



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 24-052*

For business meeting on January 19, 2024

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**Title**

Judicial Branch Technology: Allocation of Funds for AB 716 Legislative Mandate, Fiscal Year 2023–24

**Agenda Item Type**

Action Required

**Effective Date**

January 19, 2024

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

December 29, 2023

**Recommended by**

Judicial Council Technology Committee  
Hon. Kyle S. Brodie, Chair

**Contact**

Heather L. Pettit, 916-263-2708

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### Executive Summary

The Budget Act of 2022 appropriated funding to upgrade the audio equipment of courtrooms in support of Assembly Bill 716, which requires courts, at a minimum, to provide a public audio stream or telephonic means with which to listen to the courtroom proceedings when the courthouse is physically closed. The Technology Committee recommends the Judicial Council allocate approximately \$25 million among trial courts for fiscal year 2023–24, as itemized in the attached summary. The recommended allocations provide funding for needed audio upgrades to courts eligible for funding that submitted requests.

### Recommendation

The Technology Committee recommends, effective January 19, 2024, that the Judicial Council approve the proposed allocations as itemized in the attached *Courtroom Audio Modernization: Proposed Allocations for FY 2023–24*.

The proposed allocations for fiscal year 2023–24 are included as Attachment A of this report.

## **Relevant Previous Council Action**

At its meeting on March 24, 2023, the council approved an allocation of \$32 million for fiscal year (FY) 2022–23 funding for courtroom audio upgrades that satisfy the statutory mandate of Assembly Bill 716.<sup>1</sup>

## **Analysis/Rationale**

To support the courtroom modernization program, AB 716 (Stats. 2021, ch. 526) requires courts to provide, at a minimum, a public audio stream or telephonic means by which to listen to the courtroom proceedings when the courthouse is physically closed. To achieve this, the Budget Act of 2022 appropriated \$33.2 million from the General Fund for FY 2022–23 and \$33.2 million for FY 2023–24, and a total of four positions and \$1,632,000 in ongoing funding to implement, support, and maintain remote access to courtroom proceedings as required by AB 716.<sup>2</sup> Courts that were not fully funded, or that did not request funding, for FY 2022–23 had an opportunity to submit funding requests for FY 2023–24. Seventeen courts requested funding of approximately \$25 million to upgrade the audio equipment needs of courtrooms built before the year 2000.

To determine the proposed allocation, Judicial Council staff asked courts to provide an inventory of their courtroom audio and video equipment upgrade needs. For the 49 courts that returned the survey, the results were analyzed and prioritized to fund courtrooms aged 20 years or older needing audio upgrades with a focus on civil case types. The average courtroom upgrade for audio equipment is estimated to cost \$50,000 per courtroom. Courts that began but could not complete upgrades using previously allocated Information Technology Modernization Funding could request additional funding. All courtroom audio equipment upgrades will follow the technical recommendations developed by the Information Technology Advisory Committee’s Hybrid Courtroom Workstream.

## **Policy implications**

By allocating funding for courtroom audio infrastructure modernization directly to trial courts, the Judicial Council will improve how the public is served, continue the courtroom upgrade progress made during the pandemic, and further the collaborative relationship that has been central to advancing the judicial branch’s technology goals and expanding access to justice. Allocating money directly to individual courts for their audio upgrades that meet the key criteria described above allows courts to best serve the needs of their communities, while meeting the mandate in AB 716.

## **Comments**

This proposal was not circulated for public comment. The recommended allocation was presented and approved by the Judicial Council Technology Committee at its December 11,

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<sup>1</sup> See Link A.

<sup>2</sup> See Link B.

2023, open meeting. The committee then voted to approve one additional court in an action by email on December 18, 2023. On December 28, the committee voted to update the allocations to include one of the courts that applied for year 2 funding that was misidentified. No public comments were received.

### **Alternatives considered**

The committee considered recommending allocations to upgrade video equipment in addition to audio equipment. However, because the minimum mandate of AB 716 is to provide audio solutions for remote access to proceedings and the costs to upgrade eligible courtrooms with audio alone will exhaust the current funding appropriation, the committee concluded that requests to upgrade video equipment had to be deferred.

### **Fiscal and Operational Impacts**

All allocations are from the current Budget Act appropriation and will allow courts to provide access to courtroom proceedings.

### **Attachments and Links**

1. Attachment A: *Courtroom Audio Modernization: Proposed Allocations for FY 2023–24*
2. Link A: Assem. Bill 716,  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB716](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB716)
3. Link B: Budget Change Proposal: Remote Access to Court Proceedings (AB 716),  
[https://esd.dof.ca.gov/Documents/bcp/2223/FY2223\\_ORG0250\\_BCP5003.pdf](https://esd.dof.ca.gov/Documents/bcp/2223/FY2223_ORG0250_BCP5003.pdf)

**Courtroom Audio Modernization:  
Proposed Allocations for FY 2023–24  
AB 716**

Court	Locations to be Upgraded	Courtrooms to Upgrade	Distribution
Alameda	2	23	1,150,000
Contra Costa	2	20	1,000,000
Kern	8	17	612,000
Los Angeles		278	13,900,000
Monterey	4	16	625,000
Nevada	2	8	78,353
Orange		21	1,050,000
Riverside	8	44	565,650
Sacramento		27	1,350,000
San Diego		11	550,000
San Francisco		40	1,990,000
San Luis Obispo	3	3	150,000
San Mateo		2	100,000
Santa Clara		39	1,950,000
Solano	4	17	340,000
Ventura	2	5	73,940
Yuba	1	1	6,648
<b>17 Courts</b>	<b>36</b>	<b>572</b>	<b>\$ 25,491,592</b>



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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 24-069*

For business meeting on January 19, 2024

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**Title**

Judicial Council: Judicial Council  
Appointments to the California Access to  
Justice Commission

**Agenda Item Type**

Action Required

**Effective Date**

January 19, 2024

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

January 5, 2024

**Recommended by**

Executive and Planning Committee  
Hon. Brad R. Hill, Chair

**Contact**

Melanie Snider, 916-263-5442  
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### Executive Summary

The Judicial Council Executive and Planning Committee recommends appointing the following judicial officers to the California Access to Justice Commission (the Commission): Justice Gail Ruderman Feuer, Court of Appeal, Second Appellate District, Division Seven; Justice Jon B. Streeter, Court of Appeal, First Appellate District, Division Four; and Judge Erica Yew, Superior Court of Santa Clara County. These appointments are to fulfill the statutory requirement of the Commission to include three members appointed by the Judicial Council. The purpose of the Commission is to advance efforts to ensure equal access to civil justice for populations unable to fulfill their legal needs.

### Recommendation

The Judicial Council Executive and Planning Committee recommends that the Judicial Council, effective January 19, 2024, appoint Justice Gail Ruderman Feuer, Court of Appeal, Second Appellate District, Division Seven; Justice Jon B. Streeter, Court of Appeal, First Appellate District, Division Four; and Judge Erica Yew, Superior Court of Santa Clara County, to the California Access to Justice Commission as provided in Government Code section 68657(a)(4). The recommended appointment terms are as follows:

- Justice Feuer: January 19, 2024–June 30, 2027;
- Justice Streeter: January 19, 2024–June 30, 2024; and
- Judge Yew: January 19, 2024–June 30, 2026.

### **Relevant Previous Council Action**

In 2020, the Judicial Council appointed Justice Feuer and Judge Yew to three-year terms on the Commission that expired June 30, 2023. In 2021, former Chief Justice Tani Cantil-Sakauye appointed Justice Streeter to a two-year term that expired on June 30, 2023.

Senate Bill 133 (Stats. 2023, ch. 34) codified the membership of the Commission, with three members to be appointed by the Judicial Council and specifying that each Commission member’s term shall be four years. The statute also specified that all appointees may continue their term until the appointment of their successors (Gov. Code, § 68658(b).) At the time the legislation was codified, the following members were serving on the commission:

- Justice Gail Ruderman Feuer, Court of Appeal, Second Appellate District, Division Seven; term expired June 30, 2023 (continued to serve per Gov. Code, § 68658(b)).
- Justice Jon B. Streeter, Court of Appeal, First Appellate District, Division Four; term expired June 30, 2023 (continued to serve per Gov. Code, § 68658(b)). (Formerly Supreme Court appointment, position converted to Judicial Council appointment through Senate Bill 133.)
- Judge Erica Yew, Superior Court of Santa Clara County; term expired June 30, 2023 (continued to serve per Gov. Code, § 68658(b)).

### **Analysis/Rationale**

The Commission was established in 1996 to advance efforts to ensure equal access to civil justice regardless of income, language capacity, or other barriers. The Commission was staffed by the State Bar of California until 2019, when Senate Bill 133 (Stats. 2023, ch. 34, § 7), effective June 30, 2023, added Government Code sections 68655–68659 and codified the Commission as a nonprofit public benefit corporation authorized to receive funding appropriated by the Legislature.

Whereas the Judicial Council previously appointed two members, and the Chief Justice of California appointed one member to the Commission, Government Code section 68657(a)(4) provides that three members shall be appointed by the Judicial Council and does not provide an appointment by the Chief Justice. Additional state official appointments provided by Government Code section 68657(a) include two members by the Governor of California, one member by the Senate President pro Tempore, and one member appointed by the Speaker of the Assembly. Under its bylaws, the Commission may also appoint a broad coalition of lawyers; professors; and business, civic, and legal aid leaders as members.

The Commission is assigned to (1) provide leadership in efforts to achieve full and equal access to justice for all Californians who are unable to meet their legal needs, (2) coordinate efforts to

identify and promote improved methods of delivering legal help, (3) administer grant programs to support the recruitment and retention of legal aid attorneys, and (4) encourage increases in the resources available to achieve equal access to justice.

On September 9, 2023, the Commission voted to institute staggered terms for its members and, with the Judicial Council's approval, recommended the following term expiration dates for the council's appointees: June 30, 2027, for Justice Feuer; June 30, 2024, for Justice Streeter; and June 30, 2026, for Judge Yew (see attachment A). To allow continuity on the Commission as they transition to their new structure, it is recommended that the council confirm this recommendation.

### **Policy implications**

None.

### **Comments**

Public comment has not been solicited on this recommendation.

### **Alternatives considered**

The Judicial Council may choose not to reappoint Justice Feuer and Judge Yew, and instead open all three positions during the regular nominations cycle in February, in which case Justice Feuer and Judge Yew would be able to continue to serve in these positions until a successor is appointed pursuant to Government Code section 68658(b). Justice Streeter's position will be included in the council's regular nominations cycle.

### **Fiscal and Operational Impacts**

Commissioners are uncompensated volunteers. The costs and operational impacts of this appointment are negligible.

### **Attachments and Links**

1. Attachment A: Letter from Catherine J. Blakemore to Amber Barnett, Judicial Council of California, December 26, 2023
2. Link A: Gov. Code, §§ 68655–68659,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=GOV&division=&title=8.&part=&chapter=2.2.&article=](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=&title=8.&part=&chapter=2.2.&article=)

CATHERINE J. BLAKEMORE, Chair  
Sacramento

HON. GAIL RUDERMAN FEUER  
Vice-Chair  
Court of Appeal, Second District

JANIS R. HIROHAMA, Treasurer  
League of Women Voters

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Los Angeles County Superior Court

HON. LUCY ARMENDARIZ  
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HON. JON A. STREETER  
First District Court of Appeal

ELICA VAFAIE  
Lawyers' Comm. for Civil Rights

HON. MONICA WILEY  
San Francisco County Superior  
Court

HON. ERICA R. YEW  
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December 26, 2023

Amber Barnett  
Principal Manager, Leadership Services Division  
Judicial Council of California  
2860 Gateway Oaks Drive, Suite 400  
Sacramento, CA 95833

**Re: Appointments to the Access to Justice Commission**

Dear Amber:

The California Access to Justice Commission is grateful for the appointments the Judicial Council has made over the past 27 years. As you know, CalATJ is now recognized in Government Code Sections 68655 – 68659, and Section 68657(a)(4) authorizes the Judicial Council to appoint three members, and Section 68658(a) provides that members' terms shall be four years.

At its September 9 meeting, the Access Commission voted to institute staggered terms for the members. According to its Governance Committee's proposal for staggering, with the Judicial Council's approval its appointees' three current terms would have the following respective end dates: June 30, 2024, June 30, 2026, and June 30, 2027. Thereafter, regular four-year terms would maintain the staggering. The respective current appointees, in the sequence corresponding to the Governance Committee's suggested staggering, are Justice Jon Streeter, Judge Erica Yew, and Justice Gail Ruderman Feuer.

We would be grateful if the Judicial Council would let us know its decisions on the appointees and their respective term end dates. Of course, if you have any questions about the terms, please let Jack Londen or me know.

The Access Commission looks forward to continuing and strengthening its long and important relationship with the Judicial Council.

Sincerely,

A handwritten signature in black ink that reads "C. Blakemore". The signature is written in a cursive, flowing style.

Catherine J. Blakemore  
Chair