



JUDICIAL COUNCIL OF CALIFORNIA MEETINGS

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.6(a))

Ronald M. George State Office Complex

William C. Vickrey Judicial Council Conference Center

Malcolm M. Lucas Board Room

455 Golden Gate Avenue • San Francisco, California 94102-3688

Thursday, January 17, 2013 • 12:30 p.m.–3:30 p.m.

Meeting materials will be hyperlinked to agenda titles as soon as possible after receipt by Judicial Council Support Services. Please check the agenda at www.courts.ca.gov/20546.htm for recent postings of hyperlinked reports.

THURSDAY, JANUARY 17, 2013 AGENDA—BUSINESS MEETING

12:30–12:35 p.m. Member Roll Call

Judicial Council members attending in-person and via teleconference.

12:35–12:45 p.m. Chief Justice's Report

Chief Justice Tani G. Cantil-Sakauye will report.

12:45–12:55 p.m. [Administrative Director's Report](#)

Hon. Steven Jahr, Administrative Director of the Courts, will report.

12:55–1:25 p.m. Public Comment

[See Cal. Rules of Court, rules 10.6(d) and 10.6(e).]

Note: The Chief Justice has waived certain requirements under Rule 10.6(d) for requests to speak at this meeting. If you are requesting the opportunity to comment at the meeting, please e-mail your request to judicialcouncil@jud.ca.gov or mail or deliver your request to the Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102-3688, Attention: Nancy Carlisle. A request must pertain to a matter affecting judicial administration or an item on the business agenda and be received by **4 p.m., Tuesday, January 15, 2013**. In the request, please state:

- The speaker's name, occupation, and (if applicable) name of the entity that the speaker represents;
- The speaker's e-mail address, telephone number, and mailing address; and

NOTE: Time is estimated. Actual start and end times may vary.

- The agenda item on which the speaker wishes to comment. If the requestor wants to speak on a matter generally affecting judicial administration, state the nature of the comment in a few sentences.

Time is reserved for public comment about consent agenda items or matters generally affecting the administration of justice at the beginning of the meeting. Time is reserved for public comment about discussion agenda items at the beginning of the presentation on each item. The amount of time allocated to each speaker will be no more than five minutes, the specific time allocation to be determined based on the number of speakers and available time.

The Judicial Council is the policy-making body for the judicial branch. Comments pertaining to a specific court case will not be received.

Written Comments Received

Written comments pertaining to a matter affecting judicial administration or an item on this agenda may be e-mailed to judicialcouncil@jud.ca.gov or mailed or delivered to the Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102-3688, Attention: Nancy Carlisle. Only written comments received by **1 p.m. on Wednesday, January 16, 2013**, will be distributed to council members at the meeting.

CONSENT AGENDA (ITEMS A–C)

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 Nancy Carlisle at 415-865-7614 at least 48 hours before the meeting.

[Item A Report to the Legislature: Fee Revenue and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2011–2012 \(Action Required\)](#)

The Administrative Office of the Courts (AOC) recommends approving *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2011–2012*, as required by Government Code section 68086(c), to be sent to the chair and vice-chair of the Joint Legislative Budget Committee.

Staff: Mr. Zlatko Theodorovic, Fiscal Services Office

[Item B Report to the Legislature: Allocation of New Judgeships Funding in Fiscal Year 2011–2012 \(Action Required\)](#)

The AOC recommends approval of the attached *Report on Allocation of Funding in Fiscal Year (FY) 2011–2012 for Support of New Judgeships Authorized in FY 2007–2008*. The

Budget Act of 2007 requires that this report be submitted each year until all judgeships are appointed and new staff hired.

Staff: Mr. Zlatko Theodorovic, Fiscal Services Office

Item C Report to the Legislature: Trial Court Revenue, Expenditure, and Fund Balance Constraints for Fiscal Year 2011–2012 (Action Required)

The Administrative Office of the Courts recommends that the Judicial Council approve the *Report of Trial Court Revenue, Expenditure, and Fund Balance Constraints for Fiscal Year 2011–2012*, as required by Government Code sections 68502.5(b) and 77202.5(b), to be sent to the chairs of the Senate Committees on Budget and Fiscal Review and Judiciary and the Assembly Committees on Budget and Judiciary.

Staff: Mr. Zlatko Theodorovic, Fiscal Services Office

DISCUSSION AGENDA (ITEMS D–H)

Item D 1:25–1:50 p.m.

Mid-Year Budget Update: Governor’s Proposed Budget for Fiscal Year 2013–2014 (No Action required. There are no materials for this item.)

AOC staff will provide a budget update, including a review of the Governor’s proposed budget for 2013–2014.

Public Comment and Presentation (10 minutes) • Discussion (15 minutes)

Speakers: Hon. Steven Jahr, Administrative Director of the Courts
Mr. Cory Jaspersen, Office of Governmental Affairs
Mr. Zlatko Theodorovic, Fiscal Services Office

Item E 1:50–2:20 p.m.

SB 1407 Projects, and Fiscal Year 2013–2014 One-Time and Ongoing Funding Requests for Facility Modifications and Facility Operational Costs for New Courthouses (Action Required)

The Court Facilities Working Group (the working group) recommends the indefinite delay of four SB 1407 projects due to the potential redirection of funding from Senate Bill (SB) 1407 construction funds to fund the Long Beach courthouse project (Governor George Deukmejian Courthouse). Other projects are recommended to move forward based on previous council direction. The working group also recommends submission of fiscal year 2013–2014 one-time and ongoing funding requests for facility modifications and for facility operational costs for new courthouses, to be funded by construction funds.

Public Comment and Presentation (15 minutes) • Discussion (15 minutes)

Speaker: Hon. Brad R. Hill, Chair, Court Facilities Working Group

Break **2:20–2:35 p.m. (approx.)**

Item F **2:35–2:45 p.m.**

Judicial Council Legislative Priority for 2013: New Judgeships (Action Required)

Each year, the Judicial Council sponsors legislation to further key council objectives and set its legislative priorities for the upcoming legislative year. At the December 14, 2012, Judicial Council meeting, the council reviewed the Policy Coordination and Liaison Committee (PCLC) recommendations for the 2013 legislative session and approved all but one recommendation. The council directed PCLC to reconsider its recommendation that the council sponsor legislation to create 50 new judgeships in light of the fact that the previous set of 50 judgeships has not been funded. In light of this direction, PCLC has revised this recommendation to advise the council to defer action on judgeships until the following fiscal year. While the creation and funding of critically needed judgeships remains a branch priority, in the current economic environment, it is prudent for the council to defer action on judgeships at this time and focus on its other budget-related legislative priorities.

Public Comment and Presentation (5 minutes) • Discussion (5 minutes)

Speakers: Hon. Marvin R. Baxter, Chair, Policy Coordination and Liaison Committee
 Mr. Cory Jasperson, Office of Governmental Affairs
 Ms. Theresa Taylor-Carroll, Office of Governmental Affairs

Item G **2:45–3:10 p.m.**

Trial Courts: Pilot Project Authorizing Remote Video Proceedings in Traffic Infraction Cases (Action Required)

The Traffic and Court Technology Advisory Committees recommend establishing a pilot project authorizing trial courts to conduct remote video proceedings (RVP) in cases involving traffic infraction violations. In trial courts that institute RVP under the pilot project, defendants in eligible cases will be able to elect to appear at trial by two-way video from remote locations designated by the court. The proposed rule and implementing forms will enable courts to provide the public with ongoing access to court proceedings at a time when court resources are being substantially reduced and courthouses are being closed. The suggestion for the RVP pilot project originates from the Superior Court of Fresno County, which has recently been compelled to close several court facilities because of budget reductions.

Public Comment and Presentation (10 minutes) • Discussion (15 minutes)

Speakers: Hon. Terence L. Bruiniers, Chair, Court Technology Advisory Committee
 Hon. Mark S. Borrell, Chair, Traffic Advisory Committee
 Hon. Jonathan B. Conklin, Superior Court of Fresno County
 Ms. Dawn Annino, Court Attorney, Superior Court of Fresno County
 Ms. Mary Calderon, Court Manager, Superior Court of Fresno County
 Mr. Courtney Tucker, Legal Services Office

NOTE: Time is estimated. Actual start and end times may vary.

Item H 3:10–3:30 p.m.

[Trial Court Allocation: Phoenix Financial Services Costs and New \\$30 Court Reporter Fee Revenue \(Action Required\)](#)

The Trial Court Budget Working Group and the Administrative Office of the Courts submit recommendations for distribution of the new \$30 court reporter fee revenue to the courts and for allocation of monies from the State Trial Court Improvement and Modernization Fund to pay for the trial courts' direct costs related to Phoenix financial services.

Public Comment and Presentation (10 minutes) • Discussion (10 minutes)

Speakers: Hon. Laurie M. Earl, Cochair, Trial Court Budget Working Group
 Mr. Zlatko Theodorovic, Cochair, Trial Court Budget Working Group

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

[INFO 1 Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours \(Gov. Code, § 68106—Report No. 17\)](#)

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 17th report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, three superior courts—those of San Bernardino, Mendocino, and San Joaquin Counties—have issued new notices.

[INFO 2 Trial Courts: Quarterly Investment Report for Third Quarter of 2012](#)

This *Trial Court Quarterly Investment Report* provides the financial results for the funds invested by the Administrative Office of the Courts (AOC) on behalf of the trial courts as part of the judicial branch treasury program. This report is submitted under the *Resolutions Regarding Investment Activities for the Trial Courts*, approved by the Judicial Council on February 27, 2004. This report covers the period of July 1, 2012, through September 30, 2012.

**Circulating Orders since the last business meeting
[Circulating Orders Tab]**

**Appointment Orders since the last business meeting
[Appointment Orders Tab]**