



NEWS RELEASE

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FOR IMMEDIATE RELEASE

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Judicial Council Leaders Circulate Proposal for Open-Meeting Rule

Early circulation of a draft rule designed to increase transparency of judicial administration while maintaining confidentiality required by ethics rules

SAN FRANCISCO—Five members of the Judicial Council of California announced today that they are disseminating for comment a “preliminary draft of a proposed rule” that is designed to greatly increase transparency within the judicial branch. The five chairs of the council’s [internal committees](#) developed [the draft](#) after meeting last month with the chairs and staff members of the council’s 30 advisory committees.

“This is clearly a work in progress,” said [Justice Douglas P. Miller](#), chair of the council’s Executive and Planning Committee. “Our usual process—which is required by court rules—is to draft a proposed rule and circulate it for public comment. However, because of the importance of the issue, the significant impact it will likely have on the branch, and our need to report to the Legislature concerning our progress by early January, we hope to increase opportunities for input by following a two-step process. First, we are circulating a preliminary draft of a proposed rule to solicit comments from the judicial branch, as well as our key stakeholders in the legislature, labor, and the media. Once we get their input, we’ll be able to revise the preliminary draft of the proposed rule, which we will circulate again, this time for formal public comment.”

The five members of the council who developed the preliminary draft include Justice Miller, [Justice Harry E. Hull, Jr.](#), chair of the Rules and Projects Committee; [Judge Mary Ann O’Malley](#), chair of the Litigation Management Committee; [Judge Ken K. So](#), chair of the Policy Coordination and Liaison Committee; and [Judge James E. Herman](#), chair of the Technology Committee.

“Our proposal to open up meetings of Judicial Council advisory bodies is unprecedented for this branch of government and entirely consistent with [Chief Justice Tani G. Cantil-Sakauye’s](#) efforts to increase transparency,” said Judge O’Malley, who helped develop the branch’s rule providing [public access to judicial administration records](#). “It’s important we get this rule right, which is why we’re sharing a rough draft with others at this early stage. The judicial branch already has an inclusive process for developing rules. The branch, however, has special concerns—including

the need to avoid legitimate ethical issues for justices and judges who perform significant work as volunteers on our advisory committees.”

One or more of the chairs will be meeting with key stakeholders in the next few weeks to get their feedback on what the rule should incorporate. In the meantime, comments can be submitted to: openmeetings@jud.ca.gov.

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The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and promotes leadership and excellence in court administration.