

JUDICIAL COUNCIL OF CALIFORNIA MEETINGS
Minutes of the Business Meeting—October 24–25, 2013
Ronald M. George State Office Complex
William C. Vickrey Judicial Council Conference Center
Malcolm M. Lucas Board Room
San Francisco, California

Thursday, October 24, 2013—OPEN MEETING (RULE 10.6 (A))—
EDUCATIONAL AND BUSINESS MEETING AGENDA
(ITEMS 1–4)

Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council, called the meeting to order at 1:45 p.m., at the William C. Vickrey Judicial Council Conference Center in the Ronald M. George State Office Complex.

Judicial Council members present: Chief Justice Tani G. Cantil-Sakauye; Justices Judith Ashmann-Gerst, Marvin R. Baxter, Harry E. Hull, Jr., and Douglas P. Miller; Judges Stephen H. Baker, James R. Brandlin, David De Alba, Emilie H. Elias, Sherrill A. Ellsworth, Teri L. Jackson, Mary Ann O’Malley, David Rosenberg, and David M. Rubin; Assembly Member Richard Bloom, Mr. Mark G. Bonino, Ms. Angela J. Davis, Mr. James P. Fox, and Mr. Mark P. Robinson, Jr.; **advisory members present:** Presiding Judges Robert A. Glusman and Brian C. Walsh; Judges James E. Herman, Morris D. Jacobson, Brian L. McCabe, Kenneth K. So, Dean T. Stout, and Charles D. Wachob; Commissioner Sue Alexander; Supreme Court Clerk Frank A. McGuire; Court Executive Officers Mary Beth Todd and David H. Yamasaki; **Secretary to the council:** Steven Jahr, Administrative Director of the Courts.

Members absent: State Senator Noreen Evans

Others present: Judge Michael Nash, Superior Court of Los Angeles County; Dr. Christopher Thornberg, Beacon Economics; **members of the public:** Ms. Dianne Bonino, Mr. Stephen Colburn, Ms. Marcie Daniluke, Ms. Kendra Hamilton, the McGinnis Family, Ms. Cheri Watkins; **media representatives:** Ms. Maria Dinzeo, *Courthouse News Service*; Mr. Paul Jones, *Daily Journal*.

Chief Justice’s Remarks

The Chief Justice acknowledged the continued work of improving the administration of justice and achieving the goal of equal access to justice for all Californians through the council’s internal committees and its advisory committees, commissions, task forces, working groups, the AOC, and through invitations to comment, public comment at council meetings, educational and business meeting discussion agendas, and the use of web technology. The Chief Justice further acknowledged the commitment, dedication, and hard work of the approximately 400 volunteers who contribute annually to the creation of recommendations to the council—jurists and justice

system partners from throughout California who review issues and seek input and comment on items that ultimately come to our agendas for review, discussion, and approval. Including items on the October agenda and year to date, the council will have considered 84 consent, 52 discussion, and 25 information-only agenda items, as well as four items by circulating order.

Under the Judicial Council's public comment process, agenda items year to date have elicited 17 written pieces of comment and 43 individuals have come before the council to speak on matters affecting judicial administration or a specific agenda item. Comments have come from the judiciary, from justice system partners, unions and trade organizations, and from concerned members of the public throughout our state.

The Chief Justice stated that the Judicial Council and Administrative Office of the Courts (AOC) have new leadership in key roles. There is greater oversight by judicial leaders of branch infrastructure projects, and more involvement of trial court leaders through their advisory committee and the two-way communications that are facilitated through the Judicial Council Trial Court Liaison Program.

The Strategic Evaluation Committee report to the Chief Justice became Judicial Council directives. Now, more than half of these directives have been implemented and another progress report will be presented at this meeting.

Swearing in of New Council Members

The Chief Justice administered the oath of office to new council members: Presiding Judges Dean T. Stout and Brian C. Walsh; Judges David M. Rubin and Robert A. Glusman; Mr. Mark G. Bonino and Mr. Frank A. McGuire.

Item 1 California Economic and Budget Forecast (No Action Required.)

Dr. Christopher Thornberg, Beacon Economics, presented to the Judicial Council on: *U.S. Economic Outlook—Focus on California*.

No council action

Item 2 Adoption and Permanency Month: Judicial Council

The Family and Juvenile Law Advisory Committee recommended the adoption of a resolution proclaiming November to be Court Adoption and Permanency Month. As it has for the past 13 years in observance of National Adoption Month, the committee urged the Judicial Council to recognize the ongoing efforts of California's juvenile courts and their justice partners to provide children and families with access to fair, understandable judicial proceedings leading to timely, well-informed, and just permanency outcomes. The proclamation would give courts the opportunity to hold special events finalizing adoptions from foster care and raising community awareness of the importance of finding safe, stable, and permanent homes for every child or youth in foster care.

Council action

The Judicial Council, effective October 24, 2013, adopted a resolution proclaiming November 2013 to be Court Adoption and Permanency Month.

Item 3 AOC Restructuring: Efficiencies and Restructuring at the Center for Families, Children & the Courts (CFCC)

In August 2012, the Judicial Council adopted recommendations of the Strategic Evaluation Committee regarding the restructuring and realignment of the AOC. The Judicial Council created directives based on the recommendations. The CFCC is an office of the AOC Judicial and Court Operations Services Division. CFCC's core mission is to provide centralized and direct services to support effective and efficient court practices that comply with rules and code, reflect local court needs and resources, and meet the diverse needs of children and families in all case types. The informational report provides an update of the work that has been accomplished to fulfill the directives related to CFCC.

No council action

Item 4 Legislative Resolution: Recognition of Beth Jay, Principal Attorney to the Chief Justice of California

Following the posting of the October meeting agenda, this item was deferred to a future council meeting.

FRIDAY, OCTOBER 25, 2013—BUSINESS MEETING

Judicial Council members present: Chief Justice Tani G. Cantil-Sakauye; Justices Judith Ashmann-Gerst, Marvin R. Baxter, Harry E. Hull, Jr., and Douglas P. Miller; Judges Stephen H. Baker, James R. Brandlin, David De Alba, Emilie H. Elias, Mary Ann O'Malley, David Rosenberg, and David M. Rubin; Mr. Mark G. Bonino, Ms. Angela J. Davis, Mr. James P. Fox, and Mr. Mark P. Robinson, Jr.; **advisory members present:** Presiding Judges Robert A. Glusman and Brian C. Walsh; Judges James E. Herman, Morris D. Jacobson, Brian L. McCabe, Kenneth K. So, Dean T. Stout, and Charles D. Wachob; Commissioner Sue Alexander; Supreme Court Clerk Frank A. McGuire, Court Executive Officers Mary Beth Todd and David H. Yamasaki; **Secretary to the council:** Steven Jahr, Administrative Director of the Courts.

Members absent: Assembly Member Richard Bloom, State Senator Noreen Evans, Judges Teri L. Jackson and Sherrill A. Ellsworth.

Others present: Associate Justice Maria P. Rivera, Court of Appeal, First Appellate District, Division Four; Assisting Presiding Judge Steven K. Austin, Superior Court of Contra Costa

County; Judge David Edwin Power, Superior Court of Solano County; **members of the public:** Mr. Alejandro Abella, Ms. Terry Allen, Ms. Mary Lou Aranguren, Ms. Kate Bancroft, Ms. Mariana Bension-Larkin, Ms. Natalia Berene, Mr. Eric Bishop, Ms. Marie Danner, Ms. Lucy Flores, Ms. Mary Flynn, Mr. Rocio Gaeta, Ms. Anabelle Garay, Mr. Ignacio Hernandez, Ms. Gregoria Lara, Ms. Jessica McBride, Ms. Michele Minsuk, Mr. Daniel Navarro, Mr. J.J. Negrete, Ms. Karina McMillan Rea, Ms. Mirtha T. Sánchez, Ms. Maria Sezui, Ms. Camille T. Taiara, Mr. Steve Zelter; **media representatives:** Ms. Maria Dinzeo, *Courthouse News Service*; Mr. Paul Jones, *Daily Journal*.

Welcome to New Judicial Officer Faculty Members and Participants

The Chief Justice recognized and welcomed four faculty members from the New Judicial Officer Orientation Program: Judges Lynn Duryee, Delbert C. Gee, Renée F. Korn, and Theodore M. Weathers, and 12 judicial officers participating in the program.

Approval of Minutes

The Judicial Council approved the minutes of the August 22–23, 2013, Judicial Council meeting.

Chief Justice's Report

Chief Justice Tani G. Cantil-Sakauye began her report by summarizing her activities and describing them as opportunities to educate and inform people about the judicial branch—its needs and issues—and also to build relationships and focus efforts and resources to achieve the shared goal of equal access to justice for all Californians. In Los Angeles, she attended the Annual Summer Reception at the Multi-Cultural Bar Alliance—a group of 18 minority and specialty bars of Los Angeles County. During the Asian/Pacific Bar Association of Sacramento's Annual Awards Dinner, she had an opportunity to introduce her role model, Ms. Gloria Ochoa, the winner of the association's community service award.

Since the last council meeting, the Chief Justice met with several local courts and their justice system partners. She met with the Superior Courts of Sutter and Yuba Counties, their leadership and judges, and with the Yuba/Sutter Bar Association, and members of their county board of supervisors and city council. She also visited the Amador County Superior Court, met with the judges and court staff, toured the courthouse, met with the Amador County Bar Association, and received a whip to commemorate the visit.

Former council member Judge Allan D. Hardcastle and retired Judge Andria K. Richey from the Assigned Judges Program led the Chief Justice on a tour of the Juvenile Justice Center of Sonoma County, along with the Chief Probation Officer, head of Juvenile Hall, and head of the Boys and Girls Clubs of Sonoma County. Judge Gary Nadler also arranged a meeting with the Sonoma County Bar Association, along with judges and attorneys from Sonoma and the surrounding counties.

The Chief Justice attended a joint statewide business meeting of the Trial Court Presiding Judges Advisory Committee, Court Executives Advisory Committee, and Conference of Court Executives in San Francisco and had an opportunity to answer questions. She also hosted in her

chambers two groups of judges attending the New Judge Orientation Program and a group of judges from Macedonia. The Chief Justice also participated in the annual meetings of the California Judges Association and the State Bar of California.

The Chief Justice participated in the following ceremonial events: the swearing in of the new State Bar president, Mr. Luis J. Rodriguez—the first Latino president of the State Bar; the swearing in of the new State Bar officers; and the swearing in of the new board members of the Conference of California Bar Associations. She administered the oaths of office to the new California Judges Association (CJA) president, and now Judicial Council member, Judge Robert A. Glusman, and to the CJA board and officers. She also presented the Ronald M George Public Lawyer of the Year Award to Mr. Burk E. Delventhal, and the Loren Miller Legal Services Award to Mr. Gary L. Blasi.

The Chief Justice also attended other events: the Bench Bar Coalition meeting; Access Commission’s Planning Forum; California Appellate Project 30th Anniversary; annual CJA “Conversation with the Chief”; State Bar Awards Reception and the Diversity Awards Reception—where Judge Brenda Harbin-Forte received one of four diversity awards; Annual Constitution Day Conference for K-12 Educators, sponsored by the Los Angeles County Office of Education, the Walter and Leonore Annenberg Presidential Learning Center at the Ronald Reagan Presidential Foundation, the Constitutional Rights Foundation, the Center for Civic Education, and the Arsalyn Program of the Ludwick Family Foundation; Power of Democracy Strategic Planning Meeting; and two education and outreach opportunities with UC Berkeley Law’s California Constitution Center—a conference on the Supreme Court of California and an Oral Argument Special Session involving Bay Area law and high school students; Disability Rights Advocates’ 20th Anniversary Event—a conversation with federal Judge Thelton E. Henderson on a variety of topics related to civil rights.

The Chief Justice mentioned the Foundation for Democracy, a nonprofit educational foundation, which was recently established to promote the principles of democracy through civic awareness and justice. The foundation was established by her former colleague and retired state Supreme Court Associate Justice Carlos Moreno and nine other civic and community leaders. The Chief Justice joins Attorney General Kamala D. Harris as an honorary director of the foundation. The foundation is led by a number of current and former Judicial Council members. Justice Moreno’s cofounders and directors are: Mr. Lee Baca, Los Angeles County Sheriff; Hon. Frank Damrell, retired U.S. District Court Judge in Sacramento; Hon. Joseph Dunn, Chief Executive Officer of the State Bar of California; Mr. Arturo Gonzales, partner in the San Francisco office of Morrison Foerster; Mr. Larry Kramer, President of The William and Flora Hewlett Foundation; Ms. Edith R. Matthai, partner at Robie & Matthai; Mr. Mark P. Robinson, Jr., partner at Robinson Calcagnie Robinson Shapiro Davis, Inc.; Mr. Mark Yudof, professor at the University of California, Berkeley, School of Law; and Mr. Allan Zaremborg, President and chief executive officer of the California Chamber of Commerce. The foundation will seek to educate the public about the roles, responsibilities, and goals of the judicial, legislative, and executive branches of government—with an emphasis on the need for an impartial and effective judiciary.

The Chief Justice participated in the following media interviews: with Scott Shafer for the inaugural edition of his new current affairs television show, *KQED Newsroom*, and for KQED Radio's *The California Report*; and with the Consumer Attorneys of California for their "CAOC Year in Review" with a theme of "Access to Justice" and the issue of court access and how the CAOC has supported the branch fight for funding and our advocacy efforts; and a meeting with the Civil Justice Association of California Board Members. She also participated in a panel discussion, *JFK50: Justice for All*, hosted by the John F. Kennedy Library Foundation and Bingham McCutchen. Other panel participants included Ms. Condoleeza Rice, Mr. William Swanson, Mr. Thurgood Marshall, Jr., and Judge Teri L. Jackson's nephew, Mr. Jason Collins.

The Chief Justice will host a meeting regarding the Three Strikes Reform Act (Proposition 36). The discussion will focus on counties with some of the highest numbers of pending Proposition 36 resentencing cases. She has asked presiding judges, district attorneys, public defenders, and representatives of the California Department of Corrections and Rehabilitation to join the discussion.

Administrative Director's Report

Steven Jahr, Administrative Director of the Courts, provided his written report on the activities of the Administrative Office of the Courts (AOC) since the August council meeting. He began his report by recognizing Ms. Deborah Brown as the AOC's new Chief Counsel, appointed effective October 1, 2013.

With regard to court facilities, the new Governor George Deukmejian Courthouse in Long Beach opened in early September and is scheduled to have a dedication ceremony in November. The AOC arranged a visit to the new court building by the General Counsel to Assembly Speaker John Perez and the Policy Director for Senate President pro Tempore Darrell Steinberg. They were joined by Judicial Council Court Facilities Advisory Committee Chair, Administrative Presiding Justice Brad R. Hill, and Chair of the Courthouse Cost Reduction Subcommittee, Associate Justice Jeffrey Johnson. The Long Beach court construction site had an extraordinary safety record. By the end of the project, 1.6 million labor hours were expended on the construction without any injuries that resulted in the loss of work time. AOC Chief Operating Officer Curtis L. Child and Judicial Branch Capital Program Office Director William J. Guerin also took time with the group during this visit for a discussion on the court facilities construction program.

The new South County Justice Center in Porterville, for the Superior Court of Tulare County, was dedicated in October. Construction has commenced on the new Hanford courthouse in Kings County with an anticipated occupancy date of spring 2016.

Concerning technology and infrastructure, the AOC and the California Courts Technology Center recently completed the ninth annual disaster recovery exercise, successfully demonstrating that infrastructure, network services, and applications hosted at the center can be safely and securely backed up and restored well within the program goals. A special thank you went to managers and staff in the Superior Courts of Fresno, Imperial, Lake, Merced,

Sacramento, San Benito, San Joaquin, Stanislaus, Ventura, and Yolo Counties who volunteered in testing over the weekend of the exercise. Special thanks also went to staff of the AOC's Information Technology Services Office. AOC Chief Administrative Officer Curt Soderlund presented the implementation of the Phoenix finance and HR/payroll systems for California's trial courts at the October 2013 Gartner Symposium/ITxpo in Orlando, Florida. This major symposium is attended by chief information officers and senior IT executives from around the world.

Since the last council meeting, Judge Jahr visited 24 superior courts. He has encountered a sense of urgency throughout the courts in meeting the challenges of today, accompanied by inventiveness and innovation, which includes creative calendar reform and reorganization to offset closures of departments and closures of entire facilities. He has observed considerable process reengineering to streamline case flow and handling of the clerical work at the counters. There is also collaboration between neighboring courts in an effort to leverage the available resources. Two courts collaborated to hire a joint information technology manager, saving money that would have otherwise been spent on an outside consultant. Other courts banded together to hire an attorney to manage their self-help programs. Consortiums have also been developed among trial courts to obtain discounts in the purchase of replacement court case management systems. He heard court executive officers and presiding judges repeatedly volunteer statements of thanks and appreciation to the different offices of the AOC for the assistance they provide to the courts.

Judicial Council Committee Presentations

Policy Coordination and Liaison Committee (PCLC)

Judge Kenneth K. So, Chair, welcomed Ms. Laura Speed, the new assistant division director of the AOC's Office of Governmental Affairs. He reported that the PCLC met three times since the August council meeting, taking positions on behalf of the Judicial Council on three separate pieces of legislation.

On September 3, the PCLC voted to take opposition in part—and no position in part—on Senate Bill 569, relating to jury instructions. The committee also voted to oppose, unless amended, trailer bill language dealing with split sentencing for felony offenders sentenced to county jail.

At its September 9 meeting, the committee took a neutral position on AB 1127, relating to court interpreters and voted to oppose SB 743, requiring the Judicial Council to adopt a rule of court to establish procedures applicable to certain lawsuits seeking review of a public agency's action in certifying an environmental impact report and in granting project approvals for a downtown arena project in the city of Sacramento.

The October 24 meeting was the committee's annual in-person meeting during which it provided an orientation for new PCLC committee members on the operations of the committee. The committee reviewed and made recommendations on Judicial Council-sponsored legislation, which will be presented to the full council at its December meeting. PCLC also reviewed a

proposal for Judicial Council-sponsored legislation submitted through the advisory committee and public comment process, relating to tribal access to confidential juvenile court files. PCLC also adopted the 2013 legislative policy summary. The Legislature will reconvene on January 6, 2014, for the second year of the 2013–2014 two-year session. PCLC will provide updates throughout the session on Judicial Council-sponsored bills, budget issues, and bills of interest to the branch.

As new chair to the PCLC, Judge So welcomed the new committee members, Judges Stephen H. Baker, Sherrill A. Ellsworth, Robert A. Glusman, and David Rosenberg; Mr. Mark G. Bonino and Mr. James P. Fox, and welcomed back the returning members Judges James E. Herman and James R. Brandlin (the new vice-chair). Judge So acknowledged Associate Justice Marvin R. Baxter's continued service on the committee for 17 years and his service as immediate past chair to PCLC.

Executive and Planning Committee (E&P)

Justice Douglas P. Miller, Chair, welcomed new members of the committee: Judge David M. Rubin (vice-chair), Judges David De Alba, Mary Ann O'Malley, and Brian C. Walsh; Commissioner Sue Alexander; attorney members Mr. James P. Fox, and Mr. Mark P. Robinson, Jr. He thanked Judges Teri L. Jackson and Stephen H. Baker and Court Executive Officer David H. Yamasaki for their continued service on the committee.

Justice Miller reported on a few of the committee's oversight activities:

- Two years ago, the committee asked the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E) to examine business processes in the AOC that were affected by the recently adopted *Judicial Branch Contracting Manual*. After studying the issue, A&E submitted guidelines to the council, which were approved in August 2013. Those guidelines will improve the content of vendor contracts, provide more transparency, and facilitate oversight of the AOC by A&E and the Judicial Council.
- In June 2013, the Judicial Council authorized E&P to act on behalf of the council to review and approve the selection of an outside entity for an organization-wide evaluation of the AOC's classification structure and compensation plan. The study was recommended by the Strategic Evaluation Committee (SEC) and became a council directive in August 2012. On behalf of the council, E&P reviewed the methodology, criteria, and process of scoring submitted bids. E&P also reviewed the final bids and findings, approved the selection of the highest-scored bidder, and directed AOC to proceed with contract negotiations.
- E&P oversees the Judicial Council directives that are based on the recommendations of the SEC. On September 27, the committee and the three SEC members, Judges Charles D. Wachob, Sherrill A. Ellsworth, and Brian L. McCabe, met for the entire day with AOC managers and executives to review the completed Judicial Council directives. A complete report on the progress of the directives is attached as an information agenda item. E&P will convene another meeting, likely in the fall of 2014, to review the status of the next group of directives, which relate to the completion of the AOC classification and compensation study.

Rules and Projects Committee (RUPRO)

Justice Harry E. Hull, Jr., Chair, reported that the RUPRO committee met three times since the August 23 Judicial Council meeting.

On September 9, RUPRO reviewed proposals for new and amended rules and forms, and a proposal for Ethics Standards for Neutral Arbitrators in Contractual Arbitration. Except for a proposal for technical amendments, all the proposals had been circulated for public comment during the spring rules cycle. RUPRO recommended approval of these proposals, which are items A1 through A4, A6 through A29, and A31 through A33.

In a joint meeting with E&P and the Technology Committee on October 10, RUPRO considered public comments on a proposal to establish by rule of court two new Judicial Council advisory committees: the Tribal Court–State Court Forum and the Court Security Advisory Committee. The proposal also repealed the rules concerning three advisory groups that no longer exist. The proposal was designed to implement recommendations in the *Report and Recommendations to Improve the Governance, Structure, and Organization of Judicial Council Advisory Groups* submitted by RUPRO, E&P, and the Technology Committee, and approved by the council in April. RUPRO recommended approval of this proposal, which is item A30 on the consent agenda.

On October 1, RUPRO considered a request by the Civil and Small Claims Advisory Committee and the Appellate Advisory Committee to take certain action in response to legislation involving the California Environmental Quality Act (CEQA). RUPRO approved the amendment of the advisory committees' annual agendas and the formation of a joint working group to address this matter.

RUPRO met on October 24 in another joint meeting with E&P and the Technology Committee to consider additional new, amended, and repealed rules for advisory groups and the Technology Committee. RUPRO approved circulation for comment of this proposal. Following circulation and further consideration by the three internal committees, this proposal is expected to come before the council at the February 2014 business meeting. RUPRO also provided a short orientation for new members.

Judicial Council Technology Committee (JCTC)

Hon. James E. Herman, Chair, reported that JCTC held meetings on September 23 and on Wednesday, October 23, since the August Judicial Council meeting.

At the September 23 meeting, the committee discussed the Remote Video Proceeding Pilot Project, reviewed the first progress report from the Superior Court of Fresno County, and received updates on:

- Court Technology Advisory Committee (CTAC);
- Technology Planning Task Force;
- Chief's 3D message on providing access three ways—physical, remote, and equal access; and
- Other meetings and outreach with the Legislature and executive branch.

At the October 23 in-person meeting, the committee received:

- An in-depth presentation from Information Technology Services. This included demonstrations and overviews of the services offered to the courts.
- Reports on the Information Technology Management/Industry Standards (outcome of the Alameda County Superior Court audit), along with Information Technology and the relationship to the Improvement and Modernization Fund (IMF).
- Updates from the Technology Planning Task Force.

The committee then reviewed the accomplishments and lessons learned from the past year, as well as the current inventory of technology projects. Key outcomes were the needs for courts' support for the governance and funding model, as well as the strategic plan for technology. There were also discussions of how the current and upcoming year's technology projects will support the Chief Justice's 3D message (physical, remote, and equal access).

Other activities included:

- The September 17–29 Court Technology Conference presented by the National Center for State Courts with the chair and vice-chair of the Court Technology Advisory Committee.
- A presentation at the September 27 CTAC meeting.
- The October 3 technology briefing session to share the progress of the task force with representatives from the Legislature, the Legislative Analyst's Office, Department of Finance, and CalTech. Judge David De Alba, the JCTC vice-chair, also attended. The outcome was positive, and CalTech was impressed with the work to date on the governance and funding model and strategic plan.
- The October 11 panel discussion entitled "Technology and the Courts: Implications for Legal Practitioners and Impact on Access to Justice" at the San Jose Bench Bar meeting.

Technology Planning Task Force

- The Technology Planning Task Force is making significant progress towards its charge of defining judicial branch technology governance, developing a strategic plan for technology at the trial, appellate, and supreme court levels, and developing recommendations for funding judicial branch technology.
- The task force met on September 24 and on October 10. A total of 15 additional meetings/work sessions for the governance, funding, and strategic plan tracks, as well as the prioritization subgroup, were held. Each track is making significant progress. A small subgroup has been working on establishing criteria and a process for evaluating and prioritizing technology projects. The Technology Committee will pilot this evaluation criteria when selecting courts for the Budget Change Proposal that will be submitted to the Department of Finance in February. This request will be submitted to the Judicial Council for review and approval in January.
- Task Force members will be making presentations at the Trial Court Presiding Judges Advisory Committee Executive Committee, Court Executives Advisory Committee, the Appellate Clerk's meetings, and also at the meeting with the Appellate Presiding Justices and the Chief Justice. Regional meetings are being scheduled to provide an update and solicit

input from the courts. An update on the work will also be given at the December Judicial Council meeting.

Judicial Council Members' Liaison Reports

Commissioner Sue Alexander reported on her liaison visits to the Superior Courts of Alpine and El Dorado Counties.

Public Comment

Four individuals commented in the following order on Friday regarding agenda Item J:

1. Mr. Ignacio Hernandez, California Federation of Interpreters;
2. Ms. Mariana Bension-Larkin, Association of Independent Judicial Interpreters of California;
3. Mr. Alejandro Abella, Superior Court of Los Angeles County; and
4. Mr. Daniel Navarro, Superior Court of San Francisco County.

Written Comments Received

Written comment was received from Mr. Dan Kesselbrenner, Ms. Sharon Kramer, Mr. Alberto Pérez Rendón, Ms. Maria Poblet, Ms. Beverly Upton, and Mr. Tom Wilson.

CONSENT AGENDA (ITEMS A1–A33 THROUGH I)

ITEMS A1–A33 RULES AND FORMS

Alternative Dispute Resolution

Item A1 Alternative Dispute Resolution: Ethics Standards for Neutral Arbitrators in Contractual Arbitration

All persons serving as neutral arbitrators under an arbitration agreement are required to comply with ethics standards adopted by the Judicial Council under Code of Civil Procedure section 1281.85. The Civil and Small Claims Advisory Committee recommended amendments to these ethics standards in response to recent appellate court decisions concerning the standards and suggestions received. Among other things, these amendments would: (1) codify the holdings in decisions on the inapplicability of the standards to arbitrators in securities arbitrations and on the time for disclosures when an arbitrator is appointed by the court; (2) require new disclosures about financial interests a party or attorney in the arbitration has in an administering arbitration provider or the provider has in a party or attorney and about any disciplinary action taken against an arbitrator by a professional licensing agency; (3) clarify required disclosures about associations in the private practice of law and other professional relationships between an arbitrator's spouse or domestic partner and a lawyer in the arbitration; (4) require arbitrators in consumer arbitrations to inform the parties in a pending arbitration of any offer of employment from a

party or attorney for a party in that arbitration; and (5) prohibit arbitrators from soliciting appointment as an arbitrator in a specific case or specific cases.

Council action

The Judicial Council, effective July 1, 2014, approved the amendment of the Ethics Standards for Neutral Arbitrators in Contractual Arbitration as follows:

1. Amended standard 2 to:
 - Codify case law holding that, in the context of the standards, “proposed nomination” does not include the court’s “nomination” of a list of potential arbitrators for consideration by the parties under Code of Civil Procedure section 1281.6; and
 - Fill a gap in the definition of an arbitrator’s “extended family,” which currently covers spouses of an arbitrator’s relatives but does not specifically cover the domestic partners of these relatives.
2. Amended standard 3 to:
 - Exempt from application of the standards arbitrators serving in a type of automobile warranty arbitration program authorized by federal regulation and in which the arbitrator’s award is not binding;
 - Codify case law holding that the standards are preempted for arbitrators serving in the security industry arbitration programs governed by rules approved by the Securities and Exchange Commission; and
 - Provide that the amendments to the standards do not apply to arbitrations in which the arbitrator was appointed before the effective date of the amendments.
3. Amended standard 7 to:
 - Reflect the proposed amendments to standard 12 by providing that offers of employment from a party or attorney in a pending consumer arbitration need not be disclosed under this standard if the arbitrator has complied with the requirements in standard 12 that arbitrators in consumer arbitrations inform parties of such offers;
 - Clarify that standard 7 governs both initial disclosures (those made before final appointment of an arbitrator) and supplemental disclosures (those made after the initial disclosures have been made);
 - In response to case law, clarify that arbitrators must disclose if their spouse or domestic partner was associated in the practice of law with a lawyer in the arbitration within the preceding two years;
 - In response to case law, clarify that the standards include a separate obligation to disclose professional relationships between an arbitrator or an arbitrator’s family members and party or a lawyer for a party in the arbitration that are not specifically covered by other subparts of standard 7(d);
 - Add a new requirement that arbitrators disclose whether:
 - They were disbarred or had their license to practice a profession or occupation revoked by a professional or occupational disciplinary agency or licensing board;

- They resigned their membership in the State Bar or another professional or occupational licensing agency or board while public or private disciplinary charges were pending; or
 - Within the preceding 10 years other public discipline was imposed on them by a professional or occupational disciplinary agency or licensing board; and
 - Make other nonsubstantive clarifying changes.
4. Amended the comment to standard 7 to:
- Reflect the proposed amendments to the text of the standard that would add a new obligation to disclose professional discipline and clarify the standard’s application to both initial and supplemental disclosures;
 - Clarify that the supplemental disclosure requirement applies to matters that existed at the time the arbitrator made his or her initial disclosures but of which the arbitrator only subsequently became aware and also to matters that arise because of developments during the course of an arbitration;
 - Clarify that just because a particular matter is not among the examples of matters specifically listed in 7(d) does not mean that it need not be disclosed—it still needs to be evaluated under the general standard relating to disclosures concerning the arbitrator’s impartiality; and
 - Correct several cross-referencing errors, update other cross-references to reflect the proposed amendments to the standard, and make other nonsubstantive clarifying changes.
5. Amended standard 8 to:
- Add new requirements that arbitrators in a consumer arbitration administered by a provider organization disclose whether:
 - The provider organization has a financial interest in a party; or
 - A party, a lawyer in the arbitration, or a law firm with which a lawyer in the arbitration is currently associated has a financial interest in the provider organization.
 - Provide that an arbitrator may rely on information supplied by a provider organization to make required disclosures under this standard only if the provider organization represents that the information is current as of the preceding calendar quarter;
 - Clarify that, if an arbitrator is relying on information from a provider organization’s website to make required disclosures under this standard, the web address of the provider organization must be provided in the arbitrator’s initial disclosure statement and the web address provided must be for the specific web page at which the information is located;
 - Clarify that disclosures relating to relationships with provider organizations must be made as part of the initial disclosure; and
 - Make the language of this standard consistent with the proposed amendments to the introductory sentence of standard 7.
6. Amended standard 12 to provide that, in consumer arbitrations, the arbitrator must inform parties of any offers of employment or new professional relationships from a

- party or a lawyer for a party in the arbitration and of the acceptance of any such offers.
7. Amended standard 16 to provide that the information an arbitrator must provide to parties about the terms of their compensation must include information about any requirements regarding advance deposit of fees and any practice concerning situations in which a party fails to timely pay the arbitrator's fees, including whether the arbitrator will or may stop the arbitration proceedings.
 8. Amended the comment to standard 16 to clarify that this standard is not intended to affect any authority a court may have to make orders with respect to the enforcement of arbitration agreements or arbitrator fees.
 9. Amended standard 17 to:
 - Provide that arbitrators may advertise a general willingness to serve as an arbitrator and convey biographical information and commercial terms of employment;
 - Provide that arbitrators must not solicit appointment as an arbitrator in a specific case or specific cases; and
 - Add a definition of "solicit."

Appellate Procedure

Item A2 Appellate Procedure: Appellate Division Rules and Forms

To provide cost savings and efficiencies for trial courts and for litigants, the Appellate Advisory Committee recommended amending the rules and revising the forms for the superior court appellate division proceedings to, among other things: (1) set a time frame for the court to decide whether to grant applications for appointment of counsel for indigent defendants in misdemeanor appeals; (2) provide for more limited records in certain types of misdemeanor appeals; (3) clarify the trial court's authority to adopt local rules establishing procedures to determine whether a full verbatim transcript is necessary in misdemeanor and infraction appeals; (4) expand the options when an appellant in a misdemeanor or infraction case learns of the cost for a record of the oral proceedings or that he or she must pay this cost; (5) add a rule to address defaults in procurement of the record in misdemeanor and infraction appeals; (6) provide that only the appellate division can grant an extension of the time to prepare a verbatim transcript in an appeal to the appellate division; and (7) specifically permit the trial court judge to order the appellant to incorporate corrections or modifications into a statement on appeal.

Council action

The Judicial Council, effective March 1, 2014:

1. Adopted new rules 8.874 and 8.924 to establish the consequences when a party in a misdemeanor or infraction appeal fails to take the steps necessary to procure the record.
2. Amended rule 8.810 to:

- Provide that the trial court cannot extend the time for a court reporter to prepare a transcript;
 - Clarify that a person seeking an extension of time to prepare a reporter's transcript or a transcript of an official electronic recording must comply with the requirements for filing an application to extend time; and
 - Consolidate and clarify the provisions relating to the declaration of facts establishing good cause for an extension of time.
3. Amended rules 8.822 and 8.823 to replace references to the trial court clerk *mailing* the judgment or order or notice of its entry with references to the clerk *servicing* these documents.
 4. Amended rules 8.834, 8.866, and 8.919 to provide that only the presiding judge of the appellate division or his or her designee may extend the time to prepare a reporter's transcript in an appeal of a limited civil, misdemeanor, or infraction case.
 5. Further amended rules 8.834, 8.866, and 8.919 and amend rules 8.835, 8.868, and 8.917 to:
 - Require that when all or part of the designated record was not recorded in the form requested by the appellant or cannot be transcribed, the clerk's notice informing the appellant of this must indicate whether the record was recorded in another form;
 - Clarify the alternative record options available to the appellant in these circumstances; and
 - Specify how the appellant must exercise the available options.
 6. Amended rules 8.837, 8.869, and 8.916 to:
 - Clarify what the appellant must include in the condensed narrative portion of a proposed statement on appeal;
 - Replace the requirement that the proposed statement on appeal "include as much of the evidence or proceeding as necessary to support the stated grounds" for the appeal with a requirement that the condensed narrative portion of the statement "include a concise factual summary of the testimony of each witness and other evidence that is relevant to the points" that the appellant indicates he or she is raising on appeal;
 - Specifically permit the trial judge to order that the appellant either submit a new proposed statement if the initial one does not contain required material or prepare a statement that incorporates necessary corrections or modifications identified by the judge; and
 - Replace the current provision addressing failure to timely file a proposed statement with cross references to rules 8.842, 8.874, and 8.924, which generally address failure to take actions necessary to procure the record on appeal.
 7. Amended rule 8.851 to:
 - Require the trial court to send any application for appointment of appellate counsel filed in that court to the appellate division within 15 court days after the application is filed; and
 - Require that appellate division grant or deny an application for appointment of appellate counsel within 30 days after the application is filed.

8. Amended rules 8.864 and 8.915 to:
 - Replace the current provisions establishing the sanctions when an appellant in a misdemeanor or infraction appeal fails to file a record election with a cross-reference to proposed new rules 8.874 and 8.924, which generally address failure to take actions necessary to procure the record on appeal; and
 - Delete provisions addressing situations in the record that were not recorded in the form elected by the appellant or cannot be transcribed, as this would be addressed by new provisions in the rules relating to reporters' transcripts and official electronic recordings.
9. Amended rules 8.865 and 8.918 to specifically provide that a court may adopt a local rule establishing procedures for determining:
 - Whether items ordinarily required to be included in a reporter's transcript are not required for proper determination of an appeal; or
 - Whether a form of the record other than a reporter's transcript will be sufficient for proper determination of the appeal.
10. Amended rules 8.866 and 8.917 and further amended rules 8.868 and 8.919 to provide options in addition to using a statement on appeal when nonindigent appellants learn the cost of a reporter's transcript, official electronic recording, or a transcript prepared from such a recording.
11. Further amended rules 8.868 and 8.917 to include a new provision clarifying that the rules regarding the content of reporters' transcripts generally govern the contents of a transcript of an official electronic recording.
12. Amended rule 8.867 to provide for a limited record in:
 - Pretrial appeals of orders under Penal Code section 1538.5; and
 - Appeals from the final judgment that challenge only the conditions of probation.
13. Amended rules 8.882 and 8.927 to specify the potential consequences if the People fail to file a respondent's brief in a misdemeanor or infraction appeal.
14. Amended rule 8.887 to require that appellate division decisions that are certified for publication be sent to the Reporter of Decisions as soon as they are certified.
15. Revised the information sheets on appeals in limited civil, misdemeanor, and infraction cases (forms APP-101-INFO, CR-131-INFO, and CR-141-INFO), notice of appeal forms (forms APP-102, CR-132, and CR-142), record election forms (forms APP-103, APP-110, CR-134, and CR-142), proposed statement on appeal forms (forms APP-104, CR-135, and CR-143), and forms for orders concerning proposed statements on appeal (forms APP-105, CR-136, and CR-143) to:
 - Reflect the proposed changes to the appellate division rules;
 - Update references to the California Courts website; and
 - Make other nonsubstantive and clarifying changes.
16. Further revised the record election forms for misdemeanor and infraction appeals (forms CR-134 and CR-142) to include a space where the parties can indicate that they have stipulated to the use of a limited record.
17. Revised *Request for Court-Appointed Lawyer in Misdemeanor Appeal* (form CR-133) to add a note to CR-133 alerting defendants of the possibility that the appellate

division may order a defendant to pay all or part of that cost of counsel on appeal if the appellate division finds the defendant able to pay that cost.

Item A3 Appellate Procedure: Civil Case Information Statement

The Appellate Advisory Committee recommended amending the rule relating to filing civil appeals in the Courts of Appeal to relieve the Court of Appeal clerk of responsibility for mailing the appellant notice of the requirement to file the *Civil Case Information Statement* (form APP-004) and a copy of that form, and instead to require that the appellant file this form within 15 days after the superior court mails the required notification of the filing of the notice of appeal. This change is intended to provide cost savings and efficiencies for the Courts of Appeal by reducing staff time spent on copying form APP-004 and mailing appellants these copies of the form and notice to file the form.

Council action

The Judicial Council, effective January 1, 2014, amended rule 8.100 to replace the current requirement that the Court of Appeal clerk mail the appellant notice of the requirement to file the *Civil Case Information Statement* (form APP-004) and a copy of the form with a requirement that the appellant file the form within 15 days after the superior court mails the required notification of the filing of the notice of appeal.

Item A4 Appellate Procedure: Defaults in Procuring the Record and Completion of the Record in Civil Appeals

The Appellate Advisory Committee recommended amending the rules relating to preparation of a clerk's transcripts in civil appeals to give trial court clerks the option, in certain cases, of waiting to determine whether the appeal will proceed before preparing such a transcript. The committee also recommended adopting new rule provisions establishing when the record in a civil appeal is considered complete and ready to be transmitted to the reviewing court. These rule amendments should result in significant cost savings for some trial and appellate courts.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rules 8.122 and 8.832, relating to clerk's transcripts in civil appeals to:
 - Provide that if an appellant has designated a reporter's transcript, the clerk has the option of waiting until 30 days after the appellant deposits the funds for the reporter's transcript or one of the authorized substitutes for this deposit to complete the clerk's transcript;
 - Clarify that the clerk will issue a default notice if an appellant fails to make the required deposit for a clerk's transcript or to submit a fee waiver application or order granting a fee waiver;

- Clarify that the clerk must prepare copies of the transcript not only for parties who have made a deposit for the transcript, but also for those who have requested a copy and have been granted a fee waiver;
 - Clarify that if an appellant submits a preexisting fee waiver order that waives the fee for the clerk's transcript, the time to prepare the transcript begins when that order is submitted; and
 - Make other minor clarifying changes.
2. Amended rules 8.140 and 8.840, relating to defaults in the procurement of the record in civil appeals, to specifically provide that the reviewing court will notify the trial court if the appeal is dismissed.
 3. Adopted new rule 8.149 and amended rule 8.842 to specify when the record on appeal in a civil case is considered complete and ready for transmittal to the reviewing court.

Item A5 Appellate Procedure: Number of Copies of Filed Documents (*deferred to future Judicial Council meeting*)

Item A6 Appellate Procedure: Preparation of Transcripts in Felony and Juvenile Appeals

The Appellate Advisory Committee recommended amending the rules relating to a reporter's transcripts in felony and juvenile appeals to: (1) alert parties and courts that, under statute, they may request a copy of the reporter's transcript in computer-readable format; (2) establish a procedure implementing the exception to the statute's requirement to prepare transcripts in that format upon request; and (3) clarify that the existing procedure for requesting extensions of time applies to requests by court reporters for additional time to prepare transcripts.

Council action

The Judicial Council, effective January 1, 2014, amended rules 8.336 and 8.409 to:

1. Alert parties and courts that, under Code of Civil Procedure section 271, they may request a copy of a reporter's transcript in computer-readable format and that, upon request, unless the trial court orders otherwise, the court reporter must provide the transcript in that format;
2. Clarify that the existing provisions relating to extensions of time apply to requests from court reporters for extensions of time to prepare transcripts; and
3. Make other nonsubstantive changes.

Item A7 Appellate Procedure: Reporter's Transcripts in Civil Appeals

The Appellate Advisory Committee and Court Executives Advisory Committee recommended amending the rules relating to a reporter's transcripts in civil appeals to, among other things: (1) establish a fee to cover trial court costs associated with administering trust accounts for payment of a reporter's transcript costs in civil appeals; (2) establish a lower deposit amount for reporter's transcripts of proceedings that have already been transcribed; and (3) allow the submission of

certified transcripts in lieu of a deposit for a reporter's transcript only when the certified transcripts contain all of the designated proceedings and are in the required format for a reporter's transcripts. These changes were proposed to generate revenue for trial courts and provide costs savings and efficiencies for trial courts and for litigants.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rules 8.130 and 8.834 to:
 - Require parties who deposit funds with the trial court for the cost of a reporter's transcript in a civil appeal to pay a fee of \$50 to the superior court;
 - Give appellants, when they learn what the cost of the reporter's transcript is and/or that they must pay that cost, the option of choosing another form of the record of the oral proceedings, informing the court that they now want to proceed without a record of the oral proceedings, or choosing to abandon the appeal altogether; and
 - Clarify that a party who believes that a reporter's estimate or invoice for the cost of a transcript is excessive may file a complaint with the Court Reporters Board.
2. Further amended rule 8.130 to:
 - Limit the procedure for providing previously purchased certified transcripts in lieu of a deposit for a reporter's transcript to situations in which the certified transcripts provided to the court cover all of the proceedings that the party has designated for inclusion in the reporter's transcript;
 - Require that transcripts submitted in lieu of a deposit for a reporter's transcript meet the format requirements for reporter's transcripts under rule 8.144;
 - Set a lower rate for calculating required reporter's transcript deposits for those proceedings that have already been transcribed by a court reporter;
 - Require that parties identify in their notices designating reporter's transcripts those proceedings for which a certified transcript has previously been prepared;
 - Require that, if a party files a Transcript Reimbursement Fund application, within 90 days after a copy of that application is filed with the court, the party must either submit a copy of the Court Reporters Board's provisional approval of the application or take one of the alternative actions specified in the rule;
 - Provide that the court may request a copy of a reporter's transcript in computer-readable format; and
 - Clarify that a court reporter's claim for an additional deposit for a reporter's transcript must be based on an estimate that is calculated using the statutory rate for reporter's transcripts.
3. Further amended rule 8.834 to:
 - Allow the same procedure for submitting certified transcripts or Transcript Reimbursement Fund applications in lieu of a deposit for a reporter's transcript as permitted under rule 8.130;
 - Add a provision noting that the court or parties may request a transcript in computer readable format; and

- Clarify that a court reporter's estimate of the cost of preparing the reporter's transcript must be calculated at the statutory rate.
4. Revised *Appellant's Notice Designating Record on Appeal (Unlimited Civil)* (form APP-003); and *Respondent's Notice Designating Record on Appeal (Unlimited Civil Case)* (form APP- 010) to include spaces for parties to indicate whether proceedings designated for inclusion in a reporter's transcript were previously transcribed.

Item A8 Appellate Procedure: Sealed and Confidential Records

The Appellate Advisory Committee recommended amending the rules relating to sealed and confidential records in Court of Appeal and Supreme Court proceedings to, among other things: (1) consolidate provisions on the format, transmission of, and access to these records; (2) add provisions addressing confidential records in civil appeals and writ proceedings; and (3) establish procedures for preventing the disclosure of material from these records in briefs, petitions, and other filings. These recommendations are intended to improve the administration of justice by clarifying and filling in gaps in these rules.

Council action

The Judicial Council, effective January 1, 2014:

1. Adopted new article 3 in Chapter 1 of Title 8 of the California Rules of Court to serve as the location for the rules relating to sealed and confidential records in the Supreme Court and Courts of Appeal.
2. Adopted new rule 8.45 to:
 - Establish the application of the rules in new article 3;
 - Establish definitions applicable to the rules in new article 3; and
 - Consolidate provisions on the general format and transmission of, and access to, sealed and confidential records in the Supreme Court and Courts of Appeal and add provisions requiring, among other things, that confidential records include a citation to or other brief description of the authority establishing that the record is closed to inspection in the court proceeding.
3. Amended rule 8.46 to:
 - Clarify that it applies to records sealed by order of the trial court under rules 2.550–2.551 and records sealed or proposed to be sealed by order of the reviewing court but does not apply to confidential records;
 - Add cross-references to proposed new rule 8.45 for requirements relating to format and transmission of, and access to, sealed records;
 - Require that the cover of any redacted and unredacted versions of any motion or application to seal or to unseal records and any opposition or supporting documents to such an application or motion be labeled as redacted or unredacted;
 - Add new provisions allowing litigants to file redacted and unredacted versions of a brief, petition, or other filing if they need to discuss sealed material or material they are requesting be sealed in that filing;

- Add a new provision requiring sealed or conditionally sealed material in unredacted filings to be identified; and
 - Clarify that the unredacted versions of filings must be served on any party that had access to the relevant record in the trial court or other proceedings under review.
4. Adopted new rule 8.47 to:
 - Establish requirements relating to confidential records that generally apply in all Supreme Court and Court of Appeal proceedings, including both appeals and writ proceedings, unless otherwise provided by law;
 - Incorporate a simplified version of the current procedures relating to transcripts of hearings under *People v. Marsden* (1970) 2 Cal.3d 118 that would permit the People to apply for a copy of such transcripts when the defendant raises an issue related to this hearing in the reviewing court, and add a procedure for the defendant to request that the People not be given access to such transcripts if the need to maintain confidentiality remains;
 - Make these procedures applicable not only to *Marsden* transcripts, but also to transcripts of other in-camera hearings from which the People were excluded; and
 - Establish procedures applicable when a party wants to maintain the confidentiality of other records sealed by operation of law, including a procedure for filing an application or motion allowing the party to file under seal a brief, petition, or other filing that discusses such records; and
 5. Repealed rule 8.328 and amended rules 8.120, 8.144, 8.320, 8.336, 8.380, 8.384, 8.385, 8.401, 8.407, 8.409, 8.486, 8.487, and 8.610 to reflect new rules 8.45 and 8.47 and the amendments to rule 8.46.

Item A9 Appellate Procedure: Signatures on Filed Documents

The Appellate Advisory Committee recommended adopting a new rule regarding signatures on documents filed in the Supreme Court and Courts of Appeal that allows the use of copies of signature pages in some circumstances. The committee also recommended amending the rule regarding electronic filing in the Supreme Court and Courts of Appeal so that, as in the trial court, a party electronically filing documents that must be signed under penalty of perjury must retain the original signed document, rather than submitting it to the court.

Council action

The Judicial Council, effective January 1, 2014:

1. Adopted new rule 8.42 of the California Rules of Court regarding signatures on documents filed in the Supreme Court and Courts of Appeal to permit the use of copies of signature pages in some circumstances;
2. Amended rule 8.77, regarding signatures on documents that are filed electronically in the Supreme Court and Courts of Appeal, and rule 8.212(b), relating to stipulations to extend the time to file a brief in a civil appeal to the Courts of Appeal, to reflect proposed new rule 8.42; and

3. Further amended rule 8.77 to provide that, as in the trial court, a party electronically filing documents that must be signed under penalty of perjury must retain the original signed document, rather than submitting it to the court.

Item A10 Appellate Procedure: Writ Proceedings

The Appellate Advisory Committee recommended making a number of clarifying changes to the California Rules of Court relating to writ proceedings in the Supreme Court, Courts of Appeal, and superior court appellate division, including: (1) clarifying when the appellate projects must be served with a return in a habeas corpus proceeding; (2) clarifying that the rules on proceedings for writs of mandate, certiorari, and prohibition do not apply to proceedings for writs under Welfare and Institutions Code sections 366.26 and 366.28 or for writs under rules 8.450–8.456; (3) clarifying the finality of orders dismissing a writ petition and when remittitur must issue; and (4) modifying rule provisions that refer just to attorneys or unnecessarily refer separately to attorneys and self-represented parties.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rule 8.385 to specify who must be served with an informal response to a petition for a writ of habeas corpus.
2. Amended rule 8.386 to:
 - Remove the provisions requiring the return and traverse filed in the reviewing court to comply with the length limit for briefs and to add a provision requiring any memorandum accompanying such a return or traverse to comply with that length limit; and
 - Clarify when the appellate projects must be served with a return in a habeas corpus proceeding.
3. Amended rule 8.387 to:
 - Clarify that a Court of Appeal must issue a remittitur in a habeas proceeding if the Supreme Court issues a remittitur to the Court of Appeal; and
 - Clarify what procedures in rule 8.272 are made applicable by cross-reference to remittitur in habeas proceedings.
4. Amended rule 8.485 to provide that the rules on proceedings for writs of mandate, certiorari, and prohibition in the Supreme Court and Courts of Appeal do not apply to proceedings for writs to review orders setting a hearing under Welfare and Institutions Code section 366.26, for writs under Welfare and Institutions Code section 366.28 to review orders designating or denying a specific placement of a dependent child after termination of parental rights, or for writs under rules 8.450–8.456, relating to certain California Environmental Quality Act (CEQA) cases and certain agency decisions.
5. Amended rules 8.490 and 8.935 to:
 - Provide that, unless otherwise ordered by the court, orders denying or dismissing a petition for a writ of mandate, certiorari, or prohibition without issuance of an

- alternative writ, order to show cause, or writ of review or denying or dismissing such a petition as moot after issuance of an alternative writ, order to show cause, or writ of review are final on filing;
- Provide that a court must issue a remittitur in a proceeding for a writ of mandate, certiorari, or prohibition when the court issues any decision that is not final immediately; and
 - Make other clarifying changes.
6. Further amended rule 8.935, to add provisions relating to filing of decisions parallel to those in rule 8.887 relating to decisions in appeals to the appellate division.
 7. Amended the advisory committee comments accompanying rules 8.387, 8.490, and 8.935 to clarify that when remittitur is issued in these writ proceedings, it serves as notice that the proceedings have concluded.
 8. Amended rule 8.931 to provide that the record of the oral proceedings accompanying a petition for a writ of mandate, certiorari, and prohibition in the superior court appellate division may be in the form of a transcript of electronic recordings and that the electronic recording itself may only be used if the court has a local rule permitting this.
 9. Further amended rules 8.386, 8.490, and amended 8.486, 8.487, 8.490, 8.931, and 8.933 to eliminate unnecessary references to attorneys or separate references to attorneys and self-represented parties and to make other nonsubstantive clarifying changes.

Civil and Small Claims

Item A11 Civil Procedure: Clerk's Addition of Interest to Judgments

The Civil and Small Claims Advisory Committee recommended amending California Rules of Court, rule 3.1802, which currently provides that a clerk must include in a judgment any interest awarded by a court and the interest accrued since the entry of the verdict. The proposed amendment deletes the latter provision because it is ambiguous in light of Code of Civil Procedure section 685.020, which states that interest commences to accrue on a judgment from date of entry of judgment. The amendment would conform the rule to statute and eliminate any confusion about what action clerks are required to take vis-à-vis these judgments.

Council action

The Judicial Council amended California Rules of Court, rule 3.1802, to delete the provision that a clerk must add interest to a judgment accruing from the time of verdict.

Item A12 Civil Practice and Procedure: Telephonic Appearances

The Civil and Small Claims Advisory Committee recommended amending rule 3.670 of the California Rules of Court to clarify that the hearings, conferences, and proceedings at which a party may appear by telephone include all civil conferences, hearings, and proceedings except

those expressly listed as requiring personal appearances; to shorten the time for notice of such appearances from three to two court days; to add ex parte applications to the types of proceedings at which a party may appear by telephone; and to clarify that a court should grant leave to appear by telephone on shortened notice if good cause exists. The proposal would also amend rule 3.1207 (regarding ex parte appearances generally) and rule 5.324 (regarding telephonic appearances in certain child support proceedings) to reflect the changes in the telephonic appearance rule.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rules 3.670, 3.1207, and 5.324 of the California Rules of Court to:
 - Clarify that the hearings, conferences, and proceedings at which a party may appear by telephone include all civil conferences, hearings, and proceedings except those expressly listed as requiring personal appearances;
 - Shorten the time for notice of such appearances from three to two court days, and amend references in the rule regarding timeliness to reflect that change;
 - Add ex parte applications to the types of proceedings at which a party may appear by telephone; and
 - Clarify that a court should grant leave to appear by telephone on shortened notice if good cause exists.
2. Amended rule 3.1207 (regarding ex parte appearances generally) and rule 5.324 (regarding telephonic appearances in certain child support proceedings) to reflect the changes in rule 3.670.

Criminal Justice

Item A13 Criminal Cases: Encouraging Local Mental Health Protocols and Adding Stakeholders to Currently Mandated Meetings

The Mental Health Issues Implementation Task Force recommended amending rule 10.951 to add a subsection to encourage courts to develop mental health case protocols and rule 10.952 to include additional justice system stakeholders in courts' regular meetings concerning the criminal court system. These recommended rule amendments are designed to encourage judicial leadership in facilitating interbranch and interagency coordinated responses to people with mental illness in the criminal justice system and to improve case processing and outcomes for defendants with mental illness or co-occurring disorders.

Council action

The Judicial Council, effective July 1, 2014:

1. Amended California Rules of Court, rule 10.951 (Duties of supervising judge of the criminal division), to add new subdivision (c) encouraging the supervising or presiding judge, in conjunction with the justice partners identified in rule 10.952, to

- develop local protocols for cases involving offenders with mental illness or co-occurring disorders. The development of local protocols is not mandatory.
2. Amended rule 10.952 (Meetings concerning the criminal court system) to add the following stakeholders to courts' regular meetings with justice system partners: representatives from parole, the sheriff and police departments; the Forensic Conditional Release Program (CONREP); the county mental health director (or designee); and the county director of the California Department of Alcohol and Drug Programs (or designee).

Item A14 Criminal Procedure: Petition and Order for Dismissal

The Criminal Law Advisory Committee recommended revising the *Petition for Dismissal* (form CR-180) and the *Order for Dismissal* (form CR-181) to incorporate an additional statutory basis for dismissal, add a check box to the petition to apply the forms to infractions, add an advisement to the order to clarify that dismissals do not automatically relieve petitioners of requirements to register as a sex offender, and delete certain personal identifying information. The committee also recommended revisions to the format, advisements, and instructions on both forms to reduce confusion and update and enhance the information on the forms.

Council action

The Judicial Council, effective January 1, 2014, revised the *Petition for Dismissal* (form CR-180) and *Order for Dismissal* (form CR-181) to:

1. Add check boxes and related instructions to item 4 on form CR-180 to incorporate an additional statutory basis for dismissal;
2. Add a check box to item 2 on form CR-180 to apply the forms to infractions;
3. Add an advisement to item 5b on form CR-181 to clarify that a dismissal does not automatically relieve a petitioner of requirements to register as a sex offender;
4. Delete data fields for personal identifying information, including driver's license, social security, and criminal identification numbers (CII), from the captions of both forms; and
5. Revise the format, advisements, and instructions on both forms to reduce confusion and update and enhance the information on the forms.

Family and Juvenile Law

Item A15 Family Law: Approval of New Form Declaration of Supervised Visitation Provider

The Family and Juvenile Law Advisory Committee recommended that the Judicial Council, effective January 1, 2014, approve a new optional form, *Declaration of Supervised Visitation Provider* (form FL-324), for use regarding training and qualifications of a provider of supervised visitation. Effective January 1, 2013, Assembly Bill 1674 (Stats. 2012, ch. 692) added section 3200.5 to the Family Code, relating to supervised visitation providers. Family Code section 3200.5(d)(2) requires the professional provider of supervised visitation to sign a declaration

indicating that they meet the training and qualification requirements as set forth in Family Code sections 3200.5(c)(2), (d)(1), and (d)(2). Family Code section 3200.5(c)(1) also sets forth qualifications for a nonprofessional provider of supervised visitation. Although Family Code section 3200.5 does not specifically require the Judicial Council to develop a form for this purpose, there is no current Judicial Council form declaration that incorporates the new requirements of Family Code section 3200.5. The Family and Juvenile Law Advisory Committee believes approval of this form would assist the courts by providing a readily accessible form declaration for providers of supervised visitation.

Council action

The Judicial Council, effective January 1, 2014, approved a new optional form, *Declaration of Supervised Visitation Provider* (form FL-324) for use regarding training and qualifications of a provider of supervised visitation.

Item A16 Family Law: Clarification of Rules on Service and Posting of a Summons and Forms of Pleading

In response to the suggestions of court personnel following the implementation of the restructured title V family rules, the Family and Juvenile Law Advisory Committee and the Elkins Family Law Implementation Task Force recommended amending rules 5.68 (Manner of service of summons and petition; response; jurisdiction), 5.72 (Court order for service by publication or posting when respondent's address is unknown), and 5.74 (Pleadings and amended pleadings) to clarify their meaning so as to better educate parties and their attorneys and increase court efficiencies in the subject areas of these rules. The Family and Juvenile Law Advisory Committee and the Elkins Family Law Implementation Task Force recommended that the Judicial Council, effective January 1, 2014: (1) amend rule 5.68 (Manner of service of summons and petition; response; jurisdiction) to reflect procedures used by the court to help effect service of judicial documents on a person located in a foreign state; (2) amend rule 5.72 (Court order for service by publication or posting when respondent's address is unknown) to clarify that any order waiving court fees and costs (not only an order granted on form FW-003) qualifies a party to request a court order for service of a summons by posting; and (3) amend rule 5.74 (Pleadings and amended pleadings) to state that summary adjudications may not be filed in family law matters.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rule 5.68 (Manner of service of summons and petition; response; jurisdiction) to reflect procedures used by the court to help effect service of judicial documents on a person located in a foreign state;
2. Amended rule 5.72 (Court order for service by publication or posting when respondent's address is unknown) to clarify that any order waiving court fees and costs (not only an order granted on form FW-003) qualifies a party to request a court order for service of a summons by posting; and

3. Amended rule 5.74 (Pleadings and amended pleadings) to state that summary adjudication motions may not be filed in family law matters.

Item A17 Family Law: Ex Parte Application to Terminate Earnings Assignment Order

The Family and Juvenile Law Advisory Committee proposed revising the *Ex Parte Application for Earnings Assignment Order* (form FL-430), effective January 1, 2014, to comply with Assembly Bill 1727 (Stats. 2012, ch. 77), which amended Family Code section 5240 to permit a support obligor to seek ex parte relief to terminate an earnings assignment order under specified circumstances. In addition, the form would be renamed, reorganized, and additional information about the underlying order would be added to make it more intelligible for users.

Council action

The Judicial Council, effective January 1, 2014, revised and renamed form FL-430, from *Ex Parte Application for Earnings Assignment Order* to *Ex Parte Application to Issue, Modify, or Terminate an Earnings Assignment Order* to comply with the requirements of Assembly Bill 1727 (Stats. 2012, ch. 77), which allows an obligor to make an ex parte request for termination of an earnings assignment order.

Item A18 Family Law: New Rule for Title IV-D Case Transfers to Tribal Court

The Tribal Court/State Court Forum and the Family and Juvenile Law Advisory Committee jointly proposed a new California rule of court that would provide a consistent procedure for the discretionary transfer of title IV-D child support cases from the state superior courts to tribal courts when there is concurrent jurisdiction over the matter in controversy. This proposal was initiated as a result of meetings between the Yurok Tribe, federal Office of Child Support Enforcement, and the California Department of Child Support Services.

Council action

The Judicial Council, effective January 1, 2014, adopted a new rule of court, California Rules of Court, rule 5.372, to provide a consistent procedure for the discretionary transfer of title IV-D child support cases from the state superior courts to tribal courts when there is concurrent jurisdiction over the matter in controversy.

Item A19 Family Law: Revisions to Family Law Summons

The Family and Juvenile Law Advisory Committee proposed revisions to the family law summons, form FL-110. The changes address the requirements of Assembly Bill 792 (Stats. 2012, ch.851), which, effective January 1, 2014, requires courts to provide a notice upon filing of a petition for divorce, legal separation, or annulment, or a petition for adoption, informing the petitioner and respondent that they may be eligible for reduced or no-cost insurance coverage through the California Health Benefit Exchange or no-cost coverage through Medi-Cal. The changes further respond to Senate Bill 1206, which requires that the standard restraining orders in a summons for dissolution, legal separation, or annulment include a notice informing the

parties that they are restrained from applying for a new or replacement passport for the minor child or children of the parties without the prior written consent of the other party or an order of the court. To address commentators' requests that the summons be kept to two pages, a number of changes were made to tighten up language and to remove boxes that asked the petitioner to note whether the respondent was served as an individual, on behalf of a minor, or as a conservator.

Council action

The Judicial Council, effective January 1, 2014, revised form FL-110, *Summons (Family Law)*, as follows:

- On page 2, added language notifying the parties of their possible eligibility for health insurance coverage. As required by law, Covered California provided the appropriate language as follows, “[d]o you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay towards high quality affordable health care. For more information, visit www.coveredca.com. Or call Covered California at 1-800-300-1506.” The Spanish translation would direct readers to the Spanish language line, 1-800-300-0213.
- On page 2, in the box entitled STANDARD FAMILY LAW RESTRAINING ORDERS, included the revised statutory language preventing a party from “applying for a new or replacement passport for those minor children without the prior written consent of the other party or an order of the court.”
- On page 1, removed the box indicating the capacity in which the person being served is being served—whether as an individual, on behalf of a minor, or as a conservator.
- Simplified and clarified language in the restraining orders and notices.
- On page 1, added, “Read [the] information below [and on the next page]” after “You are being sued.” (Code of Civil Procedure section 412.20(a)(6) requires that the summons contain “read information below” in the header.)
- Incorporated technical changes, including updating web addresses.

Item A20 Family and Juvenile Law: Miscellaneous Technical Changes to Judicial Council Forms

The Family and Juvenile Law Advisory Committee identified two Judicial Council forms that require minor changes to accurately reflect the law and to avoid confusion for court users, clerks, and judicial officers.

Council action

The Judicial Council, effective January 1, 2014:

1. Revised *Adoption Request* (form ADOPT-200) to add a notice box at the bottom of page 5 as required by Assembly Bill 792 (Stats. 2012, ch.851);

2. Revised item 8a of the *Adoption Request* form to allow an alternative, legally valid, form of proof (such as the dependency court’s ICWA findings or minute order) to be attached as proof of ICWA inquiry as required by rule 5.481 in lieu of the ICWA-10(A) and ICWA-20 forms;
3. Revised the *Adoption Request* form to correct the statutory reference section in the footer portion of page 1 to correct an inadvertent error in the version effective July 1, 2013, that placed Family Code sections 170, 175, 177, and 180 in the section after “Rules of Court” rather than with the Family Code references;
4. Revised *Waiver of Rights—Juvenile Delinquency* (form JV-618) to add “3. I understand the following consequences of my admission:”, which was inadvertently deleted after former item 4 was moved above former item 3 in the Spring 2011 cycle; and
5. Revised both the *Adoption Request* form and *Waiver of Rights—Juvenile Delinquency* to make additional minor typographical and stylistic changes.

Item A21 Juvenile Law: Access to Services for Children, Nonminors, and Nonminor Dependents

The Family and Juvenile Law Advisory Committee recommended amending 11 California Rules of Court, approving one new Judicial Council form for optional use, and revising nine existing forms. These rules and forms guide juvenile court practice and establish procedures for the court, parties, and agencies seeking to ensure the access of children and youth before the juvenile court to legally mandated educational, developmental, and other services. Almost all the recommended amendments and revisions respond to statutory changes enacted in the past three years. Additional recommended changes respond to requests from judicial officers, court staff, and juvenile court justice partners.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rule 5.502 to replace the term *educational representative* with the standard, nationally recognized term *educational rights holder*; to expand the definition of the term to include persons who hold decisionmaking rights without appointment; to add the authority to make developmental-services decisions and to act on behalf of certain nonminors and nonminor dependents; to add definitions of *Indian child* and *Indian child’s tribe* consistent with statute to address existing uncertainty; to define *nonminors* as a class of persons distinct from nonminor dependents; to define *transition dependent*; and to make technical corrections to the definitions of *court-ordered services* and *domestic partner*.
2. Amended rule 5.518(e) to delete an obsolete reference to amended rule 5.651 and to incorporate language consistent with the amendment to that rule.
3. Amended rule 5.534 to provide for the appointment of an educational rights holder when the court both limits the rights of a parent or guardian to make developmental-services decisions and finds that an appointment would be in the best interests of a

- nonminor or nonminor dependent who has chosen not to make educational or developmental-services decisions or has been deemed by the court to be incompetent; and to make technical corrections to provisions relating to the burden of proof, de facto parents, relatives, the right to and appointment of counsel, and the court's authority to require an agency to file periodic reports.
4. Amended rule 5.575 to reflect the court's authority to join an agency at any stage of the proceedings and on behalf of a nonminor or nonminor dependent as well as a child, to clarify procedures and timelines, and to correct cross-references.
 5. Renumbered rule 5.650(a) as rule 5.649 and added new subdivisions (b)–(e) to specify the court's authority to limit parental rights to make decisions regarding developmental services as well as education; to distinguish the court's authority to limit parental rights to make educational or developmental-services decisions from the authority and procedures for appointing an educational rights holder; to distinguish a limitation at or after disposition from a temporary limitation before disposition; and to specify that, if the court limits parental decisionmaking rights or appoints a rights holder, the party requesting the limitation or appointment—or, if no request is made, the attorney for the child or youth—is required to file a completed form JV-535 for the court's signature unless otherwise directed by the court.
 6. Amended rule 5.650(b)–(e) to change its title to “Appointed educational rights holder”; to clarify the procedures for appointing an educational rights holder for a child and the circumstances in which an appointment need not be made; to incorporate procedures for appointing a rights holder for a nonminor or nonminor dependent youth; to specify the court's duty to determine whether a responsible adult related or known to the child is available to serve as the educational rights holder before appointing an unknown adult; to specify the requirement that, if the court must temporarily make educational or developmental-services decisions for a child before disposition because it cannot identify a responsible adult, then the court must order every effort made to identify a responsible adult to make future decisions; to reflect changes to the statutory authority and duties of an educational rights holder; to clarify the limits of the rights holder's term of service; to require that form JV-535 be served after a hearing only when the form includes new information or any information different from that on the JV-535 form filed after the previous hearing; to require that, if served, the form be served on an Indian child's tribe; and to simplify the rule, promote clarity, and make technical changes.
 7. Amended rule 5.651 to change its title to “Educational and developmental-services rights”; to reflect the applicability of all state and federal laws conferring rights to educational or developmental services; to reflect the rule's application to children and to nonminor and nonminor dependent youth; to incorporate consideration of developmental-services needs into the judicial inquiry required at the detention, dispositional, and all regularly scheduled review and permanency hearings; to update the report requirements to include information about developmental services needed or received; to incorporate statutory amendments to the right of the child or youth to attend the school of origin; and to clarify the procedures for judicial review of a proposed change of placement that could result in removal from the school of origin.

8. Amended rule 5.660(d) to incorporate the requirement that the child's attorney provide his or her contact information to specified educational liaisons in any manner specified in section 317(e) of the Welfare and Institutions Code.
9. Amended rules 5.695 and 5.790 to reflect the statutory requirements that the court consider, at the dispositional hearing, a dependent's or ward's educational and developmental-services needs, whether to limit parental decisionmaking rights, and, if applicable, whether to appoint a rights holder; to render the requirements for judicial review of the agency's family-finding investigation consistent with one another, with rule 5.637, and with sections 309 and 628; and to remove superfluous language.
10. Amended rules 5.695 and 5.708 to incorporate the requirement that the court order that the caregiver and, if he or she is 16 years of age or older, the child or youth receive his or her birth certificate when reunification services are denied or terminated.
11. Amended rules 5.708 and 5.810 to reflect the statutory requirements that the court consider, at each statutory review or permanency hearing, a dependent's, ward's, or nonminor dependent youth's educational and developmental-services needs; whether to limit parental decisionmaking rights; and, if applicable, whether to appoint a rights holder.
12. Approved *Attachment to Order Designating Educational Rights Holder* (form JV-535(A)) for optional use in courts that prefer not to develop local processes and forms to document required findings and orders. The form includes findings and orders needed to support a limitation of parental decisionmaking rights and the appointment of an educational rights holder in a variety of circumstances.
13. Revised *Request to Change Court Order* (form JV-180) to replace the term *child's education surrogate* with *educational rights holder*; to add a line to record the rights holder's position on the requested change, if relevant; to strike the requirement that the person completing the form declare that if he or she lies on the form, then he or she is guilty of a crime; to allow its application to youth over 18 years of age; and to clarify the form to make it simpler to use.
14. Revised *Your Child's Health and Education* (form JV-225) to solicit information about the child's need for and receipt of developmental services, hospitalization, and vision correction; to permit attachment of additional sheets; to allow its application to youth over 18 years of age; and to strike the declaration that a person completing the form is guilty of a crime if he or she lies on the form.
15. Revised *Consent to Release Education Information* (form JV-227) to confirm its applicability to nonminor and nonminor dependent youth.
16. Renamed *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) as *Order Designating Educational Rights Holder* and revised it to permit the court to clearly identify any educational rights holder, regardless of whether the rights holder is appointed or holds the rights by default or by operation of law; to allow its application to youth over 18 years of age; to specify the rights holder's relationship to the child or youth; to specify the authority and duties of an appointed rights holder; and to simplify the form by removing information not needed

- by the rights holder or the local educational agency to perform their respective legal obligations. These revisions are intended to simplify and clarify the form, thereby promoting its consistent, widespread, and effective use.
17. Revised *Local Educational Agency Response to JV-535—Appointment of Surrogate Parent* (form JV-536) to render it consistent with statutory and rule amendments as well as proposed forms JV-535 and JV-535(A).
 18. Revised *Educational Representative or Surrogate Parent Information* (form JV-537) and renamed it *Educational Rights Holder Statement* to render it consistent with statutory and rule amendments as well as proposed forms JV-535 and JV-535(A), and to allow its application to youth over 18 years of age.
 19. Revised *Findings and Orders Regarding Transfer From School of Origin* (form JV-538) to render it consistent with statutory and rule amendments as well as proposed forms JV-535 and JV-535(A), and to allow its application to youth over 18 years of age.
 20. Revised *Request for Hearing Regarding Child's Education* (form JV-539) and renamed it *Request for Hearing Regarding Access to Services* to render it consistent with statutory and rule amendments as well as proposed forms JV-535 and JV-535(A), and to allow its application to youth over 18 years of age.
 21. Revised *Notice of Hearing on Joinder—Juvenile* (form JV-540) to render it consistent with statutory requirements and rule amendments.

Item A22 Juvenile Law: Extended Foster Care

The Family and Juvenile Law Advisory Committee recommended adopting two new rules, amending seven rules, approving seven new optional forms, and revising five forms to implement new legislation and provide further guidance and procedures to fully implement earlier legislation regarding the extension of juvenile court jurisdiction and foster care services to dependents and wards up to 21 years of age.

Council action

The Judicial Council, effective October 25, 2014, adopted new *Agreement of Adoption of Nonminor Dependent* (form JV-475), *Consent of Spouse or Registered Domestic Partner to Adoption of Nonminor Dependent* (form JV-477), and *Order of Adoption of Nonminor Dependent* (form JV-479) to provide optional forms to implement the option of adult adoption as a permanent plan for nonminor dependents as provided by AB 1712.

Council action

The Judicial Council, effective January 1, 2014:

1. Adopted rule 5.813 of the California Rules of Court to state the procedures to be followed when a court is considering modifying the jurisdictional status of a ward from delinquency to transition jurisdiction when the ward is at least 18 years of age;

2. Adopted rule 5.814 to state the procedures to be followed when a court is considering modifying the jurisdictional status of a ward from delinquency to transition jurisdiction when the ward is older than 17 years, 5 months of age and younger than 18 years of age;
3. Amended rule 5.555 concerning termination of juvenile court jurisdiction over a nonminor in foster care or a nonminor dependent to include statutory changes allowing parents of nonminors to receive reunification services and be returned to the home of a parent or former legal guardian, remove the requirement that all court findings be made orally, and clarify the age parameters of the rule consistent with recent statutory change extending nonminor dependent eligibility to age 21;
4. Amended rule 5.570 concerning modification petitions in dependency matters subject to Welfare and Institutions Code section 3882 to clarify that nonminor dependents can file modification petitions as provided in Assembly Bill 1712 (Beall; Stats. 2012, ch. 846), incorporate the heightened standard of proof required for modification petitions for parents denied reunification services consistent with the changes made by Senate Bill 1425 (Stats. 2012, ch. 179), and remove unnecessary and outdated provisions;
5. Amended rule 5.707 concerning the last review hearing for a dependent before reaching age 18 to remove the requirement that findings and orders be made orally and that the court order be signed;
6. Amended rule 5.812 concerning the last review hearing for a ward before reaching age 18 or any hearing to terminate jurisdiction over a ward in foster care or who was in foster care when adjudged a ward to remove the requirement that findings and orders be made orally and that the court order be signed;
7. Amended rule 5.900 concerning the procedures for courts with regard to nonminor dependents to clarify that nonminors who are delinquents and in foster care are not placed voluntarily and that nonminor delinquents may have their decisionmaking authority limited, and to implement the requirement that nonminor dependents have separate court files;
8. Amended rule 5.903 concerning nonminor dependent status review hearings to incorporate statutory changes concerning reunification services and the possible return of a nonminor to a parent or former legal guardian's residence and to remove the requirement that findings and orders be made orally and that the court order be signed;
9. Amended rule 5.906 concerning a request by a nonminor to reenter foster care and resume juvenile court jurisdiction to clarify the age parameters of the rule consistent with a recent statutory change extending nonminor dependent eligibility to age 21, and to remove the requirement that findings and orders be made orally and that the court order be signed;
10. Revised and renumbered *Continuance—Juvenile Delinquency* (current form JV-682) to be form JV-688 so that all the forms relating to nonminor dependents in delinquency proceedings are grouped together in numerical order;
11. Adopted new *Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Child Younger Than 18 Years of Age* (form JV-682) and

- Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Ward Older Than 18 Years of Age* (form JV-683) to provide optional forms for probation departments and courts to make required findings and orders to support a modification of jurisdiction from delinquency to transition jurisdiction;
12. Adopted new *Findings and Orders Regarding Prima Facie Showing on Nonminor's Request to Reenter Foster Care* (form JV-470) and *Findings and Orders After Hearing to Consider Nonminor's Request to Reenter Foster Care* (form JV-472) to provide agencies and the courts with optional forms to use to make required reentry findings and orders;
 13. Revised *Notice of Hearing—Nonminor* (form JV-281) and *Proof of Service—Nonminor* (form JV-282) to require and allow for notice to parents of nonminors who are receiving reunification services;
 14. Revised *Attachment: Additional Findings and Orders for Child Approaching Majority—Dependency* (form JV-460) to correct an erroneous statutory reference;
 15. Revised *Findings and Orders After Nonminor Dependent Status Review Hearing* (form JV-462) to incorporate statutory changes concerning findings required if a parent is receiving reunification services and for a nonminor residing in the home of a parent or former legal guardian; and
 16. Revised *Attachment: Additional Findings and Orders for Minor Approaching Majority—Delinquency* (form JV-680) to allow it to be used as a standalone form and not simply as an attachment.

Item A23 Juvenile Law: Interstate Compact on the Placement of Children Regulation Changes

The Family and Juvenile Law Advisory Committee recommended amending California Rules of Court, rule 5.616, to implement recent changes in the law related to the Interstate Compact on the Placement of Children (ICPC). The national regulations implementing the ICPC have been repeatedly updated over the past three years, most recently in 2012. The California Rules of Court and Judicial Council forms regarding ICPC were extensively revised last year in response to the 2010 and 2011 changes to the regulations. Additional, minor changes were proposed to rule 5.616 to bring the rule into compliance with the 2012 regulatory changes.

Council action

The Judicial Council, effective January 1, 2014, amended subdivisions (b), (c), (e), and (i) of rule 5.616 (Interstate Compact on the Placement of Children) of the California Rules of Court, to make the rule consistent with regulatory changes.

Item A24 Juvenile Law: Minor Changes for Statutory Compliance

Following legislation enacted in 2012, the Family and Juvenile Law Advisory Committee recommended amending various juvenile law–related rules to ensure that the California Rules of Court accurately and comprehensively reflect the current state of the law. Specifically, code

amendments in Senate Bill 1064 and Assembly Bill 324 prompted this recommendation of updates to rules 5.695, 5.710, 5.715, 5.720, and 5.805 to reflect the changes.

Council action

The Judicial Council, effective January 1, 2014, amended the following California Rules of Court:

1. Rule 5.695 (Findings and orders of the court—disposition), to include parents or guardians who are detained by the Department of Homeland Security (DHS) or have been deported to their country of origin among those parents who are entitled, with some exceptions, to receive reunification services to reflect the changes made by SB 1064 (Stats. 2012, ch. 845);
2. Rule 5.710 (Six-month review hearing), to include parents who are detained by DHS or have been deported to their country of origin among those parents for whom the court must consider any particular barriers to maintaining contact with their children to reflect the changes made by SB 1064;
3. Rule 5.715 (Twelve-month permanency hearing), to state that parents who have been arrested and issued an immigration hold, detained by DHS, or deported to their country of origin are entitled to consideration of their special circumstances when the court is determining whether reunification services may be extended to 18 months to reflect the changes made by SB 1064;
4. Rule 5.720 (Eighteen-month permanency review hearing), to state that the court may extend reunification services for up to 24 months for parents recently discharged from DHS custody to reflect the changes made by SB 1064; and
5. Rule 5.805 (California Department of Corrections and Rehabilitation, Division of Juvenile Justice, commitments), to reconcile the commitment criteria for the Division of Juvenile Facilities (DJF) with the changes made by AB 324 (Stats. 2012, ch. 7).

Item A25 Juvenile Law: Psychotropic Medications

The Family and Juvenile Law Advisory Committee recommended amending rule 5.640 of the California Rules of Court and revising three related forms to (1) clarify the time frame for filing an opposition to an application for the juvenile court to authorize the administration of psychotropic medication for a child; (2) clarify appropriate methods of service and notice protocols; and (3) add notice requirements for an Indian child's tribe if psychotropic medication is being sought for an Indian child. The rule and form revisions are based on a 2012 Court of Appeal opinion that called on the council to consider tying the due date for filing an opposition to the date of service rather than receipt of notice, as well as a request by the California Tribal Court/State Court Forum to include tribal notice requirements in these cases.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rule 5.640 (Psychotropic medications) to clarify the time frame for filing an opposition to an application for the juvenile court to authorize the administration of psychotropic medication in subdivision (c)(8) and to add tribal notice requirements in subdivisions (c)(7)(D), (c)(8), and (c)(9);
2. Revised form JV-219-INFO, *Information About Psychotropic Medication Forms*, to clarify the time frame for filing an opposition, to add information on electronic service, and to include tribal notice requirements;
3. Revised form JV-221, *Proof of Notice: Application Regarding Psychotropic Medication*, to add a new item 9 for tribal notice, to add an “electronic service” check box option, and to add check boxes before items 6–9 to indicate that the person(s) was served; and
4. Revised form JV-222, *Opposition to Application Regarding Psychotropic Medication*, to clarify the time frame for filing an opposition, to add space to include an e-mail address, and to add a check box to include additional information about the child.

Item A26 Juvenile Law: Restraining Orders

The Family and Juvenile Law Advisory Committee recommended amending rules 5.620, 5.625, and 5.630 of the California Rules of Court and revising and renumbering forms used to obtain and issue restraining orders in juvenile court cases. The recommended changes would make the juvenile forms more consistent with current forms in the Civil Harassment Prevention, Domestic Violence Prevention, Elder or Dependent Adult Abuse Prevention, School Violence Prevention, and Workplace Violence Prevention form families, benefiting judicial officers who may be assigned to preside over varying types of protective order proceedings. The recommended changes would also eliminate deficiencies of the current *Restraining Order—Juvenile* (form JV-250) that present barriers to proper enforcement of these orders and, therefore, pose a danger to the members of the public who seek protection through issuance of these restraining orders.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rules 5.620, 5.625, and 5.630 of the California Rules of Court to change references in the rules to Judicial Council form names and numbers so that these references reflect the changes to forms recommended in this report and to add the option for a court to reissue a temporary restraining order by using *Notice of Hearing and Temporary Restraining Order—Juvenile* (revised form JV-250) rather than mandating the use of *Application and Order for Reissuance of Request for Order or Restraining Order (Juvenile)* or *Order to Show Cause* (current form FL-306/JV-251);
2. Revised *Restraining Order—Juvenile* (current form JV-250) for use as a notice and temporary order by renaming it *Notice of Hearing and Temporary Restraining Order—Juvenile* (revised form JV-250), expanding the list of prohibited types of contact, adding an item where the court can state whether the

- restrained person was present when the order was made and whether further service of the order is needed, and revising the warning to the restrained person prohibiting the possession of firearms to indicate that the warning applies only if the court issued a temporary order; adopted *Restraining Order—Juvenile* (new form JV-255) for mandatory use as a permanent order;
3. Separated the *Application and Order for Reissuance of Request for Order or Restraining Order (Juvenile) or Order to Show Cause* (current form FL-306/JV-251) into two forms, renumbering the family law form to FL-306 and changing the title to *Application and Order for Reissuance of Request for Order and Temporary Emergency Orders* (Family Law—Governmental—Uniform Parentage—Custody and Support) and renumbering the juvenile law form to JV-251, changing the title to *Application and Order for Reissuance of Temporary Restraining Order—Juvenile*, and revising it to clarify what orders are appropriate at juvenile court proceedings; and
 4. Revised *Change to Restraining Order After Hearing* (current form JV-255) to remove the notice that the change does not modify or terminate any other family, criminal, juvenile, civil, or probate orders and renumbered it as form JV-257.

Item A27 Juvenile Law and Criminal Law: Order for Restitution and Abstract of Judgment

The Family and Juvenile Law Advisory Committee and the Criminal Law Advisory Committee recommended revising two forms and approving two forms to improve court efficiency and reflect the way the forms are actually used. Current form *Order for Restitution and Abstract of Judgment* (form CR-110/JV-790) contains both an order for restitution and an abstract of judgment. It is appropriate from an overall case management perspective to separate the order for restitution and the abstract of judgment into individual forms. This change also necessitates separating the related information form—*Instructions: Order for Restitution and Abstract of Judgment* (form CR-112/JV-792)—into individual forms.

Council action

The Judicial Council, effective January 1, 2014:

1. Split current form CR-110/JV-790 into two separate forms: *Order for Victim Restitution* (form CR-110/JV-790) and *Abstract of Judgment—Restitution* (new optional form CR-111/JV-791);
2. Split current form CR-112/JV-792 into two separate information forms—*Instructions: Order for Victim Restitution* (form CR-112/JV-792) and *Instructions: Abstract of Judgment—Restitution* (new optional form CR-113/JV-793)—and updated the instructions to fit the way each form would be used; and
3. Made technical and clarifying changes to the current forms, including updating the form titles, legal citations, numbering, caption boxes, cross-references, and terminology.

Judicial Administration

Item A28 Judicial Administration: Notification to State Bar of Attorney Misconduct

The Trial Court Presiding Judges Advisory Committee and the Administrative Presiding Justices Advisory Committee recommended that the Judicial Council adopt parallel rules of court, one for the trial courts (rule 10.609) and one for the appellate courts (rule 10.1017), to improve compliance with Business and Professions Code section 6086.7. That statute requires “a court” to notify the State Bar of certain instances of misconduct by and incompetence of attorneys. The rules would specify whose responsibility it is to notify the State Bar under the statute.

Council action

The Judicial Council, effective January 1, 2014, adopted rule 10.609 to:

1. Clarify that the judge who issues the order that triggers the notification requirement under Business and Professions Code section 6086.7 is responsible for notifying the State Bar, but may direct court staff to do so;
2. Specify what must be included in the notice to the State Bar; and
3. Provide that the person who notifies the State Bar must also inform the attorney who is the subject of the notification that the matter has been referred to the State Bar.

The Judicial Council, effective January 1, 2014, adopted rule 10.1017 to:

1. Clarify that the justice who issues the order or authors the opinion that triggers the notification requirement under Business and Professions Code section 6086.7 is responsible for notifying the State Bar, but may direct the clerk to do so;
2. Specify what must be included in the notice to the State Bar; and
3. Provide that the person who notifies the State Bar must also inform the attorney who is the subject of the notification that the matter has been referred to the State Bar.

Item A29 Judicial Administration: Repeal Rules Mandating Use of Recycled Paper

The Civil and Small Claims Advisory Committee and the Appellate Advisory Committee recommended the elimination of all California Rules of Court mandating the use of recycled paper; those rules addressed to courts as well as those addressed to parties. The statutory mandate that courts ensure at least 50 percent of reportable purchases, including paper products, are recycled products would remain in effect. This proposal was originally made by the Superior Court of Orange County, as one of the suggestions that the Court Executives Advisory Committee submitted to the Rules and Projects Committee (RUPRO) of the Judicial Council to achieve cost savings and efficiencies.

Council action

The Judicial Council, effective January 1, 2014, approved the elimination of all provisions in the California Rules of Court mandating the use of recycled paper, as follows.

1. Repealed the following rules in their entirety:
 - Rule 1.22 (Recycled paper), pertaining to original documents filed or served in actions in *all* courts;
 - Rule 2.101 (Use of recycled paper; certification by attorney or party), pertaining to documents filed or served in actions in *trial* courts;
 - Rule 2.131 (Use of recycled paper), pertaining to forms filed in *trial* courts; and
 - Rule 10.503 (Use of recycled paper by all courts), pertaining to all paper used by either the trial or appellate courts.
2. Amended the following rules to remove the provisions about recycled paper, as follows:
 - Rule 1.6. (Definitions and use of terms): delete paragraph (22), defining “recycled”;
 - Rule 3.1368 (Paper format): delete (a)(1), pertaining to CEQA administrative records;
 - Rule 8.144 (Form of the record): amend (a)(1)(A) and (c)(2), pertaining to civil appeals in the Courts of Appeal;
 - Rule 8.204 (Contents and form of briefs): amend (b)(1) and (10), pertaining to civil appeals in the Courts of Appeal;
 - Rule 8.804 (Definitions): delete paragraph (20), defining “recycled” as it pertains to cases in the superior court appellate division;
 - Rule 8.838 (Form of the record): amend (c)(2), pertaining to civil appeals in the superior court appellate division;
 - Rule 8.883 (Contents and form of briefs): amend (c)(1), pertaining to limited civil and misdemeanor appeals;
 - Rule 8.928 (Contents and form of briefs): amend (c)(1), pertaining to infraction appeals; and
 - Rule 10.614 (Local court forms): delete paragraph (7).

Item A30 Judicial Administration: Rules for Advisory Groups

RUPRO, the Executive and Planning Committee (E&P), and the Technology Committee recommended establishing rules for two new Judicial Council advisory committees—the Tribal Court–State Court Forum and the Court Security Advisory Committee—and repealing the rules concerning three advisory groups that no longer exist: the Judicial Service Advisory Committee (rule 10.57), the Working Group on Court Security (rule 10.170), and the Working Group on Court Security Fiscal Guidelines (rule 10.171). At its meeting on April 25, 2013, the Judicial Council approved the *Report and Recommendations to Improve the Governance, Structure, and Organization of Judicial Council Advisory Groups*, which made these recommendations.

Council action

The Judicial Council, effective October 25, 2013:

1. Adopted rule 10.60 of the California Rules of Court to establish by rule the Tribal Court–State Court Forum;
2. Adopted rule 10.61 to establish by rule the Court Security Advisory Committee; and
3. Repealed rules 10.57, 10.170, and 10.171.

Probate and Mental Health

Item A31 Probate Guardianship: Special Immigrant Juvenile Status for Wards

The Probate and Mental Health Advisory Committee recommended the adoption of a new mandatory Judicial Council form. When signed by a judicial officer presiding in a California probate guardianship case, the *Order Regarding Eligibility for Special Immigrant Juvenile Status—Probate Guardianship* (form GC-224) would make findings that are necessary to support the application of an immigrant ward for special immigration juvenile status under federal law. That status would entitle the ward to permanent lawful residence in the United States and eligibility to apply for citizenship in the future.

Council action

The Judicial Council, effective January 1, 2014, adopted the *Order Regarding Eligibility for Special Immigrant Juvenile Status—Probate Guardianship* (form GC-224), a court order in a guardianship case that would make findings in support of a ward’s eligibility for special immigrant juvenile status under federal immigration law.

Miscellaneous

Item A32 Military Service: Notification of a Party’s Military Status

The Collaborative Justice Courts Advisory Committee proposed approving a new optional form to inform the court that a party in a court case is in the military. Knowledge of a party’s status as a current or former member of the armed services or reserves enables courts to address legal issues for which military status is relevant and to better administer justice. It also helps courts comply with the sentencing requirements of Penal Code section 1170.9 and makes it easier to identify when outside resources are available to military and former military court users. This proposal responds to Assembly Bill 2371 and a request to the AOC to amend Judicial Council forms to allow identification of court litigants who have a military affiliation.

Council action

The Judicial Council, effective January 1, 2014, approved new optional form MIL-100, *Notification of Military Status*.

Item A33 Rules and Forms: Miscellaneous Technical Changes

Various Judicial Council advisory committee members, court personnel, members of the public, and AOC staff have identified errors in rules and forms resulting from inadvertent omissions, typographical errors, or changes in the rules and forms name and numbering systems, as well as changes resulting from legislation. The AOC recommended making the necessary corrections to avoid confusion for court users, clerks, and judicial officers.

Council action

The Judicial Council, effective January 1, 2014:

1. Amended rule 7.101(b)(2) to add a closing parenthesis;
2. Amended rules 8.883(c)(4) and 8.928(c)(4) to correct an internal reference from “10” to “11”;
3. Amended rule 8.890(c)(1) to correct a rule reference from “8.825(c)(2)” to “8.825(b)(2)”;
4. Revised form DE-221, item 11, to correct a code reference from “13655(b)(2)” to “13655(a)(2)”;
5. Revised form EA-100, item 10, to correct an internal reference from “Attachment 1-b(3)” to “10(b)(3)”;

Item B Judicial Branch Administration: Reduced Annual Membership Dues for the National Center for State Courts (deferred to a future Judicial Council meeting)

Item C Judicial Dependency: Proposed Allocation for Fiscal Year 2013–2014 for Court Appointed Special Advocate (CASA) Local Assistance

The Family and Juvenile Law Advisory Committee recommended that the Judicial Council approve Court Appointed Special Advocate (CASA) grant funding allocations for fiscal year (FY) 2013–2014. The recommended allocations will fund 45 current programs using the new funding methodology and set aside funds for technical assistance.

Council action

The Judicial Council, effective October 25, 2013:

1. Allocated \$2.21 million for CASA local assistance grants to 45 CASA programs using the new funding methodology approved by the council at the August 23, 2013 business meeting; and,
2. Set aside \$3,000 of CASA funding for technical assistance to address program challenges.

Item D Subordinate Judicial Officers: Allocation of Conversions for Fiscal Year 2013–2014

The AOC recommended that the Judicial Council approve a modification to the allocation schedule for Subordinate Judicial Officer (SJO) conversions authorized under Government Code Section 69615(c)(1)(A). The modification will allow the Superior Court of Orange County to convert a second vacant SJO position to a judgeship in FY 2013–2014. The request for this modification was provisionally approved by E&P pending Judicial Council confirmation and will facilitate the timely implementation of SJO conversion policy.

Council action

The Judicial Council approved the modification of the allocation schedule for FY 2013–2014 to increase the allocation of conversions of vacant SJO positions in the Superior Court of Orange County from one to two positions by transferring one conversion from one of the other allocation groups.

Item E Subordinate Judicial Officers: Notification to Legislature on Conversions

Assembly Bill 159 (Stats. 2007, ch. 722), which authorized the conversion of 162 subordinate judicial officer positions to judgeships, requires periodic notification from the Judicial Council to the Legislature on what positions the council seeks to convert. The AOC recommended approving two versions of a letter that will serve as the council’s notification to the Legislature for FY 2013–2014. The version that will be submitted depends on the action the council takes at its October 2013 meeting regarding the allocation of conversions to the Superior Court of Orange County. The reason for having alternative versions is that action is pending by the Judicial Council on the allocation methodology to grant the Superior Court of Orange County an additional conversion for FY 2013–2014. In other respects, the two versions are identical.

The notification informs the Legislature of the council’s planned allocations of conversions of SJO positions to judgeships for FY 2013–2014, as well as the overall status of the conversions authorized in AB 159. It also provides a chart of the SJO positions already converted, broken down by superior court and year, and those that remain to be converted.

Council action

The Judicial Council directed staff to submit to the Legislature the appropriate version of the notification on subordinate judicial officer (SJO) position conversions.

Item F Trial Courts: A Model Mentoring Program for Court Staff in California’s Superior Courts

The Access and Fairness Advisory Committee recommended that the Judicial Council approve a model trial court staff mentoring program, effective January 1, 2014. The voluntary program is designed to enhance the ability of all individuals serving in their courts to achieve high standards

of professionalism, ethics, and performance and to promote diversity in all levels of the courts. The instructions and other materials necessary to implement a local mentoring program would be available on Serranus, the California judicial branch Extranet, to all courts that are interested in a mentoring program. The program would be modeled after the pilot mentoring program conducted from May 1, 2012, through April 30, 2013, in the Superior Courts of Alameda, Contra Costa, San Francisco, and Solano Counties.

Council action

The Judicial Council effective January 1, 2014:

1. Adopted a statewide voluntary mentoring program for trial court staff based on the results of the pilot programs in the Superior Courts of Alameda, Contra Costa, San Francisco, and Solano counties;
2. Directed the advisory committee and the AOC to collaborate with those trial courts that wish to implement the program for their staff;
3. Directed the Access and Fairness Advisory Committee to make a presentation to the Court Executives Advisory Committee to promote the voluntary mentoring program for trial court staff with the goal of increasing the representation of small, medium, and large trial courts in the program in the various geographical regions of the state; and
4. Directed the advisory committee and the AOC to report back to the Judicial Council in one year after expanded implementation to present any proposed revisions to the program resulting from further consultation between the Access and Fairness Advisory Committee and the participating trial courts.

Item G Judicial Branch Report to the Legislature: Allocation of New Judgeships Funding in Fiscal Year 2012–2013

The AOC recommended approval of the attached *Report on Allocation of Funding in Fiscal Year (FY) 2012–2013 for Support of New Judgeships Authorized in FY 2007–2008*. The Budget Act of 2007 requires that this report be submitted each year until all judgeships are appointed and new staff hired.

Council action

The Judicial Council, effective October 25, 2013:

1. Approved the *Report on Allocation of Funding in Fiscal Year (FY) 2012–2013 for Support of New Judgeships Authorized in FY 2007–2008*; and
2. Directed the AOC to submit the report to the Legislature.

Item H Judicial Branch Report to the Legislature: Electronic Recording

The AOC recommended approving the *Report on Purchase or Lease of Electronic Recording Equipment by Superior Courts (January 1–June 30, 2013)*, which includes an amended report for

the time period July 1, 2012 to December 31, 2012. Government Code section 69958 requires that the Judicial Council report to the Legislature semiannually regarding all purchases and leases of electronic recording equipment that will be used to record superior court proceedings.

Council action

The Judicial Council:

1. Approved the *Report on Purchase or Lease of Electronic Recording Equipment by Superior Courts (January 1–June 30, 2013)* as required by Government Code section 69958 and the attachment to the report, which is an amended report for the preceding period (July 1 through December 31, 2012); and
2. Directed the AOC to submit the report to the Legislature.

Item I Judicial Council Report to the Legislature: Allocations and Reimbursements to Trial Courts for Fiscal Year 2012–2013

The AOC recommended that the Judicial Council approve the report on allocations and reimbursements to trial courts for FY 2012–2013, required by Government Code section 77202.5(a), to the chairs of the Senate Committees on Budget and Fiscal Review and Judiciary and the Assembly Committees on Budget and Judiciary.

Council action

The Judicial Council:

1. Approved the *Report of Allocations and Reimbursements to the Trial Courts for Fiscal Year 2012–2013*; and
2. Directed the AOC to submit the report to the Legislature.

DISCUSSION AGENDA (ITEMS J–L)

Item J California’s Language Access Plan: Status Report

The Joint Working Group for California’s Language Access Plan, which comprises members of both the Court Interpreters Advisory Panel and the Access and Fairness Advisory Committee, was established in June 2013 to create a comprehensive statewide Language Access Plan that will serve all of California’s limited-English-proficient court users. Assisting Presiding Judge Steven K. Austin, Chair of the Court Interpreters Advisory Panel and Justice Maria P. Rivera, former Chair of the Access and Fairness Advisory Committee, presented an informational report to provide an update on the working group’s goals, timeline, and anticipated steps in the development of the plan.

No council action

Item K Court Facilities: Budget Allocations for Statewide Trial Court Facility Modifications and Planning in Fiscal Year 2013–2014

The Trial Court Facility Modification Advisory Committee recommended allocations of the \$50 million appropriated by the Legislature for trial court facility modifications in the fiscal year (FY) 2013–2014 budget. The recommended allocations support facility modification planning as well as modifications for emergency and critical needs, but continue to defer funding of planned facility modifications.

Council action

The Judicial Council, effective October 25, 2013, approved allocations of the \$50 million authorized by the Legislature for statewide court facility modifications and planning in FY 2013–2014, as follows:

1. \$4 million for Statewide Facility Modifications Planning Allocation;
2. \$7 million for Priority 1 Facility Modifications Allocation;
3. \$39 million for Priorities 2–6 Facility Modifications Allocation; and
4. \$0 for Planned Facility Modifications Allocation.

Item L Judicial Branch Administration: Judicial Council Delegations to the Administrative Director of the Courts

E&P recommended that the Judicial Council terminate, maintain, or modify specific delegations of authority that the council has issued to the Administrative Director of the Courts since 1998. The delegations represent the Judicial Council’s authorization for the Administrative Director to act on the council’s behalf. The committee reviewed the delegations in conjunction with the council’s directive to provide greater oversight to ensure transparency, accountability, and efficiency in the operations and practices of the AOC, as stated in recommendation 2 of the *Report and Recommendations from the Judicial Council’s Executive and Planning Committee Regarding the Strategic Evaluation Committee (SEC) Report* (August 27, 2012).

Council action

The Judicial Council adopted the recommendations in Attachment 1, *Judicial Council Delegations to the Administrative Office of the Courts or the Administrative Director (February 1998–August 2013)*, indicated in the column titled “Recommendation,” and took the following actions as recommended in the written report and as amended by three oral motions:

1. Terminated without further action the 54 delegations that E&P has determined are obsolete because responsibilities have been completed, superseded, or expired, or no longer relevant to achieving the outcomes or council objectives for which they were intended;
2. Approved continuation of the 26 delegations recommended to be maintained without changes;

3. Modified, as described in the attachment, the 20 delegations recommended for minor or substantive modifications;
4. Referred the two delegations referencing the \$100,000 litigation settlement authorization level that are recommended for review, to the Litigation Management Committee for the committee's consideration (numbers 82 and 83);
5. Referred the eight delegations recommended for modification that require related changes in the corresponding California Rules of Court, to the council's Rules and Projects Committee to oversee the rule-making process for further recommendations on rule amendments (numbers 85, 86, 87, 88, 92, 93, 97, and 99); and
6. Directed the Administrative Director of the Courts to maintain an ongoing, central list of active delegations and to report annually on actions taken pursuant to Number 95, authority to execute bond documents on the council's behalf.

In Memoriam

Chief Justice Cantil-Sakauye closed the public session of the meeting with a moment of silence to remember recently deceased judicial colleagues and honor their service to their courts and the cause of justice:

- Hon. William P. Clark (Ret.), Supreme Court of California
- Hon. Joseph A. Martin (Ret.), Yolo County Municipal Court
- Hon. Dewey L. Falcone (Ret.), Superior Court of California, County of Los Angeles
- Hon. Mario H. Barsotti (Ret.), Alameda County Municipal Court
- Hon. Richard E. Tuttle (Ret.), Superior Court of California, County of Sacramento
- Hon. Robert H. London (Ret.), Superior Court of California, County of Los Angeles
- Hon. Rosemary M. Dunbar (Ret.), Superior Court of California, County of Los Angeles

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

INFO 1 Judicial Council: Implementation of Judicial Council Directives on AOC Restructuring

The Chair of E&P presented this informational report on the implementation of the Judicial Council AOC Restructuring Directives, as approved by the council on August 31, 2012. The AOC Restructuring Directives specifically direct the Administrative Director of the Courts to report to E&P before each Judicial Council meeting on every directive. This informational report provided an update on the progress of implementation efforts.

INFO 2 Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code, § 68106—Report No. 22)

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This

is the 22nd report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, five superior courts—those of Tulare, Inyo, Kings, Stanislaus, and Tehama Counties—have issued new notices.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steven Jahr', written over a horizontal line.

Steven Jahr
Administrative Director of the Courts and
Secretary to the Judicial Council

Attachments

1. Judicial Council: Implementation of Judicial Council Directives on AOC Restructuring
2. Report on Allocation of Funding in Fiscal Year (FY) 2012–2013 for Support of New Judgeships Authorized in FY 2007–2008
3. Judicial Council Delegations to the Administrative Office of the Courts or the Administrative Director (February 1998–August 2013)
4. Judicial Council Resolution on Adoption and Permanency Month for November 2013



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 24, 2013

Title	Agenda Item Type
Judicial Council: Implementation of Judicial Council Directives on AOC Restructuring	Information Only
Submitted by	Date of Report
Executive and Planning Committee Hon. Douglas P. Miller, Chair	October 15, 2013
	Contact
	Steven Jahr steven.jahr@jud.ca.gov

Executive Summary

The chair of the Executive and Planning Committee (E&P) presents this informational report on the implementation of the Judicial Council Administrative Office of the Courts (AOC) Restructuring Directives, as approved by the Judicial Council on August 31, 2012. The AOC Restructuring Directives specifically direct the Administrative Director of the Courts to report to E&P before each council meeting on every directive. This informational report provides an update on the progress of implementation efforts.

Previous Council Action

The Judicial Council approved directives presented by E&P on August 31, 2012. These directives reaffirmed Judicial Council authority over the AOC, restructured the AOC, and endorsed a plan for monthly monitoring of the implementation of the directives by E&P. The last report to the Judicial Council on implementation efforts was provided by E&P at the August 23, 2013, Judicial Council meeting.

Implementation Progress

AOC offices continue to progress in implementing the AOC Restructuring Directives in accordance with the timelines for implementation approved by the Judicial Council. As an aside, on September 27, 2013, the Chairs of the council internal committees, E&P members, and the

three Strategic Evaluation Committee members who now sit on the council held the first of three annual meetings with the AOC to review the implementation of 85 completed directives. The meeting was very beneficial and included valuable discussions with office directors regarding the implementation efforts of the council directives.

Since the August council meeting, the following directives were reported as complete:

- Directive 19—provides information on the Request for Proposal methodology, criteria and process used for scoring, and next steps for contracting with the vendor selected for the AOC classification and compensation study estimated to begin in October 2013 with an estimated end date of November 2014.
- Directives 7–13, 21, 40, 91, and 145—provide information on new guidelines for conducting cost-benefit/business use case analysis for AOC projects.
- Directive 37—provides information from the Fiscal Services Office on tracking appropriations and expenditures by fund and other activities to facilitate comparative year-to-year funding changes.
- Directive 92—provides information on the location of current branch budget information for the public and stakeholders (www.courts.ca.gov and the state Department of Finance e-budget website, <http://www.ebudget.ca.gov>).

Attachment

1. *Status Report: Judicial Council Directives—AOC Restructuring*

STATUS REPORT
JUDICIAL COUNCIL DIRECTIVES
AOC RESTRUCTURING

October 25, 2013

#	Directive *	Timeline	Status	Status Updates
1	<p>The Administrative Director of the Courts operates subject to the oversight of the Judicial Council. E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to E&P before each Judicial Council meeting on each item on this chart approved by the Judicial Council.</p> <p><u>SEC Recommendation</u> The Administrative Director must operate subject to the oversight of the Judicial Council and will be charged with implementing the recommendations in this report if so directed.</p>	For immediate implementation (Ongoing)	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
2	<p>E&P recommends that the Judicial Council take an active role in overseeing and monitoring the AOC to ensure transparency, accountability, and efficiency in the AOC's operations and practices.</p> <p><u>SEC Recommendation</u> The Judicial Council must take an active role in overseeing and monitoring the AOC and demanding transparency, accountability, and efficiency in the AOC's operations and practices.</p>	For immediate implementation (Ongoing)	Ongoing	

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
3	<p>E&P recommends that the Judicial Council promote the primary role and orientation of the AOC as a service provider to the Judicial Council and the courts for the benefit of the public.</p> <p>SEC Recommendation</p> <p>The primary role and orientation of the AOC must be as a service provider to the Judicial Council and the courts.</p>	For immediate implementation (Ongoing)	Ongoing	
4	<p>E&P recommends that the Judicial Council, in exercising its independent and ultimate governance authority over the operations and practices of the AOC, must ensure that the AOC provide it with a comprehensive analysis, including a business case analysis, a full range of options and impacts and pros and cons, before undertaking any branch-wide project or initiative. In exercising its authority over committees, rules, grants, programs and projects, the Judicial Council must ensure that the AOC provide it with a full range of options and impacts, including fiscal, operational, and other impacts on the courts.</p> <p>SEC Recommendation</p> <p>In exercising its independent and ultimate governance authority over the operations and practices of the AOC, the Judicial Council must demand that the AOC provide it with a business case analysis, including a full range of options and impacts, before undertaking any branch-wide project or initiative. In exercising its authority over committees, rules, grants, programs, and projects, the Judicial Council must demand that the AOC provide it with a full range of options and impacts, including fiscal, operational, and other impacts on the courts.</p>	For immediate implementation (Ongoing)	Ongoing	

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#	Directive *	Timeline	Status	Status Updates
5	<p>E&P recommends that the Judicial Council conduct an annual review of the performance of the Administrative Director of the Courts (ADOC). The review must take into consideration input submitted by persons inside and outside the judicial branch.</p> <p>SEC Recommendation</p> <p>The Judicial Council must conduct periodic reviews of the performance of the Administrative Director of the Courts. These reviews must take into consideration input submitted by persons inside and outside the judicial branch.</p>	For initiation October 2013	Ongoing	
6	<p>E&P recommends that the Judicial Council direct the Rules and Projects Committee, consistent with its responsibility under rule 10.13 of the California Rules of Court, to establish and maintain a rule-making process that is understandable and accessible to justice system partners and the public, to consider SEC Recommendation 6-8 and report on any changes to the rule-making process to the Judicial Council.</p> <p>SEC Recommendation</p> <p>The AOC must develop a process to better assess the fiscal and operational impacts of proposed rules on the courts, including seeking earlier input from the courts before proposed rules are submitted for formal review. The AOC should establish a process to survey judges and court executive officers about the fiscal and operational impacts of rules that are adopted, and recommend revisions to the rules where appropriate. The AOC should recommend changes in the rules process, for consideration by the Judicial Council, to limit the number of proposals for new rules, including by focusing on rule changes that are required by statutory changes.</p>	RUPRO to propose a timeline to return to the council to present its recommendations.	In Progress	RUPRO will continue to address this directive on an ongoing basis. Since January 2013, actions by RUPRO related to this directive include directing two advisory groups to submit proposals to the Presiding Judges and Court Executive Officers for early input on the proposals, including requesting information about fiscal and operational impacts of the proposals.

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#	Directive *	Timeline	Status	Status Updates
7	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to propose a procedure to seek the fully informed input and collaboration of the courts before undertaking significant projects or branchwide initiatives that affect the courts. The AOC should also seek the input of all stakeholder groups, including the State Bar.	ADOC to propose a procedure for Judicial Council approval at the October 2013 council meeting.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>
	<p>SEC Recommendation</p> <p>The AOC must seek the fully informed input and collaboration of the courts before undertaking significant projects or branch-wide initiatives that affect the courts.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
8	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to first employ a comprehensive analysis, including an appropriate business case analysis of the scope and direction of significant projects or initiatives, taking into account the range of fiscal, operational, and other impacts to the courts and stakeholders.	ADOC to propose a procedure for Judicial Council approval at the October 2013 council meeting.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>
	<p><u>SEC Recommendation</u></p> <p>The AOC must first employ an appropriate business case analysis of the scope and direction of significant projects or initiatives, taking into account the range of fiscal, operational, and other impacts to the courts.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
9	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure for developing and communicating accurate cost estimates for projects, programs, and initiatives.	ADOC to propose a procedure for Judicial Council approval at the October 2013 council meeting.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>

SEC Recommendation

The AOC must develop and communicate accurate cost estimates for projects, programs, and initiatives.

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
10	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to apply proper cost and contract controls and monitoring, including independent assessment and verification, for significant projects and programs.	ADOC to propose a procedure for Judicial Council approval at the October 2013 council meeting.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>
	<p>SEC Recommendation</p> <p>The AOC must apply proper cost and contract controls and monitoring, including independent assessment and verification, for significant projects and programs.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
11	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to maintain proper documentation and records of its decision making process for significant projects and programs.	ADOC to propose a procedure for Judicial Council approval at the October 2013 council meeting.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>
	<p><u>SEC Recommendation</u> The AOC must maintain proper documentation and records of its decision making process for significant projects and programs.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
12	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to identify and secure sufficient funding and revenue streams necessary to support projects and programs, before undertaking them.	ADOC to propose a procedure for Judicial Council approval at the October 2013 council meeting.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>
	<p><u>SEC Recommendation</u></p> <p>The AOC must identify and secure sufficient funding and revenue streams necessary to support projects and programs, before undertaking them.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
13	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop a procedure to accurately report and make available information on potential costs of projects and impacts on the courts.	ADOC to propose a procedure for Judicial Council approval at the October 2013 council meeting.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>
	<p><u>SEC Recommendation</u> The AOC must accurately report and make available information on potential costs of projects and impacts on the courts.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
14	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to conduct a comprehensive review of the AOC position classification system as soon as possible. The focus of the review must be on identifying and correcting misallocated positions, particularly in managerial classes, and on achieving efficiencies by consolidating and reducing the number of classifications.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<u>SEC Recommendation</u>			
	The Executive Leadership Team must direct that a comprehensive review of the AOC position classification system begin as soon as possible. The focus of the review should be on identifying and correcting misallocated positions, particularly in managerial classes, and on achieving efficiencies by consolidating and reducing the number of classifications. The Chief Administrative Officer should be given lead responsibility for implementing this recommendation.			

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#	Directive *	Timeline	Status	Status Updates
15	The Administrative Office of the Courts must also undertake a comprehensive review of the AOC compensation system as soon as possible. The AOC must review all compensation-related policies and procedures, including those contained in the AOC Personnel Policies and Procedures Manual.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	SEC Recommendation			
	The Executive Leadership Team must direct that a comprehensive review of the AOC compensation system be undertaken as soon as possible. All compensation-related policies and procedures must be reviewed, including those contained in the AOC personnel manual. AOC staff should be used to conduct this review to the extent possible. If outside consultants are required, such work could be combined with the classification review that is recommended above. The Chief Administrative Officer should be given lead responsibility for			

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#	Directive *	Timeline	Status	Status Updates
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implementing this recommendation.

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#	Directive *	Timeline	Status	Status Updates
16	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(a) A comprehensive review of the classification and compensation systems should be undertaken as soon as possible, with the goal of consolidating and streamlining the classification system.</p> <p><u>SEC Recommendation</u></p> <p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(a) A comprehensive review of the classification and compensation systems should be undertaken as soon as possible, with the goal of consolidating and streamlining the classification system.</p>	<p>Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.</p>	<p>In Progress</p>	<p>On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>

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#	Directive *	Timeline	Status	Status Updates
17	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(b) Priority should be placed on reviewing all positions classified as supervisors or managers, as well as all attorney positions, to identify misclassified positions and take appropriate corrective actions.</p> <p><u>SEC Recommendation</u> The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(b) Priority should be placed on reviewing all positions classified as supervisors or managers, as well as all attorney positions, to identify misclassified positions and take appropriate corrective actions.</p>	<p>Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.</p>	<p>In Progress</p>	<p>On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>

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#	Directive *	Timeline	Status	Status Updates
18	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(c) The manner in which the AOC applies its geographic salary differential policy (section 4.2 of the AOC Personnel Policies and Procedures Manual) should be reviewed and, if maintained, applied consistently.</p> <p><u>SEC Recommendation</u></p> <p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(c) The manner in which the AOC applies its geographic salary differential policy (section 4.2 of the AOC personnel manual) should be reviewed and, if maintained, applied consistently.</p>	<p>Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.</p>	<p>In Progress</p>	<p>On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>

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#	Directive *	Timeline	Status	Status Updates
19	<p>The AOC must overhaul current practices for its classification and compensation systems. The AOC must develop and consistently apply policies for classification and compensation of employees, by actions including the following:</p> <p>(d) Given current HR staffing and expertise levels, the Administrative Director of the Courts is directed to consider whether an outside entity should conduct these reviews and return to the Judicial Council with an analysis and a recommendation.</p> <p><u>SEC Recommendation</u></p> <p>The AOC must commit to overhauling current practices for its classification and compensation systems. The AOC then must develop and consistently apply policies for classification and compensation of employees by actions including the following:</p> <p>(d) Given current HR staffing and expertise levels, an outside entity should be considered to conduct these reviews.</p>	<p>Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.</p>	Completed	<p>On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will begin in October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p>

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#	Directive *	Timeline	Status	Status Updates
20	E&P also recommends that the Judicial Council direct the Administrative Director of the Courts to assess the results of the compensation and classification studies to be completed and propose organizational changes that take into account the SEC recommendation 7-75 and the analysis of the classification and compensation studies.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>The Administrative Director should make an AOC-wide assessment to determine whether attorneys employed across the various AOC divisions are being best leveraged to serve the priority legal needs of the organization and court users.</p>			

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#	Directive *	Timeline	Status	Status Updates
21	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to implement a formalized system of program and project planning and monitoring that includes, at minimum, a collaborative planning process that requires an analysis of impacts on the judicial branch at the outset of all projects; use of workload analyses where appropriate; and development of general performance metrics for key AOC programs that allow expected performance levels to be set and evaluated.	Completion by December 2013.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>

SEC Recommendation

The AOC Executive Leadership Team must begin to implement a formalized system of program and project planning and monitoring that includes, at minimum, a collaborative planning process that requires an analysis of impacts on the judicial branch at the outset of all projects; use of workload analyses where appropriate;

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	<p>and development of general performance metrics for key AOC programs that allow expected performance levels to be set and evaluated.</p>			
22	<p>E&P recommends that the Judicial Council direct the AOC to renegotiate or terminate, if possible, its lease in Burbank. The lease for the Sacramento North spaces should be reviewed and, if possible, renegotiated to reflect actual usage of the office space. The AOC should explore lower cost lease options in San Francisco, recognizing that the State Department of General Services would have to find replacement tenants for its space.</p> <p><u>SEC Recommendation</u></p> <p>The AOC should renegotiate or terminate its lease in Burbank. The lease for the Sacramento North spaces should be reviewed and renegotiated to reflect actual usage of the office space. The AOC should explore lower cost lease options in San Francisco, recognizing that DGS would have to find replacement tenants for its space.</p>	<p>ADOC recommendations to the council at the 10/26/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
23	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to identify legislative requirements that impose unnecessary reporting or other mandates on the courts and the AOC. Appropriate efforts should be made to revise or repeal such requirements.</p> <p><u>SEC Recommendation</u></p> <p>The Office of Governmental Affairs should be directed to identify legislative requirements that impose unnecessary reporting or other mandates on the AOC. Appropriate efforts should be made to revise or repeal such requirements.</p>	<p>ADOC report to E&P identifying legislative requirements by December 2013.</p>	In Progress	<p>The Office of Governmental Affairs continues to identify statutory requirements that impose unnecessary reporting or other mandates and, on behalf of and at the direction of the Judicial Council, advocate for revising and/or repealing such requirements.</p>

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#	Directive *	Timeline	Status	Status Updates
24	On August 9, 2012, E&P directed the interim Administrative Director of the Courts and incoming Administrative Director of the Courts to consider the SEC recommendations on AOC organizational structure (recommendations 5-1–5-6, 6-1) and present their proposal for an organizational structure for the consideration of the full Judicial Council at the August 31, 2012, council meeting.	Interim and incoming ADOC to present proposed organizational chart and implementation proposal to the council for consideration at the 8/31/12, council meeting. With council approval, an organizational design will be implemented by October 2012.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

SEC Recommendation

5-1. The AOC should be reorganized. The organizational structure should consolidate programs and functions that primarily provide operational services within the Judicial and Court Operations Services Division. Those programs and functions that primarily provide administrative services should be consolidated within the Judicial and Court Administrative Services Division. Other programs and functions should be grouped within an Executive Office organizational unit. The Legal Services Office also should report directly to the Executive Office but no longer should be accorded divisional status.

5-2. The Chief Operating Officer should manage and direct the Judicial and Court Operations Services Division, consisting of functions located in the Court Operations Special Services Office; the Center for Families, Children and the Courts; the Education Office/Center for Judicial Education and Research; and the Office of Court Construction and Facilities Management.

5-3. The Chief Administrative Officer should manage and direct the Judicial and Court Administrative Services Division, consisting of functions located in the Fiscal Services Office, the Human Resources Services Office, the Trial Court Administrative Services Office, and the Information and Technology Services Office.

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#	Directive *	Timeline	Status	Status Updates
	<p>5-4. Other important programs and functions should be consolidated within an Executive Office organizational unit under the direction of a Chief of Staff. Those functions and units include such functions as the coordination of AOC support of the Judicial Council, Trial Court Support and Liaison Services, the Office of Governmental Affairs, the Office of Communications, and a Special Programs and Projects Office.</p>			
	<p>5-5. The Chief Counsel, manager of the Legal Services Office (formerly the Office of the General Counsel) should report directly to the Administrative Director depending on the specific issue under consideration and depending on the preferences of the Administrative Director.</p>			
	<p>5-6. The Chief Deputy Administrative Director position must be eliminated. If the absence of the Administrative Director necessitates the designation of an Acting Administrative Director, the Chief Operating Officer should be so designated.</p>			
	<p>6-1. The Administrative Director, the Chief Operations Officer, the Chief Administrative Officer, and the Chief of Staff should be designated as the AOC Executive Leadership Team, the primary decision making group in the organization.</p>			

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#	Directive *	Timeline	Status	Status Updates
25	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require immediate compliance with the requirements and policies in the AOC Personnel Policies and Procedures Manual, including formal performance reviews of all employees on an annual basis; compliance with the rules limiting telecommuting; and appropriate utilization of the discipline system.</p> <p>SEC Recommendation</p> <p>The AOC Executive Leadership Team must order immediate compliance with the requirements and policies in the AOC personnel manual, including formal performance reviews of all employees on an annual basis; compliance with the rules limiting telecommuting; and appropriate utilization of the discipline system.</p> <p>.....</p>	<p>Administrative Director of the Courts to provide final report to the council at the June 2013 Judicial Council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
26	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the AOC adheres to its telecommuting policy consistently and identifies and corrects all existing deviations and violations of the existing policy. The Administrative Director of the Courts must review the AOC telecommuting policy and provide the council with a report proposing any recommendations on amendments to the policy, by the December 13-14, 2012, council meeting. Based on a recommendation from the Executive and Planning Committee, the Judicial Council added an additional directive to the existing telecommute directives at the December 14, 2012, meeting to consider and report on alternatives for the telecommute policy, including whether this policy should remain in force and directed the ADOC to return to the council with a report and recommendations for the council's February 2013 meeting.</p> <p><u>SEC Recommendation</u></p> <p>The AOC must adhere to its telecommuting policy (Section 8.9 of the AOC personnel manual). It must apply the policy consistently and must identify and correct all existing deviations and violations of the existing policy.</p>	<p>Administrative Director of the Courts to report to council on use of telecommute policy for the period of June 2013-August 2013 at the October 2013 council meeting. Administrative Director of the Courts to provide year-end report/evaluation March 2014.</p>	<p>In Progress</p>	<p>The Judicial Council approved a twelve-month pilot of the proposed amended policy 8.9, authorizing employees to work from home only when doing so is consistent with business needs and the employee's job functions, as authorized by the Administrative Director. As directed by the Judicial Council at the April 2013 council meeting, the Administrative Director is to report back regarding the pilot program to the Judicial Council in March 2014.</p> <p>The HRSO requests an extension from October 2013 to December 2013 for providing the Executive and Planning Committee with a report on the six-month progress of the pilot telecommuting program. The six month report will include participation figures for ad hoc telecommuting during the BART strike and the Bay Bridge closure.</p>

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#	Directive *	Timeline	Status	Status Updates
27	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that, with an appropriate individual employee performance planning and appraisal system in place, the AOC utilizes the flexibility provided by its at-will employment policy to address employee performance issues. The AOC's at-will employment policy provides management with maximum hiring and firing flexibility, and should be exercised when appropriate.</p> <p>SEC Recommendation</p> <p>6-4. With an appropriate individual employee performance planning and appraisal system in place, the AOC must utilize the flexibility provided by its at-will employment policy to address serious employee performance issues.</p> <p>7-36. The AOC's at-will employment policy provides management with maximum hiring and firing flexibility, and should be exercised when appropriate.</p>	<p>ADOC report to the council at the April 2013 meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>
28	<p>E&P recommends that the Judicial Council direct that the Administrative Director of the Courts require compliance with the AOC's existing policy calling for annual performance appraisals of all AOC employees (AOC Personnel Policies and Procedures Manual, section 3.9) and that performance appraisals are uniformly implemented throughout the AOC as soon as possible.</p> <p>SEC Recommendation</p> <p>The AOC's existing policy calling for annual performance appraisals of all AOC employees (AOC personnel manual, section 3.9) must be implemented uniformly throughout the AOC as soon as possible.</p>	<p>Administrative Director of the Courts to provide final report to the council at the June 2013 Judicial Council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
29	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to develop an employment discipline policy to be implemented consistently across the entire AOC that provides for performance improvement plans.</p> <p>SEC Recommendation</p> <p>A consistent employment discipline policy must accompany the employee performance appraisal system. Section 8.1B of the AOC personnel manual discusses disciplinary action, but is inadequate. A policy that provides for performance improvement plans and for the actual utilization of progressive discipline should be developed and implemented consistently across the entire AOC.</p>	<p>Administrative Director of the Courts to provide final report to the council at the June 2013 Judicial Council meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
30	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to utilize the AOC's layoff process to provide management with a proactive way to deal with significant reductions in resources.</p> <p>SEC Recommendation</p> <p>The AOC must utilize its layoff process to provide management with a proactive way to deal with significant reductions in resources.</p>	<p>Revised policy adopted May 18, 2012.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
31	E&P recommends that the Judicial Council direct that the Administrative Director of the Courts require the AOC leadership to develop, maintain, and support implementation of effective and efficient human resources policies and practices uniformly throughout the AOC.	A report will be submitted to council at the October 2013 meeting.	In Progress	<p>The HRSO, in consultation with the Executive Office, is currently reviewing all policies to ensure they reflect recent legislative changes and current practices. Once this review is complete, the AOC will prepare a report on the Policies and Procedures Manual for submission to the Judicial Council. The report will include a review of policies referenced within the Manual, and provide updates on recently amended policies.</p> <p>The HRSO requests an extension for this report from October 2013 to December 2013 to allow for a full review of the AOC Policies and Procedures Manual. The updates will include recent changes to the Performance Management policy, which is expected to formally begin in January 2014.</p>
<p><u>SEC Recommendation</u></p> <p>The AOC leadership must recommit itself to developing and maintaining effective and efficient HR policies and practices. The new Administrative Director, among other priority actions, must reestablish the AOC's commitment to implement sound HR policies and practices.</p> <hr/>				

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#	Directive *	Timeline	Status	Status Updates
32	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that a gradual, prioritized review of all HR policies and practices, including all those incorporated in the AOC Personnel Policies and Procedures Manual, should be undertaken to ensure they are appropriate and are being applied effectively and consistently throughout the AOC.	A report will be submitted to council at the October 2013 meeting.	In Progress	<p>The HRSO, in consultation with the Executive Office, is currently reviewing all policies to ensure they reflect recent legislative changes and current practices. Once this review is complete, the AOC will prepare a report on the Policies and Procedures Manual for submission to the Judicial Council. The report will include a review of policies referenced within the Manual, and provide updates on recently amended policies.</p> <p>The HRSO requests an extension for this report from October 2013 to December 2013 to allow for a full review of the AOC Policies and Procedures Manual. The updates will include recent changes to the Performance Management policy, which is expected to formally begin in January 2014.</p>
	<p><u>SEC Recommendation</u></p> <p>A gradual, prioritized review of all HR policies and practices, including all those incorporated in the AOC personnel manual should be undertaken to ensure they are appropriate and are being applied effectively and consistently throughout the AOC.</p> <p>.....</p>			

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#	Directive *	Timeline	Status	Status Updates
33	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report back on the budget and fiscal management measures implemented by the AOC to ensure that the AOC's fiscal and budget processes are transparent.</p> <p>The Administrative Director of the Courts should develop and make public a description of the AOC fiscal and budget process, including a calendar clearly describing how and when fiscal and budget decisions are made. The AOC should produce a comprehensive, publicly available midyear budget report, including budget projections for the remainder of the fiscal year and anticipated resource issues for the coming year.</p> <p>SEC Recommendation</p> <p>The AOC's fiscal and budget processes must be transparent. The Executive Leadership Team should require the Fiscal Services Office to immediately develop and make public a description of the fiscal and budget process, including a calendar clearly describing how and when fiscal and budget decisions are made. The Fiscal Services Office should be required to produce a comprehensive, publicly available midyear budget report, including budget projections for the remainder of the fiscal year and anticipated resource issues for the coming year. The Chief Administrative Officer should be given lead responsibility for developing and implementing an entirely new approach to fiscal processes and fiscal information for the AOC.</p>	<p>Interim report to the council on the changes in progress by the February 2013 council meeting.</p> <p>Final report on measures taken to implement a new approach to the budget process by October 2013.</p>	In Progress	<p>The AOC FSO is currently working to implement new fiscal and budget processes, such as improved budget & allocation reports and developing enhanced training options for division/office budget liaisons. As part of this process, the FSO will confer with other state entities on their respective practices. In addition, the FSO will build upon the DOF annual budget development calendar to more fully document the AOC fiscal and budget processes.</p> <p>A survey form has been developed to be sent to state agencies to gather information about their budget and fiscal processes. Once the survey has been sent out and returned, the survey results will need to be evaluated to determine with improvements can be made to AOC processes. We expect that will take until the December reporting period to be completed.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "Final report on measures taken to implement a new approach to the budget process by December 2013."</p>

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#	Directive *	Timeline	Status	Status Updates
34	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that all fiscal information must come from one source within the AOC, and that single source should be what is currently known as the Finance Division.</p> <p>SEC Recommendation All fiscal information must come from one source within the AOC, and that single source should be what is currently known as the Finance Division (to become the Fiscal Services Office under the recommendations in this report).</p>	<p>Immediate implementation with ADOC report to the council at the 10/26/2012, meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
35	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that budget and fiscal tracking systems be in place so that timely and accurate information on resources available and expenditures to date are readily available.</p> <p>SEC Recommendation Tracking systems need to be in place so that timely and accurate information on resources available and expenditures to date are readily available. Managers need this information so they do not spend beyond their allotments.</p>	<p>ADOC interim report to the council at the February 2013 meeting and final report at the June 2013 council meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
36	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that budget and fiscal information displays be streamlined and simplified so they are clearly understandable.</p> <p>SEC Recommendation Information displays need to be streamlined and simplified so they are clearly understandable.</p>	<p>ADOC interim report to the council at the February 2013 meeting and final report at the June 2013 council meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
37	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the Finance Division track appropriations and expenditures by fund, and keep a historical record of both so that easy year-to-year comparisons can be made. This can be done by unit, division, or by program, whichever provides the most informed and accurate picture of the budget.	ADOC interim report to the council at the February 2013 meeting and final report at the October 2013 meeting.	Completed	<p>This directive is considered complete as AOC FSO staff currently tracks appropriations and expenditures by fund. As required by Department of Finance and to comply with State of California Legal Basis Accounting, the Oracle financial system maintains all of this information dating back to 1996-97. Additionally, the Judicial Branch display in the annual Governor's Budget and supporting schedules provide appropriations and expenditures by fund.</p> <p>Also, the AOC FSO conducts regular reviews of budget and expenditure information to ensure divisions/offices are functioning within available resources. This includes monthly budget forecasting for the remainder of the fiscal year as well as year-end planning activities. AOC staff also provides these budget support services to the Supreme Court, Courts of Appeal, and the Habeas Corpus Resource Center.</p> <p>Finally, after the end of this fiscal year, FSO will review existing reports and develop a standard year-end summary to facilitate comparative year-to-year funding changes. AOC staff will continue to review existing processes and procedures to determine what improvements can be implemented on an ongoing basis.</p>
<u>SEC Recommendation</u>				
The Finance Division (Fiscal Services Office) should track appropriations and expenditures by fund, and keep a historical record of both so that easy year-to-year comparisons can be made. This can be done by unit, division or by program — whichever provides the audience with the most informed and accurate picture of the budget.				

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#	Directive *	Timeline	Status	Status Updates
38	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that expenditures be split into those for state operations and local assistance (funds that go to the trial courts) so it is clear which entity benefits from the resources. State operations figures must be further broken down as support for the Supreme Court and Appellate Courts. The AOC should adopt the methodology of distributing the administrative costs among programs.</p>	<p>ADOC interim report to the council at the February 2013 meeting and final report at the October 2013 meeting.</p>	<p>In Progress</p>	<p>The FSO does track expenditures split into those for state operations and local assistance. Local assistance expenditures are tracked by trial court (if an individual trial court directly benefited) and state-wide (for expenditures that benefits more than one trial court). State operations expenditure tracking is further broken down by the program and entity specified in each year's Budget Act. With respect to the distribution of administrative costs, FSO will be evaluating methodologies employed by other state-funded entities to determine which method should be applied at the AOC.</p>
				<p>A survey form has been developed to be sent to state agencies to gather information about their budget and fiscal processes. Once the survey has been sent out and returned, the survey results will need to be evaluated to determine with improvements can be made to AOC processes. We expect that will take until the December reporting period to be completed.</p>
				<p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "ADOC interim report to the council at the February 2013 meeting and final report at the December 2013 meeting."</p>
	<p><u>SEC Recommendation</u></p>			
	<p>Expenditures should be split into those for state operations and local assistance (funds that go to the trial courts) so it is clear which entity benefits from the resources. State operations figures should be further broken down as support for the Supreme Court and Appellate Courts. In most state departments, administrative costs are distributed among programs. The AOC should adopt this methodology.</p>			

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#	Directive *	Timeline	Status	Status Updates
39	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the AOC schedule its budget development and budget administration around the time frames used by all state entities.</p> <p>SEC Recommendation</p> <p>The AOC should schedule its budget development and budget administration around the time frames used by all state entities. Assuming the budget for any fiscal year is enacted by July 1, the AOC should immediately allocate its budgeted resources by fund among programs, divisions, units.</p>	<p>Administrative Director of the Courts to provide update to Judicial Council at the October 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
40	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that requests for additional resources be presented to the Judicial Council at its August meeting, identify the increased resources requested, and be accompanied by clear statements of the need and use of the resources and the impact on the AOC, as well as the impact on the judicial branch, if any. A cost-benefit analysis should be part of any request and there should be a system to prioritize requests.</p> <p>SEC Recommendation</p> <p>Requests for additional resources are presented to the Judicial Council at its August meeting. These requests identify increased resources requested and should be accompanied by clear statements of need and use of the resources and the impact on the AOC, as well as the impact on the judicial branch, if any. A cost-benefit</p>	Immediate implementation	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>

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#	Directive *	Timeline	Status	Status Updates
	analysis should be part of any request, and there should be a system to prioritize requests.			
41	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that, after the Governor's Budget is released in January, the AOC should present a midyear update of the judicial branch budget at the next scheduled Judicial Council meeting. All figures provided by the AOC should tie back to the Governor's Budget or be explained in footnotes.	Immediate implementation. ADOC report to the council at the February 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.
	<p><u>SEC Recommendation</u></p> <p>After the Governor's Budget is released in January, the AOC should present a midyear update of the judicial branch budget at the next scheduled Judicial Council meeting. This presentation should tie to the figures in the Governor's Budget so that everyone has the same understanding of the budget.</p>			
42	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that, except for budget changes that must be made to comply with time requirements in the state budget process, the AOC not change the numbers in the budget statements it presents. All figures provided by the AOC must tie back to the Governor's budget or be explained in footnotes.	Immediate implementation (Ongoing)	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the December 14, 2012, Judicial Council Meeting.
	<p><u>SEC Recommendation</u></p> <p>Except for changes that must be made to comply with time requirements in the state budget process, the AOC should not change the numbers it presents – continual changes in the numbers, or new displays, add to confusion about the budget.</p>			

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#	Directive *	Timeline	Status	Status Updates
43	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to perform internal audits upon completion of the restructuring of the AOC.	Administrative Director of the Courts report to the council with an implementation proposal at the October 2013 council meeting.	In Progress	<p>In April 2013, the Chief of Staff had requested an extension to October 2013 to work with the Internal Audit Staff (IAS) Senior Manager on an overall audit plan for the branch that evaluates existing internal audit resources and their possible reallocation based on a risk assessment and statutory requirements for audits of the branch. This audit plan will provide for an implementation proposal for conducting internal audits of the AOC.</p> <p>Given the staffing limitations of the IAS and the other pending projects and activities, the Chief of Staff is again requesting an extension for addressing this directive. IAS is currently in the process of addressing current staffing needs and does not anticipate being able to work on this directive until the beginning of January 2014. As such, it is requested that the timeline for this directive be extended to April 2014 to allow the Chief of Staff and IAS Senior Manager time to devote to this important directive.</p> <p>In the interim, internal audit continues to audit and review AOC functions within the Office of Real Estate and Facilities Management and provide significant support to the external audit of AOC contracts by the California State Auditor. This will be part of the prepared audit plan of the branch.</p>
	<p>SEC Recommendation</p> <p>The AOC must perform internal audits. This will allow the leadership team and the Judicial Council to know how a particular unit or program is performing. An audit can be both fiscal and programmatic so that resources are tied to performance in meeting program goals and objectives.</p>			

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#	Directive *	Timeline	Status	Status Updates
44	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that the leadership team must develop and employ budget review techniques so that the budget of an individual unit is aligned with its program responsibilities.	Administrative Director of the Courts to report to council at October 2013 council meeting.	In Progress	<p>This directive is being addressed through ongoing AOC restructuring efforts and it is expected that this directive will be completed once core functions have been determined and agency activities prioritized have been determined by the AOC Management Council.</p> <p>In June 2013, the AOC initiated a review of the organization's activities, projects, and programs to ensure that our existing resources are focusing on AOC's core functions/essential activities in our service to the branch and the citizens of California. Phase I of the Essential Services Review will be presented to the council at the December 2013 Judicial Council Meeting and will include a list of all AOC programs, projects, and activities. Phase II, which address resources needed for AOC activities, will occur during the first quarter of calendar year 2014.</p> <p>As such it is requested that the timeframe be modified to read, "Administrative Director of the Courts to report to council at April 2014 council meeting."</p>
	<p><u>SEC Recommendation</u></p> <p>As part of the reorganization and downsizing of the AOC, the leadership team should employ budget review techniques (such as zero-based budgeting) so that the budget of an individual unit is aligned with its program responsibilities. In the future, there should be periodic reviews of units and or programs to make sure funding is consistent with mandated requirements.</p>			

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#	Directive *	Timeline	Status	Status Updates
45	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the total staff size of the AOC must be reduced significantly and must not exceed the total number of authorized positions. The consolidation of divisions, elimination of unnecessary and overlapping positions, and other organizational changes should reduce the number of positions.</p> <p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to require that staffing levels of the AOC be made more transparent and understandable. Information on staffing levels must be made readily available, including posting the information online. All categories of staffing — including, but not limited to, authorized positions, “909” staff, employment agency temporary employees and contract staff — must be accounted for in a manner understandable to the public.</p> <p><u>SEC Recommendation</u></p> <p>9-1. The total staff size of the AOC should be reduced significantly.</p> <p>9-2. The total staff size of the AOC must be reduced significantly and should not exceed the total number of authorized positions. The current number of authorized positions is 880. The consolidation of divisions, elimination of unnecessary and overlapping positions and other organizational changes recommended in this report should reduce the number of positions by an additional 100 to 200, bringing the staff level to approximately 680 to 780.</p> <p>9-5. The staffing levels of the AOC must be made more transparent and understandable. Information on staffing levels must be made readily available, including posting the information online. All categories of staffing—including, but not limited to, authorized positions, “909” staff, employment agency temporary</p>	<p>Immediate implementation (Ongoing)</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
	employees and contract staff—must be accounted for in a manner understandable to the public.			
46	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to the Judicial Council vacant authorized positions if they have remained unfilled for six months. SEC Recommendation Vacant authorized positions should be eliminated if they have remained unfilled for six months.	(Ongoing) ADOC to provide updates to the council for each council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
47	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the employment of temporary or other staff to circumvent a hiring freeze is not permitted. The Administrative Director must review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such as in the case of an emergency or to provide a critical skill set not available through the use of authorized employees. SEC Recommendation Employment of temporary or other staff to circumvent a hiring freeze should not be permitted. The Executive Leadership Team should immediately review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such in the case of an emergency or to provide a critical skill set not available through the use of authorized employees.	Completion by June 2013	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
48	E&P recommends that the Judicial Council direct the Administrative Director of the Courts, as part of the council's long-term strategic planning, to evaluate the location of the AOC main offices based on a cost-benefit analysis and other considerations.	For long term consideration	In Progress	The initial 5-7 year segment of the plan reduces AOC space and rent expenses through a series of real estate transactions (renegotiated leases, subleases, space contractions and lease cancellations), resulting in an expense reduction of nearly \$8.6 million in rent and space contraction of 82,761 SF (31%) through FY 2014-15. This directive's full completion is to occur as part of the Council's long-term strategic planning to evaluate the location of the AOC main offices based on a cost-benefit analysis and other considerations.
	<p>SEC Recommendation</p> <p>As part of its long-term planning, the AOC should consider relocation of its main offices, based on a cost-benefit analysis of doing so.</p>			
49	E&P recommends that the Judicial Council support SEC Recommendation 7-2 with no further action. The AOC has terminated special consultants hired on a continuous basis.	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The practice of employing a special consultant on a continuous basis should be reevaluated and considered for termination taking into account the relative costs, benefits, and other available resources.</p>			

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#	Directive *	Timeline	Status	Status Updates
50	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-3 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	SEC Recommendation The Center for Families, Children and the Courts should be an office reporting to the Chief Operating Officer in the AOC's Judicial and Court Operations Services Division, rather than a stand-alone division. The CFCC manager position should be compensated at its current level.			

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#	Directive *	Timeline	Status	Status Updates
51	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(a) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of this directive is tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>

SEC Recommendation

CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:

(a) CFCC has a one-over-one management structure with a Division Director and an Assistant Division Director position. The Assistant Division Director position should be eliminated.

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#	Directive *	Timeline	Status	Status Updates
52	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(b) and (c) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.	<p>Administrative Director of the Courts to make a proposal based on the Classification and Compensation Study.</p> <p>In the interim, the Administrative Office of the Courts will conduct a survey on the use of attorneys in private and public institutions.</p>	In Progress	<p>On September 9, 2013, the Executive and Planning Committee reviewed the methodology, criteria, and process used to score the RFP bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder.</p> <p>On October 2013, the Executive and Planning Committee will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p>
	<p><u>SEC Recommendation</u></p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(b) There are nearly 30 attorney positions in CFCC, including 7 attorneys who act as Judicial Court Assistance Team Liaisons. All attorney position allocations should be reviewed with a goal of reducing their numbers and/or reallocating them to nonattorney classifications.</p> <hr/>			

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#	Directive *	Timeline	Status	Status Updates
52.1	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(b) and (c) and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.	Administrative Director of the Courts to provide an Interim Report to the council at the June 2013 Judicial Council meeting.	Completed	<p>CFCC reports that this directive is completed. The total number of authorized CFCC positions has been reduced by 32%. The percentage of reductions was nearly equivalent in positions funded by CFCC's general fund allocation (33%) and other funding sources (27%).</p> <p>Additionally, CFCC reports the following:</p> <ul style="list-style-type: none"> * CFCC's Rules and Forms Unit has been eliminated. * CFCC follows the new guidance from the Judicial Council Rules and Projects Committee (RUPRO) regarding the production of new and revised rules and forms proposals. This new guidance has not resulted in staffing reductions in CFCC. * This directive has been tied to directive 145 which includes a proposed process and policy for pursuing competitive grants for the council at the August 2013 council meeting. CFCC external funding sources come from long-standing state and federal allocations which are not subject to competitive grant process. As such, the proposed grant process and policy referenced in directive 145 is not applicable to current CFCC external funding and will not result in a reduction in CFCC staffing. <p>For these reasons, no further staffing reductions are anticipated as a result of implementation of Judicial Council Directives regarding grants and rule-making.</p>

SEC Recommendation

CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:

(c) The CFCC has numerous grant-funded positions, including five in its Rules and Forms Unit. Implementation of our recommendations for the AOC's Grants and Rule-making Processes could result in some reductions in these positions.

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#	Directive *	Timeline	Status	Status Updates
53	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-4(d) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p><u>SEC Recommendation</u></p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(d) The CFCC has a number of positions devoted to research programs, as do other offices to be placed within the Judicial and Court Operations Services Division, presenting opportunities for efficiencies by consolidating divisional research efforts.</p> <hr/>	<p>Administrative Director of the Courts to present a report of available options regarding the study's implementation to the Judicial Council for their consideration at the July 2013 Judicial Council meeting.</p>	Completed	<p>Since the end of FY 10-11, the number of AOC employees in research classifications has declined by approximately 45%. To improve the efficiency and effectiveness of research in support of the Judicial Council and the courts, and consistent with Judicial Council Directives 53 and 72.1, all research analysts currently at the AOC have been consolidated into offices within the Judicial and Court Operations Division. Managers overseeing research in those offices began discussions in October 2012 and have implemented a protocol to manage workforce reduction and address staffing current and future projects.</p>

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#	Directive *	Timeline	Status	Status Updates
54	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p data-bbox="1440 168 2018 646">During this reporting period the AOC continued to explore the cost and resources necessary to develop a tracking tool to provide information to the Executive and Planning Committee on the level of AOC staffing resources currently required to support various council committees, task forces and working groups. Given budget and staffing reductions, the AOC is currently challenged to devote resources to the development of the committee time tracking tool. Gathering data on committee support without complete data on all staff resources and activities would have limited value. However, given current budget and staffing limitations, the development of a resource tracking tool for all AOC activities and services would be onerous for the organization.</p> <p data-bbox="1440 688 2018 1328">After the completion of the AOC Classification and Compensation Study, the Executive Team will have more information necessary for determining staffing needs and resources for committee support. As such, this directive will be addressed after the completion of the Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Classification and Compensation Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p data-bbox="1440 1370 2018 1427">In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and</p>

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#	Directive *	Timeline	Status	Status Updates
	<p><u>SEC Recommendation</u></p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(e) CFCC staff members provide support to a number of Judicial Council committees and task forces. The recommended consolidation of this support function under the direction of the Chief of Staff will present opportunities for efficiencies and resource reduction.</p>			<p>Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
55	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-4(f) with no further action, as these administrative and grant support functions have been consolidated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p><u>SEC Recommendation</u></p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(f) The CFCC maintains a Core Operations Unit, which is essentially an administrative and grant support unit. The consolidation of administrative functions and resources within the Judicial and Court Administrative Services Division should lead to the downsizing of this unit.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
56	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider reducing or eliminating various publications produced by the Center for Families, Children, & the Courts.</p> <p>SEC Recommendation CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(g) CFCC staff members produce various publications. They should be considered for reduction or elimination</p>	<p>ADOC to report to the council at the February 2013 council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>
57	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-4(h) with no further action. The Judge-in Residence is now volunteering time to fulfill this responsibility.</p> <p>SEC Recommendation CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(h) The Judge-in-Residence position in this division should be eliminated.</p>	<p>Completed</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
58	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-4(i) with no further action, as the positions related to CCMS have been eliminated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(i) Positions related to CCMS should be eliminated.</p>	<p>Completed</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
59	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to propose an organizational plan for the Center for Families, Children, & the Courts that allows for reasonable servicing of the diverse programs mandated by statute and assigned to this division.</p> <p>SEC Recommendation</p> <p>CFCC's current number of authorized positions should be reduced. To achieve the reduction, these areas should be reviewed and considered, and appropriate actions taken:</p> <p>(j) Although staffing reductions in this division are feasible, any reorganization or downsizing of this division must continue to allow for reasonable servicing of the diverse programs mandated by statute and assigned to this division, including such programs as the Tribal Project program.</p>	<p>ADOC to report to the council at the February 2013 council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>
60	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider maximizing and combining self-help resources with resources from similar subject programs, including resources provided through the Justice Corps and the Sargent Shriver Civil Counsel program, and return to the council with an assessment and proposal.</p> <p>SEC Recommendation</p> <p>Self-represented litigants in small claims, collection matters, foreclosures, and landlord-tenant matters are frequent users of court self-help centers. A majority of self-help clients seek assistance in family law matters. Consideration should be given to maximizing and combining self-help resources with resources from similar subject programs, including resources provided through the Justice Corps and the Sargent Shriver Civil Counsel program.</p>	<p>ADOC to propose a plan for implementation to the council at the February 2013 meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
61	<p>E&P recommends to the Judicial Council that any legislative proposals generated by the AOC must follow the process established by the Policy Coordination and Liaison Committee.</p> <p>SEC Recommendation Consistent with recommendations in this report calling for a review of AOC’s rule-making process, legislative proposals generated through this division should be limited to those required by court decisions and statutory mandates and approved by the Judicial Council Advisory Committees.</p>	<p>Immediate implementation (Ongoing)</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
62	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that a systems review of the manner in which AOC staff review trial court records should be conducted to streamline Judicial Review and Technical Assistance audits, if possible, and to lessen the impact on court resources.</p> <p>SEC Recommendation A systems review of the manner in which trial court records are reviewed should be conducted to streamline audits, if possible, and to lessen the impact on court resources.</p>	<p>ADOC to report to the council on the audit process at the June 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
63	<p>With the exception of assigned judges, AOC staff must not investigate complaints from litigants about judicial officers.</p> <p>SEC Recommendation The CFCC should discontinue investigating and responding to complaints from litigants about judicial officers who handle family law matters, as such matters are handled by other entities.</p>	<p>Ongoing</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
64	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-10 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>The Court Operations Special Services Office (COSSO), formerly CPAS, should be an office reporting to the Chief Operating Officer within the AOC's Judicial and Court Operations Services Division, rather than a stand-alone division. The COSSO manager position should be at the Senior Manager level.</p>			

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#	Directive *	Timeline	Status	Status Updates
65	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-12 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.	Interim and incoming ADOC organizational proposal to be presented for council consideration at the 8/31/12, council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings.</p>			
65.1	E&P recommends that the Judicial Council support SEC Recommendation 7-12(a) with no further action, due to the temporary suspension of the Kleps Program initiated to reduce branch costs.	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(a) To save resources, the Kleps Award Program should be suspended temporarily.</p>			

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#	Directive *	Timeline	Status	Status Updates
66	<p>E&P recommends that the Judicial Council defer a decision on SEC Recommendation 7-12(b), pending a recommendation from the Trial Court Budget Working Group.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(b) The Justice Corps Program should be maintained, with AOC's involvement limited to procuring and distributing funding to the courts.</p>		Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.
67	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-12(c) with no further action as the Procedural Fairness/Public Trust and Confidence program has been eliminated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(c) Since funding for the Procedural Fairness/Public Trust and Confidence program has ceased, it should be eliminated.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
68	<p>E&P recommends that the Judicial Council consider whether to continue support for the Civics Education Program after the conclusion of the 2013 summit. The California On My Honor Program has been suspended for 2 years due to the lack of funding.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(d) Once the 2013 summit has concluded, the Administrative Director and Judicial Council should evaluate continuing support for the Civics Education Program/California On My Honor program.</p>	<p>ADOC to report to the council at the April 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>
69	<p>E&P recommends that the Judicial Council direct the ADOC to evaluate the extent to which financial and personnel support for the Jury Improvement Project should be maintained, recognizing the high value of the project to the judicial branch, especially because jury service represents the single largest point of contact between citizens and the courts.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(e) The Jury Improvement Project is of high value to the judicial branch, especially as jury service represents the single largest point of contact between citizens and the courts. The Judicial Council should evaluate the extent to which financial and personnel support for the project should be maintained.</p>	<p>ADOC to report to the council at the 10/26/12, council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
70	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to study the budget and operational components of the Court Interpreters Program to determine whether greater efficiencies can be implemented to deliver interpreter services to the courts. The Finance Division should not act as an impediment in the delivery of interpreter services to the courts.</p> <p>SEC Recommendation</p> <p>The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following:</p> <p>(g) The Administrative Director and Judicial Council should study the budget and operational components of Court Interpreters Program to determine whether greater efficiencies can be implemented to deliver interpreter services to the courts. Internally, the Finance Division should not act as an impediment in the delivery of interpreter services to the courts.</p>	ADOC to report to the council at the April 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.
71	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-16 with no further action as the Judicial Administration Library has been eliminated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>The Judicial Administration Library should be consolidated with the Supreme Court Library.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
72	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendations 7-11(a) and (b) and 7-14 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>7-11. COSSO's current level of approximately 74 positions (including those reassigned from the former regional offices as recommended in this report) should be reduced. To achieve the reduction the areas listed below should be reviewed and considered, and appropriate actions taken.</p>			

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#	Directive *	Timeline	Status	Status Updates
	(a) COSSO should have a management structure that includes a Unit Manager, but the Assistant Division Director position should be eliminated			
72.1	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendations 7-11(a) and (b) and 7-14 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.	Administrative Director of the Courts to present a report of available options regarding the study's implementation to the Judicial Council for their consideration at the July 2013 Judicial Council meeting.	Completed	Since the end of FY 10-11, the number of AOC employees in research classifications has declined by approximately 45%. To improve the efficiency and effectiveness of research in support of the Judicial Council and the courts, and consistent with Judicial Council Directives 53 and 72.1, all research analysts currently at the AOC have been consolidated into offices within the Judicial and Court Operations Division. Managers overseeing research in those offices began discussions in October 2012 and have implemented a protocol to manage workforce reduction and address staffing current and future projects.
	<u>SEC Recommendation</u>			
	7-11. COSSO's current level of approximately 74 positions (including those reassigned from the former regional offices as recommended in this report) should be reduced. To achieve the reduction the areas listed below should be reviewed and considered, and appropriate actions taken.			
	(b) The research functions and units of COSSO should be reviewed for possible consolidation with other research programs in the Judicial and Court Operations Services Division, presenting opportunities for efficiencies and position reductions.			

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#	Directive *	Timeline	Status	Status Updates
72.2	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendations 7-11(a) and (b) and 7-14 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>7-14. A significant number of COSSO staff members, such as those in the Administration and Planning unit, are assigned to various functions in support of the Judicial Council. The recommended consolidation of Judicial Council support activities under the direction of the Chief of Staff will present opportunities for efficiencies and resource reductions.</p>	<p>Incoming ADOC's organizational proposal to be presented for council consideration at the 8/31/12, council meeting.**</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>
73	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-13 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p>SEC Recommendation</p> <p>The Editing and Graphics Group, with half of its eight positions currently vacant, should be considered for elimination.</p>	<p>Interim and incoming ADOC organizational proposal to be presented for council consideration at the 8/31/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
74	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that activities related to the education and training of Appellate Court Justices in the COSSO should be consolidated with the Education Division/CJER.</p> <p>SEC Recommendation</p> <p>Some COSSO staff are engaged in activities relating to the education and training of Appellate Court Justices. These functions should be consolidated with the Education Division/CJER.</p>	Completion by June 2013.	Closed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013 Judicial Council Meeting. At the April 26, 2013 Judicial Council Meeting, the Administra</p>
75	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-17(a) with no further action as the Assigned Judges Program and Assigned Judges Program Regional Assignment Units have merged through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>Modifications to the Assigned Judges Program should be considered, including the following:</p> <p>(a) The Assigned Judges Program and Assigned Judges Program Regional Assignments units should be merged, resulting in the elimination of a unit supervisor position.</p>	Completed	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
76	<p>E&P recommends that SEC Recommendations 7-17(b), (c), and (d) be referred to the Chief Justice for consideration. The AOC's Assigned Judges Program provides support to the Chief Justice in the assignment of judges under California Constitution Article VI, Section 6(e).</p> <p>SEC Recommendation</p> <p>Modifications to the Assigned Judges Program should be considered, including the following:</p> <p>(b) The program's travel and expense policies should be reviewed to mitigate adverse impacts on the availability of assigned judges to smaller and rural courts.</p> <p>(c) Consideration should be given to a pilot program to allow half-day assignments of judges, taking into account the probable inability of small, rural courts to attract judges on this basis.</p> <p>(d) Consideration should be given to development of an Assigned Commissioner Program to assist courts with such matters as AB1058 child support cases.</p>		Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
77	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-18 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p>SEC Recommendation</p> <p>The functions of the Trial Court Leadership Service unit should be moved under the auspices of the new Executive Office, as matters of policy emanating from the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee often relate to branch-wide policies.</p>	Interim and incoming ADOC organizational proposal to be presented for council consideration at the 8/31/12, meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
78	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-19 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>The Education Division should be an office within the Judicial and Court Operations Services Division, under the direction of the Chief Operating Officer, rather than a stand-alone division. The Education Division/CJER manager position should be compensated at its current level.</p>			

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#	Directive *	Timeline	Status	Status Updates
79	E&P recommends that the Judicial Council direct the Rules and Projects Committee to evaluate relaxation of mandatory education requirements to allow the Administrative Director of the Courts and Court Executive Officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.	RUPRO to propose a timeline to return to the council to present its recommendations.	In Progress	<p>RUPRO has considered relaxation of mandatory education requirements for AOC and trial court staff. RUPRO recommended and the council adopted, at its June 28 meeting, an amendment to rule 10.491 on education for AOC staff. The amendment gives the Administrative Director discretion to grant a one-year, rather than six-month, extension of time to complete required education and, if granted, to determine whether to extend the next education compliance period. The rule amendment also gives the Administrative Director the discretion to determine the number of hours, if any, of traditional (live, face-to-face) education required to meet the continuing education requirement.</p> <p>On behalf of RUPRO, Justice Hull has contacted presiding judges and court executive officers seeking their input on what changes to the education rules are needed in the trial courts to provide discretion and flexibility. Justice Hull, along with Justice Robert Dondero, Chair of the CJER Governing Committee, attended the joint meeting of the Presiding Judges Advisory Committee and the Court Executives Advisory Committee on August 29 and spoke with presiding judges and court executives about education requirements for trial court employees. RUPRO will meet to consider trial court comments.</p>
	<p>SEC Recommendation</p> <p>As to training currently required of AOC staff and court personnel, the Judicial Council should examine and consider a relaxation of current mandatory requirements to allow the Administrative Director of the AOC and/or court executive officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.</p>			

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#	Directive *	Timeline	Status	Status Updates
80	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the efficiencies identified by the working group reviewing all education for new judges to ensure that education is provided in the most effective and efficient way possible.	Administrative Director of the Courts to provide report that evaluates education for new judges at the June 2013 council meeting.	Completed	Judicial Council report presented to the Judicial Council for consideration at the June 28, 2013 Judicial Council Meeting.
	<u>SEC Recommendation</u>			
	The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:			
	(a) A workgroup has been formed to review all education for new judges to ensure that it is being provided in the most effective and efficient way possible. The efficiencies identified by this working group may present opportunities for reductions.			

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#	Directive *	Timeline	Status	Status Updates
81	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-20(b), taking into account the results of the classification and compensation studies to be completed.	<p>Administrative Director of the Courts to make a proposal based on the Classification and Compensation Study.</p> <p>In the interim, the Administrative Office of the Courts will conduct a survey on the use of attorneys in private and public institutions.</p>	In Progress	<p>On September 9, 2013, the Executive and Planning Committee reviewed the methodology, criteria, and process used to score the RFP bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder.</p> <p>On October 2013, the Executive and Planning Committee will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Separate from the Classification and Compensation study, the CJER Governing Committee also reviewed aspects of this directive in light of CJER reorganization efforts. The Committee has stated that CJER has proactively taken steps to address aspects of the directive through department consolidation, staff attrition, and elimination of vacancies.</p>
	<p><u>SEC Recommendation</u></p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(b) There are in excess of a dozen attorney positions in the Education Division in units such as Design and Consulting, and Publications and Resources, in addition to the Judicial Education unit. All attorney position allocations should be reviewed with a goal of reducing their numbers and/or reallocating them to nonattorney classifications. In particular, education specialist positions are staffed by attorneys, a staffing practice that appears unnecessary.</p>			

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#	Directive *	Timeline	Status	Status Updates
82	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-20(c) with no further action, as the positions and activities related to the Court Case Management System in the Education Division have been eliminated, through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(c) The Court Case Management System training unit and any other positions engaged in CCMS-related activities should be eliminated in light of the Judicial Council's decision to cancel the full deployment of the CCMS system.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
83	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the impacts of a reduction in the size of the Production, Delivery, and Educational Technologies Unit and the reduction in services that would result, and provide the findings and recommendations to the Judicial Council.</p> <p>SEC Recommendation</p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(d) The Production, Delivery and Educational Technologies unit has grown to more than 25 positions plus several temporary staff. The number of staff in this unit should be reduced in light of the difficult fiscal environment.</p>	ADOC to report to council with recommendations at the June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
84	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate and consider reducing the positions assigned to develop training for AOC Staff in the Curriculum and Course Development Unit, especially if training requirements are relaxed	ADOC to report to council with recommendations following recommendations from RUPRO on training requirements.	Completed	<p>This directive is completed after action on Judicial Council directive #79 was taken. Directive #79 was referred to RUPRO for action, and states: E&P recommends that the Judicial Council direct the Rules and Projects Committee to evaluate relaxation of mandatory education requirements to allow the Administrative Director of the Courts and Court Executive Officers greater discretion and flexibility in utilizing their workforces during times of budget constraints.</p> <p>At its meeting in March, RUPRO reviewed and discussed a letter from Judge Jahr (attached) in which he provided recommendations for relaxation of the education rules to provide him with greater discretion and flexibility in utilizing AOC staff during this time of budget constraint. RUPRO appointed a subcommittee to evaluate the relaxation of education rules for AOC and court staff.</p> <p>The RUPRO subcommittee recommended and RUPRO adopted a modification of the rule that governs education for AOC staff (CRC 10.491) which will extend the time frame for completing education requirements by one year and allow the ADOC discretion in determining how much of that education needs to be live face to face or distance. The Judicial Council adopted this rule amendment at its June 28, 2013, meeting. On August 6, 2013, a memorandum was issued to all AOC staff advising them that the Administrative Director was authorizing a one-year extension for all AOC staff to meet their education requirements. The Administrative Director of the Courts has considered reducing the positions assigned to develop training for AOC staff in the Curriculum and Course Development Unit (now the Judicial Branch Education Development Unit) in light of the recent revision to CRC 10.491 and has determined that a reduction in</p>

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#	Directive *	Timeline	Status	Status Updates
				<p>positions is not warranted. The relaxation of the education requirements for AOC staff is not on-going. During this relaxation period, any staff resources which may be partially relieved will be assigned to work on other existing education programs.</p> <p>CJER conducted a comprehensive review of AOC education it provides and made extensive revisions in an effort to streamline this education by reducing classes that were not well attended, and increasing the education which is court focused. This was done to implement Judicial Council directive #88 and was completed. Directive #88 states that: E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to the council on a review of the content of training courses offered to AOC managers, supervisors, and employees, the number and location of courses offered, and the means by which courses and training are delivered. Training opportunities should include greater orientation and development of understanding of court functions.</p> <p>SERVICE LEVEL IMPACT</p> <p>The recent revisions to AOC education will result in providing AOC staff with more court focused education which will enhance the level of service AOC staff provide to the courts.</p>
	<p>SEC Recommendation</p> <p>The Education Division's current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(e) The Curriculum and Course Development unit includes several positions assigned to develop training for AOC staff. This activity should be evaluated and</p>			

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#	Directive *	Timeline	Status	Status Updates
	reduced, especially if training requirements are relaxed.			
85	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the impacts of a reduction in the size of the Administrative Services Unit and the reduction in services that would result, and provide the findings and recommendations to the Judicial Council.</p> <p><u>SEC Recommendation</u></p> <p>The Education Division’s current staffing level is one of the highest in the AOC and should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(f) The Administrative Services unit contains more than 20 staff engaged in support activities such as records management, printing and copying, scheduling and planning training delivery, and coordinating logistics for all AOC events. The number of staff in this unit should be evaluated and reduced commensurate with the reduction in the number of live programs and events, and reflecting a reduction in the number of employees AOC-wide.</p>	ADOC to report to council with recommendations at the June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
86	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Education Division should conduct true cost benefit analyses in determining the types of training and education it provides for new judicial officers and others, and to report to the council on the results. Analyses should include types, lengths, locations of programs, delivery methods, and the costs to courts.</p> <p><u>SEC Recommendation</u> The Education Division should conduct true cost-benefit analyses — and not rely only on its own preferences — in determining the types of training and education it provides, including types, lengths, and locations of programs, delivery methods, and the costs to courts. This type of analysis should apply to training and education programs for new judicial officers.</p>	<p>ADOC to provide recommendations on the process at 12/14/12, council meeting with a final report at the April 2013 meeting.</p>	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>
87	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the AOC should support and provide requested assistance to those courts that collaborate with other regional courts in providing judicial education and staff training or that request support in providing their own programs.</p> <p><u>SEC Recommendation</u> The Education Division should support and provide requested assistance to those courts that collaborate with other regional courts in providing judicial education and staff training or that request support in providing their own programs.</p>	Ongoing	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
88	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report to the council on a review of the content of training courses offered to AOC managers, supervisors, and employees, the number and location of courses offered, and the means by which courses and training are delivered. Training opportunities should include greater orientation and development of understanding of court functions.</p> <p>SEC Recommendation</p> <p>As to training currently required of AOC managers, supervisors, and employees, the Administrative Director should order a review of the content of training courses offered, the number and location of courses offered, and the means by which courses and training are delivered. Training opportunities should include greater orientation and development of understanding of court functions.</p>	<p>ADOC report to the council at the 12/14/12, council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the December 14, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
89	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-25 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>The functions performed by the Finance Division should be placed in the Judicial and Court Administrative Services Division. The Finance Division should be renamed the Fiscal Services Office, reporting to the Chief Administrative Officer. The Fiscal Services Office Manager position should be at the Senior Manager level.</p>			

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#	Directive *	Timeline	Status	Status Updates
90	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-26 and implement the necessary organizational and staffing changes, taking into account the results of the classification and compensation studies to be completed.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation The number of managers and supervisors should be reduced.</p>			

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#	Directive *	Timeline	Status	Status Updates
91	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure through the budget and fiscal management measures implemented by the AOC that the AOC's Finance Division is involved in all phases of fiscal planning and budgeting, especially with regard to large-scale or branch-wide projects or initiatives.	ADOC interim report to the council at the February 2013 council meeting and final report at the meeting in October 2013.	Completed	<p>Directives 7-13, 21, 40, 91, and 145 have been combined as part of a broader review and policy discussion relating to the development of a cost-benefit analysis proposal for the AOC. After a review of existing internal processes, AOC staff have developed general guidelines that seek to ensure that all elements within each of these 10 directives were adequately addressed. A process for approval of branchwide projects and other significant initiatives was developed to ensure an appropriate evaluation is completed, which can include a full and comprehensive cost-benefit analysis, as necessary. That evaluation will include the input and collaboration of all stakeholders, a complete analysis of scope, accurate cost estimates and funding streams and associated controls, documentation of the decision-making processes, and the full transparent consideration of fiscal, operational, and other impacts to the courts and stakeholders.</p> <p>The AOC fully recognizes the value of implementing guidelines to effectively coordinate and manage important branchwide projects. The new "Guidelines for the Administration of Branchwide Projects and Initiatives" have been reviewed and approved by the Administrative Director of the Courts and will be implemented as the official AOC process in the coming weeks. These guidelines will be presented to the Judicial Council at its December 2013 meeting. At this time, having addressed the matters in each, the AOC will close Directives 7-13, 21, 40, 91, and 145.</p>
	<p><u>SEC Recommendation</u></p> <p>The AOC must improve its fiscal decision making processes. The AOC must make a commitment to involve the Fiscal Services Office in all phases of fiscal planning and budgeting, especially with regard to large-scale or branch-wide projects or initiatives.</p>			

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#	Directive *	Timeline	Status	Status Updates
92	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report back on the budget and fiscal management measures implemented by the AOC to ensure that the AOC's fiscal and budget processes are more transparent.	ADOC interim report to the council at the February 2013 meeting and final report at the October 2013 meeting.	Completed	<p>This directive is considered complete as the Fiscal Services Office continues to work on ensuring that budget information is readily available to the public via the courts website which includes the link to the DOF ebudget website (http://www.ebudget.ca.gov/). The branch's fiscal information is displayed here as part of the Governor's budget package, including three year expenditures and position detail, fund condition statements, and fund transfer information. The AOC mid-year forecast as well as fiscal and budget processes calendar are planned future additions to the court website. Other detailed fiscal reports, such as reports to the legislative on branch expenditures, can be accessed on the public website as well (see attached example on special fund expenditures for 2011-12).</p> <p>The AOC will build upon the DOF annual budget development calendar to document the AOC fiscal and budget processes. Additionally, the Fiscal Services Office will confer with other state departments to obtain feedback regarding their internal fiscal and budget processes.</p>
	<p><u>SEC Recommendation</u> The budgeting process must become more transparent. Budget information must be readily available to the public, including online. Budget documents must provide understandable explanations and detail concerning revenue sources, fund transfers, and expenditures.</p>			

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#	Directive *	Timeline	Status	Status Updates
93	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the budget and fiscal management measures implemented by the AOC enable the Finance Division to improve the timeliness of processing contracts to better serve courts, contractors, vendors, and others.	Interim report to the council on the changes in progress by the February 2013 council meeting. Final report on measures taken to implement a new approach to the budget process, by June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
This division must make a commitment to processing contracts in more timely fashion, with an eye toward better serving courts, contractors, vendors, and others.				
94	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Finance Division must assess its workload needs, especially in light of legislation on court security and auditing functions being assumed by the State Controller's Office, so that any necessary adjustments in staffing positions can be made.	ADOC to report to the council at the June 2013 council meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.
<u>SEC Recommendation</u>				
The Finance Division must assess its workload needs, especially in light of legislation on court security and auditing functions being assumed by the State Controller's Office, so that any necessary adjustments in staffing positions can be made.				

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#	Directive *	Timeline	Status	Status Updates
95	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-31 with no further action as the unit has been eliminated through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation The need for a Strategic Policy, Communication, and Administration Unit should be reevaluated by the Chief Administrative Officer and, most likely, be eliminated.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
96	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-32 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.</p> <p>SEC Recommendation Consistent with recent consolidation of this division, the HR function should no longer be assigned stand-alone division status in the AOC organizational structure and should be combined with other administrative functions, reporting to the Chief Administrative Officer in the AOC's Administrative Services Division.</p>	Interim and incoming ADOC to present organizational proposal the council at the 8/31/12, meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
97	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-34 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The current number of higher-level positions in the HR Division should be reduced, as follows:</p> <p>(a) The Division Director position should be permanently eliminated as the HR function should no longer be a stand-alone division.</p>	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
97.1	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-34 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The current number of higher-level positions in the HR Division should be reduced, as follows:</p> <p>(b) The number of manager positions should be reduced from five to three, with some of the resulting resources allocated to line HR functions.</p>	ADOC to make a proposal based on the classification and compensation study.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
97.2	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-34 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The current number of higher-level positions in the HR Division should be reduced, as follows:</p> <p>(c) One of the three Senior Manager positions is vacant, a vacancy that should be made permanent by reallocating managerial responsibilities to the two filled Senior Manager positions.</p>	<p>Completed. This Division has 2 senior manager positions.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
98	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to report back on the progress and results of staffing changes being implemented in the Human Resources unit as part of the AOC's internal restructuring process.</p> <p>SEC Recommendation</p> <p>The current number of higher-level positions in the HR Division should be reduced, as follows:</p> <p>(d) With the elimination of the positions discussed above, consideration should be given to redirecting the resources from those positions to support vacant HR analyst positions that can be assigned work needed to help reestablish effective HR policies and practices in the AOC.</p>	<p>ADOC to report to the council on the results and status of AOC restructuring at the February 2013 council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
99	E&P recommends that the Judicial Council support SEC Recommendation 7-42 with no further action, as the issues have been resolved. SEC Recommendation The Administrative Director should resolve any remaining issues that have existed between the HR Division and Office of General Counsel, including by redefining respective roles relating to employee discipline or other HR functions.	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
100	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-43 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	SEC Recommendation	<p>The committee recommends that the functions of this division be placed under a unit titled Information and Technology Services Office, combined with any remaining functions of CCMS. The office should report to the Chief Administrative Officer of the Judicial and Court Administrative Services Division. The IS Manager position should be compensated at its current level.</p>		

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#	Directive *	Timeline	Status	Status Updates
101	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-44 and direct the council's Technology Committee to reexamine technology policies in the judicial branch to formulate any new branch-wide technology policies or standards, based on the input, needs, and experiences of the courts and court users, and including cost-benefit analysis.</p> <p>SEC Recommendation</p> <p>A reexamination of technology policies in the judicial branch must occur now that CCMS does not represent the technology vision for all courts. Formulation of any new branch-wide technology policies or standards must be based on the input, needs, and experiences of the courts, and including cost-benefit analysis.</p>	<p>The Technology Committee to propose a timeline to return to the council to present its recommendations.</p>	<p>In Progress</p>	<p>The Technology Committee continues work to develop a unified, long-term plan to achieve funding stability for court technology. The Technology Planning Task Force was tasked with this plan. To accomplish this in the one-year timeframe, three individual tracks were launched: Governance, Strategic Plan, and Funding. The task force meets monthly and has approved a charter and vision statement. The projected implementation date is June 30, 2014.</p>
102	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-45(a) with no further action, as the recommended staff reductions have occurred through the AOC's initiatives to reduce costs and downsize its workforce and operations.</p> <p>SEC Recommendation</p> <p>Especially with CCMS not being fully deployed, staff reductions in this division are in order, including:</p> <p>(a) Unnecessary CCMS positions should be eliminated.</p>	<p>Completed</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
103	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-45(b) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation Especially with CCMS not being fully deployed, staff reductions in this division are in order, including:</p> <p>(b) The total number of senior managers should be reduced.</p>	<p>ADOC to make a proposal based on the classification and compensation study.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
104	<p>E&P recommends that the Judicial Council direct that the Administrative Director of the Courts should review and reduce accordingly the use of temporary employees, consultants, and contractors.</p> <p>SEC Recommendation Especially with CCMS not being fully deployed, staff reductions in this division are in order, including:</p> <p>(c) The use of temporary employees, consultants, and contractors should be reviewed and reductions made accordingly.</p>	<p>ADOC will report to the council at the October 2013 meeting.</p>	In Progress	<p>Information Technology Services Office is taking direct action to fill critical support positions held by contractors with full time employees. Hiring permanent FTEs is expected to bring cost savings and longer term stability and support.</p> <p>We are requesting that the JC Directive Timeline be modified to read: "ADOC will report to the council at the December 2013 meeting."</p>

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#	Directive *	Timeline	Status	Status Updates
105	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-46 and direct the Administrative Director of the Courts, as part of AOC long-term planning, to conduct a review and audit of all technology currently used at the AOC and to return to the Judicial Council with a progress report on the findings, including efficiencies and potential cost savings.</p> <p>SEC Recommendation</p> <p>Different divisions in AOC operate from different technology platforms, including SAP used for the Phoenix system, Oracle, and CCMS. As part of a long range plan for the use of technology in AOC operations, the AOC should conduct a review and audit of all technology currently used in the AOC.</p> <p>Efficiencies and cost savings could result from the use of a single platform.</p> <hr/>	<p>ADOC interim report to the council by the December 2013 council meeting.</p>	<p>In Progress</p>	<p>The Information & Technology Services Office began preparing closure documentation regarding the technology standards and inventory process. The enterprise architecture team continued its semi-annual review of the approved technology standards for AOC-hosted applications which define the technologies that should be leveraged and those that should be phased out in order to maximize efficiencies and cost savings.</p>

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#	Directive *	Timeline	Status	Status Updates
106	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-71 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>The Office of General Counsel should be renamed Legal Services Office, consistent with its past designation, and should be a stand-alone office reporting to the Administrative Director of the Courts. The Legal Services Office manager position should be compensated at its current level. The Legal Services Office should not be at the same divisional level as the Judicial and Court</p>			

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#	Directive *	Timeline	Status	Status Updates
107	<p>Operations Services Division or the Judicial and Court Administrative Services Division. The Chief Counsel, manager of the Legal Services Office, should not be a member of the Executive Leadership Team.</p> <p>.....</p> <p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72(a) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(a) In addition to the General Counsel, there are nine management level attorney positions in the Legal Services Office, including the Assistant General Counsel, three Managing Attorneys, and five Supervising Attorneys. This is an excessive number of management positions, which should be reduced. The position of Assistant General Counsel position could be eliminated. One managing attorney could be assigned to manage each of the two major functional components of the division, house counsel, and Judicial Council services, with each managing attorney reporting directly to the Chief Counsel.</p> <p>.....</p>	<p>ADOC to make recommendations to the council at the March 2014 council meeting.</p>	<p>In Progress</p>	<p>At the June 28, 2013, Judicial Council meeting, the council endorsed the recommendations contained in a report from the council Liaisons to the Legal Services Office (LSO) relating to the organizational restructuring of LSO. The Administrative Director of the Courts will act on the recommendations and report back to the council by March 2014.</p>

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#	Directive *	Timeline	Status	Status Updates
108	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-72(b) and direct the Administrative Director of the Courts to direct implementation of fundamental management practices to address underperformance of staff members and provide better supervision and allocation of work.</p> <p>SEC Recommendation</p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(b) Despite the large number of management positions, management systems and processes are particularly lacking in the Legal Services Office. Implementing fundamental management practices to address the underperformance of staff members and provide better supervision and allocation of work should produce efficiencies that can result in reductions.</p> <hr/>	<p>ADOC interim report to the council on the changes in progress by the February 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
109	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72(c) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(c) A large number of Legal Services Office positions are dedicated to supporting the Judicial Council and its various committees and task forces. Assigning responsibility for coordinating the AOC's Judicial Council support activities to the Executive Office under the direction of the Chief of Staff will lead to efficiencies that should result in reductions of Legal Services Office positions dedicated to these activities.</p> <p>.....</p>	<p>Interim and incoming ADOC organizational proposal to be presented to the council at the 8/31/12, meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
110	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-72(d) and direct the Administrative Director of the Courts to report to the council on measures to streamline and improve the AOC's contracting processes and reduce contract-related work performed by this office.</p> <p>SEC Recommendation</p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(d) Implementation of the recommendations designed to streamline and improve the AOC's contracting processes should reduce contract-related work performed by the Legal Services Office.</p>	Final report to the council at June 2013 meeting.	Completed	Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.

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#	Directive *	Timeline	Status	Status Updates
111	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72 (e) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed</p> <p><u>SEC Recommendation</u></p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(e) The Legal Services Office has promoted and contributed to the "lawyerizing" of numerous activities and functions in the AOC. There are opportunities for work currently performed by attorneys in the Rules and Projects, Transactions and Business Operations, Real Estate, and Labor and Employment units to be performed by nonattorneys, resulting in efficiencies and possible staff reductions.</p>	<p>Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.</p>	<p>In Progress</p>	<p>On September 9, 2013, the Executive and Planning Committee reviewed the methodology, criteria, and process used to score the RFP bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder.</p> <p>On October 2013, the Executive and Planning Committee will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>

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#	Directive *	Timeline	Status	Status Updates
112	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-72(f) and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC and taking into account the results of the classification and compensation studies to be completed.</p> <p>SEC Recommendation</p> <p>The Legal Services Office's current level of approximately 75 positions, including more than 50 attorney positions, should be reduced. To achieve the reduction, the following areas should be reviewed and considered, and appropriate actions taken:</p> <p>(f) Development and use of paralegal classifications, as found elsewhere in legal services throughout both the public and private sectors, could lead to the reduction of attorney positions in the Legal Services Office.</p>	<p>ADOC to make recommendations to the council at the March 2014 council meeting.</p>	<p>In Progress</p>	<p>At the June 28, 2013, Judicial Council meeting, the council endorsed the recommendation contained in a report from the council Liaisons to the Legal Services Office (LSO) relating to the use of a paralegal classification in LSO. The Administrative Director of the Courts will act on the recommendation and report back to the council by March 2014.</p>
113	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-73 with no further action. The telecommuting status of one position has ended and, as of September 7, 2012, the telecommuting status of the second position will end.</p> <p>SEC Recommendation</p> <p>There currently are at least two positions in the Legal Services Office that violate the AOC's telecommuting policy. These should be terminated immediately, resulting in reductions. Nor should telecommuting be permitted for supervising attorneys in this division.</p>	<p>ADOC to report to the council with proposal for a revised policy at the 12/14/12, council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
114	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate the costs and benefits of allocating staff attorneys and resources to various advisory committees, task forces, and working groups.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p data-bbox="1440 168 2018 646">During this reporting period the AOC continued to explore the cost and resources necessary to develop a tracking tool to provide information to the Executive and Planning Committee on the level of AOC staffing resources currently required to support various council committees, task forces and working groups. Given budget and staffing reductions, the AOC is currently challenged to devote resources to the development of the committee time tracking tool. Gathering data on committee support without complete data on all staff resources and activities would have limited value. However, given current budget and staffing limitations, the development of a resource tracking tool for all AOC activities and services would be onerous for the organization.</p> <p data-bbox="1440 688 2018 1328">After the completion of the AOC Classification and Compensation Study, the Executive Team will have more information necessary for determining staffing needs and resources for committee support. As such, this directive will be addressed after the completion of the Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Classification and Compensation Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p data-bbox="1440 1370 2018 1427">In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and</p>

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#	Directive *	Timeline	Status	Status Updates
	<p>SEC Recommendation</p> <p>As recommended elsewhere, the Judicial Council should assess the costs and benefits of allocating staff attorneys and resources to various advisory committees, task forces, and working groups.</p>			<p>Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
115	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts, as part of the review of the AOC organizational structure, to review current responsibilities and clearly define the role of the Chief Counsel.</p> <p>SEC Recommendation</p> <p>The role of the Chief Counsel should be redefined to reflect the primary role of providing legal advice and services, as opposed to developing policy for the judicial branch.</p>	<p>ADOC to make recommendations to the council at the March 2014 council meeting.</p>	<p>In Progress</p>	<p>At the June 28, 2013, Judicial Council meeting, the council endorsed the recommendation contained in a report from the council Liaisons to the Legal Services Office (LSO) regarding the role of the Chief Counsel. The Administrative Director of the Courts will act on the recommendation pertaining to further definition of the role of the Chief Counsel and report back to the council by March 2014.</p>

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#	Directive *	Timeline	Status	Status Updates
116	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-77(a) and (d), and direct the Administrative Director of the Courts that the Office of the General Counsel should employ and emphasize a customer service model of operation, recognizing a primary goal of providing timely service and advice to its clients, including to internal clients in the AOC and to those courts that request legal advice or services from this office.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(a) Most fundamentally, this division should employ and emphasize a customer service model of operation — recognizing a primary goal of providing timely service and advice to its clients, including to internal clients in the AOC and to those courts that request legal advice or services from this office.</p> <hr/>	<p>ADOC to report back to the council at the February 2013 council meeting</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
117	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to adopt an operations model whereby attorneys generally are housed at one location with flexibility to adjust as necessary to meet court needs regionally, including regional demand for additional attorney support and smaller courts that have fewer staff for research and other legal services. The location where attorneys report to work should ensure proper supervision.</p> <p><u>SEC Recommendation</u></p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(b) This office should adopt an operations model whereby its attorneys generally are housed at one location. This would eliminate nonsupervision of some attorneys, promote better and more regular supervision of staff attorneys, and promote better utilization of available skills.</p> <p>.....</p>	<p>Administrative Director of the Courts to provide an interim report at the July 2013 council meeting with a final report at a later date.</p>	<p>Completed</p>	<p>At the June 28, 2013, Judicial Council meeting, the council approved recommendations contained in a report from the council Liaisons to the Legal Services Office (LSO) including a recommendation regarding LSO attorney resources housed in AOC field offices. The council liaisons identified that having attorneys housed in field offices is consistent with other government agencies and private law firms and allows for more direction communication between LSO attorneys and the courts in their region. As such, the council approved the liaisons' recommendation that the current practice of employing LSO attorney staff in AOC field offices is appropriate.</p>

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#	Directive *	Timeline	Status	Status Updates
118	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Office of the General Counsel service model should emphasize that time is of the essence when it comes to delivering advice and opinions to the courts; that recommendations and advice to courts should include a full range of options available to the courts; and that there must be a greater recognition that the AOC's interests may conflict with the specific interests of the courts. Clearer procedures should be put in place to safeguard the interests of individual courts in those instances when legitimate conflicts arise.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(c) The service model should emphasize that time is of the essence when it comes to delivering advice and opinions to the courts; that recommendations and advice to courts should include a full range of options available to the courts; and that there must be a greater recognition that the AOC's interests may conflict with the specific interests of the courts. Clearer procedures should be put in place to safeguard the interests of individual courts in those instances when legitimate conflicts arise.</p>	<p>ADOC to report back to the council at the February 2013 council meeting.</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
119	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to place emphasis on reducing bottlenecks for advice, contracts, and other projects. More effective tickler and tracking systems for opinions, contracts, and other documents should be put in place.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(d) Emphasis must be placed on reducing bottlenecks for advice, contracts, and other projects. More effective tickler and tracking systems for opinions, contracts, and other documents should be put in place.</p>	<p>ADOC to report back to the council at the June 2013 council meeting.</p>	<p>Completed</p>	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the April 26, 2013, Judicial Council Meeting.</p>
120	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that court users of legal services should be surveyed periodically to determine if such services are performed in a timely and satisfactory manner.</p> <p>SEC Recommendation</p> <p>This office must place greater emphasis on being a service provider and in improving how it provides services, including as follows:</p> <p>(e) Court users of legal services should be surveyed periodically to determine if such services are performed in a timely and satisfactory manner.</p>	<p>ADOC to report back to the council at the March 2014 council meeting.</p>	<p>In Progress</p>	<p>At the June 28, 2013, Judicial Council meeting, the council endorsed the recommendation contained in a report from the council Liaisons to the Legal Services Office (LSO) regarding the development of a client satisfaction survey in LSO. The Administrative Director of the Courts will act on the recommendation and report back to the council by March 2014.</p>

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#	Directive *	Timeline	Status	Status Updates
121	E&P recommends that the Judicial Council support SEC Recommendation 7-78 with no further action, as the issues have been resolved.	Completed	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The Administrative Director should resolve issues that have existed between the HR Division and OGC, including by redefining respective roles relating to employee discipline or other HR functions.</p>			
122	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to order an independent review of the Office of General Counsel's use, selection, and management of outside legal counsel to determine whether outside counsel is being utilized in a cost effective manner. Before initiating the independent review, the Administrative Director of the Courts must provide a proposal with options for conducting the review, including the associated costs.	ADOC to present a proposal with options to the council by the February 2013 council meeting, with a final report at the December 2013 meeting.	Completed	At the June 28, 2013, Judicial Council meeting, the council approved recommendations contained in a report from the council Liaisons to the Legal Services Office (LSO) relating to the use of outside counsel by LSO. The council liaisons concluded that the use of outside counsel is appropriate and in some cases mandated providing valuable legal resources for the varying needs of LSO. The council approved various recommendations proposed by the council liaisons designed to assist LSO in reinforcing its existing protocols for utilizing outside counsel to ensure that outside counsel is monitored, supervised, and managed. These recommendations included an annual report from the Administrative Director to the Advisory Committee on Financial Accountability and Efficiency (A&E) for review and reporting to the council. The council directed the Administrative Director to implement the recommendations and report back to the council on the implementation by March 31, 2014.
	<p>SEC Recommendation</p> <p>The Judicial Council and/or Administrative Director should order an independent review of this office's use, selection, and management of outside legal counsel to determine whether outside counsel is being utilized in a cost-effective manner.</p>			

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#	Directive *	Timeline	Status	Status Updates
123	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-52 and implement the necessary organizational changes, contingent upon the council's approval of an organizational structure for the AOC.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>The Office of Communications should remain in the Executive Office and under the direction of a Chief of Staff. The Office of Communications manager position should be placed at the Senior Manager level.</p>			

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#	Directive *	Timeline	Status	Status Updates
124	E&P recommends that the Judicial Council direct the Administrative Director of the Courts, to the extent that resources are available, that Office of Communication resources, including the Public Information Officer, should be made more available to furnish increased media relations services to courts requesting such assistance	ADOC to report to the council on the restructuring changes to this office at the February 2013 council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The resources of this office, including the Public Information Officer, should be made more available to furnish increased media relations services to courts requesting such assistance.</p>			

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#	Directive *	Timeline	Status	Status Updates
125	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to return to the Judicial Council with an analysis, defining the necessary emergency response and security functions for the branch and a recommendation on the organizational plan for council approval.	Administrative Director of the Courts to provide an interim report to the council at the July 2013 council meeting with a final report at the March 2014 council meeting.	In Progress	The Judicial Council approved the recommendation by the Administrative Director of the Courts (ADOC) to maintain the AOC Office of Security, but deferred action on directing a proposed Court Security Advisory Committee to review the AOC Office of Security and make recommendations on its functions, pending further review of advisory groups by the Executive and Planning Committee (E&P) and Rules and Projects Committee (RUPRO). After completion of that review, the Judicial Council approved the related recommendation by E&P and RUPRO, directing them to propose establishment of a Court Security Advisory Committee with a rule of court, charge, and appointments made through the annual nominations process. Proposed rule 10.61 to establish the committee was circulated for public comment and will be submitted to the council for consideration at its October 25, 2013, meeting.

SEC Recommendation

7-54. There is no need for a stand-alone Office of Emergency Response and Security. Most necessary functions performed by the office can be reassigned and absorbed by existing units in the Judicial and Court Operations Services Division.

7-55. The functions of this office should be refocused and limited to those reasonably required by statute or by the Rules of Court, primarily including review of security plans for new and existing facilities; review of court security equipment, if requested by the courts; and review of emergency plans.

7-56. Reductions in this office are feasible. The office cannot effectively provide branch-wide judicial security and online protection for all judicial officers. Positions allocated for such functions should be eliminated. The Administrative Director should evaluate whether some activities undertaken by this office are cost effective,

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#	Directive *	Timeline	Status	Status Updates
	such as judicial security and online protection functions.			
126	E&P recommends that the Judicial Council support SEC Recommendation 7-84 with no further action, as the Bay Area, Northern Central, and Southern Regional Offices no longer have any direct regional office staff. The Northern Central Regional Office has been reorganized as the Trial Court Liaison Office reporting to the Executive Office.	Completed. ADOC to report to the council on specific actions taken.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
	<p><u>SEC Recommendation</u></p> <p>The regional offices should cease to exist as a separate division within AOC. The BANCRO and SRO offices should close. Advocacy and liaison services provided to the trial courts should be provided through the office of Trial Court Support and Liaison in the new Executive Office.</p>			
127	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to renegotiate or terminate, if possible, the leases for space utilized by SRO and BANCRO. To the extent AOC staff from other divisions is assigned to work at leased space at the regional offices, the need for locating such staff in currently leased space should be reevaluated.	Completed. ADOC to update the council on the status of the leases at the 10/26/12, council meeting.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
	<p><u>SEC Recommendation</u></p> <p>Leases for space utilized by SRO and BANCRO should be renegotiated or terminated, if possible, as such lease costs cannot be justified. To the extent AOC staff from other divisions is assigned to work at leased space at the regional offices, the need for locating such staff in currently leased space should be reevaluated.</p>			

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#	Directive *	Timeline	Status	Status Updates
128	<p>E&P recommends that the Judicial Council support SEC Recommendation 7-86 and direct the Administrative Director of the Courts to provide the council with an update on organizational changes made with the elimination of the regional office staff.</p> <p>SEC Recommendation</p> <p>While responsibility for essential services currently provided to courts through regional offices should be consolidated and placed under the direction of Trial Court Support and Liaison Services in the Executive Office, a physical office should be maintained in the Northern California Region area to provide some services to courts in the region.</p>	<p>Completed. ADOC to update the council on the status of the leases at the 10/26/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>
129	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider placing the significant special projects previously assigned to the regional offices under the direction of the Chief of Staff in the Executive Office, contingent upon council approval of the organizational structure for the AOC.</p> <p>SEC Recommendation</p> <p>The significant special projects previously assigned to the regional offices should be placed under the direction of the Chief of Staff in the Executive Office.</p>	<p>Interim and incoming ADOC to present organizational proposal to the council at the 8/31/12, council meeting.</p>	Completed	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
130	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-47 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>TCAS should be made a unit under the Judicial and Court Administrative Services Division, reporting to the Chief Administrative Officer. The TCAS Manager position should be at the Senior Manager level.</p>			

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#	Directive *	Timeline	Status	Status Updates
131	E&P recommends that the Judicial Council direct the Administrative Director of the Courts that, subject to available resources, trial court use of the Phoenix HR/Payroll functionality should remain optional to individual trial courts.	Ongoing	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>The Phoenix Financial System is in place in all 58 superior courts; however, trial court use of the Phoenix HR/Payroll functionality should remain optional to individual trial courts.</p>			
132	E&P recommends that the Judicial Council determine whether to continue with the charge-back model whereby courts reimburse the AOC from their Trial Court Trust Fund allocations for the courts' use of the Phoenix financial system; and whether the Los Angeles court will be required to reimburse the AOC for use of the Phoenix financial system.	Trial Court Budget Working Group to propose a timeline to return to the council to present its recommendations.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the February 26, 2013, Judicial Council Meeting.
	<p>SEC Recommendation</p> <p>As policy matters, it is recommended that the Judicial Council determine whether to continue with the charge-back model whereby courts reimburse the AOC from their Trial Court Trust Fund allocations for the courts' use of the Phoenix financial system; and whether the Los Angeles court will be required to reimburse the AOC for use of the Phoenix financial system.</p>			

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#	Directive *	Timeline	Status	Status Updates
133	<p>E&P recommends that the Judicial Council support SEC recommendations 7-46 and 7-50 and direct the Administrative Director of the Courts, as part of AOC long-term planning, to review the information technology systems currently implemented Branch wide to support enterprise resource planning: finance, human resources, and education functional areas; to identify costs, benefits, and potential long-term savings, and the challenges of migrating support to a single IT platform; and to return to the council with a progress report on the findings.</p> <p>SEC Recommendation</p> <p>As with the Information Services Division, the AOC should determine whether to continue use of multiple or overlapping technologies for similar functions, as using a single technology could result in efficiencies and savings, both operationally and in personnel cost.</p>	<p>ADOC interim report to the council at the December 2013 council meeting.</p>	<p>In Progress</p>	<p>The online survey regarding Enterprise Resource Planning (ERP) systems currently in use at the superior courts was distributed to court leadership by the Judicial Council Technology Committee, and the survey timeframe was extended to October 4, 2013. The Legal Services Office has been asked to provide an opinion regarding the AOC's use of State Controller's Office and State Treasury or State Treasurer's Office.</p>
134	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Trial Court Administrative Services division should continue to provide clear service-level agreements with respect to services provided to the courts.</p> <p>SEC Recommendation</p> <p>TCAS should continue to provide clear service-level agreements with respect to services provided to the courts.</p>	<p>Immediate implementation (Ongoing)</p>	<p>Completed</p>	<p>Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.</p>

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#	Directive *	Timeline	Status	Status Updates
135	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-64 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>The OCCM should be renamed Office of Court Construction and Facilities Management Services. The functions of this unit should be placed under the Judicial and Court Operations Services Division and reporting to the Chief Operating Officer. The manager of this unit should be compensated at the same level.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
136	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to evaluate and propose an approach to evaluate cost effectiveness for the entire scope of Office of Court Construction and Management operations.	ADOC interim update to the council at the June 2013 council meeting and final report at the December 2013 meeting.	In Progress	<p>The June 5, 2013 Activity Report included a proposal for an approach to evaluate the cost effectiveness of the Judicial Branch Capital Program Office. This Activity Report also indicated that an evaluation and proposed approach to evaluate the cost effectiveness of the Office of Real Estate and Facilities Management (OREFM) would be separately prepared.</p> <p>It is requested that the implementation of this recommendation regarding OREFM be deferred until information on the Delegation Pilot Program involving four courts performing their own facilities maintenance (see synopsis regarding Directive 137) is reviewed by the Delegation Working Group, the Trial Court Facility Modification Advisory Committee and presented to the Executive and Planning Committee. The Delegation Working Group has not yet scheduled its next meeting, which is needed before the Advisory Committee, E&P and Council update can be scheduled.</p> <p>The delegation pilot program will not have been in place for a 1-year time period until the end of October, at which point the merits of the program will be evaluated. Additionally, changes to the membership of the Court Facility Services Delegation Working Group and need for appointment of a new chair to that body have necessitated a transition period before the group is ready to resume substantive meetings and take up the issue of a cost-benefit analysis.</p>

[SEC Recommendation](#)

A cost-benefit analysis of the entire scope of OCCM operations is needed.

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
137	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-66 and, once organizational changes are made as approved by the Judicial Council, evaluate and make recommendations to the council on facilities maintenance program efficiencies, including broadening courts' responsibilities for maintenance of court facilities and for smaller scale projects.</p> <p><u>SEC Recommendation</u></p> <p>The current facilities maintenance program appears inefficient and unnecessarily costly. The consultant report is necessary and should be considered part of a necessary reevaluation of the program. Courts should be given the option to assume responsibility for maintenance of court facilities and for smaller-scale projects.</p>	<p>Administrative Director of the Courts interim update to the council at the October 2013 council meeting and final report at the December 2013 meeting.</p>	<p>In Progress</p>	<p>The delegation pilot program will not have been in place for a 1-year time period until the end of October, at which point the merits of the program will be evaluated.</p> <p>The Orange, San Luis Obispo, Imperial and Riverside County Superior Courts are participating in a pilot program for the delegation of AOC facility management services. The last status meeting between the pilot courts and the AOC indicated generally good progress in implementation of the program to that point. Subsequent developments concerning expense reconciliation, the disbursement of current fiscal year funding allocation, changes to the composition of the Working Group and selection of a new representative for one of the participating courts, have combined to delay submission of an interim report to the Judicial Council.</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
138	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-67 and, once organizational changes are made as approved by the Judicial Council, evaluate and make recommendations to the Judicial Council regarding fiscal planning for facilities maintenance for new and existing facilities and revenue streams to fund increased costs for maintenance of court facilities.	Administrative Director of the Courts interim update to the council at the October 2013 council meeting and final report at the December 2013 meeting.	In Progress	<p>The results of an AOC data collection initiative and assessment of the court delegation pilot program, which will both have a direct affect on the implementation of this directive, have not yet been made available. The Trial Court Facilities Modification Advisory Committee is currently scheduled to receive an analytical report on data collection by AOC Internal Audit Services at its November 4 meeting; at the time of this writing, REFM staff have not seen a draft. The Court Facility Services Delegation Working Group has not yet determined when it will have the first meeting under new leadership. New dates for presentation to the council can be determined, once both bodies have taken up these two items.</p> <p>Multiple efforts designed to address the components of this Directive are in progress:</p> <ul style="list-style-type: none"> * Budget Change Proposals (BCP) were submitted to the State Dept. of Finance (DOF) on Sept. 11, 2013 requesting increases to the Trial Court Facilities Trust Fund (TCFTF) and the Facility Modification Budget in the State Court Facilities Construction Fund (SCFCF). * A meeting with the Legislative Analyst's Office (LAO) was held on Sept. 24, 2013 to brief LAO staff on the status of the Operations and Maintenance and Facility Modification programs, including budget availability relative to facility needs and industry standards. * Report of AOC Internal Audit identifying potential facility management service efficiencies and recommendations to improve their administration was accepted by the Judicial Council at its April 26 meeting. * Renegotiated rent and generation of revenues from

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#	Directive *	Timeline	Status	Status Updates
				<p>leases and licenses, office space occupants, food service operators, telecommunications service providers and parking operations reached \$21.9 million (see attachment).</p> <p>* The collection of detailed contract cost data over a one year period was tentatively scheduled to be reported by AOC Internal Audit Services to the Facility Modification Advisory Group in November, 2013.</p>
	<p><u>SEC Recommendation</u></p> <p>Fiscal planning for facilities maintenance for new and existing facilities needs to become an immediate priority, and revenue streams to fund increased costs for maintenance of court facilities must be identified and obtained.</p>			
139	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts, once organizational changes are made as approved by the Judicial Council, to evaluate and make recommendations regarding staff reductions.</p>	<p>Administrative Director of the Courts to provide an interim report to the council at the December 2013 council meeting.</p>	In Progress	<p>The new office director began on July 1, 2013 and is making organizational changes and currently assessing the staffing and resource requirements to successfully execute the \$5 billion construction program. Office is proceeding with hiring three construction inspector positions critically needed now to effectively manage the current program, which will include 15 projects in construction totaling about \$2 billion by the end of 2013.</p>
	<p><u>SEC Recommendation</u></p> <p>Staff reductions appear feasible in light of the slowdown in new court construction and should be made accordingly. The Chief Operating Officer should be charged with implementing necessary reductions.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
140	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to ensure that the employment of temporary or other staff to circumvent a hiring freeze is not permitted. The Administrative Director must review all temporary staff assignments and eliminate those that are being used to replace positions subject to the hiring freeze. Temporary employees should be limited to periods not exceeding six months and should be used only in limited circumstances of demonstrated need, such as in the case of an emergency or to provide a critical skill set not available through the use of authorized employees.</p> <p>SEC Recommendation The use of temporary or other staff to circumvent the hiring freeze should cease.</p>	Completion by June 2013	Completed	<p>Status on implementation progress for this directive is included in the Activity Reporting and Proposal Form submitted to the Judicial Council for the June 28, 2013, Judicial Council Meeting.</p>
141	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to review, as part of the AOC-wide review of its contracting processes, the contracting process utilized by the Office of Court Construction and Management.</p> <p>SEC Recommendation The contracting process utilized by OCCM needs to be improved. This process should be reviewed as part of the AOC-wide review of its contracting processes.</p>	Completion by October 2013.	In Progress	<p>This directive is being addressed as part of the AOC's ongoing contract process improvement efforts. In addition, the requirements of the relatively new Judicial Branch Contracting Manual has resulted in better standardization, less cost for contracted services, and better compliance with procurement practices for the non-capital projects divisions and offices. For the capital projects area, recommendations by a consultant (Pegasus) for procurement, contract administration and project management are being implemented.</p> <p>We are requesting that the JC Directive Timeline be modified to read: "Completion by December 2013."</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
142	E&P recommends that the Judicial Council direct the Administrative Director of the Courts to consider SEC Recommendation 7-80 and implement the necessary organizational and staffing changes, contingent upon the council's approval of an organizational structure for the AOC.	Due date will be modified after September 2013 after the selection of a vendor for the AOC Classification and Compensations study as directed by the Judicial Council.	In Progress	<p>Implementation of directives 50, 64, 72, 78, 89, 100, 106, 123, 130, 135, and 142 are tied to the outcome of the AOC Classification and Compensation Study. On September 9, 2013, the Executive and Planning Committee (E&P) reviewed the methodology, criteria, and process used to score the Request for Proposal (RFP) bids, reviewed the final bid scoring and findings, and approved the awarding of the contract to the highest-scored bidder. The AOC is working with the successful bidder to develop and execute an agreement, expected to be finalized no later than October 31, 2013. If the parties are able to reach agreement, the contract start date will be no later than October 2013 with an estimated end date of November 24, 2014. The study is expected to commence following the contract start date.</p> <p>In October 2013, E&P will provide an update to the Judicial Council on the results of the Classification and Compensation study RFP, and outline next steps for the commencement of the organization-wide AOC Classification and Compensation study.</p> <p>Therefore, we are requesting that the JC Directive Timeline be modified to read: "The Administrative Director will report to council following the completion of the Classification and Compensation Study. The study is tentatively scheduled to be complete by November 2014 with a report to the council in early 2015."</p>
	<p>SEC Recommendation</p> <p>The Office of Governmental Affairs should be placed in the Executive Office, under the direction of the Chief of Staff. The OGA Manager position should be at the Senior Manager level.</p>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
143	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that the Office of Governmental Affairs (OGA) should represent the interests of the judicial branch on the clear direction of the Judicial Council and its Policy Coordination and Liaison Committee (PCLC), and take steps to ensure that the PCLC is apprised fully of varying viewpoints of the courts, court executive officers, and judges before determining legislation positions or proposals.</p> <p>SEC Recommendation</p> <p>The OGA should represent the interests of the judicial branch on the clear direction of the Judicial Council and its Policy Coordination and Liaison Committee. The Chief of Staff should take steps to ensure that the PCLC is apprised fully of varying viewpoints of the courts, court executive officers, and judges before determining legislation positions or proposals.</p>	Ongoing	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.
144	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts that attorney resources in the AOC be utilized to best leverage and draw on subject matter expertise, which may assist OGA as legislative demands may require.</p> <p>SEC Recommendation</p> <p>The Administrative Director should direct that attorney resources in the AOC be utilized to best leverage and draw on subject matter expertise, which may assist OGA as legislative demands may require.</p>	Completed. ADOC will continue to monitor the deployment of expertise.	Completed	Activity Reporting and Proposal Form submitted to the Judicial Council for the October 26, 2012, Judicial Council Meeting.

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
145	<p>E&P recommends that the Judicial Council direct the Administrative Director of the Courts to propose to the council a process and policies for pursuing grants. The process should mandate a detailed impact analysis for every grant proposal, including consideration of all anticipated impacts on the workload and resources of the courts and the impacts to the AOC as a whole. Until a process of review and oversight is finalized, the Administrative Director of the Courts must approve the AOC's engagement in all grant proposals and agreements.</p> <p>SEC Recommendation</p> <p>6-9. The Executive Leadership Team must develop and make public a description of the AOC's process for determining which grants to pursue. The process should mandate a detailed impact analysis for every grant proposal, including consideration of all anticipated impacts on the workload and resources of the courts and the impacts to the AOC as a whole. Only after such analysis should the Executive Leadership Team make a determination whether the AOC should pursue grant funding.</p> <p>7-5. The Judicial Council should exercise oversight to assure that grant-funded programs are undertaken only when consistent with predetermined, branch-wide policy and plans. The fiscal and operational impacts of grant-funded programs on the courts should be considered as part of the fiscal planning process.</p> <p>7-12. The Promising and Effective Programs Unit functions are largely discretionary and should be considered for reduction or elimination, resulting in position savings. Consideration should be given to the following. Excerpt:</p> <p>(f) The Fund Development Group concerns itself with training to obtain grants, seeking grants, and grant</p>	<p>ADOC to recommend to the council a process and policies for evaluating appropriate grants by August 2013 and a cost benefit analysis proposal by October 2013.</p>	Completed	<p>The Administrative Director of the Courts has approved a staff recommendation for a new policy and process for pursuing competitive grants that are in line with the branch's strategic goals, and--assuming the council approved--has directed staff to take steps to publicize and implement the new policy and process, which are appended to the staff report to the Administrative Director, dated July 30, 2013, and entitled "Judicial Council Directive 145 re Grant Seeking."</p>

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.

#	Directive *	Timeline	Status	Status Updates
	<p>reporting. As is the case with other divisions in the AOC, grants should be sought in accordance with well-articulated AOC-wide priorities, as established by the Judicial Council. The Administrative Director and the Judicial Council should develop written policies and guidelines that control the pursuit and acceptance of grants and other funding, including utilizing a cost-benefit analysis.</p> <hr/>			

* This document retains the wording presented by the Judicial Council's Executive and Planning Committee approved by the Judicial Council on August 31, 2012.



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on October 25, 2013

Title	Agenda Item Type
Judicial Branch Report to the Legislature: Allocation of New Judgeships Funding in FY 2012–2013	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	October 25, 2013
Recommended by	Date of Report
Administrative Office of the Courts Steven Jahr, Administrative Director of the Courts	October 15, 2013
	Contact
	Zlatko Theodorovic, 916-263-1397 zlatko.theodorovic@jud.ca.gov

Executive Summary

The Administrative Office of the Courts (AOC) recommends approval of the attached *Report on Allocation of Funding in Fiscal Year (FY) 2012–2013 for Support of New Judgeships Authorized in FY 2007–2008*. The Budget Act of 2007 requires that this report be submitted each year until all judgeships are appointed and new staff hired.

Recommendation

The AOC recommends that the Judicial Council, effective October 25, 2013:

1. Approve the *Report on Allocation of Funding in Fiscal Year (FY) 2012–2013 for Support of New Judgeships Authorized in FY 2007–2008*; and
2. Direct the AOC to submit the report to the Legislature.

Previous Council Action

These reports have been submitted by the AOC to the Legislature annually. Previous reports can be found at www.courts.ca.gov/7466.htm.

Rationale for Recommendation

This report is required to be submitted to the Legislature each year. The attached report contains basically the same information as in the report submitted to the Legislature for FY 2011–2012, except for slight changes in the distribution of the ongoing facilities funding from the Court Facilities Trust Fund.

Comments, Alternatives Considered, and Policy Implications

This report was not circulated for comment, and no alternatives were considered because submitting this report to the Legislature is a requirement under the Budget Act of 2007.

Implementation Requirements, Costs, and Operational Impacts

Implementing the recommendations in this report results in no costs or operational impacts.

Attachments

1. *Report on Allocation of Funding in Fiscal Year (FY) 2012–2013 for Support of New Judgeships Authorized in FY 2007–2008*



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS
JUDICIAL AND COURT ADMINISTRATIVE SERVICES DIVISION

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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

CURT SODERLUND
Chief Administrative Officer

ZLATKO THEODOROVIC
Director, Fiscal Services Office

Report title: *Report on Allocation of Funding in Fiscal Year (FY) 2012–2013
for Support of New Judgeships Authorized in FY 2007–2008*

Statutory citation: Budget Act of 2007 (Stats. 2007, Ch. 171)

Date of report: October 25, 2013

The Judicial Council has submitted a report to the Legislature in accordance with the Budget Act of 2007.

Provision 11 of the Budget Act of 2007 (Stats. 2007, ch. 171) provides that “... [t]he Judicial Council shall report to the Legislature on January 1, 2008, and each January 1 thereafter, until all judgeships are appointed and new staff hired, on the amount of funds allocated to each trial court to fund the new portions.”

The following summary of the report is provided under the requirements of Government Code section 9795.

For fiscal year 2012–2013, a total of \$2.105 million was allocated to 22 trial courts in support of new judgeships authorized in FY 2007–2008, \$1.653 million for operations costs from the Trial Court Trust Fund to 22 courts and \$452,000 for facilities costs from the Court Facilities Trust Fund.

The full report can be accessed here: www.courts.ca.gov/7466.htm.

A printed copy of the report may be obtained by calling 415-865-7553.



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HON. TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

HON. KENNETH K. SO
Chair, Policy Coordination and
Liaison Committee

HON. JAMES E. HERMAN
Chair, Technology Committee

HON. HARRY E. HULL, JR.
Chair, Rules and Projects Committee

HON. DOUGLAS P. MILLER
Chair, Executive and Planning Committee

HON. IRA R. KAUFMAN
Chair, Litigation Management Committee

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HON. STEVEN JAHR
Administrative Director of the Courts

October 25, 2013

Ms. Diane F. Boyer-Vine
Legislative Counsel
State of California
State Capitol, Room 3021
Sacramento, California 95814

Mr. Gregory P. Schmidt
Secretary of the Senate
California State Senate
State Capitol, Room 400
Sacramento, California 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

Re: *Report on Allocation of Funding in Fiscal Year (FY) 2012–2013*
for Support of New Judgeships Authorized in FY 2007–2008

Dear Ms. Boyer-Vine, Mr. Schmidt, and Mr. Wilson:

The Judicial Council respectfully submits this report, as required by the Budget Act of 2007 (Stats. 2007, ch. 171). The Budget Act included \$27.767 million in FY 2007–2008 to support 50 new judgeships and the staff associated with those judgeships, to be allocated as follows: one month of funding, ongoing, for 50 judgeships, support staff, and appropriate facilities costs (\$3.366 million); and one-time funding associated with the positions such as furniture and equipment, as well as tenant improvements (\$24.401 million).

Provision 11 of the Budget Act of 2007 provided that "... [t]he Judicial Council shall report to the Legislature on January 1, 2008, and each January 1 thereafter, until all judgeships are appointed and new staff hired, on the amount of funds allocated to each trial court to fund the new portions." Per the Budget Act of 2007, expenditure of the funding was contingent on the enactment of legislation authorizing the establishment of the judicial positions. In 2007, the authorizing legislation was

Assembly Bill 159 (Stats. 2007, ch. 722). The funding assumed the appointment of judgeships could begin at the end of FY 2007–2008. However, ongoing funding necessary for the remaining 11 months of these judgeships has not been included in subsequent budget acts.

In FY 2011–2012, \$518,077 of the ongoing operations portion of the funding was permanently transferred away from the courts to the counties as part of the realignment of court security funding.

The table below displays the FY 2012–2013 allocation of the ongoing funding for one month of operations from the Trial Court Trust Fund and the ongoing facilities funding from the Court Facilities Trust Fund, by court. The chart does not add up to the ongoing \$3.366 million because (1) the security funding is not included (as explained above), and (2) approximately \$743,000 in judicial salaries is not included because these funds do not go to the courts directly.

Court	Operations	Facilities	Total
Butte	\$28,234		\$28,234
Contra Costa	38,395		38,395
Del Norte	30,041		30,041
Fresno	118,390		118,390
Kern	99,042		99,042
Kings	27,244		27,244
Los Angeles	39,581		39,581
Madera	28,370	\$17,172	50,263
Merced	61,809		61,809
Monterey	32,093		32,093
Orange	36,812		36,812
Placer	72,835		72,835
Riverside	225,528		225,528
Sacramento	222,156		222,156
San Bernardino	224,715		224,715
San Joaquin	106,611	313,374	410,823
Shasta	29,747		29,747
Solano	35,189		35,189
Sonoma	40,672	121,454	166,567
Stanislaus	67,770		67,770
Tulare	56,781		56,781
Yolo	30,874		30,874
Total:	\$1,652,889	\$452,000	\$2,104,889

Ms. Diane F. Boyer-Vine
Mr. Gregory P. Schmidt
Mr. E. Dotson Wilson
October 25, 2013
Page 3

The funding appropriated in relation to the 50 new judgeships is used to provide ongoing staff resources to support the judicial workload identified for the new judgeships—work that is, for the most part, being performed by assigned judges and temporary judges until the new judges are appointed.

If you have any questions related to this report, please contact Zlatko Theodorovic, Director, Fiscal Services Office, Administrative Office of the Courts (AOC), at 916-263-1397.

Sincerely,

Steven Jahr
Administrative Director of the Courts

SJ/VM

cc: Members of the Judicial Council

Margie Estrada, Consultant, Office of Senate President pro Tempore Darrell S. Steinberg
Fredericka McGee, General Counsel, Office of Assembly Speaker John A. Pérez
Matt Osterli, Consultant, Senate Republican Fiscal Office
Joe Stephenshaw, Consultant, Senate Committee on Budget and Fiscal Review
Allan Cooper, Consultant, Assembly Republican Fiscal Office
Marvin Deon II, Consultant, Assembly Committee on Budget
Jody Patel, AOC Chief of Staff
Curt Soderlund, AOC Chief Administrative Officer
Curtis L. Child, AOC Chief Operating Officer
Zlatko Theodorovic, Director, AOC Fiscal Services Office
Cory Jaspersen, Director, AOC Office of Governmental Affairs
Andi Liebenbaum, Senior Governmental Affairs Analyst, AOC Office of Governmental Affairs



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REPORT TO THE JUDICIAL COUNCIL

For business meeting on October 25, 2013

Title

Judicial Branch Administration: Judicial
Council Delegations to the Administrative
Director of the Courts

Agenda Item Type

Action Required

Effective Date

October 25, 2013

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

October 17, 2013

Recommended by

Hon. Douglas P. Miller, Chair
Executive and Planning Committee

Contact

Hon. Douglas P. Miller
douglasp.miller@jud.ca.gov

Executive Summary

The Executive and Planning Committee recommends that the Judicial Council terminate, maintain, or modify specific delegations of authority that the council has issued to the Administrative Director of the Courts since 1998. The delegations represent the Judicial Council's authorization for the Administrative Director to act on the council's behalf. The committee reviewed the delegations in conjunction with the council's directive to provide greater oversight to ensure transparency, accountability, and efficiency in the operations and practices of the Administrative Office of the Courts (AOC), as stated in recommendation 2 of the *Report and Recommendations from the Judicial Council's Executive and Planning Committee Regarding the Strategic Evaluation Committee (SEC) Report* (August 27, 2012).

Recommendations

The Executive and Planning Committee (E&P) recommends that the Judicial Council approve the recommendations in Attachment 1, *Judicial Council Delegations to the Administrative Office of the Courts or the Administrative Director (February 1998–August 2013)*, indicated in the column titled "Recommendation." Specifically, E&P recommends that the council take the following actions.

1. Allow to lapse without further action the 33 delegations that E&P has determined to be obsolete because responsibilities have been completed, superseded, or expired.
2. Terminate without further action the 21 delegations that E&P has determined are no longer relevant to achieving the outcomes or council objectives for which they were intended.
3. Continue the 26 delegations recommended to be maintained without changes.
4. Modify, as described in the attachment, the 20 delegations recommended for minor or substantive modifications (listed in Table 2).
5. Refer the two delegations referencing the \$100,000 litigation settlement authorization level that are recommended for review, to the Litigation Management Committee for the committee's consideration. (Numbers 82 and 83)
6. Refer the seven delegations recommended for modification that require related changes in the corresponding California Rules of Court, to the council's Rules and Projects Committee to oversee the rule making process for further recommendations on rule amendments. (Numbers 86, 87, 88, 92, 93, 97, and 99).
7. Direct the Administrative Director of the Courts to maintain an ongoing, central list of active delegations.

Previous Council Action

On August 31, 2012, the Judicial Council adopted 145 directives, recommended by E&P, to restructure the AOC and strengthen governance overall. The directives included a statement reaffirming that the Administrative Director of the Courts operates subject to the oversight of the Judicial Council.¹ As one of its four projects related to Judicial Council oversight of the AOC, E&P indicated its intent to perform an analysis of the council's delegations of authority to the Administrative Director of the Courts.²

E&P is charged with overseeing the Judicial Council's review of the council governance policies and principles and making recommendations to the council on the policies and practices in effect.³ The committee reviewed the council delegations⁴ to ensure that the delegations are clear and relevant to implementing branch goals and policies.

¹ Judicial Council of Cal., *Judicial Branch Administration: Report and Recommendations from the Judicial Council's Executive and Planning Committee Regarding the Strategic Evaluation Committee (SEC) Report* (August 27, 2012), p. 1 of Attachment 1, recommendation 1.

² *Id.* at p. 3.

³ Cal. Rules of Court, rule 10.11(g), and Judicial Council of Cal., *Governance Policies* (June 2008), pt. 7.B.1.g.

⁴ Excluded from the review are statutory authorizations to the Administrative Director or the AOC or functions that the AOC performs as the council's staff agency.

Under the leadership of Chief Justice Tani G. Cantil-Sakauye, the Judicial Council continues to review its governance policies and practices. Expanding public participation in council proceedings, enhancing the council's oversight of the AOC, identifying and directing branch efficiencies, and improving accountability and transparency are examples of the subjects of the council's focus. Most recently, in April 2013, the council adopted reforms in the governance, structure, and organization of its advisory groups to reinforce oversight, transparency, and efficiency in the council's policymaking process.

Rationale for Recommendation

The delegations review is an important check on the authority, duties, and limits that the council has expressly delegated to the Administrative Director. Most of these delegations were council decisions reached in the context of public business meetings. Some are included in the California Rules of Court, the Judicial Council Governance Policies, and administrative guidelines. The review is important for maintaining clear lines of accountability between the council and the AOC, especially as the AOC proceeds on restructuring to align essential services with its core mission.

E&P began this process with a review of the existing delegations since 1998. AOC offices with a role in implementing the delegations provided status information and recommendations on whether to terminate, maintain, or modify the delegated responsibilities that were specific to their programs. E&P performed an independent evaluation of the relevance of and need for these delegations of the council's authority according to the council's priorities.

The committee concluded that 26 delegations continue to be relevant and appropriate to the Administrative Director's duties and recommends that these 26 continue, unchanged. Thirty-three delegations have lapsed and cease to be in effect. Apart from these, the committee recommends one set of the delegations for termination and a second set for modification.

Delegations recommended for termination

The committee recommends 21 delegations for termination on grounds that they:

- Have been superseded by new responsibilities or council directives;
- Represent authorities that are contained in the California Rules of Court and are therefore duplicative;
- Refer to activities that do not equate to delegable responsibilities; or
- No longer have a purpose relevant to AOC operations.

Table 1 displays the titles of delegations, detailed in Attachment 1, that the Executive and Planning Committee recommends the council discontinue or terminate.

Table 1: Twenty-One Recommended for Termination

Branch Governance	
34.	Statewide Services
Finance and Budgeting	
35.	Trial Court Improvement Fund
36.	Operating Guidelines & Directives
37.	Allocate Year-End Savings
38.	Superior Court Allocations
39.	Superior Court Allocation
40.	Allocations for Statewide Administrative Infrastructure Services
41.	Judicial Administration Efficiency and Modernization Fund
47.	Revisions to Court-County Agreements About Fees
Communications	
42.	Public Outreach Working Group
Capital Programs/Facilities	
43.	Funding Approval (SB 1407 projects)
44.	Contracting Policies & Procedures
45.	Performance Expectations
46.	Site Selection, Acquisition
Human Resources	
48.	Other Post-Employment Benefits
Litigation	
49.	Policies
Probate	
50.	Guidelines
Security	
51.	Funding Standards
Strategic Planning	
52.	Superior Courts
53.	Judicial Council
Technology	
54.	California Court Case Management System

Delegations that require revision—recommended for modification

The committee determined that 20 of the delegations should be modified to ensure that these delegations remain current and continue to align with the council’s intended priorities. The modifications fall into three categories:

- Modifications to increase the council’s direct oversight of the responsibility, either by placing oversight and monitoring with the council, including the appropriate advisory committee in the process, or by requiring a report to the council to keep the council directly informed of developments;

- Adjustments to ensure that the delegations correspond to recent changes in the council’s advisory committee structure; or
- Updates—in responsibilities or related subject matter—that have evolved since the council’s original delegation.

Table 2 displays the titles of the delegations, detailed in Attachment 1, that the Executive and Planning Committee recommends the council modify.

Table 2: Twenty Recommended for Modification (including minor modifications)

Branch Governance	
85.	Advisory Committees
86.	Other Advisory Bodies
Finance and Budgeting	
81.	Entrance Screening Equipment
87.	Recommended Branch Budgets; Appropriated Funding
88.	Policies, Negotiations, Stop-Gap Funding
89.	Trial Court Budget Advisory Committee
90.	Authorizing Use of Trial Court Trust Fund (TCTF) Revenues; Reducing Allocations
91.	Use of Trial Court Trust Fund, Trial Court Improvement Fund for Four Facilities Projects
97.	Financial Policies and Procedures
98.	Investment of Superior Court Funds
Education	
92.	Training Requirements (programs serving family and juvenile mediation)
93.	Training Requirements (advanced training for child custody and visitation evaluations)
Capital Programs/Facilities Projects	
94.	Site Selection, Acquisition
95.	Bond Documents
96.	Seismic Safety
Forms	
99.	Modifications
Litigation	
82.	Manage Claims, Litigation
83.	Claim and Litigation Procedure
84.	Commission on Judicial Performance Insurance Policy
Self-Help Centers	
100.	Guidelines, Procedures

E&P’s final recommendation is to establish a centrally accessible list of active delegations that serves as an ongoing reference to council members and AOC staff. It is important to maintain a consistent and reliable record of these responsibilities.

Taken together, the recommended actions in this proposal allow for:

- Greater administrative efficiency by consolidating and refocusing the delegations to the Administrative Director on current functions that are directly applicable to the council’s priorities.
- Strengthened accountability and transparency by reinforcing the council’s oversight in areas such as budget authority, fiscal policies, and the management of branch facilities and infrastructure.
- A timely update of the Rules of Court and internal AOC policies that have been affected by recent changes in some of the council’s business processes and procedures and the reorganization of its advisory committees.

Comments, Alternatives Considered, and Policy Implications

Public comment was not solicited on E&P’s recommendations because these delegations relate to Judicial Council governance and oversight, matters for which E&P is vested with the authority to monitor and advise the council as necessary. Seven delegations, however, are recommended for referral to the council’s Rules and Projects Committee for further review as part of the council’s rulemaking process. The delegations, as a matter of council governance, represent administrative authorities and functions of little direct consequence to the courts, court users, or the public.

As an alternative to E&P’s recommendations, the Judicial Council could elect to take no action on the delegations. The delegations are integral to the Judicial Council’s institutional authority and the council’s ability to improve the administration of justice, as constitutionally required. To be effective, the delegations must align with current operating conditions and must be performed as intended. Deferring attention to the delegations would be a missed opportunity for the council to ensure that the authorities granted to the Administrative Director continue to serve their intended purpose.

Implementation Requirements, Costs, and Operational Impacts

Some of the recommendations, if approved, also affect the related California Rules of Court and will require rule amendments to maintain consistency in the delegations and the rules. There are staffing and workload implications for the AOC, the Executive and Planning Committee, and the Rules and Projects Committee in these instances. Other than rule changes, the recommendations are not expected to result in costs or operational impacts for the courts.

Relevant Strategic Plan Goals and Operational Plan Objectives

E&P’s recommendations are consistent with Goal II of the branch strategic plan, Independence and Accountability. This goal affirms that “[t]he branch will maintain the highest standards of accountability for its use of public resources, and adherence to its statutory and constitutional mandates.” Ensuring the continuity and the purpose of the council’s delegations of authority to the Administrative Director of the Courts and the AOC is fundamental to this standard.

Attachment

1. *Judicial Council Delegations to the Administrative Office of the Courts or the Administrative Director (February 1998–August 2013)*

Judicial Council Delegations to the Administrative Office of the Courts or the Administrative Director (February 1998–August 2013) With Recommendations From the Judicial Council’s Executive and Planning Committee

Purpose: This document summarizes Judicial Council delegations to the Administrative Director of the Courts (ADOC) or to the Administrative Office of the Courts (AOC) between February 1998 and August 2013, for the Judicial Council’s review at the October 2013 council meeting.

Time Period: The chart begins in 1998, when the Lockyer-Isenberg Trial Court Funding Act of 1997¹ took effect, transferring financial responsibility for superior courts from counties to the state and expanding Judicial Council authority and responsibilities. One 1997 delegation also is included because it remains in active use.

Chart Organization: Delegations in the chart are categorized by the action recommended for the Executive and Planning Committee’s (E&P’s) review: No Action Necessary/Completed, Superseded, Expired, Recommended for Termination, Maintain/No Changes Recommended, Maintain with Minor Modification, and Recommended for Modification.

Included/Excluded: Judicial Council action is considered a “delegation” for purposes of this chart if it authorizes the ADOC or the AOC to act on the council’s behalf. The chart thus does *not* include (1) actions that statute expressly instructs the ADOC or AOC to perform or (2) functions that the AOC performs as the council’s staff agency.

¹ Assem. Bill. 233 (Stats. 1997, ch. 850).

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
No Action Necessary/Completed, Superseded, or Expired (1–33)					
1.	Budget (Amnesty Program)	Original The Judicial Council approved a plan allocating \$500,000 received from the state Department of Finance (DOF) to reimburse court and county collection programs for payments to private collection vendors under the statewide amnesty program, which is effective January 1 to June 30, 2012. The council also delegated to the ADOC the authority to reallocate any remaining funds to qualifying programs proportionally based on the amount of remaining amnesty-eligible debt, as reflected in the report to be submitted to the DOF in April 2012.	1/24/12 Judicial Council meeting, Item B	No action is necessary. Expired.	
2.	Budget (Allocating Reductions)	Original The Judicial Council delegated to the ADOC authority to make minor technical adjustments in the council’s allocation of reductions, based on the Budget Act, to individual court budgets.	7/22/11 and 7/7/04 Judicial Council meetings, Items 2 and 1, respectively	To be incorporated in modification of #88.	
3.	Budget (Adjust Allocations)	Original The Judicial Council delegated to the AOC authority to adjust allocations to courts and for approved programs and projects as needed to address unanticipated needs and contingencies, with direction that AOC report any adjustments to the council at the end of the fiscal year.	Judicial Council meetings on 7/22/11, 12/14/10, 10/29/10, 10/23/09, 7/29/09; 10/10/08; and 8/31/07	No action is necessary. Each instance of delegation was for a limited duration that has expired.	

² Possible actions include No action necessary, Terminate Delegation, Maintain Delegation, Maintain Delegation with Modification, Modify Delegation, or in some instances Refer Delegation.

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
4.	Budget (Redirect Funds)	Original The Judicial Council, for Fiscal Year (FY) 2010–2011, allocated \$7.4 million to courts for technology equipment replacement (e.g., for personal computers and printers), and authorized the ADOC, on case-by-case basis, to allow courts with severe cash flow problems to redirect the money to offset impact of budget reductions that year.	12/14/10 Judicial Council meeting, Item 15	No action is necessary. Expired.	
5.	Budget (50/50 Excess Fines Split Revenue)	Original The Judicial Council approved allocation of the 50/50 Excess Fines Split Revenue (per Gov. Code, § 77205), directing that a specified portion be retained in the Trial Court Improvement Fund (TCIF) and a specified portion be distributed to specified superior courts. The council then delegated to the ADOC authority to make any needed adjustments to approved amounts if the State Controller’s Office (SCO) revised revenue amounts.	Judicial Council meetings on 12/9/2008, 12/7/07, 12/1/06, 12/2/05, and 12/10/04	No action is necessary. Expired.	
6.	Budget (Court Security Costs)	Original After making specific allocations of FY 2006–2007 State Appropriation Limit (SAL) security funding for facilities opening or transferring in that fiscal year, the Judicial Council delegated to the ADOC authority to allocate any remaining available funding to other courts with new facilities for specified security costs, applying a specified methodology.	12/1/06 Judicial Council meeting	No action is necessary. Expired.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
7.	Budget (Allocate Funding)	Original After approving certain FY 2006–2007 superior court budget allocations, the Judicial Council delegated to the ADOC authority to: <ul style="list-style-type: none"> • Allocate ongoing and one-time savings in undesignated funding from the Trial Court Trust Fund (TCTF), or SAL funding, to the extent that funds are available, for program areas identified in the SAL Allocation Template, • Make technical adjustments to the SAL allocations without returning to the council, and • Allocate funding from the TCTF related to one county’s increased Maintenance of Effort payments, to be distributed to the court, beginning in FY 2006–2007. 	8/25/06 Judicial Council meeting, Item 7	No action is necessary. Expired.	
8.	Budget (SAL Adjustments)	Original The Judicial Council approved allocations of FY 2005–2006 security funding from the SAL percentage adjustment to courts and delegated authority to the ADOC to make technical adjustments to the allocations as required.	11/4/05 Judicial Council meeting, Item D	No action is necessary. SAL suspended.	
9.	Budget (SAL Allocation Process and Template)	Original The Judicial Council adopted the SAL Allocation Process and Template, and delegated authority to the ADOC to make technical corrections to it when necessary.	4/15/05 Judicial Council meeting, Item E	No action is necessary. SAL suspended.	
10.	Budget (Technical Corrections to Allocations)	Original After allocating discretionary funding for superior courts provided in the 2004 Budget Act, the Judicial Council delegated to the ADOC authority to make adjustments to the allocations where technical corrections were needed.	2/18/05 Judicial Council meeting, Item 10	No action is necessary. Expired.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
11.	Budget (Amend Allocations Based on Collections)	Original The Judicial Council delegated to the Chief Justice and the ADOC the authority to amend the allocations the council made for FY 2003–2004 based upon actual collected revenues, after considering specified factors, and instructed staff to provide specified reports.	8/29/03 Judicial Council meeting, Item 3	No action is necessary. Expired.	
12.	Budget (Adjustments to Budget Reductions Plan)	Original The Judicial Council approved budget reduction plans for FY 2002–2003 and FY 2003–2004, and delegated to the ADOC authority to make “any further adjustments” to the plans if the branch experienced “an acute cash flow situation or if the proposed reduction [was] not passed at the current amount.”	2/28/03 Judicial Council meeting, Item 4	No action is necessary. Expired.	
13.	Budget (Suspend Special Fund Expenditures)	Original The Judicial Council delegated to the Chief Justice and the ADOC the authority to suspend expenditures from the TCIF and the Modernization Fund (Mod Fund) if necessary.	12/13/02 Judicial Council meeting, Item 16	No action is necessary. Expired.	
14.	Budget (Submit Budget Change Proposals [BCPs])	Original The Judicial Council authorized AOC staff to review courts’ pay equity requests based on unification and other market factors, and in light of “possible time constraints,” delegated to the ADOC authority to submit a BCP for those requests that were justified for FY 2003–2004, without returning to the council.	8/30/02 Judicial Council meeting, Item 5	No action is necessary. Expired.	
15.	Budget (Allocation for Extraordinary Expenses in Homicide Case)	Original The Judicial Council delegated to “AOC staff” authority to provide the Superior Court of Mariposa County with up to \$350,000 in one-time funding on an as-needed basis through the end of the trial of a high-profile homicide case. Funding to be provided as reimbursements for actual court expenditures documented in writing by the court administrator.	4/27/01 Judicial Council meeting, Item 6	No action is necessary. Expired.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
16.	Budget (Allocate Special Funding)	Original The Judicial Council delegated to “staff” authority to allocate funding for elder and dependent adult protective order processing costs before the end of the fiscal year to avoid reversion of funding to state General Fund.	4/27/01 Judicial Council meeting, Item 6 (1-time funding applicable to FY 2000–2001)	No action is necessary. Expired.	
17.	Budget (Superior Court Allocations)	Original The Judicial Council delegated to AOC “staff” the authority to allocate funding appropriated in the 2000 Budget Act for superior court negotiated salary increases and pay equity adjustments based on court-reported information. The council’s delegation was accompanied by specific direction about the manner in which funds were to be allocated.	8/24/2000 Judicial Council meeting, Item 10A (1 time)	No action is necessary. Expired.	
18.	Budget (Superior Court Allocations)	Original The Judicial Council approved the allocation of \$20 million from the FY 1999–2000 superior court budget to cover negotiated salary increases and pay equity adjustments, and authorized the ADOC to make technical adjustments.	1/26/2000 Judicial Council meeting, Item 4 (1 time)	No action is necessary. Expired.	
19.	Budget (Trial Court Special Funds: Allocations)	Original The Judicial Council delegated to the Administrative Director of the Courts the authority to transfer STCIMF allocations approved for 2012–2013 by the council from one program or project to another, subject to any restrictions or conditions provided by the council.	10/25/12, Judicial Council meeting, Item H	No action is necessary. Expired.	
20.	Facilities (SB 1407 Funding Requests)	Original The Judicial Council delegated to the OCCM Division Director the authority to make technical changes consistent with the intent of the <i>Recommendations to the Judicial Council on SB 1407 Projects, Table 1</i> , to FY 2011–2012 new commitments and to	12/12/11 Judicial Council meeting, Item 4	No action is necessary. Expired.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		FY 2012–2013 funding requests, subject to review and approval of Court Facilities Working Group chair.			
21.	Facilities (Long Beach)	<p>Original The Judicial Council confirmed authority of ADOC (or designee) to take all actions necessary or desirable for completion of the new Long Beach courthouse, including:</p> <ul style="list-style-type: none"> • Developing specified documents, • Selecting the firms to submit proposals, • Negotiating with the firm submitting the proposals ranked highest based on the selection criteria, • Selecting a proposal, and • Executing and delivering an agreement and all related documents and instruments for the delivery of the new Long Beach courthouse. <p>ADOC or designee authorized to consult with DOF and notify Joint Legislative Budget Committee as statutorily required and report periodically to the council during the project’s development.</p>	12/7/07 Judicial Council meeting, Item 13	<p>No action is necessary.</p> <p>Project completed.</p>	
22.	Facilities (Joint Powers Authority)	<p>Original The Judicial Council authorized the AOC to:</p> <ul style="list-style-type: none"> • Take “a lead role in establishing” a Joint Powers Authority (JPA) comprised of counties transferring facilities with Level V seismic ratings, to establish a multijurisdictional seismic risk pool to address financial consequences of seismic-related damages to those facilities. AOC’s lead role to include coordinating with participating counties to develop a JPA governance model, refine the JPA’s mission, and document the model and mission in a binding agreement establishing the Earthquake Recovery Indemnity Authority (ERIA). • Directly or through a nonprofit corporation, provide administrative support to the ERIA by establishing a program to manage participating counties’ legal and financial risks associated with seismic-related damage to Level V facilities, establishing required county contributions, and outsourcing administrative tasks 	10/26/07 Judicial Council meeting, Item G	<p>No action is necessary.</p> <p>Joint Powers Authority was terminated in June 2011.</p>	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		as needed. The council also delegated to the ADOC (or designee) authority to approve methods to address the seismic issues so that the state does not have a financial burden greater than it would have had if Level V facilities that are transferred had a seismic rating of Level IV.			
23.	Facilities (Portola/ Loyalton Courthouse)	Original The Judicial Council authorized the ADOC (or designee) to approve and execute an agreement for property acquisition and related documents for a new Portola/Loyalton courthouse.	6/29/07 Judicial Council meeting, Item 2 (1 project)	No action is necessary. Completed.	
24.	Facilities (Fresno Property Acquisition)	Original The Judicial Council authorized the ADOC (or designee) to approve and execute an agreement for property acquisition and related escrow instructions for the Sisk Federal Courthouse (Fresno).	4/27/07 Judicial Council meeting, Item C (1 project)	No action is necessary. Completed.	
25.	Facilities (Antioch Courthouse)	Original The Judicial Council authorized the AOC (or designee) to approve and execute agreement for property exchange and related documents for acquisition of designated site for the new Antioch Courthouse.	2/23/07 Judicial Council meeting, Item 1 (1 project)	No action is necessary. Completed.	
26.	Facilities (5-Year Infrastructure Plan)	Original The Judicial Council adopted the updated Five-Year Infrastructure Plan, FY 2007–2008, and delegated to the ADOC authority to make technical corrections to the plan, as necessary.	2/24/06 Judicial Council meeting, Item 5	No action is necessary. Completed.	
27.	Facilities (Prioritization of Facility Modifications)	Original The Judicial Council adopted the Prioritization Methodology for Modifications to Court Facilities, and directed the AOC to create separate working groups for trial and appellate court facility modifications.	12/2/05 Judicial Council meeting, Item 13	No action is necessary. Superseded by	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		<ul style="list-style-type: none"> • The two <i>working groups</i> were: <ul style="list-style-type: none"> ○ Directed to meet annually and develop annual reports with preliminary prioritized lists of specified facility modifications for the next fiscal year; and ○ Authorized to (1) reprioritize certain planned facility modifications as necessary, and (2) reallocate funds among the groups of approved facility modification budgets as needed. • Until June 30, 2007, the <i>Interim Court Facilities Panel</i> was to review the working group reports and approve the prioritized lists. (See, CRC, former rule 10.15.) Beginning on July 1, 2007, E&P was to assume responsibility for advising the council in this regard. (<i>Ibid.</i>; see also, <i>id.</i>, rule 10.11(c) [E&P “oversees the council’s policies and procedures regarding court facilities”].) • The <i>AOC</i> was directed to: <ul style="list-style-type: none"> ○ Implement the lists of approved facility modifications, and ○ Report to the Judicial Council on the effectiveness of the above policy recommendations in their first 12 months of implementation. 		Judicial Council’s adoption of a revised policy in July 2012.	
28.	Facilities (Court of Appeal Facility)	<p>Original The Judicial Council authorized the ADOC to approve the real property acquisition agreement and related documents for purchase of the selected site for the new Court of Appeal building in Orange County, provided that the terms and conditions are substantially the same as those presented to the council at its April 15, 2005, business meeting.</p>	6/24/05 Judicial Council meeting, Item 3a (1 project)	No action is necessary. Completed.	
29.	Facilities (Approval of Court Facilities Requests)	<p>Original The Judicial Council delegated to the Administrative Director the authority to approve the following types of new Court-Funded Facilities Requests (CFRs) between December 14, 2012, and the date of the Judicial Council’s June 2013 meeting, consistent with the following guidelines and requirements:</p> <ul style="list-style-type: none"> • The court contribution will be used exclusively to pay either: <ul style="list-style-type: none"> ○ Lease-related costs (i.e., lease payments, operating costs, repairs, or 	12/14/12 Judicial Council meeting, Item V	No action is necessary Expired. Superseded by new CFR	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		<p>modifications required by a lease); or</p> <ul style="list-style-type: none"> ○ Costs that otherwise are allowable under rule 10.810 of the California Rules of Court (i.e., equipment, furnishings, interior painting, flooring replacement or repair, furniture repair, or records storage); ● The resulting court financial commitment will not extend longer than three years; ● If the court contribution is for lease-related costs, the contribution must be necessary to avoid other greater costs, for example, a lease termination that would require relocation to a different facility and increased space rental costs; ● The court demonstrates its ability to meet its full financial commitment; and ● Each CFR so approved between December 2012 and June 2013 will be reported to the Judicial Council by the Administrative Director at each council meeting during this time period, in an informational report covering CFR approvals that have occurred since the last council meeting, with the report to cover all points specified in this delegation. 		procedure adopted by the Judicial Council on August 23, 2013.	
30.	Fiscal (Repayment of Superior Court Debts)	Original The Judicial Council authorized the ADOC to use a specified portion of money remaining in the TCIF and the Mod Fund at the end of FY 1999–2000 to help repay trial courts’ contractual obligations and loans, primarily for technology, on condition that courts sign Memoranda of Understanding acknowledging their responsibility to fully resolve such debts. The council also imposed related reporting obligations.	8/24/2000 Judicial Council meeting, Item 11 (1 time)	No action is necessary. Expired.	
31.	Jury Service (One-Day/ One-Trial)	Original The Judicial Council adopted former rule 861 (since renumbered as rule 2.1002), limiting jury service to either one day or one trial, but permitting superior courts to seek an exemption from the council on a specified showing. The council also adopted	Rule 2.1002 4/29/99 Judicial Council	No action is necessary. Policy expired	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		a policy clarifying the procedure for seeking an exemption. Under the policy, the ADOC was to review all requests for exemptions, granting those that qualified under the rule, and referring those that did not qualify to E&P for a decision on the council's behalf. If the decision required determination on a policy issue, E&P was to submit the issue to the council for decision.	meeting, Item 11	on 9/1/99.	
32.	Civil Cases (Liability Limits)	<p>Original By circulating order, the Judicial Council adjusted the maximum liability limits for parents and guardians for willful misconduct of minors, as required by Civ. Code, § 1714.1(c), to reflect increases in the cost of living in California, as indicated by the annual average of the California Consumer Price Index. The council directed that the formula for making the required adjustment and the resulting liability limits be adopted as an appendix to the rules of court. (See CRC, Appendix B.) It then authorized the ADOC to:</p> <ul style="list-style-type: none"> • Make the future adjustments required by Civ. Code, § 1714.1 in each odd-numbered year, and • Report the action at the next council meeting. 	Circulating order dated 6/24/97; confirmed in Judicial Council meeting minutes, 8/22/97. (ongoing)	<p>No action is necessary</p> <p>Superseded by Judicial Council action on 6/28/13 amending Appendix B of California Rules of Court to adjust the maximum liability. Adjustments are subject to council approval.</p>	
33.	Civil Practice and Procedure (Exemptions from	<p>Original The Judicial Council authorized the Administrative Office of the Courts to prepare a list of the amounts of certain exemptions from enforcement of judgments and to periodically update the list as required by Code of Civil Procedure section</p>	4/23/04 Judicial Council meeting, Item 1	<p>No action is necessary</p> <p>Superseded by</p>	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
	Judgments)	703.150(d)–(e).		Judicial Council action. Updates to the exemptions are subject to council approval.	
Recommended for Termination (34–54)					
34.	Branchwide Governance (Statewide Services)	Original The Judicial Council reaffirmed its previous direction to the AOC to develop and implement the necessary administrative infrastructure to support the operations of the superior courts by providing efficient, cost-effective, and reliable statewide administrative services in the areas of finance, human resources, information technology, and legal services, while avoiding duplication of services. <i>To achieve the latter end, among other things, the council also directed that courts interested in pursuing an alternative to a statewide approach first obtain the ADOC’s review and approval.</i>	2/28/03 Judicial Council meeting, Item 6	Terminate delegation (Stated in italics.)	
35.	Budget (Trial Court Improvement Fund)	Original The Judicial Council has delegated to the ADOC the authority to administer the TCIF consistent with accompanying guidelines specifying the manner in which money contained in the fund may be used, with council input at its annual planning meeting. The ADOC or a designee must present to E&P a proposed budget of potential programs and projects to be paid from the TCIF for approval. After E&P approves the budget, the ADOC or his/her designee may do the following if specified conditions are met: <ul style="list-style-type: none"> • Approve new projects and programs during the fiscal year within the approved 	12/5/03 Judicial Council meeting, Item 15	Terminate delegation. Superseded by Judicial Council action on 8/23/13 regarding administration	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		funding levels; <ul style="list-style-type: none"> • Approve changes to, defer, or eliminate programs or projects in the approved budget within specified limits; • Approve one-time emergency funding requests from the reserve; • Transfer up to 20 percent of the budget between specified categories; and • Transfer any funding that is unexpended as of May 1 to any program or project that may be funded by the TCIF except for unexpended money in emergency funding reserve. 		of the State Trial Court Improvement and Modernization Fund.	
36.	Budget (Operating Guidelines & Directives)	<p>Original After approving revisions to its <i>Operating Guidelines and Directives for Budget Management in the Judicial Branch</i>, the Judicial Council delegated to the ADOC authority to act upon provisions in the guidelines and directives that require council consultation and/or approval.</p> <p><i>Note:</i> On Dec. 2, 2010, acting on the council’s behalf, E&P suspended the guidelines and directives, which, inter alia, specified minimum clerks’ office hours, pending further review and recommendations. (See Judicial Council minutes (Dec. 14, 2010), p. 2.) At E&P’s direction, an AOC working group was formed, conducted review, and concluded guidelines and directives likely should be repealed, because new laws and rules supersede them.</p>	12/10/04 Judicial Council meeting, Item 20 (ongoing)	Terminate delegation.	
37.	Budget (Allocate Year-End Savings)	<p>Original The Judicial Council delegated to the ADOC authority to allocate one-time year-end savings, if available, each year, as extent of the savings would not be known until very near fiscal year end, so insufficient time to go through normal process for recommending allocation to council.</p>	4/27/01 Judicial Council meeting, Item 6 (ongoing)	Terminate delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
38.	Budget (Superior Court Allocations)	<p>Original The Judicial Council approved a policy providing that, from FY 2000–2001 and beyond, whenever superior court funding proposals submitted to the state are based on specific amounts provided by the courts, the allocation of approved funding will be based on the same amounts, without the need for the Judicial Council to consider/approve the allocations. The council then delegated to “staff” the authority to allocate superior court funding as follows:</p> <ul style="list-style-type: none"> • If the appropriation amount provided by the state is reduced on a court-specific basis, only the allocation to the specific courts involved would be reduced; and • If the amount provided is reduced on a court-wide (sic) [likely meant “statewide”] basis, the available funds will be allocated on a prorated basis to all courts whose funding requests were incorporated into the funded BCP. 	8/24/2000 Judicial Council meeting, Item 10A (ongoing)	Terminate delegation.	
39.	Budget (Superior Court Allocation)	<p>Original The Judicial Council delegated to AOC “staff” authority to:</p> <ul style="list-style-type: none"> • Develop a procedure for courts to report the number of elder and dependent adult abuse protective order petitions filed and for reimbursement of courts based on filings, and • Determine an appropriate level of funding per filing and the timing for reporting and allocations. 	8/24/2000 Judicial Council meeting, Item 10A (ongoing)	Terminate delegation.	
40.	Budget (Allocations for Statewide Administrative Infrastructure Services)	The Judicial Council approved a system of funding for statewide administrative infrastructure services, specifying the expenses to be paid statewide and those to be paid by courts, with a supplemental funding process to assist courts unable to pay their share of technology project costs. The council then delegated to the ADOC authority to allocate one-time and ongoing unallocated funds from the TCTF and the TCIF to the courts in accordance with the supplemental funding request process, and, if necessary, to make direct payment for statewide administrative infrastructure costs from one-time funding in the TCTF.	4/21/06 Judicial Council meeting, Item F (ongoing)	Terminate delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
41.	Budget (Judicial Administration Efficiency and Modernization Fund)	<p>Original The Judicial Council delegated to ADOC authority to administer the Judicial Administration Efficiency and Modernization Fund consistent with accompanying guidelines specifying manner in which money contained in fund may be used, with council input at its annual planning meeting. The ADOC or a designee must present to E&P a proposed budget of potential programs and projects to be paid for using the fund for approval. After E&P approves the budget, the ADOC or a designee may do the following if specified conditions are met:</p> <ul style="list-style-type: none"> • Approve new projects and programs during the fiscal year within the approved funding level of each of three specified budget categories; • Approve changes to, defer, or eliminate programs or projects in the approved budget within specified limits; • Transfer up to 20 percent of the budget between specified categories; and • Transfer any funding that is unexpended or unencumbered as of June 1 to any program or project that may be funded by the Mod Fund. 	12/5/03 Judicial Council meeting, Item 15	<p>Terminate delegation.</p> <p>Superseded by Judicial Council action on 8/23/13 regarding administration of the State Trial Court Improvement and Modernization Fund.</p>	
42.	Communi-cations (Public Outreach Working Group)	<p>Original The Judicial Council directed the ADOC to appoint a leadership advisory group, entitled the Public Outreach Working Group, and to implement related recommendations of the Commission for Impartial Courts.</p>	8/27/10 Judicial Council meeting, Item 6 (ongoing)	<p>Terminate delegation.</p>	
43.	Facilities (Funding Approval)	<p>Original The Judicial Council adopted an updated Trial Court Capital-Outlay Plan, an update to the <i>Prioritization Methodology for Trial Court Capital Outlay Projects</i>, and a list of 41 trial court capital projects to be funded by Senate Bill 1407. It directed the AOC to evaluate the 41 projects according to the updated methodology to determine:</p> <ul style="list-style-type: none"> • Which projects should be submitted to DOF for funding approval and 	10/24/08 Judicial Council meeting, Item D (ongoing)	<p>Terminate delegation.</p> <p>Superseded by Court Facilities Advisory</p>	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		<ul style="list-style-type: none"> Whether changes were needed to projects that the council previously had approved before submission to DOF for funding. <p>The council delegated to the ADOC authority to decide when to submit projects from the approved list to DOF, with related reporting obligations.</p>		Committee (CFAC) oversight and recommendations.	
44.	Facilities (Contracting Policies & Procedures)	<p>Original</p> <p>The Judicial Council approved the Court Facilities Contracting Policies and Procedures, which included delegation to the ADOC of authority to amend the policies and procedures “as necessary or desirable,” “consistent with the interests of the judicial branch and the public it serves.”</p>	12/7/07 Judicial Council meeting, Item 5 (ongoing)	Terminate delegation.	
45.	Facilities (Performance Expectations)	<p>Original</p> <p>The Judicial Council delegated to the ADOC authority to develop performance expectations for court facility proposals, which must cover specified points.</p>	12/7/07 Judicial Council meeting, Item 13 (ongoing)	Terminate delegation.	
46.	Facilities (Site Selection, Acquisition)	<p>Original</p> <p>The Judicial Council adopted the Site Selection and Acquisition Policy for Court Facilities, which delegates authority to the ADOC to approve selection and acquisition of sites for court facilities.</p>	6/29/07 Judicial Council meeting, Item 4 (ongoing)	Terminate delegation.	
47.	Fiscal (Revisions to Court-County Agreements About Fees)	<p>Original</p> <p>After taking other actions to implement AB 139, which resolved longstanding issues regarding previously undesignated fees, including civil assessments, the Judicial Council directed that all revisions to local (court-county) agreements about civil filing fees, fees for services, and civil assessments, be approved by the ADOC before execution.</p>	8/26/05 Judicial Council meeting, Item 8 (ongoing)	Terminate delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
48.	Human Resources (Other Post-Employment Benefits)	<p>Original The Judicial Council delegated to the ADOC authority to:</p> <ul style="list-style-type: none"> • Permit exceptions to the council’s 2-year moratorium on courts’ prefunding “other postemployment benefits” such as retiree health benefits and establishing irrevocable trusts; • Decide on case-by-case basis whether a court may, in establishing a qualified trust, use a provider other than one of the three council-approved providers; and • Approve the investments that a superior court proposes in prefunding other postemployment benefits, following the council’s “<i>Statement of Investment Policy for the Trial Courts.</i>” 	<p>10/23/09 Judicial Council meeting, Item F</p> <ul style="list-style-type: none"> • 2-year delegation, likely expired; and • Ongoing delegations. 	<p>Terminate delegation.</p> <p>First bullet has expired and requires no action.</p>	
49.	Litigation (Policies)	<p>Original The Judicial Council adopted policies governing the administration of the Litigation Fund and the Excess Liability Fund. One of those policies permitted use of those funds for payments to county risk management pools or county counsel through an overhead or similar administrative charge for a specified period and specified expenses. The council authorized the ADOC thereafter to determine whether allowing such use of the funds was cost-effective.</p>	<p>12-2-99 Judicial Council meeting, Item 6 (ongoing)</p>	<p>Terminate delegation.</p>	
50.	Probate (Guidelines)	<p>Original The Judicial Council adopted guidelines for probate examiners and court investigators to use in reviewing accountings of conservators and guardians, and delegated to the ADOC authority to revise the guidelines from time to time as necessary or advisable, in consultation with, and working with, specified groups.</p>	<p>10/23/09 Judicial Council meeting, Item A25 (ongoing)</p>	<p>Terminate delegation.</p> <p>Revisions to guidelines must be approved by the Judicial Council.</p>	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
51.	Security (Funding Standards)	Original The Judicial Council approved specified court security funding standards, and then delegated “to staff” (AOC) the authority to make technical adjustments.	4/15/05 Judicial Council meeting, Item F (ongoing)	Terminate Delegation Budget legislation and realignment of court security in 2011 transferred spending authority to the counties.	
52.	Strategic Planning (Superior Courts)	Original The Judicial Council approved multi-year and annual cycles for superior court strategic planning activities, and: <ul style="list-style-type: none"> • Authorized the ADOC to implement those planning cycles for superior courts and make technical adjustments, as needed, to ensure planning conducted in a manner serving overall branch interests; and • Directed the ADOC to provide guidelines to the courts during fall planning workshop regarding future planning activities and timelines. 	8/24/00 Judicial Council meeting, Item 4 (ongoing) Rule 10.11(b)	Terminate delegation.	
53.	Strategic Planning (Judicial Council)	Original The Judicial Council approved multiyear and annual cycles for council strategic planning activities and authorized the ADOC to implement those planning cycles and make any technical adjustments as needed to ensure planning conducted in a manner serving overall branch interests.	3/17/00 Judicial Council meeting, Item 3 (ongoing)	Terminate delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
54.	Technology (CCMS)	The Judicial Council authorized the AOC to execute a letter of intent between the AOC, the State Bar of California, and the Chan Soon-Shiong Family Foundation to engage in a 12-week period of discussion, information exchange, and planning to determine if the parties were willing and able to enter into a collaborative relationship to accomplish deployment of CCMS and other technology-related activities.	10/28/11 Judicial Council meeting, Item L (1-time) (The council ordered this process suspended, effective Jan. 24, 2012.	Terminate delegation.	
Maintain (55–80)					
55.	Branch Governance (Circulating Orders)	Original The Chief Justice or the ADOC may approve the Judicial Council’s being asked to act on urgent matters by circulating order between business meetings. <i>Note:</i> The ADOC does not vote, but triggers the process asking the council to vote between meetings by circulating order.	Rule 10.5(h)	Maintain delegation.	
56.	Budget (Trial Court Allocations)	Original The Judicial Council delegated to the Administrative Director of the Courts the limited authority to transfer allocations between STCIMF and TCTF funded projects and programs, subject to council approved guidelines, that: <ul style="list-style-type: none"> • The sum of allocation transfers cannot exceed 20 percent of the allocation to be reduced nor 20 percent of allocation augmented. • The Administrative Director must notify the chairperson of the council’s Executive and Planning Committee and cochairs of the Budget Advisory 	8/23/13 Judicial Council meeting, Item G	Maintain delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		Committee, and <ul style="list-style-type: none"> The Administrative Director must report back to the council on the rationale for amounts of any approved adjustments. 			
57.	Budget (Budget Submissions)	Original The Judicial Council delegated to the Administrative Director of the Courts the authority to prepare budget submissions to the state Department of Finance, consistent with budget submissions to the Judicial Council. (From motion to amend.)	8/23/13 Judicial Council meeting, Item K	Maintain delegation.	
58.	CASA	Original The Judicial Council authorizes the AOC to create a <i>CASA Program Policies and Procedures Manual</i> with recommended protocols for specified topics, in collaboration with the California CASA Association and California CASA program directors.	Rule 5.655	Maintain delegation.	
59.	Court Records (Manual)	Original In collaboration with superior court presiding judges and court executives, the AOC must: <ul style="list-style-type: none"> Prepare, maintain, and distribute a manual (the <i>Trial Court Records Manual</i>) providing standards and guidelines for creation, maintenance, and retention of superior court records, consistent with the Government Code, rules of court, and council policies; and Update the manual to reflect changes in technology affecting creation, maintenance, and retention of court records. Specified notice and comment requirements apply when the manual is updated or changed. 	Rule 10.854	Maintain delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
60.	Court Reporters (Electronic Recording Equipment)	Original Electronic recording equipment used in making the official verbatim record of oral courtroom proceedings must conform to the specifications in rule 2.954. The ADOC may approve electronic recording devices and equipment that a court acquired before 2007, however, if the court has found them to produce satisfactory recordings of proceedings.	Rule 2.954	Maintain delegation.	
61.	Facilities (Alameda Capital Project)	Original The Judicial Council authorized: <ul style="list-style-type: none"> • Development of an agreement with Alameda County for construction of a new East County Courthouse, and • Submission of a BCP to the state DOF proposing to use \$903,000 per year from the State Court Facilities Trust Fund for the term of the project debt. 	8/15/08 Judicial Council meeting, Item B	Maintain delegation.	
62.	Facilities (Inyo Courthouse)	Original After deciding location of New Inyo County Courthouse, the Judicial Council directed staff to proceed with selection and acquisition of a site.	4/29/11 Judicial Council meeting (1 project)	Maintain delegation.	
63.	Facilities (Standards)	Original The Judicial Council has authorized the AOC to develop standards, and to propose substantive changes, for council approval, regarding alteration, remodeling, renovation, and expansion of existing court facilities and construction of new court facilities. The AOC may make nonsubstantive changes to standards without council approval.	Rule 10.180(b)	Maintain delegation. Following adoption of Rules of Court to define the charges of the Court Facilities and Trial Court	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
				Facility Modification Advisory Committees, E&P will consider referring to the appropriate committee to review for changes.	
64.	Facilities (Operation and Maintenance)	Original The Judicial Council has authorized the AOC to take “action on the operation of court facilities, including the day-to-day operation of a building and maintenance of a facility,” “in cooperation” with courts.	Rule 10.182(b)	Maintain delegation. Following adoption of Rules of Court to define the charges of the Court Facilities and Trial Court Facility Modification Advisory Committees, E&P will consider referring to the appropriate committee to	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
				review for changes.	
65.	Facilities (Transfers)	<p>Original The Judicial Council has authorized the AOC to:</p> <ul style="list-style-type: none"> • Approve transfer agreements with a specified exception; and • Administer shared-use court facilities, e.g., by deciding to displace minority county tenants, seeking changes in court spaces, responding to counties seeking changes in their space, and auditing specified revenues. 	Rule 10.183(d)(2)–(3)	<p>Maintain delegation.</p> <p>Following adoption of Rules of Court to define the charges of the Court Facilities and Trial Court Facility Modification Advisory Committees, E&P will consider referring to the appropriate committee to review for changes.</p>	
66.	Facilities (Acquisition, Space Programming, Construction, Design)	<p>Original Judicial Council rule confirms that the AOC is responsible for “the acquisition, space programming, construction, and design of a court facility, consistent with the facilities policies and procedures” that the council adopts. Also, in consultation with the affected court, the AOC must establish and work with an advisory group for each court construction or major renovation project.</p>	Rule 10.184(b), (d)	<p>Maintain delegation.</p> <p>Following adoption of Rules of Court</p>	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
				to define the charges of the Court Facilities and Trial Court Facility Modification Advisory Committees, E&P will consider referring to the appropriate committee to review for changes.	
67.	Facilities (Funding Requests)	Original The Judicial Council delegated to the Administrative Director of the Courts the authority to make technical changes to FY 2013–2014 funding requests submitted to the state Department of Finance necessary to move forward all judicial branch construction projects, subject to the review and approval of the chair of the Court Facilities Working Group.	1/17/13 Judicial Council meeting, Item E	Maintain delegation.	
68.	Facilities (Funding Requests)	Original The Judicial Council delegated to the Administrative Director of the Courts the authority to make technical changes to FY 2013–2014 and FY 2014–2015 funding requests submitted to the DOF necessary to move forward all judicial branch construction projects, subject to the review and approval of the chair and vice-chair of the Court Facilities Working Group and the chair of the working group’s Courthouse Cost Reduction Subcommittee.	2/26/13 Judicial Council meeting, Item J	Maintain delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
69.	Facilities (Approval of Court-Funded Requests)	Original The Judicial Council delegated to the Trial Court Facility Modification Advisory Committee the authority to approve court-funded facilities requests, with the AOC then making related payments from the Trial Court Trust Fund and corresponding reductions to courts' TCTF allocations.	8/23/13 Judicial Council meeting, Item I	Maintain delegation.	
70.	Fiscal (Travel Reimbursement Policy)	Original In 2007, the Legislature enacted Gov. Code, § 68506.5, directing the Judicial Council to adopt fiscally responsible judicial branch travel expense reimbursement policies. The following year, the council adopted rule 10.106, providing that there would be one branch policy on the subject, and delegating to the ADOC the authority to make technical changes and clarifications to that policy, so long as the changes and clarifications meet specified standards. <i>Note:</i> In August 2013, the council changed the travel reimbursement rates. It did not change the delegation to the ADOC.	Rule 10.106(c) (ongoing)	Maintain delegation.	
71.	Fiscal (Courts Accepting Credit Cards)	Original The Judicial Council has authorized the ADOC to act on its behalf in approving superior court requests to: <ul style="list-style-type: none"> • Accept credit cards for payment of court fees, and • Impose a charge for use of credit cards. The council also adopted standards to guide the ADOC in deciding such requests and authorized the ADOC to refer any such request to the council.	Rule 10.820	Maintain delegation.	
72.	Fiscal (Superior Court Bank Accounts)	Original The Judicial Council approved delegation of authority to the ADOC to establish bank accounts for superior courts with specified standards.	4/19/2002 Judicial Council meeting (ongoing)	Maintain delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
73.	Fiscal (Gifts)	Original The Judicial Council has authorized the ADOC to accept gifts to any court, the council, or the AOC in specified circumstances, and to delegate this authority to specified representatives of each entity. The ADOC may delegate authority to accept gifts to (1) court executive officers, (2) clerks/administrators of a court of appeal, (3) the clerk of the Supreme Court, or (4) the Director of the AOC Fiscal Services Office.	Rule 10.102	Maintain delegation.	
74.	Human Resources (Workers' Compensation)	Original To carry out the Judicial Council's duty to establish a workers' compensation program for the superior courts, the AOC, through its Human Resources Division, must, among other things, "[r]eview and approve or disapprove any other workers' compensation programs identified by a [superior] court for consideration as a vendor to provide workers' compensation benefits to its employees."	Rule 10.350(b)(6)	Maintain delegation.	
75.	Language Access and Interpreters (Select Testing Entities)	Original The Judicial Council delegated to the ADOC to authorize entities to test and certify court interpreters for deaf or hard-of-hearing individuals, based on council guidelines.	12/15/09 Judicial Council meeting (ongoing)	Maintain delegation.	
76.	Language Access and Interpreters (Exams)	Original The Judicial Council delegated to the ADOC authority to: <ul style="list-style-type: none"> • Set policies regarding court interpreters retaking certification and registration examinations, • Determine the number of times the exams will be administered each year, and • Determine the amount of the annual fee to renew interpreters' certification and registration, applying a specified standard. 	8/15/2008 Judicial Council meeting (ongoing)	Maintain delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
77.	Language Access and Interpreters (Languages)	Original The Judicial Council: <ul style="list-style-type: none"> • Approved the 2000 Language Need and Interpreter Use Study, a 5-year report for the Governor and Legislature; • Approved addition of 5 more languages to the Court Interpreter Certification Program; and • Delegated to the ADOC authority to designate additional languages for inclusion in the same program in the future. 	10/27/00 Judicial Council meeting (ongoing)	Maintain delegation.	
78.	Language Access and Interpreters (Compliance)	Original The Judicial Council adopted revisions to the <i>Compliance Requirements for Certified Court and Registered Interpreters of Nondesignated Languages</i> , covering continuing education and certification renewal, and delegated to the ADOC authority to approve future revisions.	8/24/00 Judicial Council meeting (ongoing)	Maintain delegation.	
79.	Jury Instructions (Publication)	Original The AOC may: <ul style="list-style-type: none"> • Contract with an official publisher to publish council jury instructions in both paper and electronic formats; • Take steps necessary to ensure publication by commercial publishers does not occur without AOC permission, e.g., by ensuring that publishers accurately publish the council's instructions, accurately credit the council as the source, and do not claim copyright of the instructions; and • Require commercial publishers to pay fees or royalties in exchange for permission to publish the instructions. 	Rule 2.1050(c)	Maintain delegation.	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
80.	Technology (Surplus Equipment)	Original A superior court wishing to dispose of surplus technology equipment to which it acquired title on or after July 1, 2000, must provide a written description of the equipment to the ADOC. If, within 60 days of receipt of the description, the ADOC determines that another state court in California needs the equipment, the court must donate the equipment to the other court. If the ADOC determines that no other court needs the equipment or makes no determination within 60 days, the court may otherwise dispose of the equipment as specified in the rule. The ADOC must provide to the courts a definition of the term “technology equipment” as used in this rule and must provide 30 days’ notice of any amendment to the definition.	Rule 10.830	Maintain delegation.	
Maintain with Modification (81–84)					
81.	Budget (Entrance Screening Equipment)	Original The Judicial Council approved a list of entrance screening equipment to be replaced in FY 2007–2008 from funding in the 2007 Budget Act, and delegated to the ADOC authority to approve such lists in future fiscal years.	12/7/07 Judicial Council meeting, Item 11 (ongoing)	Maintain delegation with modification.	Add that the ADOC will report annually on screening equipment replacement lists to the Judicial Council.
82.	Litigation (Manage Claims, Litigation)	Original To carry out the Judicial Council’s duty to provide for representation, defense, and indemnification of branch officials and employees, OGC, under the direction of the ADOC and the General Counsel, must take specified actions, including: <ul style="list-style-type: none"> • Make settlement decisions in all claims and lawsuits other than those requiring payments of \$100,000 or more or raising significant issues for the branch 	Rule 10.202	Refer delegation to Litigation Management Committee for review and further recommendations to the	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
				council.	
83.	Litigation (Claim and Litigation Procedure)	Original To carry out the Judicial Council’s responsibility under Gov. Code, § 912.7 to act on a claim, claim amendment, or application for leave to present a late claim against a judicial branch entity or a judge, the Office of General Counsel, under the ADOC’s direction, must take specified actions, including: <ul style="list-style-type: none"> • Allow and authorize payment of claims below \$100,000; • Make recommendations to the Litigation Management Committee regarding proposed settlements of claims requiring payments of \$100,000 or more; and • After specified consultations, settle lawsuits for payments below \$100,000 and authorize payment of judgments below \$100,000. 	Rule 10.201	Refer delegation to Litigation Management Committee for review and further recommendations to the council.	
84.	CJP Insurance Policy	Original The Judicial Council authorized the ADOC to enter into a master insurance policy contract for defending justices, judges, and commissioners against complaints before the CJP using funds allocated from the TCIF and the appellate budget.	7/15–16/99 Judicial Council meeting, Item 6 (ongoing)	Maintain delegation with modification.	Update the reference to the TCIF fund to the State Trial Court Improvement and Modernization Fund.
Recommended for Modification (85–100)					
85.	Branch Governance (Advisory Committees)	Original Judicial Council <i>advisory committees</i> may pursue matters beyond those specified in their annual charge, as long as the matters are consistent with their general charge and are within (1) the limits of their resources and (2) any other limits specified by the council, the designated internal committee, or the ADOC. <i>The ADOC:</i> <ul style="list-style-type: none"> • Determines whether projects undertaken by a council advisory body in addition to those specified in its annual charge are consistent with the body’s general charge, its approved annual agenda, and the council’s strategic plan; 	Rule 10.34(b), (d), (e); See also, CRC, Appendix D, Judicial Council Governance Policies, pt. I.C.1 and II.B	Modify delegation. Refer to RUPRO to oversee rules revision process (rule 10.34(b), (d), (e) and amend	

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		<ul style="list-style-type: none"> Determines whether any additional matters are within the body's authorized budget and available resources; and May authorize an advisory body or its chair to make decisions or give instructions that are binding on AOC staff. <p>Superseded by Judicial Council directive, approved April 25, 2013, establishing that:</p> <ul style="list-style-type: none"> Advisory groups must solicit the approval of the assigned council oversight committee before creating subcommittees or subgroups and adding new projects. The Judicial Council, through its internal committees, regularly reviews the governance, structure, and organization of its advisory groups. 	4/25/13 Judicial Council meeting, Item 4	Governance Policies as needed.	
86.	Branch Governance (Other Advisory Bodies)	<p>Original</p> <p>The Chief Justice, the ADOC, or the Judicial Council may establish task forces and other advisory bodies to work on specific projects that cannot be addressed by the council's standing advisory committees. These task forces and other advisory bodies may be required to report to one of the internal committees or the ADOC, as designated in their charges.</p>	<p>Rule 10.70</p> <p>See also, Governance Policies, pt. I.C.2</p>	<p>Modify delegation.</p> <p>Refer to Rules and Projects Committee (RUPRO) to oversee rules revision process (rule 10.70) and amend Governance Policies as needed.</p>	<p>Remove the reference to the ADOC in the first sentence.</p> <p>Add that the ADOC retains authority to appoint working groups for the ADOC's own purposes.</p>

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
87.	Budget (Recommended Branch Budgets; Appropriated Funding)	<p>Original The Judicial Council has authorized the Chief Justice and the ADOC to take the following actions on its behalf regarding the council’s recommended budgets for the appellate courts, the superior courts, the council, the Habeas Corpus Resource Center (HCRC), and the AOC:</p> <ul style="list-style-type: none"> • Make technical changes; and • Make changes during negotiations with the legislative and executive branches, consistent with council goals, priorities. <p>In addition, the Chief Justice and the ADOC, acting for the council, may allocate funding appropriated in the annual state budget to the appellate courts, the council, the HCRC, and the AOC. The ADOC must report to the council at the end of the fiscal year regarding actual expenditures from those budgets.</p>	<p>Rule 10.101(c)</p> <p>See also, Governance Policies, pt. I.A.6</p>	<p>Modify delegation.</p> <p>Refer to RUPRO to specify the meaning of “technical changes” and to oversee the rules revision process (rule 10.10(c)). Amend Governance Policies, pt. I.A.6, as needed.</p>	<p>Remove reference to ADOC (2nd paragraph) to indicate the Chief Justice has the authority to act on behalf of the council to allocate funding to the appellate courts, the HCRC, and the AOC.</p>
88.	Budget (Policies, Negotiations, Stop-Gap Funding)	<p>Original The Judicial Council has authorized the ADOC to:</p> <ul style="list-style-type: none"> • Develop policies and procedures for creation and implementation of the yearly branch budget; • Present the judicial branch budget in negotiations with the Governor and the Legislature; and • After a state budget is approved, but before the council allocates superior court funding, allocate to each superior court an amount necessary for its operations in the interim, up to 25% of the court’s prior fiscal year baseline allocation. 	<p>Rule 10.101(d)</p>	<p>Modify delegation.</p> <p>Refer to RUPRO to oversee rules revision process (rule 10.101(d)).</p>	<p>Remove ADOC (1st sentence/1st bullet) to indicate only the Judicial Council develops the policies and procedures referenced.</p> <p>Specify that the ADOC is authorized to:</p>

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
					<ul style="list-style-type: none"> • (2nd bullet) present the judicial branch budget in negotiations; • (3rd bullet) allocate, after a state budget is approved and before the council allocates funding, superior court funding as necessary, as stated. <p>Add that ADOC may make minor technical adjustments in the council's allocation of reductions, based on the Budget Act, to individual court budgets (per #2, to be deleted and merged with #88).</p>
89.	Budget (Trial Court Budget Advisory Committee)	<p>Original The Judicial Council has directed the ADOC to appoint annually a Trial Court Budget Working Group to advise the ADOC on superior court budget issues.</p> <p>Superseded by Judicial Council directive, approved April 25, 2013, establishing: A standing advisory committee, with a charge and rule of court, and appointments made through the annual nominations process. RUPRO is overseeing the drafting of</p>	<p>Rule 10.107</p> <p>4/25/13 Judicial Council meeting, Item 4</p>	<p>Modify delegation.</p> <p>As approved in Judicial Council action on April 25,</p>	<p>New Rule of Court is in progress.</p>

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		rule of court.		2013.	
90.	Budget (Authorizing Use of Trial Court Trust Fund [TCTF] Revenues; Reducing Allocations)	Original In making FY 2006–2007 superior court budget allocations, the Judicial Council delegated to the AOC the authority under Gov. Code, § 68085(a)(2)(A) to: <ul style="list-style-type: none"> • Generally authorize direct payment or reimbursement of allowable costs from the TCTF or the TCIF to pay court operation costs on consent of participating courts, and • Reduce the courts’ allocations by a corresponding amount, to the extent their expenditures are reduced and courts are supported by the expenditures. The council also directed the AOC to (1) review and amend or supplement existing policies, procedures, and criteria to ensure administration of Gov. Code, § 68085(a)(2)(A) promotes effective, efficient, reliable, and accountable superior court operations, and (2) provide affected courts with quarterly reports on authorized payments.	10/20/06 Judicial Council meeting, Item G (ongoing)	Modify delegation.	Amend the AOC’s authority to allow the AOC to propose policies, procedures, and criteria to the Judicial Council for approval and report quarterly on authorized payments. Update the reference to the TCIF to the State Trial Court Improvement and Modernization Fund.
91.	Budget (Use of TCTF, TCIF Funds for Four Facilities Projects)	Original The Judicial Council authorized the AOC to make direct payments or reimbursements from the TCTF or the TCIF for court-county facilities projects pending in Fresno, Merced, Orange, and Santa Cruz counties. In doing so, it observed that the authorization directly to the AOC was “outside of any other policies and procedures that may apply,” and was “only to serve as an approved, alternative mechanism for making equitable adjustments in amounts previously approved” by the AOC and California State Association of Counties.	10/20/06 Judicial Council meeting, Item G (4 projects)	Modify delegation.	Update the delegation to name the Fresno Project as the one project that remains open. Eliminate references to the three projects that have ended. Add that AOC’s management of the remaining project is subject to the Court Facilities Advisory

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
					Committee's oversight of the judicial branch capital construction program for trial and appellate courts throughout the state.
92.	Education (Training Requirements)	Original The AOC must approve all programs that provide required education and training for court-connected mediators, mediation supervisors, family court service directors, child custody evaluators, dependency mediators, and specified dependency mediation support positions.	Rules 5.210(g)(2), 5.225(o), 5.518(g), (i)(2)	Modify delegation. Refer to RUPRO to oversee rules revision process (rules 5.210(g)(2), 5.225(o), and 5.518(g), (i)(2)).	Require AOC to consult with Family and Juvenile Law Advisory Committee.
93.	Education (Training Requirements)	Original The Judicial Council requires that specified child custody or visitation investigators and evaluators perform 16 hours of advanced training within a 12-month period, with 12 hours of that instruction covering specified topics "as approved by the AOC."	Rule 5.230(d)(1)(A)	Modify delegation. Refer to RUPRO to oversee rules revision process (rule 5.230(d)(1)(A)).	Require AOC to consult with Family and Juvenile Law Advisory Committee on the content and selection of instructional topics.

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
94.	Facilities (Site Selection, Acquisition)	<p>Original The Judicial Council also authorized the ADOC or designee to take the following steps, “[w]henver a capital project for a Judicial Branch facility is funded in the State Budget for site selection and acquisition”:</p> <ul style="list-style-type: none"> • Establish criteria for site selection for specific projects; • “Approve sole source justification of any specific site;” • Approve site selection prior to submittal to the State Public Works Board (SPWB); • “[A]pprove negotiated terms of acquisition prior to submittal to the SPWB;” • “[A]cquire court facility sites and . . . execute required documentation to acquire those sites without further [council] approval; and” • “Refer to the Judicial Council the approval decision for the selection and acquisition of those recommended sites that” the ADOC concludes are controversial or as the ADOC or E&P concludes is appropriate. 	8/14/09 Judicial Council meeting, Item 4 (ongoing)	Modify delegation.	Specify that the ADOC keep the Court Facilities Advisory Committee informed and consult with the Chair on actions that may be taken in response to this delegation.
95.	Facilities (Bond Documents)	<p>Original The Judicial Council delegated to the ADOC or designee “authority to execute bond documents” on its behalf, with directions to report to the council at least annually on actions taken pursuant to the delegation.</p>	8/27/10 Judicial Council meeting (ongoing) (See also, Jud. Branch Five-Year Infrastructure Plan, FY 2011–2012, p. 59.)	Modify delegation.	Add a provision to specify how and when the ADOC shall provide reports to the council.
96.	Facilities (Seismic Safety)	<p>Original The Judicial Council adopted the Seismic Safety Policy for Leased Buildings, and authorized the ADOC to approve updates to the policy thereafter as needed. The</p>	8/15/08 Judicial Council meeting (ongoing)	Modify delegation.	Add that Seismic Safety Policy changes go through the Court

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
		policy also authorized the ADOC to make final determinations about whether to grant administrative exceptions permitting use of new or re-leased court facilities even if they do not meet seismic safety requirements of the policy.			Facilities Advisory Committee or Trial Court Facility Modification Advisory Committee, as appropriate, for recommendation to the council. The ADOC is to report to the Judicial Council on administrative exceptions made under this delegation.
97.	Fiscal (Financial Policies & Procedures)	Original The AOC must prepare and adopt a financial policies and procedures manual for the superior courts (the TCFPPM), consistent with the rules of court and policies adopted by the Judicial Council. Before issuing or amending the manual, the AOC must make it available for comment from the superior courts, DOF, and the SCO for 30 days.	Rule 10.804	Modify delegation. Refer to RUPRO to oversee rules revision process (rule 10.804).	Judicial Council must approve amendments to the <i>Trial Court Financial Policies and Procedures Manual</i> .
98.	Fiscal (Investment of Superior Court Funds)	Original The Judicial Council approved the <i>Statement of Investment Policy for the Trial Courts</i> , and directed that an investment program be developed for superior courts, with the AOC's Finance Division Director acting as the "treasurer" for invested funds and activities. The council also authorized two types of investments for trial court funds and authorized the ADOC to approve other such investments.	2/27/2004, Judicial Council meeting (ongoing)	Modify delegation.	Add a provision for the ADOC to report to the council on investment fund activity.

	Topic	Delegation	Source	Recommendation on Delegation	
				Action ²	Proposed Changes
99.	Forms (Modifications)	<p>Original</p> <p>Although form JV-550 (Juvenile Court Transfer Orders) is mandatory, the form may be modified for use by a formalized regional collaboration of courts to facilitate the efficient processing of transfer cases among those courts “if approved by the Judicial Council of California, Administrative Office of the Courts.”</p>	Rule 5.610(g)	Refer delegation to RUPRO to request a proposal from Family and Juvenile Law Advisory Committee on further recommendations to the council.	
100.	Self-Help Centers (Guidelines, Procedures)	<p>Original</p> <p>The AOC, in collaboration with judges, court executives, attorneys, and other parties with demonstrated interest in services to self-represented litigants, must:</p> <ul style="list-style-type: none"> • Develop and disseminate to superior courts by March 1, 2008, guidelines and procedures covering specified topics related to operation of court self-help centers; and • Review and update the guidelines and procedures at least every three years. 	Rule 10.960	<p>Modify delegation.</p> <p>Pending Rule of Court on the Access and Fairness Advisory Committee’s merger with the Task Force on Self-Represented Litigants.</p>	Add provision for the Access and Fairness Advisory Committee (per Judicial Council directive on April 25, 2013) to review proposed updates to the guidelines and procedures.

JUDICIAL COUNCIL OF CALIFORNIA



RESOLUTION

Whereas, consistent with its commitment to support practices and procedures that promote access to justice and improved case outcomes for California's children and families, the Judicial Council has recognized November as Court Adoption and Permanency Month every year since 1999;

Whereas nearly half a million incidents of child abuse and neglect are reported each year in California, and more than 22,000 children enter foster care;

Whereas nearly 58,000 children in California live apart from their families in child welfare-supervised out-of-home care;

Whereas 38 percent of the children in foster care in California have lived apart from their families for two or more years;

Whereas, of the 26,000 California children who left foster care in the 12 months preceding March 2013, 56.5 percent were reunited with their families, 21.5 percent were adopted, and 8.5 percent were emancipated;

Whereas local courts and communities throughout California have created programs promoting permanency that have resulted in a decrease in the number of children waiting to live in safe, stable, and permanent homes; and

Whereas the Judicial Council remains committed to working with the Governor, the Legislature, and local courts and communities to ensure that every abused or neglected child finds a safe, stable, and permanent home with a loving family;

Now, therefore, be it resolved that I, Tani G. Cantil-Sakauye, Chief Justice of California, on behalf of the Judicial Council of California, do hereby proclaim November 2013 to be Court Adoption and Permanency Month, during which the courts and their communities are encouraged to join in activities to promote permanency.

In witness whereof

I have hereunto set my hand this 24th day of October, 2013

TANI G. CANTIL-SAKAUYE
Chief Justice of California and
Chair of the Judicial Council of California

Attest:

STEVEN JAHR
Administrative Director of the Courts