



# JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND  
PLANNING COMMITTEE

[www.courts.ca.gov/epmeetings.htm](http://www.courts.ca.gov/epmeetings.htm)  
[executiveandplanning@jud.ca.gov](mailto:executiveandplanning@jud.ca.gov)

## EXECUTIVE AND PLANNING COMMITTEE

### MINUTES OF ACTION BY E-MAIL

Thursday, December 4, 2014

12:00 p.m.

Action by E-mail

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<b>Advisory Body Members Who Participated:</b>	Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Judges Marla O. Anderson, James R. Brandlin, Morris D. Jacobson, Marsha G. Slough, Dean T. Stout, and Charles D. Wachob; Ms. Mary Beth Todd and Ms. Donna D. Melby
<b>Advisory Body Members Who Did Not Participate:</b>	None
<b>Committee Staff:</b>	Ms. Jody Patel and Ms. Nancy Carlisle

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### DISCUSSION AND ACTION ITEM

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#### Proposal for Review

The committee reviewed the report *Judicial Branch Planning: Proposal to Re-Adopt the Strategic Plan for California's Judicial Branch for Fiscal Years 2006–2012* for approval for the December 12, 2014, Judicial Council business meeting agenda.

**Action:** *The committee approved the report for the discussion agenda of the December council business meeting. One member also commented on the importance to assure individual trial courts of the understanding that the proposal does not contain or contemplate any obligation or expectation for developing local court plans as a result of this proposal to re-adopt the branch strategic plan.*

### CLOSURE OF ACTION

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The action by e-mail was closed on Thursday, December 4, 2014.

Approved by the advisory body on January 8, 2015.



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## EXECUTIVE AND PLANNING COMMITTEE

### MINUTES OF OPEN MEETING WITH CLOSED SESSION

Thursday, December 11, 2014

11:15 a.m. to 1:15 p.m.

William C. Vickrey Judicial Council Conference Center, Redwood Room

**Advisory Body Members Present:** Justice Douglas P. Miller (Chair); Judges Marla O. Anderson, Marsha G. Slough, Dean T. Stout, and Charles D. Wachob; Ms. Mary Beth Todd

By phone: Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Judges James R. Brandlin and Morris D. Jacobson; Ms. Donna D. Melby

**Other Judicial Council Members Present:** Justice Harry E. Hull, Jr.

**Committee Staff Present:** Ms. Jody Patel and Ms. Nancy Carlisle

**Staff Present:** Mr. Cliff Alumno, Ms. Deirdre Benedict, Mr. Curtis L. Child, Mr. Martin Hoshino, Ms. Maria Kwan, Mr. Patrick O'Donnell, Ms. Claudia Ortega.

#### OPEN MEETING

##### Call to Order and Roll Call

The chair called the meeting to order at 11:15 a.m. and committee staff took roll call.

##### Approval of Minutes

The advisory body reviewed and approved the minutes of the November 20, 2014, Executive and Planning Committee meeting.

#### DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

##### Item 1

##### Annual Agenda Review

The committee reviewed the draft annual agendas of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee.

**Action: The committee approved the annual agendas of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee.**

#### ADJOURNMENT

There being no further open meeting business, the meeting was adjourned at 12:15 p.m.

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**C L O S E D   S E S S I O N**

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**Item 2**

**Pursuant to California Rules of Court, rule 10.75(c)(1)**

The committee discussed scheduling an upcoming review of the progress achieved on the Judicial Council Directives on Staff Restructuring.

***Action: No committee action.***

**Item 3**

**Pursuant to California Rules of Court, rule 10.75(d)(1)**

The committee reviewed materials regarding vacancies on advisory bodies.

***Action: The committee determined its recommendations to be sent to the Chief Justice regarding advisory body appointments.***

Adjourned closed session at 1:00 p.m.

Approved by the advisory body on January 8, 2015.



# JUDICIAL COUNCIL OF CALIFORNIA

RULES AND PROJECTS  
COMMITTEE

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## EXECUTIVE AND PLANNING COMMITTEE

### RULES AND PROJECTS COMMITTEE

#### MINUTES OF OPEN MEETING

August 19, 2014

Teleconference

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**Advisory Body  
Members Present:**

Hon. Harry E. Hull (chair, RUPRO), Hon. Douglas P. Miller (chair, E&P), Hon. Judith Ashmann-Gerst (vice-chair, RUPRO), Hon. David M. Rubin (vice-chair, E&P), Hon. Sue Alexander, Hon. David De Alba, Mr. James P. Fox, Hon. Teri L. Jackson, Hon. Brian L. McCabe, Hon. Mary Ann O'Malley, Hon. Dean T. Stout, Ms. Mary Beth Todd, Hon. Charles D. Wachob, Hon. Brian Walsh, Mr. David H. Yamasaki

**Advisory Body  
Members Absent:**

Hon. Stephen H. Baker, Hon. Emilie H. Elias, Ms. Angela J. Davis, Hon. Morris D. Jacobson, and Mr. Mark P. Robinson, Jr.

**Others Present:**

Mr. Cliff Alumno, Ms. Lisa Bartlow, Ms. Deborah Brown, Ms. Nancy Carlisle, Mr. Arturo Castro, Ms. Roma Cheadle, Mr. Patrick Ferrales, Mr. Bob Fleshman, Ms. Leah Rose-Goodwin, Hon. Steven Jahr, Ms. Camilla Kieliger, Ms. Susan McMullan, Mr. Patrick O'Donnell, Ms. Adrienne Toomey

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#### DISCUSSION AND ACTION ITEMS

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**Item 1: Judicial Administration: Rule for Trial Court Budget Advisory Committee** (Amend Cal. Rules of Court, rule 10.64)

**E&P Action:** The Executive and Planning Committee approved the proposal for circulation for comment.

**RUPRO Action:** The Rules and Projects Committee approved the proposal for circulation for comment.

**Item 2: Judicial Administration: Rules for Advisory Groups** (Adopt Cal. Rules of Court, rules 10.65, 10.66, and 10.67 and amend rules 10.2 and 10.50; revise *Trial Court Facility Modifications Policy*)

**E&P Action:** The Executive and Planning Committee approved the proposal for circulation for comment.

**RUPRO Action:** The Rules and Projects Committee approved the proposal for circulation for comment.

**Item 3: Criminal Justice Realignment: Imposition of Mandatory Supervision**

**RUPRO Action:** The Rules and Projects Committee approved the proposal for circulation for comment.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned.

Approved by the advisory body on November 5, 2014.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

September 12, 2014

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**Advisory Body Members Present:** Hon. Harry E. Hull (chair), Ms. Angela J. Davis, Hon. Emilie H. Elias, Hon. Morris D. Jacobson, Hon. Brian L. McCabe, and Ms. Mary Beth Todd

**Advisory Body Members Absent:** Hon. Judith Ashmann-Gerst (vice-chair), Hon. Dean T. Stout, and Hon. Charles D. Wachob

**Others Present:** Ms. Camilla Kieliger, Ms. Susan McMullan, Mr. Patrick O'Donnell and Ms. Anne Ronan

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DISCUSSION AND ACTION ITEMS

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**Item 1**

**Fee Waivers: Payments Over Time and Fees Included in Initial Fee Waiver** (amend rules 3.50, 3.51, 3.52, 3.55 and 8.818 and revise forms FW-0001, FW-001-INFO, FW-003, FW-008, APP-001, and APP-015/FW-015-INFO) (Action Required)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 28, 2014, consent agenda.

**Item 2**

**Minutes** (approve September 8, 2014, minutes) (Action Required)

**Action:** The Rules and Projects Committee approved the minutes.

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ADJOURNMENT

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There being no further business, the meeting was adjourned.

Approved by the advisory body on December 10, 2014.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

October 1, 2014

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**Advisory Body Members Present:** Hon. Brian L. McCabe (vice-chair), Mr. Richard D. Feldstein, Mr. James P. Fox, Hon. David E. Gunn, Ms. Debra Elaine Pole, Hon. Martin J. Tangeman, and Hon. Joan P. Weber.

**Advisory Body Members Absent:** Hon. Harry E. Hull (chair), Hon. Brian J. Back, and Hon. David Rosenberg.

**Others Present:** Hon. Mark Borrell, Ms. Camilla Kieliger, Ms. Susan McMullan, Mr. Patrick O'Donnell, Ms. Gabrielle Selden, and Mr. Courtney Tucker

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DISCUSSION AND ACTION ITEMS

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**Item 1**

**Traffic and Criminal Law: Notice to Appear Forms** (Amend Cal. Rules of Court, rule 4.103; revise forms TR-INST, TR-115, TR-120, TR-130; and adopt forms TR-135 and TR-145) (Action Required – Approval for circulation for comment)

**Action:** The Rules and Projects Committee approved the proposal for circulation for public comment.

**Item 2**

**Family Law: Petition and Response for Dissolution, Legal Separation, and Nullity of Marriage and Domestic Partnership** (Amend Cal. Rules of Court, rule 5.76; revise forms FL-100, FL-107-INFO, FL-110, FL-115, FL-117, and FL-120; revoke forms FL-103, and FL-123) (Action Required – Recommendation for Judicial Council action)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 28, 2014, consent agenda.

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ADJOURNMENT

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There being no further business, the meeting was adjourned.

Approved by the advisory body on December 10, 2014.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

October 2, 2014

E-Mail

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**Advisory Body Members Present:** Hon. Brian L. McCabe (vice-chair), Mr. Richard D. Feldstein, Mr. James P. Fox, Hon. David E. Gunn, Ms. Debra Elaine Pole, Hon. Martin J. Tangeman, and Hon. Joan P. Weber.

**Advisory Body Members Absent:** Hon. Harry E. Hull (chair), Hon. Brian J. Back, and Hon. David Rosenberg.

**Others Present:** Hon. Mark Borrell, Ms. Camilla Kieliger, Ms. Susan McMullan, Mr. Patrick O'Donnell, Ms. Gabrielle Selden, and Mr. Courtney Tucker

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DISCUSSION AND ACTION ITEMS

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Item 1

**Fee Waivers: Payments Over Time and Specific Fees Included in Waivers** (Amend Cal. Rules of Court, rules 3.50, 3.51, 3.52, 3.55, and 8.818; revise forms FW-001, FW-001-INFO, FW-002, FW-003, FW-005, FW-008, FW-012, APP-001, and APP-015/FW-015-INFO) (Action Required)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 28, 2014, consent agenda.

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ADJOURNMENT

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There being no further business, the meeting was adjourned.

Approved by the advisory body on December 10, 2014.





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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

November 5, 2014

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**Advisory Body Members Present:** Hon. Harry E. Hull (chair), Hon. Brian L. McCabe (vice-chair), Hon. Brian J. Back, Mr. James P. Fox, Hon. David E. Gunn, Ms. Debra Elaine Pole, Hon. David Rosenberg, Hon. Martin J. Tangeman, and Hon. Joan P. Weber

**Advisory Body Members Absent:** Mr. Richard D. Feldstein

**Others Present:** Mr. Arturo Castro, Hon. J. Richard Couzens, Mr. Bruce Greenlee, Mr. Mark Jacobson, Ms. Camilla Kieliger, Ms. Susan McMullan, and Mr. Patrick O'Donnell

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I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

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Call to Order and Roll Call

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II. DISCUSSION AND POSSIBLE ACTION ITEMS

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Item 1

**Judicial Administration: Subordinate Judicial Officers: Complaints and Notice Requirements** (Amend Cal. Rules of Court, rule 10.703) (Action Required – Recommend for action by the Judicial Council)

Presenter: Mark Jacobson

Item 2

**Criminal Justice Realignment: Imposition of Mandatory Supervision** (Amend Cal. Rules of Court, rules 4.411 and 4.411.5; adopt rule 4.415) (Action Required – Recommend for action by the Judicial Council)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's December 12, 2014, consent agenda for a January 1, 2015, effective date.

Item 3

**California Civil Jury Instructions (CACI)** (Approve Publication of Minor Revisions) (Action Required)

**Action:** The Rules and Projects Committee approved the proposed revisions, with judge Tangeman abstaining as chair of the Advisory Committee on Civil Jury Instructions.

**Item 4**

**California Civil Jury Instructions (CACI)** (Approve Publication of Legally Significant Additions and Revisions) (Action Required – Recommend for action by the Judicial Council)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council’s December 12, 2014, consent agenda, with judge Tangeman abstaining as chair of the Advisory Committee on Civil Jury Instructions. The following modifications will be included:

Instruction 2732: Under element 1, delete the last option “[*specify other exercise of rights provided by the Labor Code or local ordinance that is alleged to have caused defendant to retaliate against plaintiff*].” and make corresponding revision to the directions for use.

**Item 5**

**Minutes** (Approve August 19 and October 9, 2014, minutes) (Action Required)

**Action:** The Rules and Projects Committee approved the minutes.

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**III. ADJOURNMENT**

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There being no further business, the meeting was adjourned.

Approved by the advisory body on December 10, 2014.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

November 20, 2014

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**Advisory Body Members Present:** Hon. Harry E. Hull (chair), Hon. Brian L. McCabe (vice-chair), Hon. Brian J. Back, Mr. Richard D. Feldstein, Hon. David E. Gunn, Ms. Debra Elaine Pole, Hon. David Rosenberg, Hon. Martin J. Tangeman, and Hon. Joan P. Weber.

**Advisory Body Members Absent:** Mr. James P. Fox

**Others Present:** Hon. Mark Borrell, Ms. Bonnie Hough, Ms. Camilla Kieliger, Ms. Susan McMullan, Mr. Patrick O'Donnell, Ms. Nancy Taylor, Ms. Adrienne Toomey, and Mr. Courtney Tucker

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I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

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Call to Order and Roll Call

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II. DISCUSSION AND POSSIBLE ACTION ITEMS

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Item 1

**Judicial Administration: Rules for Advisory Groups** (Adopt Cal. Rules of Court, rules 10.65, 10.66, and 10.67 and amend rules 10.2 and 10.50; revise *Trial Court Facility Modifications Policy*) (Action Required)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's December 12, 2014, consent agenda for a January 1, 2015, effective date.

Item 2

**2015 Uniform Bail and Penalty Schedule** (Action Required – Recommendation to Judicial Council)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's December 12, 2014, consent agenda for a January 1, 2015, effective date.

Item 3

**Family Law: Technical Change to Response for Dissolution, Legal Separation and Nullity of Marriage and Domestic Partnership** (Action Required – Recommendation to Judicial Council)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's December 12, 2014, consent agenda for a January 1, 2015, effective date.

**Item 4**

**Military Service: *Notification of Military Status*** (amend MIL-100) (Action Required – Recommendation to Judicial Council)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's December 12, 2014, consent agenda for a January 1, 2015, effective date.

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**III. ADJOURNMENT**

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There being no further business, the meeting was adjourned.

Approved by the advisory body on December 10, 2014.