

Trial Court Presiding Judges Advisory Committee (TCPJAC)

Annual Agenda¹—2018

Approved by the Executive and Planning Committee (E&P): **12/14/2017 Revised TBD**

I. COMMITTEE INFORMATION

Chair:	Hon. Patricia M. Lucas, Presiding Judge, Superior Court of Santa Clara County
Lead Staff:	Cliff Alumno, Senior Analyst, Judicial Council and Trial Court Leadership
Committee's Charge/Membership: <p>Rule 10.46(a) of the California Rules of Court states the charge of the Trial Court Presiding Judges Advisory Committee (TCPJAC), which is to contribute to the statewide administration of justice by monitoring areas of significance to the justice system and making recommendations to the Judicial Council on policy issues affecting the trial courts. In addition to this charge, rule 10.46(b) sets forth the additional duties of the committee.</p> <p>Per rule 10.46(c), the TCPJAC is comprised of the presiding judges of all 58 superior courts. Additionally, rule 10.46 (d) establishes an Executive Committee consisting of the committee chair, vice-chair, and members in the following categories:</p> <ul style="list-style-type: none">(a) All presiding judges from superior courts with 48 or more judges;(b) Two presiding judges from superior courts with 2 to 5 judges, who are elected by the members in this court category;(c) Three presiding judges from superior courts with 6 to 15 judges, who are elected by the members in this court category; and(d) Four presiding judges from superior courts with 16 to 47 judges, who are elected by the members in this court category. <p>The current committee roster is available on the committee's web page.</p>	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

Subcommittees/Working Groups²:

1. TCPJAC/CEAC Joint Legislation Subcommittee
2. TCPJAC/CEAC Joint Rules Subcommittee
3. TCPJAC/CEAC Joint Technology Subcommittee
4. TCPJAC/CEAC Joint Working Group to Assess Issues Related to Body Cameras Worn by Law Enforcement
5. (New) TCPJAC/CEAC Joint Emergency Response Working Group

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³	
1.	<i>Project Title: Assess Issues Related to the Body Cameras Worn by Law Enforcement</i>	<i>Priority 2⁴</i>
<p><i>Project Summary⁵:</i> The TCPJAC/CEAC Joint Working Group to Assess Issues Related to Body Cameras Worn by Law Enforcement is charged with assessing:</p> <ul style="list-style-type: none"> • Issues relating to the presence of body-worn cameras brought into the court by officers appearing on legal matters. Review and recommend policies and procedures for trial courts; and • Other related issues that may arise as the working group delves into this subject. <p><i>Status/Timeline:</i> Projected completion date is 2018. Charge of the working group was reassessed and revised in light of the Digital Evidence Workstream established by the Information Technology Advisory Committee in August 2017.</p> <p><i>Fiscal Impact/Resources:</i> Judicial Council and Trial Court Leadership.</p> <p><i>Internal/External Stakeholders:</i> Superior Courts.</p> <p><i>AC Collaboration:</i> Collaboration with the Court Executives Advisory Committee (CEAC) and Information Technology Advisory Committee. Possible consultation with the Court Security Advisory Committee and the Criminal Law Advisory Committee.</p>		

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁵ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	New or One-Time Projects ³	
2.	Project Title: Propose Amending Penal Code Section 808 to include “court commissioners” within the definition of “magistrate.”	<i>Priority 2</i>
<p>Project Summary: This proposal was developed at the request of presiding judges to expand the pool of judicial officers who are authorized to perform magistrate duties, provide courts with greater flexibility to equitably address judicial workloads, and increase access to justice.</p> <p>Status/Timeline: Projected completion date is unknown. As of May 2, 2017, the bill, AB 745 (Reyes), was amended to authorize only the presiding judges of the Superior Courts of Riverside and San Bernardino Counties to allow court commissioners to perform specified criminal magistrate duties until January 1, 2021. As of September 18, 2017, the bill is held under submission by the Assembly Appropriations Committee.</p> <p>Fiscal Impact/Resources: Judicial Council and Trial Court Leadership, Criminal Justice Services, Governmental Affairs, and Legal Services.</p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: Criminal Law Advisory Committee.</p>		
3.	Project Title: Develop Resource for Presiding Judges and Court Executive Officers for Responding to Emergency Situations	<i>Priority 2</i>
<p>Project Summary: In light of the significant impact the recent fires have had on trial court operations, and following up on the presentation by then-Assistant Presiding Judge Gary Nadler, Superior Court of Sonoma County, to the Judicial Council during its November 2017 business meeting, through a new TCPJAC/CEAC joint working group, develop a resource for presiding judges and court executive officers, an Emergency Response Playbook. Compile checklists for presiding judges and court executive officers to follow. Included would be information on what presiding judges they need to consider and address before, during, and after a disaster. The playbook would include an evaluation of what happens resulting from a disaster and a compilation of procedures and processes already in place in several courts. Judge Nadler would serve as a resource and be consulted throughout this project.</p> <p>Status/Timeline: 2018.</p>		

#	New or One-Time Projects³	
	<p><i>Fiscal Impact/Resources:</i> Legal Services, Human Resources, Information Technology, and Facilities Services.</p> <p><i>Internal/External Stakeholders:</i> Superior Courts.</p> <p><i>AC Collaboration:</i> CEAC and the Information Technology Advisory Committee.</p>	
4.	<p>Project Title: Provide Input to CEAC During Its Review of the Standards of Judicial Administration to Clarify and Improve Access to Justice Measures</p>	<p>Priority 2</p>
	<p><i>Project Summary:</i> As needed, provide input to CEAC as it reviews the existing Standards of Judicial Administration and recommends additions, deletions, and/or revisions to performance measures. CEAC is conducting this review to improve the branch’s ability to communicate the trial courts’ objectives and uniform performance measures to each other, other branches of government, and the public. This effort would seek to expand existing performance measures that focus solely on time to disposition to include broader access measures (e.g., potential standards for self-help center hours, clerks’ office hours, etc.). This project was conceived as a way to assist with developing responses to Department of Finance inquiries regarding how increased and decreased funding impacts trial court operations and services.</p> <p><i>Status/Timeline:</i> 2020.</p> <p><i>Fiscal Impact/Resources:</i> Judicial Council and Trial Court Leadership.</p> <p><i>Internal/External Stakeholders:</i> None.</p> <p><i>AC Collaboration:</i> CEAC.</p>	

#	Ongoing Projects and Activities³	
5.	Project Title: Develop, Review, Comment, and Make Recommendations on Proposed Legislation to Establish New and/or Amend Existing Laws	Priority 1⁴
<p>Project Summary: The TCPJAC/CEAC Joint Legislation Subcommittee (JLS) monitors proposed and existing legislation that has a significant operational or administrative impact on the trial courts. The subcommittee also reviews proposals to create, amend, or repeal statutes to achieve cost savings or greater efficiencies for the trial courts and recommend proposals for future consideration by the Policy Coordination and Liaison Committee (PCLC).</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Governmental Affairs and Judicial Council and Trial Court Leadership.</p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: CEAC.</p>		

#	Ongoing Projects and Activities ³	
6.	Project Title: Develop, Review, and/or Provide Input on Proposals to Establish, Amend, or Repeal the California Rules of Court, Standards on Judicial Administration, and Forms; Make Recommendations on the Rule Making Process	<i>Priority 1</i>
<p>Project Summary: The TCPJAC/CEAC Joint Rules Subcommittee (JRS) develops, reviews, and provides input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms to improve the efficiency or effectiveness of the trial courts. The subcommittee focuses on those proposals that may lead to a significant fiscal or operational impact on the trial courts. Additionally, the subcommittee makes recommendations to the Rules and Projects Committee (RUPRO) concerning the overall rule making process.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Legal Services and Judicial Council and Trial Court Leadership.</p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: CEAC.</p>		
7.	Project Title: Legislative Advocacy of Increased Funding for the Trial Court Trust Fund (TCTF)	<i>Priority 1</i>
<p>Project Summary: Develop strategies on how presiding judges can strengthen their role and be better prepared to both advocate for and assist the Judicial Council, including Governmental Affairs, in advocating for increased funding to the Trial Court Trust Fund (TCTF).</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Governmental Affairs, Budget Services, and Judicial Council and Trial Court Leadership.</p> <p>Internal/External Stakeholders: Superior Courts.</p> <p>AC Collaboration: CEAC and the Judicial Branch Budget Committee.</p>		

#	Ongoing Projects and Activities³	
8.	Project Title: Review and Make Recommendations on Court Technology Proposals and Recommendations	Priority 2
<p>Project Summary: The TCPJAC/CEAC Joint Technology Subcommittee reviews and provides, on an as-needed basis, early presiding judge and court executive officer input on court technology proposals and recommendations that have a direct impact on court operations. The subcommittee also provides input and feedback on various technology issues being addressed by the Judicial Council Technology Committee and the Information Technology Advisory Committee. The subcommittee is charged with providing preliminary feedback on technology proposals on behalf of the TCPJAC and CEAC. Input on more substantive technology policy decisions will first be vetted by the subcommittee and then presented to the TCPJAC and CEAC for final review.</p>		
<p>Status/Timeline: Ongoing.</p>		
<p>Fiscal Impact/Resources: Legal Services, Information Technology, and Judicial Council and Trial Court Leadership.</p>		
<p>Internal/External Stakeholders: None.</p>		
<p>AC Collaboration: CEAC.</p>		
9.	Project Title: Serve as a Resource	Priority 2
<p>Project Summary: Serve as a subject matter resource for Judicial Council divisions and other council advisory groups to avoid duplication of efforts and contribute to development of recommendations for council action.</p>		
<p>Status/Timeline: Ongoing.</p>		
<p>Fiscal Impact/Resources: Judicial Council and Trial Court Leadership.</p>		
<p>Internal/External Stakeholders: None.</p>		
<p>AC Collaboration: CEAC.</p>		

III. LIST OF 2017 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<p>TCPJAC/CEAC Joint Legislation Subcommittee. Remained active throughout 2017, holding 11 conference calls to, on behalf of the TCPJAC and CEAC, provide review and make recommendations on proposed and existing legislation that had a significant operational or administrative impact on the trial courts. In December 2017, the subcommittee will set its schedule for 2018 and continue to meet to review proposals to create, amend, or repeal statutes to achieve cost savings or greater efficiencies for the trial courts. The subcommittee will continue to recommend proposals for the future consideration of the Policy Coordination and Liaison Committee (PCLC).</p>
2.	<p>TCPJAC/CEAC Joint Rules Subcommittee. Remained active throughout 2017 to, on behalf of the TCPJAC and CEAC, provide review and input on behalf of the TCPJAC and CEAC, and submit comments on rules, standards, and form proposals that may have a significant fiscal or operational impact on the trial courts. This subcommittee will continue to be active in 2018 and meet as needed.</p>
3.	<p>Legislative Advocacy for the Increased Funding of the Trial Courts. In March 2017, TCPJAC and CEAC leadership, with input from Judicial Council staff, developed the document <i>Protecting the Vulnerable through California's Courts</i> with the goal of providing a realistic, concise, and direct overview of the suffering and damaged lives caused by rendering courts unable to timely serve their users. It also describes the services that courts can and should be able to provide to vulnerable Californians at the most difficult times in their lives. During visits with legislators, this document was provided to them to support budget advocacy discussions.</p>
4.	<p>Educational Opportunities. TCPJAC and CEAC leadership collaborated with Judicial Council staff to provide 11 educational breakout sessions on 8 key areas of court operations as part of the August 2017 TCPJAC/CEAC Statewide Business Meetings. The topics of the educational breakout sessions included: Collaborative Courts; Court Budgeting – Techniques and Tools; Effective and Efficient Traffic Procedures; Evidence-Based Practices in Misdemeanors; Facilities Management & Maintenance; Judicial Branch Statistical Information System (JBSIS) and the Resource Assessment Study (RAS) Model; New Budget Advocacy Strategies for Fiscal Year 2018–19; and Workload Allocation Funding Model (WAFM). Participants included presiding judges, assistant presiding judges, court executive officers, and assistant court executive officers.</p>