

Center for Judicial Education and Research Advisory Committee

Annual Agenda¹—2020

Approved by Executive and Planning Committee: Amended August 27, 2020

I. COMMITTEE INFORMATION

Chair:	Hon. Kimberly A. Gaab, Judge, Superior Court of California, County of Fresno
Lead Staff:	Dr. Mary Ann Koory, Senior Education Developer, Center for Judicial Education and Research
Committee's Charge/Membership: <p>Rule 10.50(b) of the California Rules of Court states the charge of the Center for Judicial Education and Research Advisory Committee, is to make recommendations to the council for improving the administration of justice through comprehensive and quality education and training for judicial officers and other judicial branch personnel. Rule 10.50(c) sets forth additional duties of the committee.</p> <p>The Center for Judicial Education and Research (CJER) Advisory Committee currently has 16 voting members and 3 advisory members. The current committee roster is available on the committee's web page.</p>	
Subcommittees/Working Groups²: <ol style="list-style-type: none">1. Appellate Practice Curriculum Committee2. Civil Law Curriculum Committee3. Criminal Law Curriculum Committee4. Family Law Curriculum Committee5. Judicial Branch Access, Ethics & Fairness Curriculum Committee6. Judicial Branch Leadership Development Curriculum Committee7. Juvenile Law Curriculum Committee8. Probate Law Curriculum Committee9. Trial and Appellate Court Operations Curriculum Committee10. B.E. Witkin Judicial College Steering Committee	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

Meetings Planned for 2020³ (Advisory body and all subcommittees and working groups)

March 3, 2020 (teleconference)

June 2, 2020 (teleconference)

September 3, 2020 (San Francisco)

December 1, 2020 (teleconference)

Check here if exception to policy is granted by Executive Office or rule of court.

³ Refer to [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

COMMITTEE PROJECTS

#	New or One-Time Projects ⁴	
1.	Amend California Rules of Court, rule 10.469	<p><i>Priority⁵ 1</i></p> <p><i>Strategic Plan Goal⁶ V</i></p>
<p>Project Summary⁷: Pursuant to the recommendations of the Workgroup on the Prevention of Discrimination and Harassment, CJER Advisory Committee has engaged in the rulemaking process and will develop a proposal to amend rule 10.469 to make prevention of discrimination and harassment training mandatory for judicial officers.</p> <p>Status/Timeline: Proposal to Rules and Projects Committee submitted by March 3, 2020; if approved by the Judicial Council, the amendment will be effective January 2021.</p> <p>Fiscal Impact/Resources: N/A</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: CJER Advisory Committee sought feedback on the draft amendment from the Advisory Committee on Providing Access and Fairness, the Appellate Clerk Executive Officers, the Appellate Advisory Committee, the Administrative Presiding Justices Advisory Committee, the Trial Court Presiding Judges Advisory Committee, the Court Executive Officer Advisory Committee, and the California Judges Association.</p>		

#	New or One-Time Projects ⁴	
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⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁶ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

⁷ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

2. Implement Recommendations of the Workgroup on Prevention of Discrimination and Harassment	<i>Priority⁵ 1</i>
<i>Strategic Plan Goal⁶ V</i>	
<p>Project Summary⁷: Pursuant to the recommendations of the Workgroup on the Prevention of Discrimination and Harassment, CJER Advisory Committee will increase and expand training for judicial officers and court employees in order to deliver recommended content in the prevention of harassment, discrimination, retaliation, and inappropriate workplace conduct based on a protected classification.</p> <p>Status/Timeline: Beginning immediately, content will be incorporated in the 2020–2022 Education Plan and continue to be developed and delivered on an ongoing basis.</p> <p>Fiscal Impact/Resources: N/A</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: N/A</p>	
# New or One-Time Projects⁴	
3. Begin Implementing the 2020–2022 Education Plan	<i>Priority⁵ 1</i>
<i>Strategic Plan Goal⁶ V</i>	
<p>Project Summary⁷: Begin to deliver the classes and products specified by the 2020–2022 Education Plan for judicial branch education, approved by the Judicial Council at its January 17, 2020 meeting.</p> <p>Status/Timeline: Begin July 1, 2020.</p> <p>Fiscal Impact/Resources: CJER Contact: Karene Alvarado</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: N/A</p>	
# New or One-Time Projects⁴	

4.	Propose New California Rule of Court, Rule 10.492	Priority⁵ 1
		Strategic Plan Goal⁶ V
<p>Project Summary⁷: The committee, in consultation with the Judicial Council’s Legal Services office, proposes the adoption of a new California Rules of Court, rule 10.492, Temporary extension of time for judicial branch education requirements, for Judicial Council’s consideration that would extend deadlines for education content-based requirements and prorate hours-based requirements for judicial officers and court staff.</p> <p>Status/Timeline: Proposal was submitted to Rules Committee on August 26, 2020; if approved by the Judicial Council, the rule will be effective January 1, 2021.</p> <p>Fiscal Impact/Resources: N/A</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Judicial officers, trial and appellate court leadership and staff.</p> <p>AC Collaboration: The committee sought feedback on the proposed rule from the Appellate Court Clerk/Administrators, the Appellate Advisory Committee, the Administrative Presiding Justices Advisory Committee, the Trial Court Presiding Judges Advisory Committee, and the Court Executive Officer Advisory Committee.</p>		

#	New or One-Time Projects⁴	
5.	Propose New California Rule of Court, rule 10.493	Priority⁵ 1
Strategic Plan Goal⁶ V		
<p>Project Summary⁷: The committee, in consultation with the Judicial Council’s Legal Services office, proposes the adoption of a new California Rules of Court, rule 10.493, for Judicial Council’s consideration that would allow “instructor-led training”—which would be defined to include live webinars—to satisfy the California Rules of Court education requirements for “traditional (live, face-to-face)” or “in-person” training.</p> <p>Status/Timeline: Proposal was submitted to Rules Committee on August 26, 2020; if approved by the Judicial Council, the rule will be effective January 1, 2021.</p> <p>Fiscal Impact/Resources: N/A</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Judicial officers, trial and appellate court leadership and staff.</p> <p>AC Collaboration: N/A. This proposal was initiated on August 13, 2020; in order to comply with rule-making procedures, this rule will be fast-tracked to the Rules Committee to be posted as soon as possible for public and court comment.</p>		

#	Ongoing Projects and Activities⁴	
1.	<i>Complete the 2018–2020 Education Plan</i>	<i>Priority⁵ 1</i> <i>Strategic Plan Goal⁶ V</i>
<p><i>Project Summary⁷</i>: The CJER Advisory Committee will continue to oversee the execution of the 2018–2020 Education Plan launched July 1, 2018.</p> <p><i>Status/Timeline</i>: The 2018–2020 Education Plan will be complete on June 30, 2020.</p> <p><i>Fiscal Impact/Resources</i>: CJER Contact: Karene Alvarado</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders</i>: N/A</p> <p><i>AC Collaboration</i>: N/A</p>		

II. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	A work group appointed by the CJER Advisory Committee substantially redesigned the Criminal Primary Assignment Orientation (PAO), which is offered three times a year for judges new to the assignment, new to the bench or returning to the assignment after a significant period away. The group significantly refined the essential skills needed by participants, and shifted instructional design away from a didactic black-letter model to a skills- and analysis-focused model. In addition, the group standardized the curriculum to provide consistency across each offering of the Criminal PAO, while still allowing for individual faculty style. Completed January 2020.
2.	June 2019 marked the first full year of the California Court Leadership Certification process—a set of documents that allows court administrative staff to assess their competencies and then chart an individualized path using CJER-provided and other sources of education, as well as performing court-based projects to demonstrate the competencies they are developing. Feedback from early enrollees was solicited; live and recorded orientations were developed and delivered.
3.	Curriculum Committees conducted their 2019 review of their respective curricula. Recommended changes were incorporated in the 2020–2022 Education Plan, completed December 2019.
4.	The recommendations from the Mental Health Implementation Task Force were implemented as appropriate.
5.	The 2020–2022 Education Plan was developed by the Curriculum Committees and approved by the CJER Advisory Committee. The plan was approved by the Judicial Council at its January 17, 2020 business meeting