



JUDICIAL COUNCIL OF CALIFORNIA

RULES AND PROJECTS
COMMITTEE

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RULES AND PROJECTS COMMITTEE

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING

June 1, 2015
Teleconference

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

RUPRO Members Absent: Hon. David De Alba.

E&P Members Present: Hon. Douglas P. Miller (chair), Hon. Marla O. Anderson, Hon. Judith Ashmann-Gerst, Hon. James R. Brandlin, Hon. Morris D. Jacobson, Ms. Donna D. Melby, Hon. Marsha Slough, Hon. Dean T. Stout, Ms. Mary Beth Todd, and Hon. Charles D. Wachob.

E&P Members Absent: Hon. David M. Rubin (vice-chair).

Others Present: Mr. Cliff Alumno, Hon. Mark Borrell, Ms. Deborah Brown, Ms. Nancy Carlisle, Mr. Arturo Castro, Ms. Roma Cheadle, Ms. Shelley Curran, Ms. Audrey Fancy, Mr. Bob Fleshman, Ms. Cristina Foti, Mr. Martin Hoshino, Ms. Camilla Kieliger, Mr. Patrick O'Donnell, Ms. Claudia Ortega, Ms. Jody Patel, Mr. Curt Soderlund, Mr. Zlatko Theodorovic, Mr. Courtney Tucker, and Ms. Julia Weber.

DISCUSSION AND ACTION ITEMS

Item 1

Traffic Procedures: Appearance without Deposit of Bail in Infraction Cases (adopt rule 4.105)
(Action Required – Recommend for Judicial Council action)

RUPRO Action: The Rules and Projects Committee approved the proposal as drafted with the following amendments:

Rule 4.105(d): Change the implementation date from August 15 to September 15; and

For clarification, add to the Advisory Comment:

Subdivision (a). The rule is intended to apply only to a traffic infraction violation of the Vehicle Code for which the defendant has received a written

notice to appear and has appeared by the appearance date or an approved extension of that date.

Subdivision (c)(2). As used in this subdivision, the phrase “written promise to appear as required by the court” refers to a signed promise, made by a defendant who has appeared in court, to return to court on a future date and time as ordered by the court.

The Rules and Projects Committee recommended approval on the Judicial Council’s June 8, 2015, discussion agenda to be effective immediately.

E&P Action: The Executive and Planning Committee approved the proposal for the Judicial Council June 8, 2015, discussion agenda.

Item 2

Addition of Joint Subcommittees to Annual Agendas: Child Support Commissioner and Family Law Facilitator Program Allocation Methodology Joint Subcommittee and the Juvenile Dependency: Court-Appointed-Counsel Funding Allocation Methodology Joint Subcommittee
(Action Required)

Action: The Executive and Planning Committee approved the addition of two subcommittees and the necessary update to the 2015 Family and Juvenile Law Advisory Committee Annual Agenda and the 2015 Trial Court Budget Advisory Committee Annual Agenda.

A D J O U R N M E N T

There being no further business, the meeting was adjourned.

Approved by the Rules and Projects Committee on July 30, 2015.

Approved by the Executive and Planning Committee on August 10, 2015.



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EXECUTIVE AND
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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

Monday, June 15, 2015

12:10 to 1:10 p.m.

Teleconference

Advisory Body Members Present: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Judges Marla O. Anderson, James R. Brandlin, Marsha G. Slough, Dean T. Stout, Charles D. Wachob; and Ms. Donna D. Melby and Ms. Mary Beth Todd

Advisory Body Members Absent: Judge Morris D. Jacobson

Invited Guests Present: Judge Laurie M. Earl, Superior Court of California, County of Sacramento; and Ms. Christina M. Volkers, Court Executive Officer, County of San Bernardino

Committee Staff Present: Ms. Nancy Carlisle

Staff Present: Mr. Cliff Alumno, Ms. Gwen Arafles, Ms. Deborah Brown, Ms. Roma Cheadle, Mr. Oliver Cheng, Ms. Deana Farole, Ms. Cristina Foti, Mr. Bruce Greenlee, Mr. Michael Guevara, Ms. Donna Hershkowitz, Ms. Madelynn McClain, Mr. Patrick McGrath, Ms. Susan McMullan, Ms. Debora Morrison, Mr. Bruce Newman, Mr. Patrick O'Donnell, Mr. Gerald Pfab, Ms. Catharine Price, Ms. Anne Ronan, Mr. Eric Schurpfeil, Ms. Sonia Sierra-Wolf, Mr. Curt Soderlund, Mr. Zlatko Theodorovic, and Ms. Martha Wright

OPEN 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 advisory body approved the minutes of the April 7 and 16, 2015, meetings and the April 30 and May 11, 2015, e-mail actions of the Executive and Planning Committee.

DISCUSSION AND ACTION ITEMS (ITEMS 1-6)

Item 1

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

The committee reviewed a staff recommendation to confirm the conversion of a vacant subordinate judicial officer (SJO) position in the Superior Court of Tulare County to a judgeship.

A commissioner vacated the SJO position on April 24, 2015, to accept an appointment by the Governor to a vacant judgeship in the court.

Action: *The committee confirmed the conversion of a vacant SJO position in the Superior Court of Tulare County to a judgeship effective June 15, 2015. The judicial officer appointed to the new judgeship will be assigned to the Juvenile Division to hear dependency and delinquency cases.*

Item 2

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

The committee reviewed a proposed amendment to the 2015 annual agenda of the Court Interpreters Advisory Panel (CIAP) to include, as directed by E&P during its April 16 meeting, the development of a policy on the de-designation of a certified language from the California Court Interpreter Certification Program. The need to establish a de-designation 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.

Action: *The committee approved the amendment above to CIAP's 2015 annual agenda.*

Item 3

Amendments to the 2015 Annual Agenda of the Workload Assessment Advisory Committee

The committee reviewed amendments to the 2015 annual agenda of the Workload Assessment Advisory Committee (WAAC) adding two new items, as directed by the Judicial Council during its April 17, 2015, meeting: 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 Resource Assessment Study Model.

Action: *The committee approved the two amendments above to WAAC's 2015 annual agenda.*

Item 4

Trial Court Security Grants Program: Alternative Funding Sources

The committee reviewed financial or statutory constraints identified by Finance staff for using one or more of the construction funds to support the Trial Court Security Grants Program. During its April 2015 meeting, the Judicial 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.

Action: *The committee requested follow up by Legal Services on the issue of statutory requirements, if any, for using construction funds to support the Trial Court Security Grants Program ("program") and also by the Trial Court Facilities Modification Advisory Committee (TCFMAC), Trial Court Presiding Judges Advisory Committee, Court Security Advisory Committee, and Trial Court Budget Advisory Committee, as appropriate, with a report back on resulting recommendations.*

Item 5**Agenda Setting for the June 25–26, 2015, Judicial Council Meeting**

The committee reviewed available draft reports and set the agenda for the Judicial Council meeting in June.

Action: *The committee approved the following items for placement on the June Judicial Council business meeting agenda:*

- *Fiscal Year 2015–2016 Judicial Branch Budget (No Materials and No Action Required)*
- *Judicial Council: Implementation of Judicial Council Directives on Judicial Council Staff Restructuring (No Action Required)*
- *Judicial Branch Workers' Compensation Program (JBWCP): Allocation Methodology (Action Required)*
- *Trial Courts: Resource Assessment Study Model Interim Complex Civil Caseweight (Action Required)*
- *Jury Instructions: New, Revised, Renumbered, and Revoked Civil Jury Instructions and Verdict Forms (Action Required)*
- *Small Claims: Technical Revisions to Forms to Conform to Statutory Change (Action Required)*
- *Criminal Procedure: Update Judicial Council Misdemeanor Domestic Violence Plea Form Citations (Action Required)*
- *Court Facilities: Sale of Equity Interest in Chino Courthouse as Surplus Property (Action Required)*
- *Court Facilities: Transfer of Judicial Council's Equity Interest in Independence Courthouse (Action Required)*
- *Judicial Branch Administration: Judicial Branch Contracting Manual (Action Required)*
- *Report to the Legislature: 2015 Language Need and Interpreter Use Study (Action Required)*
- *Trial Courts: Children's Waiting Room Policy (Action Required)*
- *Trial Courts: Recidivism Reduction Fund Court Grant Program, Phase II Recommended Awards (Action Required)*
- *Court Facilities: Courtroom Layouts (Action Required)*
- *Court Facilities: Water Conservation Policy (Action Required)*
- *Trial Courts: Impact to Trial Court Funding under the Workload-Based Allocation and Funding Methodology (No Action Required)*
- *Trial Courts: 2015–2016 Allocation Using the Workload-Based Allocation and Funding Methodology (Action Required)*
- *Trial Court Allocation: Restoration of Benefits Funding in 2015–2016 (Action Required)*
- *Budget: Fiscal Year 2016–2017 Budget Requests for Trial Courts (Action Required)*

- ***Trial Courts: State Trial Court Improvement and Modernization Fund Allocations in Fiscal Year 2015–2016 for the V3 Case Management System and Intermediate Case Management Systems Programs (Action Required)***
- ***Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code, § 68106—Report No. 31) (Information Only)***
- ***Court Facilities: Trial Court Facility Modification Quarterly Activity Report for Quarter 3 of Fiscal Year 2014–2015 (Information Only)***
- ***Trial Courts: Quarterly Investment Report for First Quarter of 2015 (Information Only)***

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 1:05 p.m.

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

Item 7

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

Requests for Appointments

The committee reviewed 1) a request for an appointment to a subcommittee of a Judicial Council advisory body and 2) a request for a statutorily mandated appointment by the Judicial Council to the Board of State and Community Corrections (BSCC).

Action: The committee 1) approved the request for an appointment to a subcommittee of a Judicial Council advisory body and 2) developed its recommendation to be sent to the Judicial Council regarding an appointment to the BSCC.

Item 8

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

Non-final Audit Reports

The committee reviewed available non-final audit reports and continued to set the agenda for the Judicial Council meeting in June.

Action: The committee approved two non-final audit reports for placement on the June Judicial Council business meeting agenda.

Adjourned closed session at 1:20 p.m.

Approved by the advisory body on June 25, 2015.



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EXECUTIVE AND PLANNING COMMITTEE (E&P)

MINUTES OF ACTION BY E-MAIL

Thursday, June 18, 2015

Action by E-Mail

Advisory Body Members Who Participated:	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. Donna D. Melby and Ms. Mary Beth Todd
Advisory Body Members Who Did Not Participate:	None
Committee Staff:	Ms. Jody Patel and Ms. Nancy Carlisle

DISCUSSION AND ACTION ITEM

Proposals for Review

The committee reviewed and considered the following draft reports for placement on the Consent Agenda of the June 25–26, 2015, Judicial Council business meeting:

- 1. Item A4 – Traffic: Payment and Forfeiture of Bail in Installments (Action Required)**
The Traffic Advisory Committee recommends revision of form TR-300, *Agreement to Pay and Forfeit Bail in Installments*. On June 8, 2015, in connection with adopting rule 4.105 of the California Rules of Court to govern the imposition of bail in traffic infraction cases when a defendant appears as promised, the Judicial Council directed the Traffic Advisory Committee to consider proposals to revise Judicial Council traffic infraction forms related to bail to be consistent with rule 4.105 and promote access to justice in traffic infraction cases.
- 2. Item A5 – Traffic: Notice to Appear Forms for Traffic and Nontraffic Citations (Action Required)**
The Traffic Advisory Committee recommends that the Judicial Council revise current Notice to Appear forms and adopt new electronic Notice to Appear forms for traffic and nontraffic citations to improve the uniformity of the content of statewide Notice to Appear forms. The committee also recommends amending rule 4.103 to require law enforcement agencies to submit copies of electronic citation forms to the Judicial Council to ensure compliance. These recommendations were developed at the request of courts to promote electronic filing of Notice to Appear forms and reduce concerns about the validity of the

forms as complaints. In addition, the recommended forms are consistent with recently adopted rule 4.105, which sets forth bail requirements in traffic infraction matters.

Action: *The committee approved the reports above for the Consent Agenda of the June Judicial Council business meeting. The committee chair concluded that prompt action by e-mail was necessary in order for them to be included on the June business meeting agenda.*

CLOSURE OF ACTION

The action by e-mail concluded on Monday, June 22, 2015.

Approved by the advisory body on June 25, 2015.



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF CLOSED MEETING

Thursday, June 25, 2015

10:00 a.m. to 1:30 p.m.

Advisory Body Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Judges
Members Present: Marla O. Anderson, James R. Brandlin, Morris D. Jacobson, Marsha G. Slough,
Dean T. Stout, Charles D. Wachob; and Ms. Donna D. Melby (by phone) and
Ms. Mary Beth Todd

Advisory Body Justice Douglas P. Miller (Chair)
Members Absent:

Committee Staff No staff present.
Present:

CLOSED SESSION

Call to Order and Roll Call

The vice chair, as acting chair for this meeting, called the meeting to order at 10:00 a.m. and took roll call.

Approval of Minutes

The committee reviewed and approved the minutes of the June 15, 2015, meeting, and June 17, 2015, e-mail action of the Executive and Planning Committee.

Item 1

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

Advisory Body Appointments

The committee reviewed nominations for vacancies on the following advisory bodies:

- Advisory Committee on Civil Jury Instructions
- Advisory Committee on Criminal Jury Instructions
- Advisory Committee on Providing Access and Fairness
- Appellate Advisory Committee
- Civil and Small Claims Advisory Committee
- Collaborative Justice Courts Advisory Committee
- Court Executives Advisory Committee
- Court Interpreters Advisory Panel
- Court Security Advisory Committee
- Court Technology Advisory Committee
- Criminal Law Advisory Committee

- Family and Juvenile Law Advisory Committee
- Governing Committee of the Center for Judicial Education and Research
- Judicial Branch Workers Compensation Advisory Committee
- Legal Services Trust Fund Commission
- Probate & Mental Health Advisory Committee
- Traffic Advisory Committee
- Trial Court Budget Advisory Committee
- Trial Court Facility Modifications Advisory Committee
- Tribal Court-State Court Forum
- Workload Assessment Advisory Committee

Action: The committee deferred until August submission of its recommendations to the Chief Justice regarding vacancies on the advisory bodies listed above.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:30 p.m.

Approved by the committee on August 10, 2015.



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING

Wednesday, July 15, 2015

12:10 to 1:10 p.m.

Teleconference

Advisory Body Members Present: Justice Douglas P. Miller (Chair); Justice Judith Ashmann-Gerst; Judges James R. Brandlin, Marsha G. Slough, Dean T. Stout, Charles D. Wachob; and Ms. Donna D. Melby and Ms. Mary Beth Todd

Advisory Body Members Absent: Judge David M. Rubin (Vice Chair); and Judges Marla O. Anderson and Morris D. Jacobson

Invited Guests Present: Judge Laurie M. Earl, Superior Court of California, County of Sacramento

Committee Staff Present: Ms. Jody Patel

Staff Present: Mr. Cliff Alumno, Mr. Patrick Ballard, Ms. Deborah Brown, Ms. Roma Cheadle, Ms. Shelley Curran, Mr. Edward Ellistad, Ms. Cristina Foti, Ms. Anna Maves, Ms. Susan McMullan, Mr. Douglas Miller, Ms. Diane Nunn, Mr. Patrick O'Donnell, Mr. Curt Soderlund, Ms. Nancy Taylor, and Mr. Zlatko Theodorovic

OPEN 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.

DISCUSSION AND ACTION ITEMS

Agenda Setting for the July 28, 2015, Judicial Council Meeting

The committee reviewed available draft reports and set the agenda for the Judicial Council meeting in July.

Action: *The committee approved the following items, in the order listed, for placement on the July Judicial Council business meeting agenda:*

- **Civil Practice and Procedure: Adjustment of Maximum Amount of Imputed Liability of Parent or Guardian for Tort of a Minor (Action Required)**
- **Probate: Court Fee Waivers in Decedents' Estates, Guardianships, and Conservatorships and for Wards and Conservatees Participating in Civil Actions (Action Required)**

- ***Child Support: Revise Base Funding Allocation for Fiscal Year 2015–2016 for the Family Law Facilitator Program (Action Required)***
- ***Collaborative Justice: Funding for Parolee Reentry Court Programs through the California Department of Corrections and Rehabilitation (Action Required)***
- ***Judicial Branch Administration: Final Report on Directive 125 (Action Required)***
- ***Report to the Legislature: Findings from Senate Bill 678 (California Community Corrections Performance Incentives Act of 2009) Program (Action Required)***
- ***Summit Report to Promote Diversity in the California Judiciary (Action Required)***
- ***Budget: Fiscal Year 2016–2017 Budget Request for the Trial Courts (Action Required)***
- ***Trial Court Allocations: Funding for General Court Operations and Specific Costs in Fiscal Year 2015–2016 (Action Required)***
- ***Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code, § 68106—Report No. 2) (Information Only)***

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:20 p.m.

Approved by the committee on August 10, 2015.



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING

Monday, August 10, 2015

12:10 to 1:10 p.m.

Teleconference

Advisory Body Members Present:	Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Judges James R. Brandlin, Marsha G. Slough, Dean T. Stout, and Charles D. Wachob; and Ms. Donna D. Melby and Ms. Mary Beth Todd
Advisory Body Members Absent:	Justice Douglas P. Miller (Chair); and Judges Marla O. Anderson and Morris D. Jacobson
Guests Present:	Justice Mariano-Florentino Cuéllar, Supreme Court of California; Justice Brad R. Hill, Court of Appeal, Fifth Appellate District; Judge Manuel J. Covarrubias, Superior Court of Ventura County; Judge Laurie M. Earl, Superior Court of Sacramento County; Judge James E. Herman, Superior Court of Santa Barbara County; and Judge David Edwin Power, Superior Court of Solano County
Committee Staff Present:	Ms. Jody Patel and Ms. Nancy Carlisle
Staff Present:	Mr. Cliff Alumno, Ms. Deborah Brown, Ms. Dianne Bolotte, Ms. Eunice Calvert-Banks, Mr. Steven Chang, Ms. Roma Cheadle, Ms. Jessica Craven, Ms. Cristina Foti, Mr. Bob Fleshman, Ms. Tara Lundstrom, Mr. Patrick McGrath, Ms. Leslie Miessner, Mr. Patrick O'Donnell, Mr. Curt Soderlund, and Mr. Zlatko Theodorovic

OPEN MEETING

Call to Order and Roll Call

The vice chair, as acting chair for this meeting, 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 following meetings:

- June 1, 2015, joint meeting of the Executive and Planning Committee and Rules and Projects Committee;
- June 25, 2015, Executive and Planning Committee meeting; and
- July 15, 2015, Executive and Planning Committee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1–3)

Item 1

2015 Annual Agenda of the Language Access Plan Implementation Task Force

The committee reviewed a draft of the 2015 annual agenda of the Language Access Plan Implementation Task Force.

Action: *The committee approved the 2015 annual agenda of the Language Access Plan Implementation Task Force.*

Item 2

Amendment to the 2015 Annual Agenda of the Trial Court Budget Advisory Committee

The committee reviewed a proposed amendment to the 2015 annual agenda of the Trial Court Budget Advisory Committee (TCBAC) to include a joint working group with the Judicial Council Technology Committee (JCTC). During its April 17, 2015, meeting, the Judicial Council approved the phasing out of judicial branch subsidies for the V3 case management system by June 30, 2019, and the formation of a joint working group comprised of members of JCTC and TCBAC to work together on the source of funding from July 1, 2016, through June 30, 2019.

Action: *The committee approved the amendment above to TCBAC's 2015 annual agenda.*

Item 3

Agenda Setting for the August 20–21, 2015, Judicial Council Meeting

The committee reviewed available draft reports and set the agenda for the Judicial Council meeting in August.

Action: *The committee approved the following items for placement on the August Judicial Council business meeting agenda:*

- *Five-Year Master Plan—Deferred Maintenance Report Fiscal Year 2015–2016 (Action Required)*
- *Court Facilities: Budget Allocations for Statewide Trial Court Facility Modifications and Planning in Fiscal Year 2015–2016 and Related Matters (Action Required)*
- *Budget: Fiscal Year 2016–2017 Budget Requests for Trial Court Facilities Operations Needs (Action Required)*
- *Judicial Branch Administration: Report on California Rules of Court, rule 10.75 (Meetings of Advisory Bodies) (Action Required)*
- *Judicial Administration: Implementation of Court Technology Governance and Strategic Plan (Action Required)*
- *Judicial Council Distinguished Service Award and the Aranda Access to Justice Award: 2015 Honorees (No Materials and No Action Required)*
- *Jury Instructions: Revisions to Criminal Jury Instructions (Action Required)*
- *Trial Courts: Permanent Authorization for Remote Video Proceedings and Implementation of Rule 4.105 in Traffic Infraction Cases (Action Required)*

- ***Judicial Branch Contract Reporting Requirement: Executed Contracts and Vendor Payments From January 1 through June 30, 2015 (Action Required)***
- ***Court Facilities: Sale of Equity Interest in Banning Courthouse as Surplus Property (Action Required)***
- ***Court Facilities: Naming Request for the Merced–New Los Banos Courthouse (Action Required)***
- ***Court Facilities: Senate Bill 1407 Project Funding Requests and Judicial Branch AB 1473 Five-Year Infrastructure Plan for Fiscal Year 2016–2017 (Action Required)***
- ***Judicial Council: Court Public Parking Management Policy (Action Required)***
- ***Trial Courts: State Trial Court Improvement and Modernization Fund Allocation Adjustments for Fiscal Year 2015–2016 (Action Required)***
- ***Subordinate Judicial Officers: Update of Subordinate Judicial Officer Conversions Using More Current Workload Data (Action Required)***
- ***Judicial Council: Implementation of Judicial Council Directives on Judicial Council Staff Restructuring (Information Only)***
- ***Trial Courts: Annual Investment Report for Fiscal Year 2014–2015 (Information Only)***
- ***Court Facilities: Trial Court Facility Modification Quarterly Activity Report for Quarter 4 of Fiscal Year 2014–2015 (Information Only)***
- ***Trial Courts: Court Realignment Data (Calendar Year 2014) (Information Only)***

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:00 p.m.

Approved by the advisory body on August 13, 2015.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

February 3, 2015

E-Mail

Advisory Body Members Present: Hon. Harry E. Hull (chair), Hon. Brian L. McCabe (vice-chair), Hon. David De Alba, Mr. Richard D. Feldstein, Mr. James P. Fox, Hon. David E. Gunn, Hon. David Rosenberg, Hon. Martin J. Tangeman, and Hon. Joan P. Weber.

Advisory Body Members Absent: Hon. Brian J. Back and Ms. Debra Elaine Pole.

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

DISCUSSION AND ACTION ITEMS

Item 1

Fee Waivers: Change in Federal Poverty Guidelines, Revisions to Application Form, and Specific Fees Included in Waivers (amend rules 3.52, 3.55, and 8.818; revise FW-001, FW-001-INFO, FW-002, FW-003, FW-005, FW-008, FW-012, APP-001, and APP-015/FW-015-INFO)

Action: The Rules and Projects Committee recommended approval of the proposal on the Judicial Council's February 19, 2015, consent agenda, to be effective March 1, 2015 (for FW-001 only) and July 1, 2015.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Approved by the advisory body on July 30, 2015.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

February 25, 2015
EMail

Advisory Body Hon. Harry E. Hull (chair), Hon. Brian L. McCabe (vice-chair), Hon. David De
Members Present: Alba, Mr. Richard D. Feldstein, Mr. James P. Fox, Hon. David Rosenberg, Hon.
Martin J. Tangeman, and Hon. Joan P. Weber.

Advisory Body Hon. Brian J. Back, Hon. David E. Gunn, and Ms. Debra Elaine Pole.
Members Absent:

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

DISCUSSION AND ACTION ITEMS

Item 1

Request to Waive Court Fees: Technical amendment (revise FW-001)

Action: The Rules and Projects Committee recommended approval of the technical
change.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Approved by the advisory body on July 30, 2015.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

March 20, 2015

12:10 p.m.

Teleconference

Advisory Body Members Present: Hon. Brian L. McCabe (vice-chair), Hon. Brian J. Back, Mr. Richard D. Feldstein, Mr. James P. Fox, Hon. David E. Gunn, and Hon. Martin J. Tangeman.

Advisory Body Members Absent: Hon. Harry E. Hull (chair), Hon. David De Alba, Ms. Debra Elaine Pole, Hon. David Rosenberg, and Hon. Joan P. Weber.

Others Present: Ms. Heather Anderson, Ms. Audrey Fancy, Mr. Mark Jacobson, Ms. Camilla Kieliger, Ms. Susan McMullan, Mr. Douglas C. Miller, Mr. Patrick O'Donnell, Ms. Claudia Ortega, Ms. Anne Ronan, Ms. Katherine Sher, Ms. Adrienne Toomey, and Ms. Carrie Zoller

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:19 p.m., and took roll call.

DISCUSSION AND ACTION ITEMS

Item 1

Probate/Guardianship – Fee Waivers (adopt Cal. Rules of Court, rule 7.5; amend rules 3.50–3.53 and 8.26; adopt forms FW-001-GC, FW-002-GC, FW-003-GC, FW-005-GC, FW-006-GC, FW-007-GC, FW-008-GC, FW-010-GC, FW-011-GC, FW-012-GC, and APP-016-GC/FW-016-GC; revise forms FW-001-INFO and APP-015/FW-015-INFO)

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

Item 2

Civil Forms: Notice of Application for Recognition and Entry of Tribal Court Money Judgment (adopt form EJ-115)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda.

Item 3

Civil Forms: Confidential Information Form (adopt form MC-125)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda.

Item 4

Judicial Administration: Changes to Delegations in Rules of Court (amend rules 10.70, 10.101, and 10.804)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda with the following changes:
Page 7, line 13: Finance ~~division~~

Item 5

Judicial Branch Education: Court Executive Officers Education (amend rule 10.473)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda.

Item 6

Trial Courts: Reporting of Reciprocal Assignment Orders (amend rule 10.630)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda.

Item 7

Temporary Judges: Reporting on Use of Attorneys as Court-Appointed Temporary Judges (amend rules 2.810 and 10.742)

Action: The Rules and Projects Committee deferred a decision on this item until further study can be undertaken regarding the use and availability of relevant data.

Item 8

Subordinate Judicial Officers: Complaints and Notice Requirements (amend rule 10.703)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda.

Item 9

Military Service: Notification of Military Status (amend MIL-100)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda.

Item 10

Domestic Violence and Family Law: Technical Changes to Forms (revise forms DV-600, FL-800, FL-810, and FL-830)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda.

Item 11

Withdrawn from the agenda

Item 12

Forms: Miscellaneous Technical Amendments (revise forms CR-110/JV-790, CR-111/JV-791, CR-132, DE-305, FL-530, FL-615, FL-625, FL-630, FL-632, FL-665, FL-676, FL-676-INFO, FL-687, FL-692, and GC-350)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 17, 2015, consent agenda.

Item 13

Minutes (December 10, 2014, January 26, 2015, February 6, 2015, and February 13, 2015)

Action: The Rules and Projects Committee approved the minutes.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:12 p.m.

Approved by the advisory body on July 30, 2015.



JUDICIAL COUNCIL OF CALIFORNIA

RULES AND PROJECTS
COMMITTEE

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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

April 15, 2015

11:00 a.m.

Judicial Council Conference Center

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

Others Present: Ms. Heather Anderson, Ms. Kerry Doyle, Ms. Audrey Fancy, Mr. Bruce Greenlee, Ms. Eve Hershkopf, Ms. Tracy Kenny, Ms. Camilla Kieliger, Ms. Tara Lundstrom, Ms. Susan McMullan, Mr. Douglas C. Miller, Mr. Patrick O'Donnell, Ms. Claudia Ortega, Ms. Anne Ronan, Ms. Gabrielle Selden, Mr. Corby Sturges, Hon. John Sugiyama, Mr. Courtney Tucker, Ms. Julia Weber, and Ms. Kyanna Williams.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 11:00 a.m., and took roll call.

DISCUSSION AND ACTION ITEMS (ITEMS X-X)

Item 1

Criminal Procedure: Petition and Order for Dismissal (revise forms CR-180 and CR-181)

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

Item 2

Criminal Procedure: Petition and Order for Dismissal (Military Personnel) (approve forms CR-183 and CR-184)

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

Item 37

Criminal Procedure: Update Judicial Council Misdemeanor Domestic Violence Plea Form Citations (revise form CR-102)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 26, 2015, consent agenda, for an effective date of July 1, 2015.

Item 3

Probate Conservatorship: Judicial Council forms to implement the California Conservatorship Jurisdiction Act (revise form GC-310; adopt forms GC-360, GC-361, and GC-362)

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

Item 4

Special Immigrant Juvenile Predicate Findings (adopt rule 7.1020; adopt forms FL-317, FL-357/GC-224/JV-357, GC-220, and JV-317; revoke forms GC-224 and JV-224)

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

Item 5

Family and Juvenile Law: Juvenile Court Final Custody Orders (amend rules 5.475, 5.620, 5.700, 5.790; approve form JV-206; revise forms JV-200 and JV-205)

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

Item 6

Family Law: New Form and Revisions to Forms for Stepparent and Additional-Parent Adoptions (approve form ADOPT-205; revise forms ADOPT-050, ADOPT-200, ADOPT-210, and ADOPT-215)

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

Item 7

Juvenile Law: Sealing of Records (adopt rule 5.840; amend rule 5.830; adopt forms JV-595, JV-595-INFO, and JV-596; revise forms JV-590 and JV-600)

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

Item 8

Juvenile Law: Extended Foster Care (amend rules 5.555, 5.707, 5.812, and 5.906; revise forms JV-367, JV-464-INFO, JV-466, JV-470, and JV-472)

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

Item 9

Juvenile Delinquency: Documenting Wobbler Determination (revise form JV-665)

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

Item 10

Juvenile Law: Proceedings Before a Referee (amend rule 5.538)

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

Item 11

Juvenile Law: Detention (amend rules 5.502, 5.760, and 5.790; revise forms JV-642 and JV-667)

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

Item 12

Juvenile Law: Substance Abuse Treatment Facilities and Placement (amend rules 5.674, 5.676, 5.678, and 5.708)

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

Item 13

Juvenile Law: Sibling Visitation (amend rules 5.570, 5.708, and 5.810; revise forms JV-183, JV-185, and JV-403)

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

Item 14

Family and Juvenile Law: Transfers of Indian Child Welfare Act (ICWA) proceedings to Tribal Court (amend rules 5.483, 5.590, and 8.406; adopt rule 8.418; amend forms ICWA-060 and JV-800)

Action: The Rules and Projects Committee approved the proposal for circulation with the following revisions:

Add to the Invitation to Comment the question of whether the requirement for a 12 day delay between the making of the order to transfer and the dismissal and order transferring physical custody contemplated by proposed rule 5.483(3) can be accomplished by a rule of court or if legislation would be required.

Item 15

Domestic Violence—Request to Modify or Terminate Domestic Violence Restraining Orders; Family Law—Changes to Request for Order Rules and Forms (amend rules 5.12, 5.62, 5.63, 5.92, 5.94, 5.151; adopt forms DV-400, DV-400-INFO, FL-303, and FL-320-INFO; revise forms DV-130, DV-200, DV-250, FL-300, FL-300-INFO, FL-305, FL-306, FL-311, FL-312, FL-320, FL-336, FL-337, FL-341, FL-341(B), FL-341(C), FL-341(D), and FL-341(E))

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

Item 16

Domestic Violence Law—Get Ready for the Restraining Order Court Hearing (revise DV-520-INFO)

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

Item 17

Appellate Procedure: Record on Appeal—Civil Cases (revise forms APP-003, APP-010, APP-103, and form APP-110)

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

Item 18

Electronic Service: Authorization of Electronic Service on Trial and Appellate Courts (amend rules 2.251 and 8.71)

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

Item 19

Appellate Procedure: Access to Electronic Appellate Court Records (adopt rules 8.80 – 8.85)

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

Item 20

Appellate Procedure: Prehearing Conferences (amend rule 8.248)

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

Item 21

Appellate Procedure: Contents of Normal Record in Felony Appeals (amend rules 8.320 and 8.324)

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

Item 22

Appellate: Appendixes (amend rule 8.124)

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

Item 23

Appellate Procedure: Costs on Appeal (amend rule 8.278, and revise form MC-013)

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

Item 24

Small Claims Writs: New Procedures to Implement Code of Civil Procedure section 116.798

(amend rule 8.930; adopt rules 8.970-8.977; revise forms APP-150 INFO and APP-151 and adopt forms SC-300 and 300 INFO)

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

Item 25

Civil Practice and Procedure: Evidentiary Objections in Summary Judgment Proceedings (amend rules 3.1350 and 3.1354)

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

Item 26

Civil Cases: Continued Suspension of Case Management Rule (amend rule 3.720)

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

Item 27

Civil Forms: Proof of Service (revise POS-040)

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

Item 36

Telephone Appearances: Notice for Ex Parte Appearances and Notice Form (amend rule 3.670; revise form CIV-020)

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

Item 28

Civil Forms: Gun Restraining Orders (amend rule 3.1152, and adopt forms EPO-002, GV-100, GV-100-INFO, GV-109, GV-110, GV-120, GV-120-INFO, GV-130, GV-200, GV-200 INFO, GV-250, GV-600, GV-610, GV-620, GV-630, GV-700, GV-710, GV-720, GV-730, GV-800, and GV-800-INFO)

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

Item 29

California Civil Jury Instructions (minor, non-substantive revisions)

Action: The Rules and Projects Committee approved the revisions.

Item 30

California Civil Jury Instructions (minor, non-substantive revisions)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 26, 2015, consent agenda.

Item 31

Temporary Judges: Reporting on Use of Attorneys as Court-Appointed Temporary Judges (amend rules 2.810 and 10.742)

Information only; no action required

Item 32

Trial Court Management: Public Access to Administrative Decisions of Trial Courts (amend rule 10.620)

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

Item 33

Trial Courts: Permanent Authorization for Remote Video Proceedings in Traffic Infraction Cases (amend rule 4.220; revise form TR-500-INFO)

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

Item 34

Rules Modernization Project: Modernize the Rules of Court to Facilitate E-Business, E-Filing, and E-Service

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

Item 35

Judicial Branch Administration: Changes to Replace the Names “Administrative Office of the Courts” and “AOC”

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

Item 38

Judicial Administration: Rule for Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (amend rule 10.63)

Action: The Rules and Projects Committee approved the proposal for circulation with the following revisions:

(b)(1): “any proposed budget change concepts proposals”

The Invitation to Comment should clarify that the proposal is not meant to narrow, but to expand role of the advisory committee in the review process

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:15 p.m.

Approved by the advisory body on July 30, 2015.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

April 22, 2015

E-Mail

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

Others Present: Mr. Bruce Greenlee, Ms. Camilla Kieliger, Ms. Susan McMullan, and Mr. Patrick
O'Donnell.

DISCUSSION AND ACTION ITEMS

Item 1

**Civil Jury Instructions (CACI): revise No. 3020, *Excessive Use of Force—Unreasonable Arrest or
Other Seizure—Essential Factual Elements***

Action: The Rules and Projects Committee recommended approval of the technical
change.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Approved by the advisory body on July 30, 2015.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

May 8, 2015
Teleconference

Advisory Body Members Present: Hon. Harry E. Hull (chair), Hon. Brian L. McCabe (vice-chair), Hon. Brian J. Back, Hon. David De Alba, Mr. Richard D. Feldstein, Hon. David Rosenberg, and Hon. Martin J. Tangeman.

Advisory Body Members Absent: Mr. James P. Fox, Hon. David E. Gunn, Ms. Debra Elaine Pole, and Hon. Joan P. Weber.

Others Present: Ms. Jessica Craven, Ms. Tara Lundstrom, Ms. Susan McMullan, and Mr. Patrick O'Donnell.

DISCUSSION AND ACTION ITEMS

Item 1

Judicial Administration: Implementation of the Technology Planning Task Force's Court Technology Governance and Strategic Plan (Action Required – Approval for circulation for comment)

Action: The Rules and Projects Committee approved the proposal for circulation for comment with the following change:

Add to the request for specific comments the question “How likely is it that courts could make their technology experts and program managers available to participate in workstreams?”

ADJOURNMENT

There being no further business, the meeting was adjourned.

Approved by the advisory body on July 30, 2015.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

May 11, 2015

E-Mail

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

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

DISCUSSION AND ACTION ITEMS

Item 1

**Judicial Administration: Rule for Advisory Committee on Financial Accountability and Efficiency
for the Judicial Branch** (amend rule 10.63)

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

Item 2

Small Claims: Technical Revisions to Forms to Conform to Statutory Change (revise forms SC-100
and SC-100 INFO)

Action: The Rules and Projects Committee recommended approval of this technical
change on the Judicial Council's June 26, 2015, consent agenda, with an
effective date of July 1, 2015.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Approved by the advisory body on July 30, 2015.



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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

June 15, 2015

E-Mail

Advisory Body Members Present: Hon. Harry E. Hull (chair), Hon. Brian J. Back, Hon. David De Alba, Mr. James P. Fox, Hon. David E. Gunn, Hon. David Rosenberg, and Hon. Martin J. Tangeman.

Advisory Body Members Absent: Hon. Brian L. McCabe (vice-chair), Mr. Richard D. Feldstein, Ms. Debra Elaine Pole, and Hon. Joan P. Weber.

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

DISCUSSION AND ACTION ITEMS

Item 1

Criminal Law Advisory Committee 2015 Annual Agenda: Consider adding two projects:

1. Consider recommendations, consistent with rule 4.105, to provide for appearances at arraignment and trial without the deposit of bail in non-traffic infraction cases; and
2. Consider rule, form, or other recommendations necessary to promote access to justice in all infraction cases, including recommendations related to post-conviction proceedings or after the defendant has previously failed to appear or pay.

Action: The Rules and Projects Committee approved the additions to the Criminal Law Advisory Committee 2015 Annual agenda.

Item 2

Traffic Advisory Committee 2015 Annual Agenda: Consider adding two projects:

1. Expeditiously review all Judicial Council traffic forms and to recommend any revisions that are needed to make the forms consistent with rule 4.105; and
2. Consider rule, form, or any other recommendations necessary to promote access to justice in all infraction cases, including recommendations related to post-conviction proceedings or after the defendant has previously failed to appear or pay.

Action: The Rules and Projects Committee approved the additions to the Traffic Advisory Committee 2015 Annual agenda.

A D J O U R N M E N T

There being no further business, the meeting was adjourned.

Approved by the advisory body on July 30, 2015.