



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on June 25–26, 2015

Title	Agenda Item Type
Executive and Planning Committee Chair's Report	Information Only
Submitted by	Date of Report
Justice Douglas P. Miller, Chair Executive and Planning Committee	June 25, 2015
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Executive Summary

As outlined in the California Rules of Court, rule 10.11, the Executive and Planning Committee (E&P) oversees the council's meeting process and operating procedures, including agenda setting for council meetings, development of the council's long-range strategic plan for the judicial branch, and development of policies and procedures related to court facilities and communications with the branch. The committee is also charged with directing the nominations process for vacancies on the council and its advisory bodies and overseeing specific advisory bodies. This report summarizes the committee's activities since the last Judicial Council internal committee presentation presented during the council's January business meeting.

Overview of Committee Meetings

Since the April council meeting, the committee has met once by conference call on June 15 and completed one e-mail action on June 17. Additionally, the committee met jointly with the Rules and Projects Committee (RUPRO) on June 1. The committee will hold a closed meeting on June 25

before the council's business meeting to review nominations and determine its recommendations to the Chief Justice regarding advisory body vacancies.

Agenda Setting and Other Business

During its meeting and e-mail action, the committee set the consent, discussion, and informational agendas for the council's June 25–26 meetings. The committee also confirmed that the following council members will deliver their liaison reports on June 26 during the open business meeting:

- Justice Harry E. Hull, Jr. will report on the Superior Court of Glenn County;
- Judge David Rosenberg will report on the Superior Court of Amador County; and
- Judge Joan P. Weber will report on the Superior Court of Orange County.

The committee also conducted additional business as summarized below.

Appearance in Court for Traffic Infractions Without Deposit of Bail

E&P and RUPRO jointly reviewed and approved a proposal recommending that the Judicial Council adopt a new rule of court stating that courts must allow traffic infraction defendants to appear as promised for arraignment and trial without prior deposit of bail unless certain specified exceptions apply, and must provide defendants with notice of the option to appear in court for arraignment and trial without the deposit of bail in any instructions or other materials regarding bail provided by the court to the public. The rule was developed on an urgency basis at the request of the Chief Justice in response to recent concerns about court procedures for deposit of bail when defendants challenge infraction citations in court.

Subordinate Judicial Officer (SJO) Conversion for Superior Court of Tulare County

The committee confirmed the conversion of a vacant subordinate judicial officer (SJO) position in the Superior Court of Tulare County to a judgeship effective June 15, 2015. A commissioner vacated the SJO position on April 24, 2015, to accept an appointment by the Governor to a vacant judgeship on the court. The judicial officer appointed to the new judgeship will be assigned to the Juvenile Division to hear dependency and delinquency cases.

Amendment to the 2015 Annual Agenda of the Court Interpreters Advisory Panel

The committee approved an amendment to the 2015 annual agenda of the Court Interpreters Advisory Panel (CIAP) to include the development of a policy on the de-designation of a certified language from the California Court Interpreter Certification Program. On April 16, 2015, the committee approved CIAP's 2015 annual agenda as submitted, but also requested that CIAP amend its 2015 annual agenda to include the development of a de-designation policy. The need to establish a policy arose from the recommendation in the *2015 Language Need and Interpreter Use Study*, conducted by the National Center for State Courts (NCSC), to consider de-designation of Japanese and Portuguese.

Amendments to 2015 Annual Agenda of the Workload Assessment Advisory Committee

The committee approved amendments to 2015 annual agenda of the Workload Assessment Advisory Committee (WAAC), which added two new items: 1) the formation of a Child Support Commissioner and Family Law Facilitator Program Allocation Methodology Joint Subcommittee and 2) the creation of an Interim Caseweight for Complex Civil Cases in the Resource Assessment Study Model. During its April 17, 2015, meeting, the Judicial Council directed the Trial Court Budget Advisory Committee and the Family and Juvenile Law Advisory Committee to form a joint subcommittee to include members of WAAC and the Department of Child Support Services (DCSS) in order to reconsider the allocation methodology for the child support commissioner and family law facilitator program. During the same meeting, the council also directed WAAC to include the paid complex case fee filings in the Resource Assessment Study computation of workload need and assign to them an interim caseweight, pending the advisory committee's reviews of the weighting.

Board of State and Community Corrections (BSCC)

The committee reviewed the nomination of and developed its recommendation to the council for an appointment to the Board of State and Community Corrections (BSCC), an independent statutory agency that provides leadership to the adult and juvenile criminal justice systems and expertise on public safety realignment issues. Established on July 1, 2012 in Senate Bill 92 (Stats. 2011, Ch. 36), the BSCC is composed of 13 members including a judge appointed by the Judicial Council. The committee recommended the appointment of a retired judge rather than a sitting judge to avoid the risk of violating article VI, section 17 of the California Constitution, which prohibits a sitting judge from holding another public office.

Appointment to a Subcommittee of the Court Interpreters Advisory Panel

The committee reviewed and approved a request for the appointment of Mr. Stephen Cascioppo, Assistant Court Executive Officer, Superior Court of San Diego County, to the Professional Ethics and Standards Subcommittee of the Court Interpreters Advisory Panel (CIAP) for a two-year term.

Trial Court Security Grants Program: Alternative Funding Sources

The committee reviewed financial and statutory constraints identified by Finance staff for using one or more of the construction funds to support the Trial Court Security Grants Program and provided direction for reporting back to the council. During its April 2015 meeting, the council, effective July 1, 2015, approved eliminating, reducing, and deferring expenditures for specified projects funded from the State Trial Court Improvement and Modernization Fund (IMF), including the elimination of \$1.2 million for the Trial Court Security Grants Program. The council directed staff to explore utilizing alternative sources to fund Trial Court Security Grants.