

❖ *REVISED* ❖

JUDICIAL COUNCIL MEETING
February 27, 1998
Administrative Office of the Courts
San Francisco, California
8:30 a.m.–2:15 p.m.

AGENDA

Consent Agenda (Tab Nos. 1–2a)

(If you wish to request that any item be moved from the Consent or Information Agenda to the Discussion Agenda, please notify Jessica Fiske Bailey at (415) 396-9177, at least 24 hours before the meeting.)

Item 1 **Judicial Council-Sponsored Legislation: Juror Appreciation Week (Action Required)**

[Tab 1]

Staff: Ms. Terrie Wilfong

AOC staff recommends approval to co-sponsor a legislative concurrent resolution to declare the second full week in May of each year as “Juror Appreciation Week.”

Item 2 **Judicial Council-Sponsored Legislation: Trial by Written Declaration for Traffic Infractions (Veh. Code § 40902) (Action Required)**

[Tab 2]

Staff: Ms. Terrie Wilfong

The Policy Coordination and Liaison Committee recommends sponsoring legislation to give the Judicial Council authority to adopt rules and forms for trials by written declaration for traffic infractions.

Item 2a

Rule on Qualifications of Counsel in Death Penalty Appeals and Habeas Corpus (New Rule 76.6) (Action Required)

[Tab 2a]

Staff: Ms. Melissa Johnson

Staff recommends that the Judicial Council adopt new rule 76.6 on the qualifications of counsel for capital appeals and habeas corpus. Both the Judicial Council and the Supreme Court are required to adopt such a rule by legislation that became effective January 1, 1998. (SB 513 (Lockyer); Gov. Code, § 68655.) New rule 76.6 was adopted by the Supreme Court on February 3, 1998.

Discussion Agenda (Tabs Nos. 3–8)

Item 3

8:30–8:45 a.m.

Telephone Appearances Rule (Cal. Rules of Court, rules 298 and 827) (Action Required)

[Tab 3]

The Civil and Small Claims Advisory Committee recommends amending rule 298 to give counsel the option of appearing by telephone in superior court in specific circumstances and inserting an advisory committee comment to rule 827 noting that rule 827 does not apply to telephone appearances by counsel in superior court cases .

Presentation (8:30–8:40)

Speakers: Ms. Mary Lou Des Rochers

Staff: Ms. Wendi Berkowitz

Discussion/Council Action (8:40–8:45)

Item 4
8:45–9:45 a.m.

Trial Court Budget Commission Rules (Cal. Rules of Court, rules 1020 and 1026) (Action Required)

[Tab 4]

AOC staff recommends amending rules 1020 and 1026 to (1) reduce the number of members of the Trial Court Budget Commission and allow the Chief Justice to appoint all members, and (2) change the duties of the commission to better implement state funding of the trial courts.

Presentation (8:45–9:00)

Staff: Mr. William C. Vickrey
Mr. Michael Fischer

Discussion/Council Action (9:00–9:45)

Item 5
9:45–12:20 p.m.

Trial Court Coordination (Action Required)

[Tab 5]

a) Governance Structure for Court Coordination Plans (Cal. Rules of Court, rule 991; Standards of Jud. Admin. 29)

The Trial Court Coordination Advisory Committee recommends approving a policy on judicial and administrative governance for counties with alternative structures.

Presentation (9:45–10:00)

Speaker: Hon. John Flaherty
Staff: Ms. Fran Jurcso

Discussion/Council Action (10:00–10:30)

b) Los Angeles and Orange Counties' Coordination Plans

The Trial Court Coordination Advisory Committee (TCCAC) recommends extending the timeline for provisional approval of Los Angeles and Orange Counties' coordination plans to allow the Judicial Council to take action on the final TCCAC recommendation.

Presentation (10:30–10:40)

Speaker: Hon. John Flaherty
Staff: Ms. Fran Jurcso

Discussion/Council Action (10:40–10:50)

c) Plan Approvals

The Trial Court Coordination Advisory Committee recommends approving fiscal years 1997–98 and 1998–99 trial court coordination plans.

Presentation (10:50–10:55)

Speaker: Hon. John Flaherty
Staff: Ms. Fran Jurcso

Discussion/Council Action (10:55–11:05)

11:05–11:20 a.m.

Break

d) Status of Coordination Implementation

The Trial Court Coordination Advisory Committee recommends approval of an assessment of courts' progress implementing trial court coordination according to approved plans.

Presentation (11:20–11:35)

Speaker: Hon. John Flaherty
Staff: Ms. Fran Jurcso

Discussion/Council Action (11:35–11:45)

e) Pay Parity

The Trial Court Coordination Advisory Committee recommends approval of a policy on pay parity for municipal court judges and of a list of courts eligible to receive pay parity.

Presentation (11:45–11:55)

Speaker: Hon. John Flaherty
Staff: Ms. Fran Jurcso

Discussion/Council Action (11:55–12:20)

12:20–12:45 p.m.

Lunch

Item 6
12:45–1:25 p.m.

**Judicial Branch Budget Criteria and Program Priorities
(Action Required)**

[Tab 6]

AOC staff recommends approving (1) criteria to guide the development of trial court base budgets for fiscal year 1998–1999 and fiscal year 1999–2000, (2) criteria for budget submissions for the Judicial Council and Administrative Office of the Courts, trial courts, and appellate courts, (3) program priorities for the judicial branch for fiscal year 1999–2000, and (4) changes to the language of the Judicial Council’s Long-Range Strategic Plan.

Presentation (12:45–1:05)

Staff: Mr. Martin Moshier
Ms. Dale Sipes

Discussion/Council Action (1:05–1:25)

Item 7
1:25–1:55 p.m.

Judicial Compensation (Action Required)

[Tab 7]

The Policy Coordination and Liaison Committee recommends action on judicial compensation issues.

Presentation (1:25–1:40)

Staff: Mr. Ray LeBov

Discussion/Council Action (1:40–1:55)

Item 8
1:55–2:15 p.m.

Court Interpreters Issues (Action Required)

[Tab 8]

AOC staff recommends approving an implementation plan for a state-funded court interpreters program to fulfill statutory requirements of the Appropriations Act of fiscal year 1997–98.

Presentation (1:55–2:05)

Staff: Ms. Kiri Torre
Ms. Kate Harrison
Mr. Joseph Wong

Discussion/Council Action (2:05–2:15)

Information Agenda

Judicial Council Advisory Committee and Task Force Reports

- Appellate Mediation Task Force
- Court Administrator's Advisory Committee: Status of Judicial Branch Statistical Information System (JBSIS)
[Status Reports Tab]