBC. BBC membership is open to members of the bench and bar including judges and the presidents, past-presidents, presidents-elect, executive directors, or other person(s) designated by the president, of state, local, minority or specialty bar associations; legal services organizations; or statewide organizations dedicated to improving the justice system.

The BBC is currently cochaired by Hon. Pelayo Llamas, Commissioner, Superior Court of California, Alameda and Mr. James Heiting, Attorney, Riverside. Commissioner Llamas represents the Northern/Central California region and Mr. Heiting represents the Southern Region. Members of the BBC's Executive Committee support the cochaairs in carrying out leadership responsibilities on quarterly conference calls, meetings, working groups, and related coalition activities.

In addition to its quarterly conference calls, the Bench-Bar Coalition holds meetings in conjunction with the State Bar of California and the judicial branch. The statewide BBC also participates in Day in Sacramento, in which groups of judges and bar leaders meet with their legislators to discuss issues of mutual interest, with emphasis on the judicial branch budget. Judicial Council members and leaders of special commissions and task forces also are invited to participate in this event, which is held annually in conjunction with the State of the Judiciary address by the Chief Justice of California.

The BBC has been successful in the development of strong working relationships and increased communication between the judiciary and members of the bar, as well as enhanced advocacy efforts with the legislative and executive branches. Subject areas of joint interest include the judicial branch budget and the need for stable, adequate funding; access to justice; court technology; new judgeships; and courthouse construction.

For more information about the BBC, please contact Cory Jasperson, the Judicial Council's liaison to the BBC, at (916) 323-3121 phone, (916) 323-4347 fax, or email to [cory.jasperson@jud.ca.gov](mailto:cory.jasperson@jud.ca.gov).



## **BENCH-BAR COALITION**

### **GOALS AND OBJECTIVES: 2019-2020 LEGISLATIVE SESSION**

- 1. Support funding priorities for the Judicial Branch.** The Judicial Council will continue to support investment in the courts to improve access to justice for all Californians.
- 2. Support efforts to address the shortage of judgeships statewide.** The judicial branch is significantly impacted by the statewide need for additional judgeships to meet the courts' workload demands and to improve access to justice in the trial courts, especially in those courts with the greatest need. BBC members can be instrumental in educating legislators about the ongoing need for judgeships throughout California.
- 3. Educate the community, the public, legislators, and the Governor on the contributions of the judicial branch to our government.** Too often the public is unaware of the judicial branch's role and function as a separate branch of government and does not understand its contributions to our democracy. By meeting with community and business leaders and obtaining firsthand accounts of how reduced access to the courts has affected them, BBC members can not only educate and inform stakeholders, but also gain support from an additional constituency.



## JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue • San Francisco, California 94102-3688  
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

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### MEMORANDUM

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**Date**

January 10, 2019

**Action Requested**

For Your Information

**To**

Judicial Officers, Court Administrators, and  
Employees of the California Judicial Branch

**Deadline**

N/A

**From**

Martin Hoshino, Administrative Director  
Judicial Council

**Contact**

Zlatko Theodorovic  
Budget Services Director  
916-263-1397 phone  
zlatko.theodorovic@jud.ca.gov

**Subject**

2019–20 Judicial Branch Budget

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The Governor's proposed fiscal year (FY) 2019–20 budget released today provides \$4.1 billion in operating funds for the judicial branch. This includes \$327 million in new General Fund monies. These additional funds would be used to address a variety of branch needs including pretrial pilot projects, technology, facilities' needs, trial court operational costs, and solvency of the State Trial Court Improvement and Modernization Fund.

The budget proposal for the branch provides \$2.1 billion in General Fund monies, representing 1.5 percent of all General Fund spending. The judicial branch represents 2 percent of total state funds of \$209.1 billion. Approximately 77 percent of the branch's operational budget is allocated to the trial courts.

A breakdown of the proposed FY 2019–20 budget for all judicial branch entities follows.

Judicial Branch Entity	Proposed Total Funding Level
Supreme Court	51.5 m
Courts of Appeal	247.1 m
Trial Courts	3,156.2 m
Judicial Council	171.8 m
Judicial Branch Facility Program	528.5 m
Habeas Corpus Resource Center	16.8 m
<b>Subtotal, Operational Budget</b>	<b>\$4,171.9 m</b>
Offset from Local Property Tax Revenue	-\$62.7 m
<b>Adjusted Operational Budget</b>	<b>\$4,109.2 m</b>
Less Non-State Funds <sup>1</sup>	-\$95.2 m
Adjusted Operational Budget, State Funds	\$4,014.0 m
<b>Total Funding<sup>2</sup></b>	<b>\$4,109.2 m</b>

<sup>1</sup> Non-state funds include federal funds and reimbursements.

<sup>2</sup> Includes General Fund; special, bond, federal, and nongovernmental cost funds; and reimbursements.

Specifics on the proposals that provide the foundation for budget discussions with the legislative and executive branches of government over the next several months are outlined below.

### **Trial Courts**

The Governor’s proposal includes \$275.2 million in new funding from the General Fund to support trial court programs, facilities, and operations, for a total of \$3.16 billion. Of this amount, \$2.38 billion is for trial court operations. The breakdown is as follows:

**Pretrial Pilot Projects:** \$75 million General Fund to be allocated over a two-year period by the Judicial Council to fund the implementation, operation, or evaluation of programs or efforts in eight to ten courts related to pretrial decisionmaking. The Governor noted the importance of continuing and replicating the work of the courts related to the Recidivism Reduction Fund and local probation department efforts to conduct risk assessments.

**Revenue Backfill:** \$52.5 million in General Fund support to address anticipated revenue shortfalls in the Trial Court Trust Fund due to lower filing fee and criminal assessment revenues.

**Employee Costs:** \$25.9 million to support the increase in trial court employee retirement and health benefit costs.

In addition, beginning in 2019–20, the proposal includes a mechanism to fund trial court employee benefit increases in both the current year and budget year. The current set aside for those costs is \$25 million.

**Trial Court Case Management System Replacements:** \$23.1 million from General Fund in 2019–20 (a total of \$33.7 million over five years) to replace various outdated legacy case management systems used by 10 trial courts (Amador, Colusa, Contra Costa, Lassen, Marin, Mariposa, Mono, Nevada, Shasta, and Solano) with a new, commercial, off-the-shelf case management system.

**Trial Court Facility Operation and Maintenance:** \$20.2 million General Fund for underfunded trial court facility operations and maintenance costs. This funding would extend the useful life of trial court facilities and avoid adverse impacts on court operations.

**Dependency Counsel:** \$20 million General Fund to help reduce the average attorney caseload statewide.

**Chapter 993, Statutes of 2018 (AB 1793, Bonta) – Cannabis Convictions – Resentencing:** \$13.9 million General Fund in 2019–20 and \$2.9 million in 2020–21 to support costs associated with increased workload for the trial courts as a result of the enactment of chapter 993, Statutes of 2018 (AB 1793). This legislation requires sentence modification of past cannabis conviction cases pursuant to The Control, Regulate, and Tax Adult Use of Marijuana Act.

**Judicial Compensation Adjustments:** \$14 million General Fund for previously approved judicial officer salary and benefit cost increases. Judicial salaries are set by operation of statute (Government Code section 68200 et seq.), and increases are tied to state employee salaries. The increase reflects the average salary increase for the current fiscal year for California state employees as explained in Government Code section 68203(a).

**Implementation of Phoenix Roadmap:** \$7.7 million General Fund to maintain the Phoenix enterprise resource management system (financial and human resources) and deploy the requisite upgrade of the system’s software and infrastructure. This proposal addresses the most critical needs of the program to modernize and support the trial courts and provides some savings to the branch as the cost of equipment maintenance and refresh will be avoided. This proposal would provide the State Trial Court Improvement and Modernization Fund \$3.2 million in relief and help address the ongoing solvency of the fund.

**Data Analytics and Futures Commission Information Technology (IT) Directives:** \$7.8 million General Fund with a two-year expenditure period to advance: 1) three IT pilot projects recommended by the Futures Commission (video remote hearings, intelligent chat, and natural language voice-to-text translation), and 2) an IT project to establish and support the foundation of a business intelligence, data analytics, and identity and access management program.

**Trial Court Security Systems and Equipment:** \$6 million General Fund to refresh, maintain, and replace security equipment and systems, including video surveillance, electronic access control, duress alarm, and specialized systems used to control access within court holding areas.

**Digitizing Court Records:** \$5.6 million General Fund to conduct phase one of a multi-phase program for digitizing mandatory court records for trial and appellate courts, and to develop best practices for future statewide implementation. Of this amount, \$600,000 is for appellate courts.

**Language Access Funding:** \$4 million General Fund to make prior year one-time funding permanent, which would enable the continuation and expansion of interpreter services for civil matters in all courts.

### **Judicial Entities at the State Level**

The Governor's proposal includes \$11.3 million in total General Fund and other state funds to support the following for state level judicial branch entities:

**Litigation Management Program:** \$5.6 million General Fund to support the defense and indemnity (as permitted) of all judicial branch entities, including the Supreme Court, Courts of Appeal, the Superior Courts, and the Judicial Council. This proposal would provide the State Trial Court Improvement and Modernization Fund \$5.2 million in relief and help address the ongoing solvency of the Fund.

**Employee Costs:** \$3.3 million to support retirement and health benefit cost adjustments for employees of the Supreme Court (\$0.26 million), Courts of Appeal (\$1.8 million), Judicial Council (\$1.2 million), and Habeas Corpus Resource Center (\$0.08 million).

In addition, funding is provided in a separate budget item for a 3.5 percent salary increase for state level judiciary employees at the Supreme Court, Courts of Appeal, Judicial Council, and Habeas Corpus Resource Center.

**Rent Costs:** \$1.4 million for rent increases in buildings occupied by the Supreme Court, Courts of Appeal, and Habeas Corpus Resource Center.

**Fi\$Cal Staffing:** \$952,000 General Fund to provide support and administer the newly deployed Financial Information System for California (Fi\$Cal). This funding would be used to effectively manage use of the Fi\$Cal and ensure the accuracy and integrity of financial information provided by the Judicial Council in support of judicial branch entities.

### **Judicial Branch Facilities**

**Deferred Maintenance:** \$40 million one-time for deferred maintenance in the courts, as prioritized by the Judicial Council.

### **Next Steps on Judicial Branch Budget**

This proposed budget sets the stage for the next phase of the ongoing budget development cycle for the state for the 2019–20 fiscal year that begins on July 1, 2019. This will include further discussions with the Administration, legislative hearings, meetings with legislators and their staff, updated state revenue numbers in April, a May Revision to the Governor’s proposed budget, and then an intensive period of legislative activity to pass a balanced budget by the June 15 constitutional deadline.

Over the next several months, the Chief Justice and the Judicial Council, with the support of trial and appellate court leaders, the bar, and other justice system stakeholders, will continue to advocate with the Governor and the Legislature on judicial branch policy and funding issues critical to maintaining court services for the public and advancing solutions to improve the delivery of equal and timely access to justice for all Californians.

The Governor’s proposed FY 2019–20 budget may be reviewed at: [www.ebudget.ca.gov](http://www.ebudget.ca.gov).

## CALIFORNIA JUDICIAL BRANCH BUDGET PRIORITIES FY 2019–20

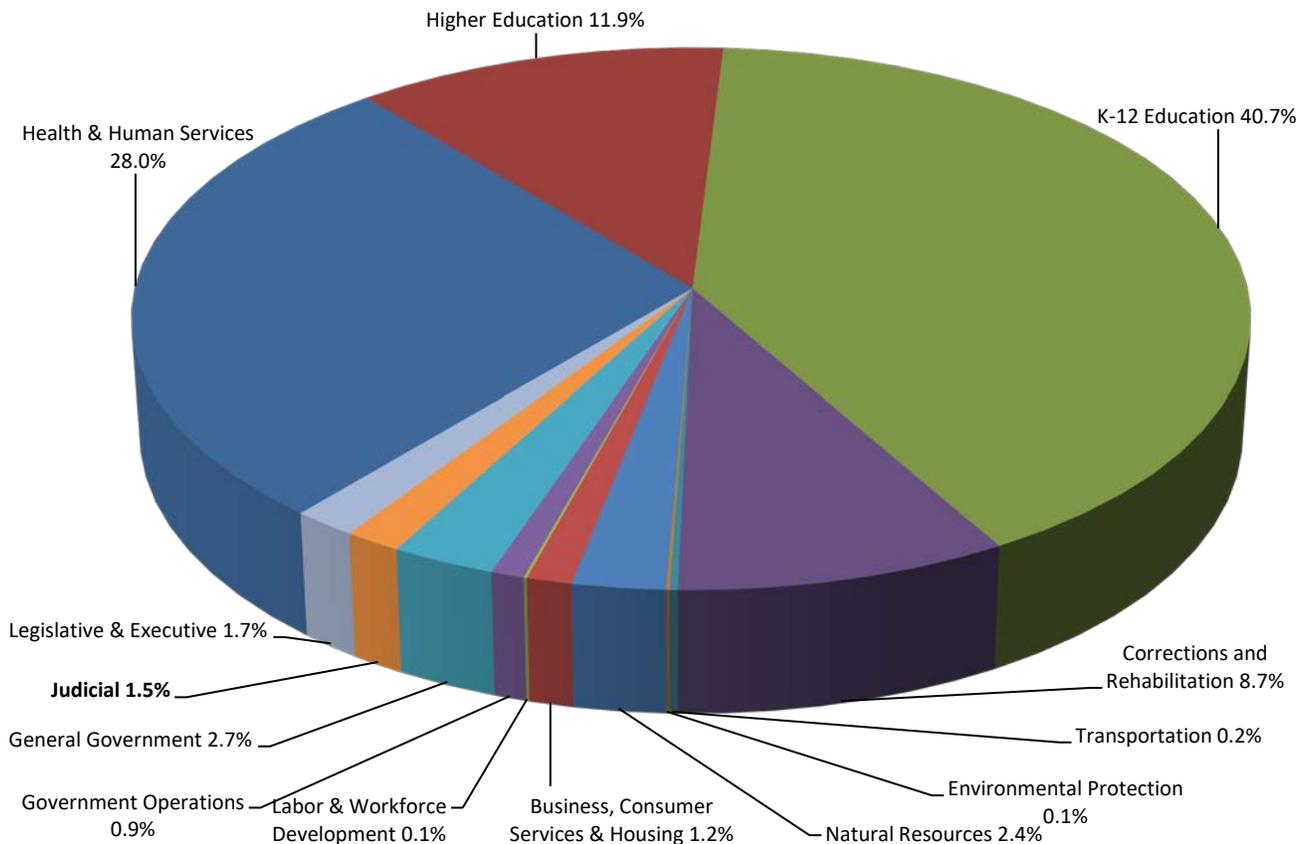
Judicial Branch budget priorities promote equal and timely access to justice and address issues of fairness and social inequity. The Governor’s proposed budget includes many of these priorities. The Judicial Branch is also seeking support and funding for additional ongoing priorities to maintain core court operations and improve access to justice.

<b>PRIORITIES ADDRESSED IN THE GOVERNOR’S BUDGET PROPOSAL</b>		
The Governor’s proposed budget for the Judicial Branch includes \$275.2 million in new General Fund monies to support trial court operations, efficiencies, and innovations, for a total budget of \$3.16 billion (1.5% of the State General Fund.)		
<b>Pretrial Pilot Projects</b>	\$75m	Funding to be allocated over 2 years by the Judicial Council to develop, implement, operate, or evaluate pretrial decision-making pilots in 8 to 10 courts.
<b>Dependency Counsel</b>	\$20m	Reduce the average attorney caseload statewide from 210 clients per attorney to 186 clients per attorney.
<b>Trial Court Case Management System Replacements</b>	\$23.2m	Replace outdated case management systems in 10 trial courts (Amador, Colusa, Contra Costa, Lassen, Marin, Mariposa, Mono, Nevada, Shasta, and Solano).
<b>Information Technology Initiatives</b>	\$20.5m	<ul style="list-style-type: none"> <li>• Maintain the Phoenix financial and human resources management system, and deploy requisite software and infrastructure upgrades.</li> <li>• Support implementation of 3 IT pilot projects (video remote hearings, intelligent chat, and voice-to-text translation), recommended by the Chief Justice’s Futures Commission.</li> <li>• Establish and support the foundation of a business intelligence, data analytics, and identity and access management program.</li> <li>• Conduct phase one of a multi-phase program to digitize mandatory trial and appellate court records, and develop best practices for statewide implementation.</li> </ul>
<b>Court Facilities Operation and Maintenance</b>	\$20.2m	Extend the life of trial court facilities and avoid adverse impacts on court operations and public access.

<b>Revenue Backfill</b>	\$52.5m	Address anticipated revenue shortfalls due to lower filing fee and criminal assessment revenues.
<b>Other Operational Costs</b>	\$63.8m	For language access (\$4m), employee health and retirement costs (\$25.9m), judicial compensation (\$14m), trial court security equipment (\$6m), and enacted legislation (\$13.9m).

<b>ADDITIONAL ONGOING JUDICIAL BRANCH PRIORITIES NOT YET ADDRESSED</b>		
<b>Funding for 25 Previously Approved, but Unfunded Judgeships</b>	\$36.5m	<ul style="list-style-type: none"> <li>• There remains a critical judicial shortage in the trial courts with the greatest need.</li> <li>• Additional judgeships are required to address essential services in those counties.</li> </ul>
<b>Adjustment of the 1% Cap on Trial Court Reserves</b>	\$0	<ul style="list-style-type: none"> <li>• Increase the cap for local trial court reserves.</li> <li>• Raising the reserve cap enables courts to better maintain public service levels when unanticipated costs and economic downturns occur.</li> </ul>

### Judicial Branch as a Percentage of Total State General Fund



# 2019-20 Budget

## Potential Issues and Suggested Responses

BBC Members,

We recognize that many aspects of budget proposals and issues can be technical, and questions can be difficult to respond to. With that in mind, it is perfectly reasonable and appropriate to say you are not certain about details and commit the Judicial Council of California budget staff to respond back to the member or their staff. In those instances, simply note the question on the sheets provided in the BBC packet to advise us.

### Issue 1

*Why didn't the branch submit a request for discretionary funding for the trial courts?*

#### Response:

- The trial courts received \$122.8 million in discretionary funding in the 2018 Budget Act.
- Based on current estimates, trial courts as a whole are funded at over 90% of their need.
- Additionally, filings continue to trend downward reducing workload in the trial courts.
- The 2019-20 Governor's Budget funds many of the priorities identified by the Judicial Council, in particular information technology and facility needs.
- One of the top priorities for funding is for much needed judgeships in courts with the greatest need.

### Issue 2

*How did trial courts use the \$150 million new funds included in the 2018 Budget Act (\$75m/\$47.8m/\$19.1m)?*

#### Response:

Use Category	Responding Courts
Increase Staffing via hiring	43
Increase Employee Salaries/Benefits	30
Records Management/CMS Improvements	23
Extend Service Hours/Days	22
Technological Improvements	21

### ***Funding for Court Reporters in Family Law***

- 39 counties indicated that they were currently fully staffed in court reporters for family law.
- 13 courts indicated that they were not.

### ***Self-help funding***

- The new self-help funding has allowed for an expansion of service to the public.
- At least 27 courts were able to expand hours of operation or service locations and the same number of courts were able to expand the number of casetypes that would receive self-help assistance.
- Courts also highlighted new technology, enhancements to allow for more remote access, and increased services in other languages.

### **Issue 3**

***Court filings have gone down consistently over the past few years. Why do the trial courts still need more funding?***

#### **Response:**

Decreased filings do not equate to decreased workload.

- Overall filings declined 5% from last year, but most of the decline is (about 74%) in high volume, low workload matters such as misdemeanors (traffic and non-traffic) and infractions.
- When those casetypes are taken out of the analysis, statewide filings have actually increased by 3%

There has been an increase in filings that are more time-consuming and more resource intensive:

- Mental health matters continue to increase; they are up 8% since last year
- Civil unlimited cases are up again; 5% since last year
- Conservatorship/guardianship and estates/trusts are also up about 5%

### **Issue 4**

***There are courts that say they've been harmed by the workload formula. Is that true and has the Judicial Council done anything about that?***

#### **Response:**

- True, but many more courts benefited, and overall, all Californians benefited by a more equitable sharing of funding.
- The updated funding method that was developed in collaboration with the trial courts and adopted by the Judicial Council in January 2018 continues the Branch's commitment to equity.
- Courts are much closer to equitable funding with the adoption of the workload formula.

# Equity maps

Before WAFM: Baseline



After WAFM: FY17



A Funding floor applied



Credit: maps produced using R package 'choropleth'

- The \$47.8 million included in the 2018 Budget Act moved 34 courts towards equity, without needing to move funding from other courts.
- WAFM was a 5-year funding plan to address inequities in court funding harmful to many courts and communities. The 5-year implementation ended June 2018.
- Based on current estimates, trial courts as a whole are funded at over 90% of their need.



## JUDICIAL COUNCIL OF CALIFORNIA

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TANI G. CANTIL-SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

MARTIN HOSHINO  
*Administrative Director*

CORY T. JASPERSON  
*Director, Governmental Affairs*

### **Overview of Judicial Branch Legislative Priorities for 2019**

The Judicial Council has adopted the following legislative priorities for 2019. These priorities embody the Chief Justice's Access 3D framework for increased access to the courts.

1. Advocate for continued investment in the judicial branch to include a method for stable and reliable funding for courts to address annual cost increases in baseline operations and plan for the future; and for sufficient additional resources to improve physical access to the courts by keeping courts open, to expand access by increasing the ability of court users to conduct branch business online, and to restore programs and services that were reduced over the past few years.
2. Increase the number of judgeships and judicial officers in superior courts with the greatest need.
  - Seek funding for 10 of the 48<sup>1</sup> previously authorized but unfunded judgeships, to be allocated to courts with the greatest need based on the most recently approved Judicial Needs Assessment.
  - Seek funding for one additional justice in Division Two of the Fourth Appellate District (Inyo, Riverside, and San Bernardino Counties).
  - Advocate for legislative ratification of the Judicial Council's authority to convert up to 16 vacant subordinate judicial officer (SJO) positions to judgeships in eligible courts, and sponsor legislation for legislative ratification of the council's authority to convert up to 10 additional vacant SJO positions to judgeships, in eligible courts, if the conversion will result in an additional judge sitting in a family or juvenile law assignment that was previously presided over by an SJO.

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<sup>1</sup> Senate Bill 847 (Stats. 2018, Ch. 45) provided two judgeships to the Superior Court of California, County of San Riverside. Leaving 48 of the 50 judgeships statutorily authorized in 2007 that remain unfunded. SB 847 also added 1 new justice in Division Two of the Fourth Appellate District.

3. Seek legislative authorization, if needed, for the disposition of unused courthouses as authorized by the Judicial Council in 2019 in a fair market value transaction with the proceeds to be directed to the Immediate Critical Needs Account of the State Court Facilities Construction Fund established by Senate Bill 1407 (Perata; Stats, 2008, Ch. 311) or any other Judicial Council facilities fund authorized by the Legislature.
4. Continue to sponsor or support legislation to improve judicial branch operational efficiencies, including cost savings and cost recovery measures.
5. Advocate for legislation to implement the recommendations of the Commission on the Future of California's Court System (Futures Commission) as recommended by the Judicial Council and its advisory bodies.
  - Civil adjudication of minor traffic infractions: The Chief Justice appointed the Futures Traffic Working Group to collaborate with the Judicial Council's Traffic Advisory Committee, the Civil and Small Claims Advisory Committee, the Advisory Committee on Providing Access and Fairness, and the Criminal Law Advisory Committee, to develop for Judicial Council consideration a proposal to implement and evaluate a civil model for adjudication of minor vehicle infractions.
  - Revision of civil case tiers and streamlined civil procedures: The Judicial Council's Civil and Small Claims Advisory Committee is currently assessing and making recommendations to the Judicial Council on advancing a legislative proposal for increasing the maximum jurisdictional dollar amounts for limited civil cases to \$50,000, creating a new intermediate civil case track with a maximum jurisdictional dollar amount of \$250,000, and streamlining methods for litigating and managing all types of civil cases.
  - Assistance for self-represented litigants: The Judicial Council's Advisory Committee on Providing Access and Fairness is considering the structure, content, and resource requirements for an education program to aid the growing number of self-represented litigants (SRLs) in small claims and civil cases where SRLs are most common.
  - Expansion of technology in the courts: The Judicial Council's Information Technology Advisory Committee is considering the feasibility of and resource requirements for developing and implementing a pilot project to allow remote appearances by parties, counsel, and witnesses for most noncriminal court proceedings. Further, the committee is exploring available technologies and making recommendations to the Judicial Council on the potential for a pilot project using voice-to-text language interpretation services at court filing and service counters and in self-help centers, as well as exploring the potential for a pilot project using intelligent chat technology to provide information and self-help services.
6. Advocate for legislation to implement Pretrial Detention Reform.



## JUDICIAL COUNCIL OF CALIFORNIA

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### MEMORANDUM

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**Date**

October 27, 2014

**Action Requested**

For Your Information Only

**To**

Cory Jaspersen, Director  
Laura Speed, Assistant Director  
Governmental Affairs

**Deadline**

N/A

**From**

Deborah C. Brown, Chief Counsel  
Mark Jacobson, Senior Attorney *MJ*  
Legal Services

**Contact**

Mark Jacobson  
415-865-7898 phone  
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**Subject**

Ethical Principles Applicable to Judges  
Engaged in Legislative Activities

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You have asked Legal Services to provide an information sheet setting forth the ethical principles that pertain to judicial officers who participate in legislative activities that can be distributed to judicial officers who engage in Bench-Bar Coalition legislative outreach activities. To assist judicial officers, this memorandum provides the following information: (1) the applicable canons from the California Code of Judicial Ethics; (2) an analysis of a recent formal opinion from the Supreme Court's Committee on Judicial Ethics Opinions; and (3) relevant excerpts from David M. Rothman's *California Judicial Conduct Handbook*.

**Relevant Canons<sup>1</sup>****Governmental Activities**

The canon most directly on point for judges who wish to participate in legislative activity is canon 4C(1), which prohibits a judge from appearing at a public hearing or consulting with an

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<sup>1</sup> The full text of the canons discussed in this section is set forth in the attached appendix.

executive or legislative body or a public official except on matters concerning the law, the legal system, and the administration of justice. In deciding whether to engage in such activities, a judge must also consider whether that conduct would violate any other provision of the Code of Judicial Ethics. For example, the activity must uphold the integrity, impartiality, and independence of the judiciary (canons 1 and 2A), and it must not cause the judge to be disqualified (canon 4A(4)).

### **Political Activity**

Canon 5 provides that judges may not be involved in political activity that is inconsistent with the independence, integrity, or impartiality of the judiciary or that creates the appearance of political bias or impropriety. Canon 5D states that a judge is not permitted to engage in political activity unless it is related to the law, the legal system, or the administration of justice.

### **Extrajudicial Activities, Appearance of Impropriety, Lending the Prestige of Office**

There are several other canons that should be considered when a judge is involved in legislative activity. Canon 4A states that a judge must conduct any extrajudicial activity so that such activity does not (1) interfere with judicial duties, (2) cast doubt on the judge's impartiality, or (3) lead to frequent disqualification. Canon 2 provides that a judge must not engage in conduct that creates the appearance of impropriety. Canon 2A prohibits a judge from making any statement that commits the judge with respect to cases, controversies, or issues that are likely to come before the courts. Finally, canon 2B(2) states that a judge must not lend the prestige of judicial office to advance the pecuniary or personal interests of the judge or others.

CJEO Formal Opinion No. 2014-006

The Supreme Court's Committee on Judicial Ethics Opinions issued a formal opinion on October 2, 2014, entitled "Judicial Comment at Public Hearings and Consultation with Public Officials and Other Branches of Government."<sup>2</sup> The opinion addressed the circumstances under which a judge may appear at a public hearing or officially consult with executive or legislative bodies on "matters concerning the law, the legal system, or the administration of justice." (See canon 4C(1), Appendix, p. 1.) The committee concluded that canon 4C(1) allows comment and consultation concerning the court system or matters of judicial administration. The canon permits a judge to appear before or consult with representatives of the other two branches of government "when the subject of the appearance or consultation is one with respect to which the judge's experience and perspective *as a judge* gives him or her unique qualifications to assist the other branches of the government in fulfilling their responsibilities to the public." (CJEO Formal Opn. 2014-006, p. 2, emphasis in original.)

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<sup>2</sup> The full opinion can be found on the CJEO website at [http://www.judicialethicsopinions.ca.gov/sites/default/files/CJEO\\_Formal\\_Opinion\\_2014-006.pdf](http://www.judicialethicsopinions.ca.gov/sites/default/files/CJEO_Formal_Opinion_2014-006.pdf).

The committee stated that based on the reference in canon 4C(1) to matters concerning the administration of justice, judges may testify or advocate at public hearings only on behalf of the legal system, i.e., focusing on court users, the courts, or the administration of justice. (CJEO Formal Opn. 2014-006, *supra*, at p. 7.) There are situations in which a judge may comment about substantive legal issues where the purpose is to benefit the law and legal system itself rather than any particular cause or group and when the comment or consultation is made from a judicial perspective. (*Ibid.*) Thus, any comments from a *legal* knowledge/experience perspective should be provided by attorneys, not judges. (*Ibid.*) Where a judge has both judicial and attorney experience to draw from (or only attorney experience) in a particular area of law, the judge's comments or consultation should be presented from a purely judicial perspective. (*Ibid.*)

The committee noted that even if the exception in canon 4C(1) applies, the judge must ensure that the appearance or consultation does not violate any other canons, such as those set forth in the appendix to this memorandum.

The opinion provides the following illustrative examples:

- A judge may comment or consult about the judicial branch's budget, or a bond measure for court construction, or a bill proposing to replace court reporters with electronic recording.
- Regarding a proposed constitutional amendment to replace the death penalty with life without parole, a judge may comment on the dysfunction of the present system from a judicial perspective, but advocacy for or against the death penalty as a policy matter would violate canon 4C(1).
- A judge who was an environmental attorney may express his or her views in support of a new CEQA settlement process, but only from the viewpoint of a judge who is, for example, seeking to unburden the court's docket by resolving CEQA cases earlier in the judicial process.
- A judge who was a prosecutor but has no judicial experience in criminal law may express support for proposed legislation to reduce the number of peremptory challenges in misdemeanor cases, but those views should be expressed in terms of how the law would affect the legal system or the administration of justice by improving juror satisfaction, enhancing jury diversity, and saving court costs, while still providing the full panoply of due process.
- A judge may not appear at a public hearing of a legislative committee to advocate for longer sentences for certain drug offenders because, even though such comments are

about a matter “concerning the law,” advocacy for longer sentences for only a particular type of offender could undermine public confidence in the impartiality of the judiciary, thus violating canons 1 (upholding the integrity and independence of the judiciary), 2A (promoting public confidence in the integrity and impartiality of the judiciary), 3B(9) (commenting publicly on pending cases), and 4A(1) (casting doubt on the judge’s capacity to act impartially). The judge could, however, discuss the impact of such sentences on the courts or the adjudicatory process.

- Based on the judge’s expertise, a judge may advocate for improvements in the administration of justice that would seek to reduce recidivism by providing information about collaborative court programs the judge had presided over or administered that employ alternative sentencing or probation periods for drug offenders.
- A judge may advocate for statewide use of alternative programs based on the judge’s experience, but must not comment on the outcome of cases involving particular offenders and must not imply that the judge will be ruling in a particular way in a class of cases.
- Judicial advocacy for specific legislation on proposed death penalty or collective bargaining measures could violate the prohibition in canon 2A against making statements that commit a judge with respect to cases, controversies, or issues that are likely to come before the court or that are inconsistent with the impartial performance of duties. But a judge may appear before a public body to explain, from a judicial perspective, the effects of proposed laws on the judicial process or judicial administration.

Rothman, *California Judicial Conduct Handbook*

In the *California Judicial Conduct Handbook* (3d ed. 2007), Judge Rothman addresses judicial involvement in executive and legislative matters:

**[§11.03] Appearances at Public Hearings and Participation in Executive or Legislative Matters**

**Ethics rules on the subject.** A judge . . . must . . . draw the distinction between inappropriate involvement with the legislative and executive branch in what could be called “political” matters as opposed to appropriate involvement in matters that concern the law, legal system, and administration of justice. Thus, for example, a judge may endorse legislation that would provide the court with facilities and services, because such matters deal with the administration of justice.

\* \* \*

**Recognition of the separation of powers—urging moderation in advocacy by judges.** Judges have frequently been active in advocating positions before the legislative and executive branches on a variety of subjects. The Code of Judicial Ethics does not prohibit this activity so long as the activity is limited to issues related to the law, the legal system, and administration of justice. The boundary, however, of this limitation is often stretched.

I am not alone in the belief that judges should greatly limit advocacy of issues before the legislative and executive branches to only the clearest and most urgent of circumstances. Where judges frequently engage in such advocacy, they may be perceived as encroaching on legislative and executive prerogatives. When judges do so they should not be surprised if the legislative and executive branches feel comfortable in doing the same in the judicial arena.

Examples abound of an increasing comfort on the part of the legislature in tinkering with the judicial branch. This may be the result of a basic lack of understanding and appreciation of basic concepts of our form of government. Separation of powers and preservation of the independence of the judiciary require judges to ration their advocacy.

**Special position of juvenile and family court judges.** The special demands of juvenile and family court assignments frequently involve judges in proactive efforts to improve the law. The above caution is less urgent for these judges because they are expected to regularly make recommendations concerning civil procedure and the development of programs to help children.

**Examples of issues concerning appropriate advocacy.** Is it proper for a judge to be involved in writing a statute that increases or reduces child support, or deals with the length of sentences in juvenile or criminal cases? Judges regularly advocate for additional judicial officers, but would it be improper for them to advocate for additional police officers?

Judges do not agree on the answers to these questions. Some believe that such activity is part of the judicial function and is permissible. Others, however, believe that the test is whether such advocacy could “cast reasonable doubt on the judge’s capacity to act impartially.”

It would be proper for a judge to endorse a bond measure that increases county revenues, which would increase funding for judicial-related activities as well as increasing revenues for non-legal system county projects, provided the

endorsement was carefully phrased to focus on judicial needs, while avoiding endorsement of nonjudicial issues. Because of the Trial Court Funding Act, local judicial-related funding advocacy would be very limited, if any, at the local level.

A judge may write a letter to the legislature regarding a bill proposing to replace court reporters with electronic recording as this plainly concerns the administration of justice. A judge, however, who was formerly a member of the legislature, should not be further involved in legislation or consult with legislators or others except on legislation and other matters concerning the law, the legal system or the administration of justice.

(Rothman, *California Judicial Conduct Handbook*, 3d ed. [California Judges Association, 2007] pp. 569–571.)

Judge Rothman also discusses judicial support of or opposition to ballot measures in the context of inappropriate political activity:

#### **[§11.24] Supporting or Opposing Ballot Measures**

**Measures not related to improvement of the law, legal system or administration of justice.** Although one might argue that anything on the ballot relates to the improvement of the law, such is not the case. For example, it would be improper for a judge to draft, promote, or be listed publicly as supporting a school bond ballot proposal as such a proposal would not fit the limited purpose related to improvement of the legal system. A judge may not sign a ballot statement, essentially a public endorsement, for an ordinance advocating criminal penalties for violation of a law/ordinance.

\* \* \*

**Appropriate ballot measures for comment by judges.** Appropriate judicial activity related to ballot measures would include public support of a tax override measure or other ballot proposition that would provide revenue for court operations or jail construction, since the objects of the funding pertain to the administration of justice. A court and its judges may also take a public position on a ballot proposition that affects judicial funding and the administration of justice. A judge may support or oppose a ballot measure dealing with the unification of the court.

A judge may speak and take a public stance against a ballot measure that would take away the power to appoint and retain the chief probation officer from the courts and place it in the hands of the board of supervisors.

A judge may act in support of political goals that directly relate to improvement of the judicial system such as jail construction or renovation of a juvenile detention facility.

A judge may participate in a newspaper ad concerning a ballot measure that concerns the law, legal system or administration of justice.

(Rothman, *supra*, at pp. 578–579.)

#### Disqualification and Disclosure

Judges who are involved in legislative activity should be aware of the disqualification and disclosure implications if it appears that the judge cannot be impartial in ruling on a matter concerning the issue with which the judge was involved. Code of Civil Procedure section 170.1(a)(6)(A)(iii) provides that a judge is disqualified if “[a] person aware of the facts might reasonably entertain a doubt that the judge would be able to be impartial.” A judge is *not* disqualified, however, if the judge “[h]as as a lawyer or public official participated in the drafting of laws or in the effort to pass or defeat laws, the meaning, effect or application of which is in issue in the proceeding unless the judge believes that his or her prior involvement was so well known as to raise a reasonable doubt in the public mind as to his or her capacity to be impartial.” (Code Civ. Proc., § 170.2(c).)

Judge Rothman addresses this issue:

[A] judge’s expression of opinions outside of the context of judicial decision may raise disclosure and disqualification issues.

\* \* \*

**Drafting or advocating concerning laws.** Although there can be an argument that the use of the term “public official” is not intended to encompass a judge, subdivision (c) of section 170.2 above appears to allow a judge (i.e., a “public official”) to participate in the drafting of or advocacy concerning laws that the judge may later have to interpret. Judges have been involved on many occasions in such activities although, as noted in the concluding language of subdivision (c), such involvement has the potential of requiring disqualification.

Cory Jasperson  
Laura Speed  
October 27, 2014  
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(Rothman, *California Judicial Conduct Handbook*, 3d ed. [California Judges Association, 2007] pp. 368–369.)

Judges should also be aware of canon 4A(4), which states that a judge must conduct all of the judge's extrajudicial activities so that they do not lead to frequent disqualification of the judge.

#### Contact Information for Questions

If judicial officers have questions about whether their own conduct would violate any provision of the Code of Judicial Ethics, they may contact the Supreme Court's Committee on Judicial Ethics Opinions at [judicial.ethics@jud.ca.gov](mailto:judicial.ethics@jud.ca.gov) or 855-854-5366, or the California Judges Association's Judicial Ethics Hotline at 866-432-1252. For more general information about ethical constraints discussed in this memorandum, they may contact Senior Attorney Mark Jacobson at 415-865-7898 or [mark.jacobson@jud.ca.gov](mailto:mark.jacobson@jud.ca.gov).

DCB/MJ/ms  
Attachment  
cc: Jody Patel, Chief of Staff

# Appendix

## **Canon 2**

A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

## **Canon 2A**

### A. Promoting Public Confidence

A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. A judge shall not make statements, whether public or nonpublic, that commit the judge with respect to cases, controversies, or issues that are likely to come before the courts or that are inconsistent with the impartial performance of the adjudicative duties of judicial office.

## **Canon 2B(2) states:**

A judge shall not lend the prestige of judicial office or use the judicial title in any manner, including any oral or written communication, to advance the pecuniary or personal interests of the judge or others.

## **Canon 4A**

### A. Extrajudicial Activities in General

A judge shall conduct all of the judge's extrajudicial activities so that they do not

- (1) cast reasonable doubt on the judge's capacity to act impartially;
- (2) demean the judicial office;
- (3) interfere with the proper performance of judicial duties; or
- (4) lead to frequent disqualification of the judge.

## **Canon 4C(1)**

A judge shall not appear at a public hearing or officially consult with an executive or legislative body or public official except on matters concerning the law, the legal system, or the administration of justice or in matters involving the judge's private economic or personal interests.

## **Advisory Committee Commentary to Canon 4C(1) (added January 1, 2013)**

When deciding whether to appear at a public hearing or whether to consult with an executive or legislative body or public official on matters concerning the law, the legal system, or the

administration of justice, a judge should consider whether that conduct would violate any other provisions of this code. For a list of factors to consider, see the explanation of “law, the legal system, or the administration of justice” in the Terminology section. See also Canon 2B regarding the obligation to avoid improper influence.

### **Canon 5**

A judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary.

Judges and candidates for judicial office are entitled to entertain their personal views on political questions. They are not required to surrender their rights or opinions as citizens. They shall, however, not engage in political activity that may create the appearance of political bias or impropriety. Judicial independence, impartiality, and integrity shall dictate the conduct of judges and candidates for judicial office.

### **Canon 5D**

A judge or candidate for judicial office may engage in activity in relation to measures concerning the improvement of the law, the legal system, or the administration of justice, only if the conduct is consistent with this code.

### **Advisory Committee Commentary to Canon 5D (added January 1, 2013)**

When deciding whether to engage in activity relating to measures concerning the law, the legal system, or the administration of justice, such as commenting publicly on ballot measures, a judge must consider whether the conduct would violate any other provisions of this code. See explanation of “law, the legal system, or the administration of justice” in the terminology section.

### **Explanation of “law, the legal system, or the administration of justice” from the Terminology section (added January 1, 2013)**

When a judge engages in an activity that relates to the law, the legal system, or the administration of justice, the judge should also consider factors such as whether the activity upholds the integrity, impartiality, and independence of the judiciary (Canons 1 and 2A), whether it impairs public confidence in the judiciary (Canon 2), whether the judge is allowing the activity to take precedence over judicial duties (Canon 3A), and whether engaging in the activity would cause the judge to be disqualified (Canon 4A(4)).

**LEGISLATORS BY REGION**

<p><b>Bay Area (1):</b></p> <p>Bauer-Kahan, Rebecca (D-AD16)*          Beall, Jim (D-SD15)          Berman, Marc (D-AD24)*          Bonta, Rob (D-AD18)*          Chiu, David (D-AD17)*          Chu, Kansan (D-AD25)          Frazier, Jim (D-AD11)          Glazer, Steven (D-SD07)          Grayson, Tim (D-AD14)          Hill, Jerry (D-SD13)          Kalra, Ash (D-AD27)*          Levine, Marc (D-AD10)          Low, Evan (D-AD28)          Monning, Bill (D-SD17)*          Mullin, Kevin (D-AD22)          Quirk, Bill (D-AD20)          Rivas, Robert (D-AD30)          Skinner, Nancy (D-SD09)          Stone, Mark (D-AD29) *          Thurmond, Tony (D-AD15)          Ting, Phil (D-AD19)          Wicks, Buffy (D-AD15)          Wieckowski, Bob (D-SD10)*          Wiener, Scott (D-SD11)*</p> <p><b>Los Angeles (2):</b></p> <p>Allen, Benjamin (D-SD26)*          Archuleta, Bob (DF-SD32)          Bloom, Richard (D-AD50)*+          Bradford, Steven (D-SD35)          Burke, Autumn (D-AD62)          Calderon, Ian (D-AD57)          Carrillo, Wendy (D-AD51)          Chau, Edwin (D-AD49)*          Cunningham, Jordan (R-AD35)*          Durazo, Maria Elena (D-SD24)*          Friedman, Laura (D-AD43)          Gabriel, Jesse (D-AD45)*          Garcia, Cristina (D-AD58)          Gipson, Mike (D-AD64)          Hertzberg, Bob (D-SD18)*          Holden, Chris (D-AD41)          Irwin, Jacqui (D-AD44)          Jackson, Hannah-Beth (D-SD19)*+</p>	<p>Jones-Sawyer, Reginald (D-AD59)          Lackey, Tom (R-AD36)          Leyva, Connie (D-SD20)          Limon, Monique (D-AD37)          Mitchell, Holly (D-SD30)          Muratsuchi, Al (D-AD66)*          Nazarian, Adrin (D-AD46)          O'Donnell, Patrick (D-AD70)          Portantino, Anthony (D-SD25)          Rendon, Anthony (D-AD63)          Rivas, Luz (D-AD39)          Rubio, Blanca (D-AD48)          Rubio, Susan (D-SD22)          Santiago, Miguel (D-AD53)          Smith, Christy (D-AD38)          Stern, Henry (D-SD27)*</p> <p><b>Orange County (3):</b></p> <p>Brough, Bill (R-AD73)          Chang, Ling Ling (R-SD29)          Chen, Phillip (R-AD55)          Choi, Steven (R-AD68)          Daly, Tom (D-AD69)          Diep, Tyler (R-AD72)          Moorlach, John (R-SD37)          Petrie-Norris, Cottie (D-AD74)          Quirk-Silva, Sharon (D-AD65)          Umberg, Thomas (D-SD34)*</p> <p><b>Northern California (4):</b></p> <p>Aguiar-Curry, Cecilia (D-AD04)          Bigelow, Frank (R-AD05)          Borgeas, Andreas (R-SD08)*          Cooley, Ken (D-AD08)*          Cooper, Jim (D-AD09)          Dahle, Brian (R-AD01)          Dodd, Bill (D-SD03)          Galgiani, Cathleen (D-SD05)          Gallagher, James (R-AD03)*          Kiley, Kevin (R-AD06)*          McCarty, Kevin (D-AD07)          McGuire, Mike (D-SD02)          Nielsen, Jim (R-SD04)          Pan, Richard (D-SD06)          Wood, Jim (D-AD02)</p>	<p><b>Central California (5):</b></p> <p>Arambula, Joaquin (D-AD31)          Caballero, Anna (D-SD12)*          Eggman, Susan (D-AD13)          Flora, Heath (R-AD12)          Fong, Vince (R-AD34)          Gray, Adam (D-AD21)          Grove, Shannon (R-SD16)          Hurtado, Melissa (D-SD14)          Mathis, Devon (R-AD26)          Patterson, Jim (R-AD23)          Salas, Rudy (D-AD32)</p> <p><b>San Diego (6):</b></p> <p>Atkins, Toni (D-SD39)          Bates, Patricia (R-SD36)          Boerner Horvath, Tasha (D-AD76)          Chávez, Rocky (R-AD76)          Gloria, Todd (D-AD78)          Gonzalez Fletcher, Lorena (D-AD80)*          Hueso, Ben (D-SD40)          Jones, Brian (R-SD38)          Maienschein, Brian (R-AD77)*          Voepel, Randy (R-AD71)          Waldron, Marie (R-AD75)          Weber, Shirley (D-AD79)</p> <p><b>Inland Empire (7):</b></p> <p>Cervantes, Sabrina (D-AD60)          Garcia, Eduardo (D-AD56)          Mayes, Chad (R-AD42)          Medina, Jose (D-AD61)          Melendez, Melissa (R-AD67)          Morrell, Mike (R-SD23)          Obernolte, Jay (R-AD33)          Ramos, James (D-AD40)          Reyes, Eloise (D-AD47)*          Rodriguez, Freddie (D-AD52)          Roth, Richard (D-SD31)*          Steinorth, Marc (R-AD40)          Stone, Jeff (R-SD28)          Wilk, Scott (R-SD21)</p> <p>* Attorneys          + Judicial Council Member</p> <p align="right">As of March 12, 2019</p>
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**ASSEMBLY MEMBERS  
2019 - 2020  
Legislative Session**

Last Name	First Name	House	Room	Phone	Fax	District	Counties Represented	Party
Aguiar-Curry	Cecilia	A	5144	916 319 2004	916 319 2104	4	Colusa, Lake, Napa, Solano, Sonoma, Yolo	D
Arambula	Joaquin	A	5155	916 319 2031	916 319 2131	31	Fresno	D
Bauer-Kahan	Rebecca	A	2130	916 319 2016	916 319 2116	16	Alameda, Contra Costa	D
Berman	Marc	A	6011	916 319 2024	916 319 2124	24	San Mateo, Santa Clara	D
Bigelow	Frank	A	4158	916 319 2005	916 319 2105	5	Alpine, Amador, Calaveras, El Dorado, Madera, Mariposa, Mono, Placer, Tuolumne	R
Bloom	Richard	A	2003	916 319 2050	916 319 2150	50	Los Angeles	D
Boerner Horvath	Tasha	A	4130	916 319 2076	916 319 2176	76	San Diego	D
Bonta	Rob	A	2148	916 319 2018	916 319 2118	18	Alameda	D
Brough	William	A	3141	916 319 2073	916 319 2173	73	Orange	R
Burke	Autumn	A	5150	916 319 2062	916 319 2162	62	Los Angeles	D
Calderon	Ian	A	319	916 319 2057	916 319 2157	57	Los Angeles	D
Carrillo	Wendy	A	4167	916-319-2051	916 319 2151	51	Los Angeles	D
Cervantes	Sabrina	A	5164	916 319 2060	916 319 2160	60	Riverside	D
Chau	Ed	A	5016	916 319 2049	916 319 2149	49	Los Angeles	D
Chen	Phillip	A	4177	916 319 2055	916 319 2155	55	Los Angeles, Orange, San Bernardino	R
Chiu	David	A	4112	916 319 2017	916 319 2117	17	San Francisco	D
Choi	Steven	A	2016	916 319 2068	916 319 2168	68	Orange	R

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Chu	Kansen	A	3126	916 319 2025	916 319 2125	25	Alameda, Santa Clara	D
Cooley	Ken	A	3013	916 319 2008	916 319 2108	8	Sacramento	D
Cooper	Jim	A	6025	916 319 2009	916 319 2109	9	Sacramento, San Joaquin	D
Cuningham	Jordan	A	4102	916 319 2035	916 319 2135	35	San Luis Obispo, Santa Barbara	R
Dahle	Brian	A	2170	916 319 2001	916 319 2101	1	Butte, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou	R
Daly	Tom	A	3120	916 319 2069	916 319 2169	69	Orange	D
Diep	Tyler	A	5126	916 319 2072	916 319 2172	72	Orange	R
Eggman	Susan	A	4117	916 319 2013	916 319 2113	13	San Joaquin	D
Flora	Heath	A	3098	916 319 2012	916 319 2112	12	San Joaquin, Stanislaus	R
Fong	Vince	A	2002	916 319 2034	916 319 2134	34	Kern	R
Frazier	Jim	A	3091	916 319 2011	916 319 2111	11	Contra Costa, Sacramento, Solano	D
Friedman	Laura	A	2137	916 319 2043	916 319 2143	43	Los Angeles	D
Gabriel	Jesse	A	4139	916 319 2045	916 319 2145	45	Los Angeles, Ventura	D
Gallagher	James	A	3147	916 319 2003	916 319 2103	3	Butte, Colusa, Glenn, Sutter, Tehama, Yuba	R
Garcia	Christina	A	2013	916 319 2058	916 319 2158	58	Los Angeles	D
Garcia	Eduardo	A	4140	916 319 2056	916 319 2156	56	Imperial, Riverside	D
Gipson	Mike	A	3173	916 319 2064	916 319 2164	64	Los Angeles	D
Gloria	Todd	A	2176	916 319 2078	916 319 2178	78	San Diego	D

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Last Name	First Name	House	Room	Phone	Fax	District	Counties Represented	Party
Gonzalez-Fletcher	Lorena	A	2114	916 319 2080	916 319 2180	80	San Diego	D
Gray	Adam	A	3152	916 319 2021	916 319 2121	21	Merced, Stanislaus	D
Grayson	Timothy	A	4164	916 319 2014	916 319 2114	14	Contra Costa, Solano	D
Holden	Chris	A	5132	916 319 2041	916 319 2141	41	Los Angeles, San Bernardino	D
Irwin	Jacqui	A	5119	916 319 2044	916 319 2144	44	Los Angeles, Ventura	D
Jones-Sawyer	Reginald	A	2117	916 319 2059	916 319 2159	59	Los Angeles	D
Kalra	Ash	A	2196	916 319 2027	916 319 2127	27	Santa Clara	D
Kamlager-Dove	Sydney	A	4015	916 319 2054	916 319 2154	54	Los Angeles	D
Kiley	Kevin	A	4153	916 319 2006	916 319 2106	6	El Dorado, Placer, Sacramento	R
Lackey	Tom	A	2174	916 319 2036	916 319 2136	36	Kern, Los Angeles, San Bernardino	R
Levine	Marc	A	5135	916 319 2010	916 319 2110	10	Marin, Sonoma	D
Limón	Monique	A	6031	916 319 2037	916 319 2137	37	San Luis Obispo, Santa Barbara, Ventura	D
Low	Evan	A	4126	916 319 2028	916 319 2128	28	Santa Clara	D
Maienschein	Brian	A	4208	916 319 2077	916 319 2177	77	San Diego	R
Mathis	Devon	A	2111	916 319 2026	916 319 2126	26	Inyo, Kern, Tulare	R
Mayes	Chad	A	4098	916 319 2042	916 319 2142	42	Riverside, San Bernardino	R
McCarty	Kevin	A	2136	916 319 2007	916 319 2107	7	Sacramento, Yolo	D
Medina	Jose	A	2141	916 319 2061	916 319 2161	61	Riverside	D

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Last Name	First Name	House	Room	Phone	Fax	District	Counties Represented	Party
Melendez	Melissa	A	5128	916 319 2067	916 319 2167	67	Riverside	R
Mullin	Kevin	A	3160	916 319 2022	916 319 2122	22	San Mateo	D
Muratsuchi	Al	A	2179	916 319 2066	916 319 2166	66	Los Angeles	D
Nazarian	Adrin	A	4146	916 319 2046	916 319 2146	46	Los Angeles	D
Obernolte	Jay	A	4116	916 319 2033	916 319 2133	33	San Bernardino	R
O'Donnell	Patrick	A	4005	916 319 2070	916 319 2170	70	Los Angeles	D
Patterson	Jim	A	3132	916 319 2023	916 319 2123	23	Fresno, Tulare	R
Quirk	Bill	A	2163	916 319 2020	916 319 2120	20	Alameda	D
Quirk-Silva	Sharon	A	6012	916 319 2065	916 319 2165	65	Orange	R
Ramos	James	A	4162	916 319 2040	916 319 2140	40	San Bernardino	D
Rendon	Anthony	A	219	916 319 2063	916 319 2163	63	Los Angeles	D
Reyes	Eloise	A	2175	916 319 2047	916 319 2147	47	San Bernardino	D
Rivas	Luz	A	2160	916 319 2039	916 319 2139	39	Los Angeles	D
Rivas	Robert	A	5158	916 319 2030	916 319 2130	30	Monterey, San Benito, Santa Clara, Santa Cruz	D
Rodriguez	Freddie	A	2188	916 319 2052	916 319 2152	52	Los Angeles, San Bernardino	D
Rubio	Blanca	A	5175	916 319 2048	916 319 2148	48	Los Angeles	D
Salas	Rudy	A	4016	916 319 2032	916 319 2132	32	Kern, Kings	D
Santiago	Miguel	A	6027	916 319 2053	916 319 2153	53	Los Angeles	D

**ASSEMBLY MEMBERS  
2019 - 2020  
Legislative Session**

Last Name	First Name	House	Room	Phone	Fax	District	Counties Represented	Party
Smith	Christy	A	2158	916 319 2038	916 319 2138	38	Los Angeles, Ventura	D
Stone	Mark	A	3146	916 319 2029	916 319 2129	29	Monterey, Santa Clara, Santa Cruz	D
Ting	Philip	A	6026	916 319 2019	916 319 2119	19	San Francisco, San Mateo	D
Voepel	Randy	A	4009	916 319 2071	916 319 2171	71	Riverside, San Diego	R
Waldron	Marie	A	4130	916 319 2075	916 319 2175	75	Riverside, San Diego	R
Weber	Shirley	A	3123	916 319 2079	916 319 2179	79	San Diego	D
Wicks	Buffy	A	5160	916 319 2015	916 319 2115	15	Alameda, Contra Costa	D
Wood	Jim	A	6005	916 319 2079	916 319 2176	2	Del Norte, Humboldt, Mendocino, Sonoma, Trinity	D

**SENATORS  
2019 - 2020  
Legislative Session**

Last Name	First Name	House	Room	Phone	Fax	District	Counties Represented	Party
Allen	Ben	S	4076	916 651 4026	916 651 4926	26	Los Angeles	D
Archuleta	Bob	S	4066	916 651 4032	916 651 4932	32	Los Angeles, Orange	D
Atkins	Toni	S	205	916 651 4039	916 651 4939	39	San Diego	D
Bates	Patricia	S	305	916 651 4036	916 651 4936	36	Orange, San Diego	R
Beall	Jim	S	2082	916 651 4015	916 651 4915	15	Santa Clara	D
Borgeas	Andreas	S	3082	916 651 4008	916 651 4908	8	Amador, Calaveras, Fresno, Inyo, Madera, Mariposa, Mono, Sacramento, Stanislaus, Tulare, Tuolumne	R
Bradford	Steven	S	2059	916 651 4035	916 651 4935	35	Los Angeles	D
Caballero	Anna	S	5052	916 651 4012	916 651 4912	12	Fresno, Madera, Monterey, San Benito, Stanislaus	D
Chang	Ling Ling	S	4062	916 651 4029	916 651 4929	29	Los Angeles, Orange, San Bernardino	R
Dodd	Bill	S	4032	916 651 4003	916 651 4903	3	Contra Costa, Napa, Sacramento, Solano, Sonoma, Yolo	D
Galgiani	Cathleen	S	5097	916 651 4005	916 651 4905	5	Sacramento, San Joaquin, Stanislaus	D
Glazer	Steven	S	5108	916 651 4007	916 651 4907	7	Alameda, Contra Costa	D
Grove	Shannon	S	3048	916 651 4016	916 651 4916	16	Kern, San Bernardino, Tulare	R
Hertzberg	Bob	S	313	916 651 4018	916 651 4918	18	Los Angeles	D

**SENATORS  
2019 - 2020  
Legislative Session**

Last Name	First Name	House	Room	Phone	Fax	District	Counties Represented	Party
Hill	Jerry	S	5035	916 651 4013	916 651 4913	13	San Mateo, Santa Clara	D
Hueso	Ben	S	4035	916 651 4040	916 651 4940	40	Imperial, San Diego	D
Hurtado	Melissa	S	2054	916 651 4014	916 651 4914	14	Fresno, Kern, Kings, Tulare	D
Jackson	Hannah-Beth	S	2032	916 651 4019	916 651 4919	19	Santa Barbara, Ventura	D
Leyva	Connie	S	4061	916 651 4020	916 651 4920	20	Los Angeles, San Bernardino	D
McGuire	Mike	S	5061	916 651 4002	916 651 4902	2	Del Norte, Humboldt, Lake, Marin, Mendocino, Sonoma, Trinity	D
Mitchell	Holly	S	5050	916 651 4030	916 651 4930	30	Los Angeles	D
Monning	William	S	4040	916 651 4017	916 651 4917	17	Monterey, San Luis Obispo, Santa Clara, Santa Cruz	D
Moorlach	John	S	2048	916 651 4037	916 651 4937	37	Orange	R
Morrell	Mike	S	3056	916 651 4023	916 651 4923	23	Los Angeles, Riverside, San Bernardino	R
Nielsen	Jim	S	5064	916 651 4004	916 651 4904	4	Butte, Colusa, Glenn, Placer, Sacramento, Sutter, Tehama, Yuba	R
Pan	Richard	S	5114	916 651 4006	916 651 4906	6	Sacramento, Yolo	D
Portantino	Anthony	S	3086	916 651 4025	916 651 4925	25	Los Angeles, San Bernardino	D
Roth	Richard	S	2080	916 651 4031	916 651 4931	31	Riverside	D
Rubio	Susan	S	4052	916 651 4022	916 651 4922	22	Los Angeles	D

**SENATORS  
2019 - 2020  
Legislative Session**

Last Name	First Name	House	Room	Phone	Fax	District	Counties Represented	Party
Skinner	Nancy	S	5094	916 651 4009	916 651 4909	9	Alameda, Contra Costa	D
Stern	Henry	S	5080	916 651 4027	916 651 4927	27	Los Angeles, Ventura	D
Stone	Jeff	S	4082	916 651 4028	916 651 4928	28	Riverside	R
Umberg	Thomas	S	3070	916 651 4034	916 651 4934	34	Los Angeles, Orange	D
Wieckowski	Bob	S	4085	916 651 4010	916 651 4910	10	Alameda, Santa Clara	D
Wiener	Scott	S	5100	916 651 4011	916 651 4911	11	San Francisco, San Mateo	D
Wilk	Scott	S	3063	916 651 4021	916 651 4921	21	Los Angeles, San Bernardino	R

## 2019 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK AND THE OFFICE OF THE SECRETARY OF THE SENATE  
Revised 10-31-18

### DEADLINES

JANUARY							
	S	M	T	W	TH	F	S
			1	2	3	4	5
Wk. 1	6	7	8	9	10	11	12
Wk. 2	13	14	15	16	17	18	19
Wk. 3	20	21	22	23	24	25	26
Wk. 4	27	28	29	30	31		

FEBRUARY							
	S	M	T	W	TH	F	S
Wk. 4						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28		

MARCH							
	S	M	T	W	TH	F	S
Wk. 4						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28	29	30
Wk. 1	31						

APRIL							
	S	M	T	W	TH	F	S
Wk. 1		1	2	3	4	5	6
Wk. 2	7	8	9	10	11	12	13
Spring Recess	14	15	16	17	18	19	20
Wk. 3	21	22	23	24	25	26	27
Wk. 4	28	29	30				

MAY							
	S	M	T	W	TH	F	S
Wk. 4				1	2	3	4
Wk. 1	5	6	7	8	9	10	11
Wk. 2	12	13	14	15	16	17	18
Wk. 3	19	20	21	22	23	24	25
No Hrgs.	26	27	28	29	30	31	

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 7** Legislature reconvenes (J.R. 51(a)(1)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 21** Martin Luther King, Jr. Day.
- Jan. 25** Last day to submit **bill requests** to the Office of Legislative Counsel.

- Feb. 18** Presidents' Day.
- Feb. 22** Last day for bills to be **introduced** (J.R. 61(a)(1), J.R. 54(a)).

- Mar. 29** Cesar Chavez Day observed.

- Apr. 11** **Spring Recess** begins upon adjournment (J.R. 51(a)(2)).
- Apr. 22** Legislature reconvenes from Spring Recess (J.R. 51(a)(2)).
- Apr. 26** Last day for **policy committees** to meet and report to fiscal committees **fiscal bills** introduced in their house (J.R. 61(a)(2)).

- May 3** Last day for **policy committees** to meet and report to the floor **non-fiscal bills** introduced in their house (J.R. 61(a)(3)).
- May 10** Last day for **policy committees** to meet prior to June 3 (J.R. 61(a)(4)).
- May 17** Last day for **fiscal committees** to meet and report to the floor bills introduced in their house (J.R. 61(a)(5)). Last day for **fiscal committees** to meet prior to June 3 (J.R. 61(a)(6)).
- May 27** Memorial Day.
- May 28-31** **Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees (J.R. 61(a)(7)).
- May 31** Last day for each house to pass bills introduced in that house (J.R. 61(a)(8)).

\*Holiday schedule subject to final approval by Rules Committee.

**2019 TENTATIVE LEGISLATIVE CALENDAR**

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK AND THE OFFICE OF THE SECRETARY OF THE SENATE  
Revised 10-31-18

JUNE							
	S	M	T	W	TH	F	S
No Hrgs.							1
Wk. 4	2	3	4	5	6	7	8
Wk. 1	9	10	11	12	13	14	15
Wk. 2	16	17	18	19	20	21	22
Wk. 3	23	24	25	26	27	28	29
Wk. 4	30						

**June 3** Committee meetings may resume (J.R. 61(a)(9)).

**June 15** Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)(3)).

JULY							
	S	M	T	W	TH	F	S
Wk. 4		1	2	3	4	5	6
Wk. 1	7	8	9	10	11	12	13
Summer Recess	14	15	16	17	18	19	20
Summer Recess	21	22	23	24	25	26	27
Summer Recess	28	29	30	31			

**July 4** Independence Day.

**July 10** Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(a)(10)).

**July 12** Last day for **policy committees** to meet and report bills (J.R. 61(a)(11)).

**Summer Recess** begins upon adjournment, provided Budget Bill has been passed (J.R. 51(a)(3)).

AUGUST							
	S	M	T	W	TH	F	S
Summer Recess					1	2	3
Summer Recess	4	5	6	7	8	9	10
Wk. 2	11	12	13	14	15	16	17
Wk. 3	18	19	20	21	22	23	24
Wk. 4	25	26	27	28	29	30	31

**Aug. 12** Legislature reconvenes from Summer Recess (J.R. 51(a)(3)).

**Aug. 30** Last day for **fiscal committees** to meet and report bills (J.R. 61(a)(12)).

SEPTEMBER							
	S	M	T	W	TH	F	S
No Hrgs.	1	2	3	4	5	6	7
No Hrgs.	8	9	10	11	12	13	14
Interim Recess	15	16	17	18	19	20	21
Interim Recess	22	23	24	25	26	27	28
Interim Recess	29	30					

**Sept. 2** Labor Day.

**Sept. 3-13 Floor session only.** No committees may meet for any purpose, except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees (J.R. 61(a)(13)).

**Sept. 6** Last day to **amend** bills on the floor (J.R. 61(a)(14)).

**Sept. 13** Last day for any bill to be passed (J.R. 61(a)(15)). **Interim Recess** begins upon adjournment (J.R. 51(a)(4)).

**IMPORTANT DATES OCCURRING DURING INTERIM RECESS**

**2019**

Oct. 13 Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 13 and in the Governor's possession after Sept. 13 (Art. IV, Sec. 10(b)(1)).

**2020**

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

Jan. 6 Legislature reconvenes (J.R. 51(a)(4)).

\*Holiday schedule subject to final approval by Rules Committee.

**Bench-Bar Coalition Legislative Visits  
March 19, 2019**

**EVENT EVALUATION**

1. What aspects of today's events did you find most beneficial?

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2. Were the materials you were provided helpful in preparing you for the meetings?

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3. Do you have any suggestions about how we could make the next legislative outreach activity even better?

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4. Additional comments:

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Participant (*Optional, Please print*): \_\_\_\_\_

**Bench-Bar Coalition Day in Sacramento  
Legislative Outreach Visits—March 19, 2019**

**LEGISLATOR MEETING SUMMARY**

Office of Senate/Assembly Member: \_\_\_\_\_

Meeting Date/Time: \_\_\_\_\_

Met with Member: Y  N  Staff Member: \_\_\_\_\_

1. Key Issues Discussed:

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In general, the legislator/staff was:  Supportive  Not supportive  Noncommittal

2. Any Issues Requiring Follow-Up?

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3. Additional Comments:

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Participant Name (*Please print*): \_\_\_\_\_

**Please fax or email to Jenniffer Herman, 916-323-4347 or [jenniffer.herman@jud.ca.gov](mailto:jenniffer.herman@jud.ca.gov)**