

***JUDICIAL COUNCIL MEETING***  
***Administrative Office of the Courts***  
***San Francisco, California***  
**August 24, 2000**  
**8:30 a.m. – 2:55 p.m.**

***AGENDA***

- 8:30– 8:35 a.m.                   **Approval of Minutes of April 28, 2000**  
   [Minutes Tab]
- 8:35 – 8:45 a.m.                   **Judicial Council Committee Presentations**  
   Executive and Planning Committee  
   Hon. Richard D. Huffman, Chair  
   Policy Coordination and Liaison Committee  
   Hon. Marvin R. Baxter, Chair  
   Rules and Projects Committee  
   Hon. Steven E. Jahr, Chair  
   [Council Committee Reports Tab]
- 8:45 – 8:50 a.m.                   **Report on Judicial Council Site Visit**  
   Hon. Ronald L. Taylor, Team Leader

**Consent Agenda (Tab Nos. 1–9)**

*(If you wish to request that any item be moved from the Consent to the Discussion Agenda, please notify Jessica Fiske Bailey at (415) 865-7713 at least 48 hours before the meeting.)*

- Item 1                                   Modification of Council Policy Regarding the Use of  
 Litigation and Excess Liability Funds (Action Required)**
- Staff:             Annemarie O’Shea
- The Judicial Council Litigation Committee and AOC staff recommends revising council policy regarding the Litigation and Excess Liability Funds to provide coverage for certain cases resulting from conduct that occurred before July 1997.
- Item 2                                   Revisions to Court Interpreter Continuing Education and  
 Certification Renewal Requirements (Action Required)**
- Staff:             Mr. Joseph Wong

The Court Interpreters Advisory Panel recommends adopting the proposed *Compliance Requirements for Certified Court and Registered Interpreters of Nondesignated Languages* which consolidates earlier documents pertaining to court interpreter continuing education and renewal requirements, and formalizes related Judicial Council policies.

**Item 3                                    Equal Access Fund—Distribution of Funds for IOLTA-  
Formula Grants (Action Required)**

Staff:            Ms. Bonnie Hough

AOC staff recommends allocating \$8.55 million to the State Bar Legal Services Trust Fund for distribution to legal services providers according to the formula established by Business and Professions Code section 6216.

**Item 4                                    Creation of a Task Force on Unrepresented Litigants (Action  
Required)**

Staff:            Ms. Bonnie Hough

AOC staff recommends establishing a task force to address the needs of the growing number of unrepresented litigants in court.

**Item 5                                    Report on the Use of Funding for Courts with Insufficient  
Resources (No Action Required)**

Staff:            Mr. Jonathan Wolin

AOC staff reports on the use of funds provided to courts with insufficient resources in fiscal year 1999-2000.

**Item 6                                    Report on Use of One-Time Funding for Unified Courts (No  
Action Required)**

Staff:            Mr. Jonathan Wolin

AOC staff reports on the use of one-time funds provided in fiscal year 1999-2000 to unified courts.

**Item 7**

**Strategic Planning Guidelines for Trial Courts (Action Required)**

Staff: Mr. Fred Miller

AOC staff recommends approval of the multi-year and annual planning cycles for the trial courts and authorization for the Administrative Director to provide guidelines to the trial courts for the implementation of these planning cycles.

**Item 8**

**Trial Court Presiding Judges Advisory Committee (amend rule 6.46 and corollary rule 6.31 (c) of the California Rules of Court) (Action Required)**

Staff: Ms. Francine Collier

The Rules and Projects Committee and Trial Court Presiding Judges Advisory Committee recommend amending California Rules of Court, rules 6.46 and 6.31(c) to recognize unification in the trial courts and to reconstitute the advisory committee to allow for greater inclusion of and participation by presiding judges.

**Item 9**

**Criteria for Distribution of Comprehensive Drug Court Implementation Act Funds (Action Required)**

Staff: Mr. Pete Kiefer

AOC staff recommends approval, in concept, of criteria for distribution of Comprehensive Drug Court Implementation Act funds.

**Discussion Agenda (Tab Nos. 10–17)**

**Item 10**  
8:50 – 10:05 a.m.

**Proposed Allocation of Fiscal Year 2000–2001 Trial Court Funds Contained in the Budget Act of 2000 (Action Required)**

(a) The Trial Court Budget Commission recommends allocations for trial courts’ operating budgets.

*Presentation (20 minutes)*

Speakers: Hon. Ray L. Hart, Chair  
Ms. Christine Hansen  
Mr. Jonathan Wolin

*Discussion/Council Action (20 minutes)*

(b) The Trial Court Budget Commission recommends allocations of technology funding.

*Presentation (15 minutes)*

Speakers: Hon. Ray L. Hart, Chair  
Hon. Judith Ford  
Ms. Pat Yerian  
Mr. Victor Rowley

*Discussion/Council Action (20 minutes)*

**Item 11**  
10:05 – 10:25 a.m.

**Report on Special Projects Funding for Fiscal Year 1999 - 2000 and Recommendations for Fiscal Year 2000 - 2001 Funding (Action Required)**

AOC staff presents a report on special project funds for fiscal year 1999–2000 and recommendations for allocating these funds in fiscal year 2000–2001. Special project funding includes the Judicial Administration Efficiency and Modernization Fund and the Trial Court Improvement Fund.

*Presentation (10 minutes)*

Speakers: to be determined

*Discussion/Council Action (10 minutes)*

10:25 – 10:40 a.m.

**Break**

**Item 12**  
10:40 – 11:55 p.m.

**Proposed Fiscal Year 2001–2002 Statewide Trial Court Budget Request (Action Required)**

(a) The Trial Court Budget Commission recommends proposed fiscal year 2001–2002 trial court operating budget requests.

*Presentation (20 minutes)*

Speakers: Hon. Ray L. Hart, Chair  
Ms. Christine Hansen  
Mr. Jonathan Wolin

*Discussion/Council Action (20 minutes)*

(b) The Trial Court Budget Commission recommends proposed fiscal year 2001–2002 trial court technology funding requests.

*Presentation (15 minutes)*

Speakers: Hon. Ray L. Hart, Chair  
Hon. Judith Ford  
Ms. Pat Yerian  
Mr. Victor Rowley

*Discussion/Council Action (20 minutes)*

11:55 – 12:35 p.m.

**Lunch**

**Item 13**

12:35 – 1:15 p.m.

**Proposed Fiscal Year 2001–2002 Supreme Court, Courts of Appeal, and Judicial Council Budgets (Action Required)**

(a) AOC staff recommends submitting Budget Change Proposals totaling \$2,039,000.00 for the Supreme Court and Courts of Appeal.

*Presentation (10 minutes)*

Speakers: Mr. Dennis Jones  
Ms. Christine Hansen  
Mr. Frank Schultz  
Ms. Marcia Taylor

*Discussion/Council Action (10 minutes)*

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(b) AOC staff recommends submitting Budget Change Proposals totaling \$13,755,657.00 for the Judicial Council/Administrative Office of the Courts.

*Presentation (10 minutes)*

Speakers: Mr. Dennis Jones  
Ms. Christine Hansen  
Mr. Frank Schultz  
Ms. Marcia Taylor

*Discussion/Council Action (10 minutes)*

**Item 14**

1:15 – 1:30 p.m.

**Judicial Council Operational Plan (Action Required)**

AOC staff recommend approving the Judicial Council Operational Plan (fiscal year 2000–2001 through fiscal year 2002–2003).

*Presentation (5 minutes)*

Speakers: Ms. Dale Sipes  
Ms. Jacquelyn Harbert

*Discussion/Council Action (10 minutes)*

**Item 15**  
1:30 – 2:00 p.m.

**Report of the Appellate Process Task Force (Action Required)**

The Appellate Process Task Force presents its report examining the manner in which the intermediate appellate courts function and evaluating possible changes in court organizational structures, work flows, and technologies to enhance the efficiency of the appellate process.

*Presentation (15 minutes)*

Speakers: Hon. Gary E. Strankman  
Mr. Joshua Weinstein

*Discussion/Council Action (15 minutes)*

**Item 16**  
2:00 – 2:35 p.m.

**Selection and Duties of Presiding Judges and Court Executives (adopt rules 6.202–6.612 and repeal rules 204–207, 214, 532.5–533, and 835 of the California Rules of Court) (Action Required)**

AOC staff recommends revisions to rules of court to clarify the duties and authority of presiding judges and court executives.

*Presentation (15 minutes)*

Speakers: Mr. Michael Bergeisen  
Ms. Heather Anderson  
Ms. Diane Eisenberg

*Discussion/Council Action (20 minutes)*

**Item 17**  
2:35 – 2:55 p.m.

**Policy on the Judicial Council’s Rule-Making Authority (Action Required)**

AOC staff recommends adopting a policy on the council’s rule-making authority which states guiding principles for analysis of the constitutionality of rules and directs staff to balance the risk of constitutionality against the benefits of a proposed rule in a report to the council.

*Presentation (10 minutes)*

Speakers: Mr. Michael Bergeisen

*Discussion/Council Action (10 minutes)*

**Circulating Orders Approved Since Last Business Meeting**  
[Circulating Orders Tab]

**Judicial Council Appointment Orders Since Last Business Meeting**  
[Appointment Order Tab]