



JUDICIAL COUNCIL
OF CALIFORNIA

EXECUTIVE AND
PLANNING COMMITTEE

www.courts.ca.gov/epmeetings.htm
executiveandplanning@jud.ca.gov

DRAFT

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

Thursday, February 11, 2016

12:10 to 1:10 p.m.

Judicial Council Conference Center

Committee Members Present: Justice Douglas P. Miller (Chair), Judge Marla O. Anderson (Vice Chair); Justice James M. Humes; Judges Daniel J. Buckley, Samuel K. Feng, Gary Nadler, David M. Rubin, and Charles D. Wachob; Mr. Richard D. Feldstein, Mr. Frank McGuire, and Ms. Donna D. Melby

Other Attendees: Justices Mariano-Florentino Cuéllar and Harry E. Hull Jr.; Judges Jonathan B. Conklin and Mark A. Juhas

Committee Staff Present: Ms. Nancy Carlisle

Staff Present: Mr. Patrick Ballard, Ms. Debbie Brown, Mr. Robert Cabral, Ms. Nancy Carlisle, Ms. Roma Cheadle, Ms. Jessica Craven, Mr. Michael Giden, Ms. Pat Haggerty, Ms. Donna Hershkowitz, Mr. John Judnick, Mr. Doug Kauffroath, Ms. Shelly LaBotte, Ms. Anna Maves, Mr. Patrick O'Donnell, Ms. Pam Reynolds, Ms. Anne Ronan, Ms. Leah Rose-Goodwin, Mr. Michael Roosevelt, Mr. Zlatko Theodorovic, Ms. Millicent Tidwell, Mr. Enrique Villasana, Ms. Jennifer Walter, and Mr. Don Will

OPENING MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m. and committee staff took roll call.

Approval of Minutes

The committee approved the minutes of the minutes of the January 26, 2016, meeting.

DISCUSSION AND ACTION ITEMS

Item 1

Agenda Setting for the February 25–26 Judicial Council Meeting (Action Required)

Review draft reports and set the agenda for the Judicial Council meeting in February.

Action: *The committee reviewed draft reports and set the agenda for the Judicial Council meeting in February.*

A D J O U R N M E N T

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

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

Item A

Pursuant to California Rules of Court, rule 10.75(d)(6)

Non-final audit reports

Review available non-final audit reports for the Judicial Council meeting in February.

Action: The committee approved the draft audit reports for placement on the February Judicial Council business meeting agenda.

Approved by the advisory body on _____.



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DRAFT

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING

Thursday, April 14, 2016

10:30 a.m. to 2:20 p.m.

Judicial Council Conference Center

Committee Members Present: Judge Marla O. Anderson (Vice Chair); Justice James M. Humes; Judges Daniel J. Buckley, Samuel K. Feng, Gary Nadler, Charles D. Wachob, and David M. Rubin; Mr. Richard D. Feldstein, and Ms. Donna D. Melby

Committee Members Absent: Justice Douglas P. Miller (Chair) and Mr. Frank McGuire

Advisory Body Chairs and Vice Chairs Present: Advisory Committee on Providing Access and Fairness
Hon. Kathleen E. O'Leary, Co-chair

Collaborative Justice Courts Advisory Committee
Hon. Richard Vlavianos, Chair, and Hon. Rogelio R. Flores, Vice Chair

Court Facilities Advisory Committee
Hon. Brad R. Hill, Chair

Court Interpreters Advisory Panel
Hon. Steven K. Austin, Chair, and Ms. Christina M. Volkers, Vice Chair

Court Security Advisory Committee
Hon. Thomas M. Maddock, Chair

Governing Committee of the Center for Judicial Education and Research
Hon. Theodore M. Weathers, Chair

Language Access Plan Implementation Task Force
Hon. Manuel J. Covarrubias, Vice-Chair

Trial Court Facility Modification Advisory Committee
Hon. Donald C. Byrd, Chair, and Hon. William F. Highberger, Vice-Chair

Trial Court Budget Advisory Committee
Hon. Johnathan B. Conklin, Chair

Tribal Court-State Court Forum
Hon. Abby Abinanti and Hon. Dennis M. Perluss, Co-chairs

Workload Assessment Advisory Committee
Hon. Lorna A. Alksne, Chair

Committee Staff Present: Ms. Nancy Carlisle

Staff Present: Ms. Roma Cheadle, Ms. Francine Byrne, Mr. Steven Chang, Mr. Douglas Denton, Mr. Edward Ellestad, Ms. Deana Farole, Ms. Lucy Fogarty, Ms. Bonnie Rose Hough, Mr. Bob Lowney, Mr. Chris H. Magnusson, Mr. Patrick McGrath, Ms. Catherine Price, Ms. Kelly Quinn, Ms. Pam Reynolds, Ms. Nancy Taylor, Mr. Zlatko Theodorovic, Ms. Jennifer Walter, Ms. Kyanna Williams, and Ms. Sonia Sierra-Wolf

OPENING MEETING

Call to Order and Roll Call

The vice chair called the meeting to order at 10:30 a.m. and committee staff took roll call.

Approval of Minutes

The committee approved the minutes of the following:

- March 24, 2016, Executive and Planning Committee meeting
- March 29, 2016, Executive and Planning Committee meeting
- April 5, 2016, Executive and Planning Committee e-mail action

DISCUSSION AND ACTION ITEMS

Item 1

2016 Annual Agendas

The committee reviewed draft annual agendas for advisory bodies for which it has oversight.

Action: *The committee approved the 2016 annual agendas of the following advisory bodies as submitted:*

- Advisory Committee on Providing Access and Fairness
- Collaborative Justice Courts Advisory Committee
- Court Facilities Advisory Committee
- Court Interpreters Advisory Panel
- Court Security Advisory Committee
- Governing Committee of the Center for Judicial Education and Research
- Language Access Plan Implementation Task Force
- Sargent Shriver Civil Counsel Act Implementation Committee
- Trial Court Budget Advisory Committee
- Trial Court Facility Modification Advisory Committee
- Tribal Court-State Court Forum
- Workload Assessment Advisory Committee

ADJOURNMENT

There being no further open meeting business, the meeting was adjourned at 2:20 p.m.

Approved by the advisory body on _____.



Judicial Council of California

Meeting Agenda

Judicial Council

Thursday, June 23, 2016

3:15 PM

San Francisco

OPEN SESSION (RULE 10.6(A)) — MEETING AGENDA

Session: 3:15 – 3:45 p.m.

Presentation

16-097 Access and Fairness Presentation

Summary: EXECUTIVE SUMMARY TBD

Speakers: Hon. Kathleen E. O’Leary, Chair, Judicial Council Advisory Committee on
 Providing Access and Fairness
 Hon. Laurie D. Zelon, Cochair, Judicial Council Advisory Committee on
 Providing Access and Fairness

30 minutes

Break: 3:45 – 3:55 p.m.

CLOSED SESSION (RULE 10.6(B))—PLANNING, PERSONNEL, AND DISCUSSION PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE

Session: 3:55 – 4:55 p.m.

Adjournment



Judicial Council of California

Meeting Agenda

Judicial Council

Friday, June 24, 2016

8:30 AM

San Francisco

OPEN SESSION (RULE 10.6(A)) — MEETING AGENDA

8:30 a.m. – 1:45 p.m.

Approval of Minutes

5 minutes

Chief Justice's Report

10 minutes

Administrative Director's Report

10 minutes

16-101 Administrative Director's Report

Summary: Mr. Martin Hoshino, Administrative Director, provides his report.

Judicial Council Committee Presentations

[16-087](#) **Judicial Council Committee Reports**

Executive and Planning Committee
Hon. Douglas P. Miller, Chair
Policy Coordination and Liaison Committee
Hon. Kenneth K. So, Chair
Rules and Projects Committee
Hon. Harry E. Hull, Jr., Chair
Judicial Council Technology Committee
Hon. Marsha G. Slough, Chair

30 minutes

Judicial Council Members' Liaison Reports

20 minutes

Public Comment

30 minutes

The Judicial Council welcomes public comment on general matters of judicial administration and on specific agenda items, as it can enhance the council's understanding of the issues coming before it.

Please see our public comment procedures.

- 1) Submit advance requests to speak by 4:00 p.m., Tuesday, June 21.
- 2) Submit written comments for this meeting by 1:00 p.m. on Wednesday, June 22.

Contact information for advance requests to speak, written comments, and questions:

E-mail: judicialcouncil@jud.ca.gov

Postal mail or delivery in person:

*Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102-3688
Attention: Kelly Parrish*

Break: 10:10 – 10:25 a.m.

CONSENT AGENDA

A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Pam Reynolds at 916-263-1462 at least 48 hours before the meeting.

[16-082](#)

Judicial Branch Administration: Judicial Branch Contracting Manual (Action Required)

Summary:

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch recommends adopting proposed revisions to the *Judicial Branch Contracting Manual*. The California Judicial Branch Contract Law directs the Judicial Council to adopt and publish a manual incorporating procurement and contracting policies and procedures that must be followed by judicial branch entities. The council adopted the initial manual on August 26, 2011, and revisions to the manual on five subsequent occasions. Additional revisions to the manual are currently being proposed for the council's consideration.

[16-083](#)

Judicial Council Report to the Legislature: Fiscal Year 2014 - 2015 Expenditures of the Trial Court Interpreters Program (Action Required)

Summary:

The Judicial Council's Court Interpreters Program, Court Operations Services recommends approving the annual report on trial court interpreter expenditures for submission to the Legislature and the Department of Finance. This report is required by the Budget Act of 2014.

[16-098](#)

Judicial Council Report to the Legislature: Receipts and

Expenditures from Local Courthouse Construction Funds (Action Required)

Summary: The Judicial Council Capital Program recommends approving *Receipts and Expenditures from Local Courthouse Construction Funds: Report to the Budget and Fiscal Committees of the Legislature* for submission to the Legislature. The report provides information for the reporting period of July 1, 2014, through June 30, 2015, on receipts and expenditures from local courthouse construction funds, as reported by each county. The annual submission of this report is required under Government Code section 70403(d).

[16-085](#)**Inter-county Probation Case Transfer Statewide Fiscal Procedures (Action Required)**

Summary: The Judicial Council's staff recommends that council approve the attached *Inter-county Probation Case Transfer Statewide Fiscal Procedures* which outline a uniform process and establish responsibility for the proper collection, accounting, and distribution of any and all court-ordered payments made by the defendant to the transferring or receiving court, or its authorized collection program, pursuant to Penal Code section 1203.9. The sample agreement satisfies the statutory requirement for a written agreement that allows a receiving court to charge administrative fees for collecting payments from a defendant on behalf of the transferring court.

[16-088](#)**Jury Instructions: New and Revised Civil Jury Instructions and Verdict Forms (Action Required)**

Summary: The Advisory Committee on Civil Jury Instructions recommends approving for publication the new and revised civil jury instructions and verdict forms prepared by the committee.

16-089

Judicial Branch Administration: Audit Report for Judicial Council Acceptance (Action Required)

Summary: The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E Committee) and Judicial Council staff recommend that the Judicial Council accept the audit report entitled *Audit of the Superior Court of California, County of Contra Costa*. This acceptance is consistent with the policy approved by the Judicial Council on August 27, 2010, which specifies Judicial Council acceptance of audit reports as the last step to finalization of the reports before their placement on the California Courts public website to facilitate public access. Acceptance and publication of these reports promote transparent accountability and provide the courts with information to minimize future financial, compliance, and operational risk.

16-090

Judicial Branch Administration: Audit Report for Judicial Council Acceptance (Action Required)

Summary: The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E Committee) and Judicial Council staff recommend that the Judicial Council accept the audit report entitled *Audit of the Superior Court*

of California, County of Kings. This acceptance is consistent with the policy approved by the Judicial Council on August 27, 2010, which specifies Judicial Council acceptance of audit reports as the last step to finalization of the reports before their placement on the California Courts public website to facilitate public access. Acceptance and publication of these reports promote transparent accountability and provide the courts with information to minimize future financial, compliance, and operational risk.

[16-091](#)**Trial Court Allocation: Children's Waiting Room Distribution Request (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends approving the request of the Superior Court of California, County of Los Angeles, for a children's waiting room (CWR) distribution increase of \$1.75 from the current \$3 per applicable paid first-paper civil fee for filings within the county to defray the operating costs associated with nine CWRs.

[16-093](#)**Judicial Branch Administration: Judicial Branch Workers' Compensation Program (Action Required)****Summary:**

The Judicial Branch Workers' Compensation Program (JBWCP) Advisory Committee recommends approval of the workers' compensation cost allocation for fiscal year (FY) 2016-2017 in the amount of \$18,316,577, for participating trial courts, and \$1,167,072, for state judiciary entities. The cost allocations reflect a savings of 5.33 percent (trial courts) and 8.85 percent (state judiciary) from the prior fiscal year.

[16-095](#)**Court Records: Records Sampling and Destruction (Action Required)****Summary:**

The Court Executives Advisory Committee (CEAC) recommends amending the rule relating to the sampling of court records to substantially reduce the number of records that superior courts are required to keep. The amendments would significantly decrease court costs, while still ensuring that courts preserve a statistically significant sample of court records for future research purposes. To implement these amendments, CEAC also recommends a new rotation assignment that lists when each court must retain sample court records.

[16-100](#)**Judicial Council: Nonvoting Council Position (Action Required)****Summary:**

The Judicial Council consists of the Chief Justice and one other justice of the Supreme Court, three justices of Courts of Appeal, 10 judges of superior courts, two nonvoting court administrators, and such other nonvoting members as determined by the voting membership of the council, each appointed by the Chief Justice to three-year terms. The Chief Justice has requested the chair of the Executive and Planning Committee submit a request to create one advisory, nonvoting Judicial Council position for a single three-year term. With two advisory positions expiring in September 2016, the direct net effect of adding this advisory position, effective September 15, 2016, would be to decrease the Judicial Council's total membership by one member, to a total of 31 members.

DISCUSSION AGENDA[16-042](#)**Language Access: Translation and Educational Products, Development Plan for Remaining Materials, and Video Remote Interpreting Pilot Project (Action Required)****Summary:**

The Judicial Council charged the Language Access Plan Implementation Task Force with overseeing and ensuring implementation of the *Strategic Plan for Language Access in the California Courts*. The plan provides a comprehensive and systematic approach to expand language access in the California courts. The task force recommends that the council adopt a number of translation and educational products that task force subcommittees have developed in collaboration with the National Center for State Courts (NCSC). The task force also proposes a technology solutions pilot project for video remote interpreting (VRI) in order to validate and finalize technical and programmatic guidelines that will help the California judicial branch determine where and how VRI can help meet the needs of court users over the next few years.

Speakers:

Hon. Mariano-Florentino Cuellar, Chair, Language Access Plan Implementation Task Force
Hon. Terence L. Bruiniers, Chair, Technological Solutions Subcommittee, Language Access Plan Implementation Task Force

20 minutes

[16-096](#)**Judicial Branch Administration: Trial Court Electronic Filing (Action Required)****Summary:**

The Information Technology Advisory Committee (ITAC), with approval from the Judicial Council Technology Committee, recommends that the Judicial Council approve the National Information Exchange Model/Electronic Court Filing as the technical information exchange standards for-filing in all state courts and direct ITAC to develop a plan for implementation of these standards. The committee also recommends that the council approve a set of high level policies and functional requirements for trial court Electronic Filing Managers (EFM). Finally, it recommends that the council direct ITAC, in collaboration and coordination with the council's Branch Accounting and Procurement (BPA) office, to undertake and manage a procurement process to select multiple statewide EFMs to assist the trial courts with e-filing.

Speakers:

Hon. Terence Bruiniers, Chair, Information Technology Advisory Committee (ITAC)
Hon. Sheila Hanson, Executive Co-Sponsor, ITAC E-Filing Workstream
Mr. Rob Oyung, Executive Co-Sponsor, ITAC E-Filing Workstream
Mr. Snorri Ogata, Project Manager, ITAC E-Filing Workstream

25 minutes

[16-086](#)**Juvenile Dependency: Court-Appointed Dependency Counsel Workload and Funding Methodology Small Courts Recommendations (Action Required)****Summary:**

On April 15, 2016 the Judicial Council approved 9 of the 10 recommendations

in the report of the Court-Appointed Counsel Funding Allocation Methodology Joint Subcommittee of the Trial Court Budget and Family and Juvenile Law Advisory Committees on Court-Appointed Dependency Counsel Workload and Funding Methodology. The Council requested the subcommittee to review recommendation 7, related to allocation methodology for small counties, and report to the Council in June 2016 whether there are additional alternatives that it might consider. The subcommittee now provides the Council with four alternative options for adjustments to the allocation methodology for small counties, which the Council may adopt as a group or separately.

Speakers:

Hon. Mark A. Cope, Cochair, Joint Subcommittee on Court-Appointed Dependency Counsel Workload and Funding Methodology, Trial Court Budget Advisory Committee

Hon. Jerilyn L. Borack, Cochair, Joint Subcommittee on Court-Appointed Dependency Counsel Workload and Funding Methodology, Family and Juvenile Law Advisory Committee

30 minutes

[16-092](#)

Trial Court Allocation: 2016-2017 Allocations from the Trial Court Trust Fund and State Trial Court Improvement and Modernization Fund (Action Required)

Summary:

The Trial Court Budget Advisory Committee recommends that the Judicial Council approve \$157.99 million in allocations from the Trial Court Trust Fund and \$64.46 million from the State Trial Court Improvement and Modernization Fund for 2016-2017.

Speakers:

Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Mr. Steven Chang, Finance
Mr. Colin Simpson, Finance

20 minutes

Break: 12:00 p.m. – 12:30 p.m.

[16-094](#)

Trial Court Allocation: Trial Court Trust Fund Funds Held on Behalf of the Trial Courts (Action Required)

Summary:

The Trial Court Budget Advisory Committee's (TCBAC) Fiscal Planning Subcommittee recommends the Judicial Council approve thirteen requests from eleven trial courts for Trial Court Trust Fund funds to be held on behalf of the trial courts. Under the Judicial Council adopted process, courts may request funding reduced as a result of a court exceeding the 1% fund balance cap to be retained in the Trial Court Trust Fund for the benefit of that court. Circumstances include projects that extend beyond the original planned three-year term process. The total estimated amount requested by the trial courts that would be reduced from their 2016-2017 allocations for exceeding the cap is \$6.9 million. The council will be informed of any final adjustments to the estimated amounts after 2015-2016 year-end.

Speakers:

Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee,
Fiscal Planning Committee

20 minutes

[16-081](#)

Judicial Branch Education: 2016-2018 Education Plan (Action Required)

Summary:

The Governing Committee of the Center for Judicial Education and Research (CJER) recommends approving the 2016-2018 Education Plan, effective July 1, 2016. Developed by the CJER Governing Committee for all the judicial branch audiences that it and CJER serves, this education plan contains training and education programs and products that enable those audiences to fulfill the education requirements and expectations outlined in rules 10.451-10.491 of the California Rules of Court.

Speakers:

Hon. Theodore M. Weathers, Chair, CJER Governing Committee
Dr. Diane Cowdrey, Center for Judicial Education and Research

35 minutes

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

[16-080](#)

Trial Courts: Quarterly Investment Report for First Quarter of 2016

Summary:

Trial Courts: Quarterly Investment Report for First Quarter of 2016 provides the financial results for the funds invested by the Judicial Council on behalf of the trial courts as part of the judicial branch treasury program. The report is submitted under agenda item 10, Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004, and the report covers the period of January 1, 2016, through March 31, 2016.

[16-084](#)

Court Facilities: Trial Court Facility Modification Quarterly Activity Report for Quarter 3 of Fiscal Year 2015-2016

Summary:

The Trial Court Facility Modification Advisory Committee (TCFMAC) has completed its facility modification funding for the third quarter of fiscal year 2015-2016. In compliance with the *Trial Court Facility Modifications Policy*, the advisory body is submitting its *Trial Court Facility Modification Quarterly Activity Report: Quarter 3, Fiscal Year 2015-2016* as information for the council. This report summarizes the activities of the TCFMAC from January 1, 2016, to March 31, 2016.

Circulating Orders

[16-099](#)

Trial Court Allocations: Augmentation for a Program Funded from the State Trial Court Improvement and Modernization Fund (16-09)

Appointment Orders

Adjournment



JUDICIAL COUNCIL OF CALIFORNIA

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Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

MEMORANDUM

Date

May 23, 2016

To

Members of the Executive and Planning
Committee

From

Leah Rose-Goodwin, Manager
David Smith, Senior Research Analyst
Office of Court Research
Judicial Council Court Operations Services

Action Requested

Approve Staff Recommendation to Confirm
the Conversion of Seven Vacant Subordinate
Judicial Officer Positions

Deadline

June 13, 2016

Contact

David Smith
415-865-7696 phone
david.smith@jud.ca.gov

Subject

Conversion of Seven Vacant Subordinate
Judicial Officer Positions in the Superior
Court of Los Angeles County

Executive Summary

Court Operation Services staff recommend that the Judicial Council's Executive and Planning Committee (E&P) confirm the conversion of seven vacant subordinate judicial officer (SJO) positions in the Superior Court of Los Angeles County. The court has notified council staff of these vacancies and requested that the positions be converted to judgeships. Confirming this request for conversion is consistent with established council policies of improving access to justice by providing constitutionally empowered judges who are accountable to the electorate in matters that are appropriately handled by judges.

Recommendation

Court Operations Services staff recommend that E&P confirm the conversion of seven vacant SJO positions in the Superior Court of Los Angeles County. The Superior Court of Los Angeles County has notified the Judicial Council that these commissioners, resulting from the conversion

of vacant referee positions to commissioner positions in 2015, have been continuously vacant since their original conversion date. On that basis, the conversion of these seven vacant commissioner positions to judgeships will take effect on the date on which E&P approves the court's request.

Council staff also recommend that E&P acknowledge that the Superior Court of Los Angeles County may treat these converted positions as positions that the court may temporarily fill until judges are named and sworn to fill them.

Previous Council Action

The 2002 report of the Subordinate Judicial Officer Working Group led the Judicial Council to sponsor legislation to restore an appropriate balance between judges and SJOs in the trial courts. The 2002 report found that many courts had created SJO positions out of necessity in response to the dearth in the creation of new judgeships during the 1980s and 1990s. As a result, many SJOs were working as temporary judges. This imbalance between judges and SJOs was especially critical in the area of family and juvenile law.¹

In 2007, the Judicial Council approved a methodology for evaluating the amount of workload appropriate to SJOs relative to the number of SJOs working in the courts. In the same year, the Legislature passed Assembly Bill 159, which adopted the Judicial Council's methodology. This resulted in a list of 25 courts in which a total of 162 SJO positions would be converted. Government Code section 69615(c)(1)(A) allows for the annual conversion of up to 16 SJO vacancies upon authorization by the Legislature in courts identified by the Judicial Council as having SJOs in excess of the workload appropriate to SJOs.²

Subsequent council action established and refined guidelines for expediting the conversion of SJO vacancies. These guidelines included:

- The adoption of four trial court allocation groups and a schedule that distributes the 16 annual SJO conversions across these groups in numbers that are proportional to the total number of conversions for which the groups are eligible;
- The delegation of authority to E&P for confirming SJO conversions;
- The establishment of guidelines for courts to notify the council of SJO vacancies and timelines for the redistribution of SJO conversions across the allocation groups; and

¹ See Judicial Council of Cal., Subordinate Judicial Officer Working Group Rep., *Subordinate Judicial Officers: Duties and Titles* (July 2002), www.courts.ca.gov/7476.htm.

² See Judicial Council of Cal., *Update of the Judicial Workload Assessment and New Methodology for Selecting Courts with Subordinate Judicial Officers for Conversion to Judgeships* (Feb. 23, 2007), available at www.courts.ca.gov/documents/022307item9.pdf, and the update of this report and SJO allocation list at www.courts.ca.gov/documents/jc-20150821-itemL.pdf (Aug. 11, 2015).

- The establishment of criteria for E&P to use in evaluating and granting requests by courts to exempt SJO vacancies from conversion.³

Rationale for Recommendation

The Superior Court of Los Angeles County is eligible for a total of 79 of the 162 conversions authorized by the Legislature and has previously converted 51 positions, with the last conversion occurring in fiscal year (FY) 2014–2015. Los Angeles County is the sole member of Allocation Group 1, which is allotted 7 conversions each year. The confirmation of the present request would result in the conversion of all of the SJO positions that this allocation group is currently eligible for in FY 2015–2016, and would allow the court reasonable certainty and clarity concerning staffing and judicial workload over the next few years.

Comments, Alternatives Considered, and Policy Implications

This proposal, which complies with council policy on SJO conversions, was not circulated for comment. Confirming these conversions would be consistent with well-established council policy on SJO conversions.

Implementation Requirements, Costs, and Operational Impacts

To date, there have been minimal implementation costs for the trial courts. Upon appointment of a new judge to sit in a converted position, funding equal to the estimated judge's compensation—which includes salary and benefits but does not include retirement—is removed from the trial court's allocation where it previously funded the SJO position. This funding is then transferred to the statewide fund for judicial salaries and benefits, Program 45.25.

Attachment

1. Attachment A: May 12, 2016, letter from Presiding Judge Carolyn B. Kuhl, Superior Court of Los Angeles County, to Chief of Staff Jody Patel, Judicial Council of California; subject: Request for Conversion of Vacant SJO Positions.

³ See Judicial Council of Cal., *Subordinate Judicial Officers: Allocation of Conversions* (Dec. 4, 2007) <http://www.courts.ca.gov/documents/120707item14.pdf> ; and Judicial Council of Cal., *Proposal to Modify Subordinate Judicial Officer Conversion Policy* (Apr. 24, 2009) <http://www.courts.ca.gov/documents/042409itemh.pdf> .



The Superior Court

STANLEY MOSK COURTHOUSE
111 NORTH HILL STREET
LOS ANGELES, CALIFORNIA 90012
CHAMBERS OF
CAROLYN B. KUHL
PRESIDING JUDGE

May 12, 2016

TELEPHONE
(213) 633-0400

The Honorable Douglas P. Miller, Chair
Judicial Council's Executive and Planning Committee
455 Golden Gate Avenue
San Francisco, California 94102-3688

Re: Request for Conversion of Seven Commissioner Positions

Dear Justice Miller:

I am writing to request that you forward to the Judicial Council's Executive and Planning Committee our request to approve the conversion of seven vacant commissioner positions in the Los Angeles Superior Court to judgeships in the 2015-2016 fiscal year, pursuant to Government Code Section 69615.

All seven of the vacancies for conversion were created by the reclassification of Referee positions per the attached letter of April 6, 2015 from CEO Sherri R. Carter to the Executive and Planning Committee.

Thank you for your consideration and assistance.

Very truly yours,

A handwritten signature in blue ink that reads "Carolyn B. Kuhl".

CAROLYN B. KUHL
Presiding Judge

CBK:BB:rm

Attachment

c: Martin Hoshino, Administrative Director, Judicial Council of California
Leah Rose Goodwin, Judicial Council, Office of Court Research



SHERRI R. CARTER
EXECUTIVE OFFICER / CLERK

111 NORTH HILL STREET
LOS ANGELES, CA 90012-3014

Superior Court of California
County of Los Angeles

April 6, 2015

Judicial Council's Executive and Planning Committee
Attn: Nancy Carlisle
455 Golden Gate Avenue
San Francisco, California 94102-3688

Re: Authorized Judicial Positions

Dear Members of the Judicial Council's Executive and Planning Committee:

I am writing to notify the Executive and Planning Committee of the reclassification of 14.3 full time equivalent Referee positions to 14.3 full time equivalent Commissioner positions.

A memo of February 23, 2005, from the Administrative Director of the Courts to the Presiding Judges and Executive Officers of the Superior Courts states that "The presiding judge of a trial court may change the type of one or more of the court's subordinate judicial officer (SJO) positions, except for child support commissioner positions supported by Assembly Bill (AB) 1058 funding."

The memo continues that "When a trial court changes the type of its SJOs, court staff must notify the appropriate AOC regional administrative director, who will in turn notify E&P of the change at its next regular meeting." As the post of regional administrator director no longer exists, and at the suggestion of Judicial Council staff, I am writing directly to E&P with notice of this change.

As a result, the number of authorized Commissioner positions for the Los Angeles Superior Court is 103.3 (including 8.8 FTEs authorized for AB 1058 cases) and the number of authorized Referee positions is zero.

Sincerely,

A handwritten signature in black ink that reads "Sherri R. Carter".

Sherrri R. Carter
Executive Officer/Clerk

c: Pam Reynolds, Trial Court Liaison, Judicial Council
Leah Rose Goodwin, Manager, Office of Court Research, Judicial Council