Judicial Council of California
Executive and Planning Committee
May 3, 2013
Proposal Circulated by E-mail on May 1, 2013

Members Participating: Justice Douglas P. Miller; Judges Stephen H. Baker, Terry L. Jackson, Ira R. Kaufman, Robert J. Moss, David Rosenberg; and Mr. David H. Yamasaki.

Members Not Participating: Judges Brian L. McCabe and Kenneth K. So; and Ms. Edith R. Matthai.

Staff Participating: Ms. Nancy E. Spero.

Creation of Ad Hoc Joint Working Group to Address Court Interpreter Issues

The committee approved, on behalf of the Judicial Council (Cal. Rules of Court, rule 10.11(a)), the formation of a working group to recommend to the Judicial Council (a) options for using all or a portion of the accumulated Program 45.45 funds and (b) options for ensuring coordination of efforts designed to expand the provision of court interpreter services in California.

The chair of the Court Interpreters Advisory Panel will chair the working group, with a sunset date ending September 30, 2013 unless extended by the Executive and Planning Committee. Membership is to be comprised of one or two members of the Policy and Liaison Committee (PCPC) as appointed by the PCLC chair, and the chair or chair's designee from each of the following Judicial Council advisory groups:

- Court Interpreters Advisory Panel;
- Trial Court Presiding Judges Advisory Committee;
- Court Executives Advisory Committee;
- Trial Court Budget Advisory Committee;
- Access and Fairness Advisory Committee;
- Task Force on Self-Represented Litigants;
- Civil and Small Claims Advisory Committee;
- Family and Juvenile Law Advisory Committee; and
- Probate and Mental Health Advisory Committee.

Approved by the committee on May 30, 2013.

Executive and Planning Committee
May 30, 2013
12:00 p.m.–1:00 p.m.
Conference Call

Members Present: Justice Douglas P. Miller; Judges Stephen H. Baker, Teri L. Jackson, Ira R. Kaufman, Brian L. McCabe, Robert J. Moss, David Rosenberg, and Kenneth K. So; Ms. Edith R. Matthai and Mr. David H. Yamasaki.

Other Judicial Officers Present: Judge Richard Vlavianos, Chair, Collaborative Justice Courts Advisory Committee

AOC Members Present: Ms. Deborah C. Brown, Ms. Francine Byrne, Ms. Eunice Calvert-Banks, Ms. Nancy Carlisle, Ms. Roma K. Cheadle, Ms. Gisele Corrie, Dr. Diane Cowdrey, Mr. Chad Finke, Ms. Cristina Foti, Mr. Bruce Greenlee, Mr. John A. Judnick, Judge Steven Jahr, Ms. Jody Patel, Ms. Kelly Quinn, Ms. Mary M. Roberts, Ms. Anne Ronan, Ms. Nancy E. Spero, and Ms. Nancy Taylor.

Minutes

The committee reviewed and approved the minutes of E&P meetings on March 28, April 10, April 17 and April 25, 2013, and an e-mail deliberation on May 3, 2013.

Review of the Revised 2013 Annual Agenda for the Collaborative Justice Courts Advisory Committee

Judge Richard Vlavianos, Chair of the Collaborative Justice Courts Advisory Committee, provided an overview of the revisions to that committee's 2013 Annual Agenda. The Executive and Planning Committee (E&P) approved the revised Annual Agenda with minor modifications to clarify the committee's relationship to other advisory committees referenced in the agenda and with the additional commitment of an annual report to E&P regarding assistance to courts as part of the annual agenda process.

Agenda Setting

The committee reviewed reports and set the agenda for the June 28, 2013, Judicial Council business meeting. The committee discussed adding an update on budget developments to the agenda, but deferred a decision to a future Executive and Planning meeting.

Trial Court Facility Modification Quarterly Activity Reports

The committee reviewed and approved activity reports on the facility modification funding for the second and third quarters of fiscal year 2012–2013, and approved the content for informational reports to the council at its June 2013 meeting.

Establishing Workgroups of the Courthouse Cost Reduction Subcommittee

The committee reviewed and approved a proposal from the Courthouse Cost Reduction Subcommittee of the Court Facilities Advisory Committee to establish three workgroups to analyze separate aspects of reducing construction costs. The subject matter proposed for each includes: (1) courtroom standards; (2) cost comparisons of one-time or initial costs to ongoing operations and maintenance costs; and (3) courthouse security. These workgroups are anticipated to complete their respective analyses for the Courthouse Cost Reduction Subcommittee by July 2014 and will sunset on completion of their analysis.

Out-of-Cycle Nominations

The committee reviewed and approved a recommendation from the Governing Committee of the Center for Judiciary Education and Research to appoint the Dean of the B.E. Witkin College on the CJER Governing Board as an advisory member. E&P determined its recommendation to the Chief Justice.

Approved by the committee on June 17, 2013.

Executive and Planning Committee
June 4, 2013
12:00 p.m.–1:00 p.m.
Conference Call

Members Present: Judges Stephen H. Baker, Teri L. Jackson, Ira R. Kaufman, Brian L. McCabe, Robert J. Moss, David Rosenberg, and Kenneth K. So; and Mr. David H.Yamasaki.

Members Absent: Justice Douglas P. Miller and Ms. Edith R. Matthai.

AOC Members Present: Ms. Deborah C. Brown, Ms. Nancy Carlisle, Ms. Roma K. Cheadle, Mr. Kenneth R. Couch, Ms. Cristina Foti, Judge Steven Jahr, Ms. Maria Kwan, Ms. Jody Patel, Ms. Nancy E. Spero, and Mr. Todd Torr.

Agenda Setting
The committee reviewed reports and continued to set the agenda for the June 28, 2013, Judicial Council business meeting.

Trial Court Budget Advisory Committee Nominations
The committee reviewed materials and determined its recommendation to the Chief Justice regarding appointments to the Trial Court Budget Advisory Committee.

Task Force on Trial Court Financial Accountability Nominations
The committee reviewed materials and determined its recommendation to the Chief Justice regarding appointments to the new task force.

Approved by the committee on June 17, 2013.

JUDICIAL COUNCIL OF CALIFORNIA
POLICY COORDINATION AND LIAISON COMMITTEE

Conference Call Meeting
April 11, 2013 – 4:30 p.m.
Summary Minutes of Meeting

Policy Coordination and Liaison Committee members present: Hon. Marvin R. Baxter, Chair; Hon. James E. Herman, Vice-Chair; Hon. Sue Alexander; Hon. James R. Brandlin; Hon. David De Alba; Hon. Allan D. Hardcastle; Ms. Angela J. Davis; and Ms. Mary Beth Todd.

Policy Coordination and Liaison Committee members Absent: Mr. Mark P. Robinson, Jr.

OGA staff present: Mr. Cory T. Jasperson, Mr. Daniel Pone, Ms. Sharon Reilly, Ms. Monica LeBlond, and Ms. Yvette Casillas-Sarcos.

Other AOC staff: Hon. Steven Jahr, Mr. Curtis Child, Mr. Curt Soderlund, Ms. Ann Gilmour, Ms. Karen Moen, Ms. Nancy Taylor, Ms. Jennifer Walter, and Ms. Carrie Zoller.

Guest: Hon. Richard J. Loftus, Jr., Chair, Mental Health Issues Implementation Task Force.

ACTION ITEMS

1. **Approval of minutes**

   The minutes of the March 28, 2013, conference call were approved as submitted with the following correction to Item 4a: Replaced "Item moved to April 11, 2013, PCLC meeting," with "Sharon Reilly presented to the committee the report required in SB 678."

2. **Consent Items**

   Action on Pending Legislation

   a) AB 723 (Quirk), as introduced – Postrelease community supervision
   Allows a person on postrelease community supervision (PRCS) who has a revocation petition filed against him or her to file an application for bail with the superior court. Provides that it is within the sole discretion of the court to admit a person to bail pending revocation of PRCS. States that a bail application will be governed by the procedures set forth in existing provisions of law governing bail. Specifies that a court is not prohibited from making any order authorized by existing provisions of law governing bail.
   PCLC Action: Oppose.

b) AB 1118 (Hagman), as introduced – Statewide bail schedule
Among other things, requires the Judicial Council to prepare, adopt, and annually revise a statewide bail schedule for all bailable offenses, except Vehicle Code infractions, and to appoint a group of judges who represent counties varying in size from throughout the state to develop and approve the statewide bail schedule. Requires a court to consider the statewide bail schedule when adopting a uniform countywide schedule. Specifies that a court must mail a copy of its adopted bail schedule to the Judicial Council, together with a report that states how the schedule differs from the statewide bail schedule.
PCLC Action: Oppose.

Invitations to Comment

c) Conservatorship for Gravely Disabled Persons: Conservatorship Investigator Report
Provides that if a criminal court with jurisdiction over a defendant in a criminal case orders an evaluation of a person's mental condition pursuant to Welfare and Institutions Code section 5200, and that referral leads to a conservatorship investigation, the officer conducting the investigation must submit a copy of the report to the criminal court.
PCLC Action: Approved for circulation.

d) Criminal Procedure: Intercounty Probation Case Transfers
Prohibits the intercounty transfer of misdemeanor cases. Provides in felony cases, that the transferring court must determine the amount of any restitution owed by the probationer before transferring the case.
PCLC Action: Approved for circulation.

e) Criminal Procedure: Misdemeanor Contempt by Jurors
Deletes a category of juror misconduct that constitutes misdemeanor contempt of court—the willful disobedience by a juror of a court admonishment against any communication or research about a pending trial, including electronic or wireless communications.
PCLC Action: Approved for circulation.

f) Joinder of Probation in Mental Health Cases
Enables judicial officers to make specific orders about the care, supervision, custody, conduct, maintenance, and support of mentally ill offenders on probation, under mandatory supervision, or placed on postrelease community supervision. Gives the court the ability to join to the criminal proceeding any agency or private sector service provider that the court determines has failed to meet a legal obligation to provide services to the offender.
PCLC Action: Approved for circulation.

g) Outpatient Status for Mentally Disordered and Developmentally Disabled Offenders

Allows the court to conditionally release a defendant found incompetent to stand trial to the community, where appropriate, to receive mental health treatment with supervision, rather than in a custodial or hospital setting, until competency is restored, if the court finds an alternative placement would provide more appropriate treatment for the defendant and would not pose a danger to the health and safety of others. Requires the court to consider specified criteria before placing an offender who is subject to Penal Code section 1601(a) or (b) on outpatient status, instead of requiring the court to ensure that all of the conditions have been met.

PCLC Action: Approved for circulation.

h) Tribal Access to Confidential Juvenile Court Files

Ensures tribal access to juvenile court files involving tribal children consistent with the mandates of existing federal and state law.

PCLC Action: Approved for circulation.

3. Discussion Item

Action on Pending Legislation

a) SB 123 (Corbett), as amended April 4, 2013 – Environmental and land use court

Requires the Judicial Council to direct the creation of an environmental and land use division "within two or more superior courts within each of the appellate districts of the state" (i.e., a minimum of 12 new divisions) to process all civil proceedings brought pursuant to the California Environmental Quality Act (CEQA) or in specified subject areas, including air quality, biological resources, climate change, hazards and hazardous materials, land use planning, and water quality. Specifies that such an action may be filed at a superior court within the county in which the underlying claim arises, but requires the proceeding to be transferred to the nearest superior court within the same appellate district that has established an environmental and land use division pursuant to the bill's provisions. Requires the Judicial Council, by rule of court, to: (a) identify statutes in those specified areas that would be within the jurisdiction of the new environmental and land use court divisions; and (b) establish appropriate standards and protocols for the environmental and land use court divisions to accomplish the objectives of consistency, expediency, and expertise, including educational requirements and other qualifications for specialized judges assigned to the divisions.

PCLC Action: Oppose.

4. Informational Item

a) Report required in SB 678
This item was pulled from the agenda as it was reported on at the March 28, 2013, PCLC meeting.

OTHER BUSINESS

Confirm next PCLC conference call:
Proposed date: April 18, 2013

As approved by the committee on May 2, 2013

JUDICIAL COUNCIL OF CALIFORNIA
POLICY COORDINATION AND LIAISON COMMITTEE

Conference Call Meeting
April 18, 2013 – 4:30 p.m.
Summary Minutes of Meeting

Policy Coordination and Liaison Committee members present: Hon. Marvin R. Baxter, Chair; Hon. James E. Herman, Vice-Chair; Hon. Sue Alexander; Hon. James R. Brandlin; Hon. David De Alba; Hon. Allan D. Hardcastle; Ms. Angela J. Davis; Mr. Mark P. Robinson, Jr.; and Ms. Mary Beth Todd.

OGA staff present: Mr. Cory T. Jasperson, Mr. Daniel Pone, Ms. Sharon Reilly, Ms. Kate Nitta, Ms. Monica LeBlond, and Ms. Yvette Casillas-Sarcos.

Other AOC staff: Hon. Steven Jahr, Ms. Jody Patel, Mr. Curtis Child, Mr. Curt Soderlund, Ms. Tracy Kenny, Mr. Chad Finke, and Ms. Anne Marx.

Guests: Hon. Maria P. Rivera, Chair, Access and Fairness Advisory Committee, and Hon. Mark A. Juhass, Member, CJER Governing Committee.

ACTION ITEMS

1. **Approval of minutes**

   N/A

2. **Consent Items**

   Action on Pending Legislation

   a) AB 301 (Wagner), as amended March 11, 2013 – Affidavits of registration: cancellation
   Moved to Discussion Item

   b) AB 1006 (Yamada), as introduced – Juvenile court records: sealing and destruction
   Requires the Judicial Council to develop a form petition and instructional materials to be used by persons with juvenile offenses seeking to seal their juvenile records. Requires probation and the courts to ensure that juvenile offenders are provided with the petition and informational materials.
   PCLC Action: Support.

c) AB 1403 (Judiciary Committee), as introduced – Family law
Revises the Uniform Parentage Act to make it gender neutral and conform it to recent California case law recognizing same sex parentage. Contains language approved for sponsorship by the Judicial Council authorizing the conversion of ten additional subordinate judicial officer (SJO) positions if those conversions result in judges being assigned to a family or juvenile law assignment previously heard by an SJO.
PCLC Action: Support. [*Note: Hon. Sue Alexander voted no to SJO portion.*]

d) SB 530 (Wright), as introduced – Criminal offenders: reemployment
Among other things, eliminates the requirement that a defendant present satisfactory evidence of five years' residence in this state prior to the filing of the petition for a certificate of rehabilitation and a pardon from a conviction of either a felony or misdemeanor violation of a sex offense, the accusatory pleading of which has been dismissed. Permits an individual convicted outside the state of an offense that would be a felony or a misdemeanor sex offense if the conviction had occurred in the state to file a petition for a certificate of rehabilitation if the petitioner: (a) has not been incarcerated since the dismissal of the accusatory pleading; (b) is not on probation for the commission of any other felony; and (c) presents clear and convincing evidence that he or she has been a resident of the United States, its territories, or a military base for the five consecutive years prior to filing the petition. Requires such petitioners, at least 90 days prior to the date set for a hearing, to give notice of the filing of the petition to the district attorney in each county, or the equivalent jurisdiction, where a felony or misdemeanor offense occurred, and each county where the petitioner has resided for the previous five years.
PCLC Action: Oppose provisions relating to certificates of rehabilitation

Invitation to Comment

e) Provisional Qualification for American Sign Language Court Interpreters and other Updates to Evidence Code section 754
Authorizes courts to provisionally qualify American Sign Language interpreters when a certified court interpreter is not available.
PCLC Action: Approved for circulation.

3. Discussion Items

Action on Pending Legislation

a) AB 301 (Wagner), as amended March 11, 2013 – Affidavits of registration: cancellation
Requires the clerk of the superior court to include, in statements reporting individuals convicted of felonies to the chief elections official in its respective county, to also report the name, address, and date of birth of each person who

has, since the clerk's last statement, declared in response to a jury summons from the superior court, that he or she is not qualified to serve as a juror because he or she is not a citizen of the United States. Requires the elections official to cancel the affidavit of registration of each person so listed by the clerk.
PCLC Action: Oppose.

b) AB 655 (Quirk-Silva), as introduced – Court reporters: salary fund
Authorizes each trial court to establish a Reporters' Salary Fund. Requires salaries and benefits of official court reporters to be paid from the Reporters' Salary Fund. Requires fees for reporting services payable by law to be paid to the clerk of the court, who must deposit them into the Reporters' Salary Fund. Requires fees for transcription of testimony and proceedings in the court to be paid by the parties to the official reporters. Requires where the court directs payment of transcription fees out of the Trial Court Operations Fund, that the fee be paid from the Reporters' Salary Fund, except for felony cases, in which the fees must be paid out of the Trial Court Operations Fund. Requires the court to set aside, from court revenue, a specified amount of money to be placed in a revolving fund. Requires the court, at the time it makes its monthly distribution of revenue to appropriate state or county funds, to deduct proportionately and deposit into the Reporters' Salary Fund, an amount sufficient to bring the fund's remaining balance up to the previously specified amount. Requires that, if the fund balance is at any time below the mandated balance, the deficiency must be made up by deposits from the Trial Court Operations Fund for that court.
PCLC Action: Oppose.

c) AB 756 (Melendez), as amended April 11, 2013 – California Environmental Quality Act: judicial review: public works projects
Expands the recently-enacted expedited judicial review procedures in AB 900 (Stats. 2011, ch. 354) to public works projects, as defined.
PCLC Action: Oppose. [*Note: Justice Baxter recused himself from discussion and vote.*]

d) AB 868 (Ammiano), as introduced – Courts: training programs: gender identity and sexual orientation
Mandates that existing required training standards for judicial officers who hear family law matters, Court Appointed Special Advocates, and attorneys for children in dependency cases be modified to include training on cultural competency and sensitivity with regard to gay, lesbian, bisexual, and transgender youth.
PCLC Action: Took no position, but directed staff to articulate the concern of the Judicial Council to the legislature on the precedent that is being established by enacting statutory training requirements for judges, and to highlight the importance of recognizing judicial independence and oversight over training as

the legislature considers this bill and any future judicial training mandates. The council would also remind the legislature that the judicial branch in California has an exemplary system for providing judicial training, and that it is critical for the branch to have the flexibility it needs to develop and update that training as judges identify topics that must be addressed in the curriculum in the future.

e) AB 1008 (Torres), as amended March 21, 2013 – Civil procedure: judges
Eliminates the ability of a judge to perform the duties of a clerk during a session of a superior court or within a judge's chambers as is currently permitted under section 167 of the Code of Civil Procedure.
PCLC Action: Oppose.

f) SB 597 (Lara), as introduced – Legal aid: court interpreters
Requires the Judicial Council to select up to five courts to participate in a pilot project to provide interpreter services to limited English proficient parties in civil matters. Courts would be selected from those participating in a working group to be established by the council to review, identify, and develop best practices to provide interpreters in civil proceedings. Services would be required for parties with a fee waiver in the following case types: civil harassment restraining orders, family law, unlawful detainer, probate guardianship and conservatorship proceedings concerning appointment or termination, and elder abuse. For other litigants and case types, pilot courts would be required to provide services if sufficient funding and interpreters were available. The pilot would commence July 1, 2014, and result in a report to the legislature by September 1, 2017. The legislative report would present the findings and recommendations of the pilot, including an assessment of the need for additional funding and interpreters to meet the statewide need in the case types that were the focus of the pilot, as well as all civil actions and proceedings. The statutory authority for the pilot would sunset on January 1, 2018.
PCLC Action: Support if amended and funded. [*Note: Ms. Angela Davis recused herself from the discussion and vote.*]

OTHER BUSINESS

Confirm next PCLC conference call:
Proposed date: May 2, 2013

As approved by the committee on May 2, 2013

JUDICIAL COUNCIL OF CALIFORNIA
POLICY COORDINATION AND LIAISON COMMITTEE

Conference Call Meeting
May 2, 2013 – 4:30 p.m.
Summary Minutes of Meeting

Policy Coordination and Liaison Committee members present: Hon. Marvin R. Baxter, Chair; Hon. James E. Herman, Vice-Chair; Hon. James R. Brandlin; Hon. David De Alba; Hon. Allan D. Hardcastle; Mr. Mark P. Robinson, Jr.; and Ms. Mary Beth Todd.

Policy Coordination and Liaison Committee members absent: Hon. Sue Alexander and Ms. Angela J. Davis.

OGA staff present: Mr. Cory T. Jasperson, Mr. Daniel Pone, Ms. Sharon Reilly, Ms. Kate Nitta, Ms. Monica LeBlond, and Ms. Yvette Casillas-Sarcos.

ACTION ITEMS

1. **Approval of minutes**

   The minutes of the April 11, 2013, and April 18, 2013, conference calls were approved as submitted.

2. **Consent Items**

   Action on Pending Legislation

   a) AB 651 (Bradford), as introduced – Convictions
   Authorizes courts, in their discretion and in the interest of justice, upon a petition for a change of plea or setting aside of a verdict, to grant dismissals (commonly referred to as "expungements") for eligible petitioners who were convicted of a felony and sentenced to county jail.
   PCLC Action: Oppose.

   b) AB 787 (Stone), as amended March 19, 2013 – Foster care
   Makes various technical and clarifying changes to implement the California Fostering Connections to Success Act of 2010 (AB 12, Stats. of 2010, ch. 559). Specifically, it would (1) clarify the eligibility of transition jurisdiction youth for placement in the same placements as other nonminor dependents; (2) provide the court with the authority to resume jurisdiction for a nonminor under 21 whose guardian or adoptive parent dies before the nonminor turns 21; and, (3) bring case management requirements for state-funded Kinship Guardianship

Assistance Payment Program (Kin-GAP) in line with those for federally funded cases.
PCLC Action: Support.

c) SB 378 (Block), as amended April 2, 2013 – Official record of conviction: admissibility of electronically digitized copy
Provides that an electronically digitized copy of an official record of conviction that has been certified in accordance with specified requirements is admissible to prove the commission, attempted commission, or solicitation of a criminal offense, prior conviction, service of a prison term, or other act, condition, or event recorded by the record.
PCLC Action: Support.

d) SB 794 (Evans), as amended April 8, 2013 – Peremptory challenges
Item moved to Discussion

3. Discussion Items

Action on Pending Legislation

a) AB 765 (Ammiano), as amended March 19, 2013 – Sentencing
Provides that, effective January 1, 2014, the court may not impose an upper term sentence based on aggravating facts unless facts were first presented to the factfinder and the factfinder found the facts to be true.
PCLC Action: Oppose.

b) AB 1296 (Skinner), as amended March 14, 2013 – Firearms
Among other things, requires courts to notify the Department of Justice (DOJ) about individuals who have been adjudged by a court to be a danger to others as a result of a mental disorder or mental illness, or who have been adjudicated to be mentally disordered sex offenders, within 24 hours of the finding, in an electronic format, in a manner prescribed by the DOJ.
PCLC Action: Support the provision relating to courts reporting to DOJ, if amended to instead require reporting within three court days of an individual being adjudged by a court to be a danger to others as a result of a mental disorder or mental illness, or who have been adjudicated to be a mentally disordered sex offender.

c) AB 1313 (Donnelly), as amended March 21, 2013 – Judgeships: allocation
Requires the Judicial Council, upon the availability of funding, to allocate up to 12 additional judges each fiscal year to counties in which the current number of judgeships are disproportionate to the Judicial Council's assessed judicial need for that county. Specifies that allocation of judicial positions shall be made first to those counties with the greatest disparity between their current allocations

and the Judicial Council's assessed judicial need. States that these requirements shall apply until the ratio of judges to population in an individual county reaches 90 percent of the Judicial Council's assessed judicial need for that county. States that it shall be a top priority of the Judicial Council to fulfill these requirements.
PCLC Action: No position, but noted that the Judicial Council supports the need for more judgeships, and will work with the author on the bill's technical issues should it move forward.

d) SB 794 (Evans), as amended April 8, 2013 – Peremptory challenges
Reduces the number of peremptory challenges available in all misdemeanor trials from ten to five, and reduces the number of "non-joint" peremptory challenges in multiple defendant cases from four to two.
PCLC Action: Support.

OTHER BUSINESS

Confirm next PCLC conference call:
Proposed date: May 16, 2013

Approved by the committee on May 16, 2013

JUDICIAL COUNCIL OF CALIFORNIA
POLICY COORDINATION AND LIAISON COMMITTEE

Conference Call Meeting
May 16, 2013 – 4:30 p.m.
Summary Minutes of Meeting

Policy Coordination and Liaison Committee members present: Hon. Marvin R. Baxter, Chair; Hon. James E. Herman, Vice-Chair; Hon. Sue Alexander; Hon. James R. Brandlin; Hon. Allan D. Hardcastle; Ms. Angela J. Davis; and Ms. Mary Beth Todd.

Policy Coordination and Liaison Committee members absent: Hon. David De Alba and Mr. Mark P. Robinson, Jr.

OGA staff present: Mr. Cory T. Jasperson, Mr. Alan Herzfeld, Ms. Sharon Reilly, and Ms. Yvette Casillas-Sarcos.

AOC staff present: Hon. Steven Jahr, Ms. Jody Patel, Mr. Curtis Child, and Mr. Curt Soderlund.

ACTION ITEMS

1. **Approval of minutes**

   The minutes of the May 2, 2013, conference call were approved as submitted.

2. **Consent Item**

   Action on Pending Legislation

   a) AB 568 (Muratsuchi), as introduced – Criminal procedure: testimony of law enforcement officers
      Provides, for purposes of clarifying who may introduce hearsay statements at a preliminary hearing, the term law enforcement officer includes nontraditional law enforcement officers, as described.
      PCLC Action: Support.

3. **Discussion Items**

   Action on Pending Legislation

   a) AB 560 (Ammiano), as amended March 21, 2013 – Sentencing: mandatory supervision
      Requires, instead of authorizes, courts to impose a split sentence with a minimum of six months of mandatory supervision in every felony case resulting in a county jail term. Authorizes the court, when a defendant is sentenced to

county jail, to, upon its own motion or upon the recommendation of the sheriff, recall the sentence and resentence the defendant, provided the new sentence is no greater than the initial sentence (paralleling the process in current law relating to state prison sentences).
PCLC Action: Oppose unless amended; support if amended to remove the provision requiring judges to impose split sentences with a minimum of six months mandatory supervision in every eligible case.

b) AB 805 (Jones-Sawyer), as introduced – Bail
Provides that in setting, reducing, or denying bail, a judge or magistrate may consider a report otherwise prepared by investigative staff for the purpose of recommending whether a defendant should be released on his or her own recognizance.
PCLC Action: Support, if amended to clarify that a judge or magistrate may consider "factors such as" a report prepared by investigative staff.

OTHER BUSINESS

Confirm next PCLC conference call:
Proposed date: June 13, 2013

Approved by the committee on June 13, 2013

Minutes

Rules and Projects Committee

Proposal Circulated by Email on Monday, March 18, 2013
and approved on Wednesday, March 20, 2013

Members participating: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Hon. Emilie H. Elias, Hon. Sherrill A. Ellsworth, Mr. James P. Fox, Hon. Morris D. Jacobson, Hon. Mary Ann O'Malley, and Hon. Charles D. Wachob.

Members not participating: Mr. Alan Carlson and Hon. Laurie M. Earl

RUPRO staff participating: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

AOC staff participating: Hon. Steven Jahr, Ms. Jody Patel, Ms. Mary M. Roberts, and Ms. Nancy Spero.

Proposals to recommend for Judicial Council action

Item 1 **Revision of form to update the amount for exemptions from enforcement of judgments**

Action: The Rules and Projects Committee recommended approval by Circulating Order to the Judicial Council of proposed form EJ-156, with an effective date of April 1, 2013.

Item 2 **Homestead exemption report to the Legislature**

Action: The Rules and Projects Committee recommended approval by Circulating Order to the Judicial Council of the report to the Legislature on potential adjustments to the dollar amounts of homestead exemptions.

Approved by the committee on May 23, 2013

Minutes

Rules and Projects Committee Teleconference

March 22, 2013

12:10 - 2:00 p.m.

Members present: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Hon. Sherrill A. Ellsworth, Hon. Laurie M. Earl, Hon. Morris D. Jacobson, Hon. Mary Ann O'Malley, and Hon. Charles D. Wachob.

Members absent: Mr. Alan Carlson, Mr. James P. Fox, and Hon. Emilie Elias.

RUPRO staff present: Deborah Brown, Susan McMullan, Patrick O'Donnell, and Camilla Kieliger

AOC staff present: Ms. Deirdre Benedict, Ms. Diane Cowdrey, Mr. Arturo Castro, Ms. Chris Cleary, Ms. Audrey Fancy, Ms.Anne Gilmour, Ms. Bonnie Hough, Ms. Anne Ronan, Ms. Gabrielle Selden, Ms. Jennifer Walter, Ms. Julia Weber, and Ms. Bobbie Welling.

Guests present: Hon. Kimberly J. Nystrom-Geist and Hon. Laurence D. Kay

Civil and Small Claims

Item 1 **Disability Access Litigation: Forms and Rules to Implement Recent Amendments to Civil Code Section 55.3 et seq.** (revise forms DAL-001, DAL-006, DAL-010, DAL-012, and adopt forms DAL-015 and DAL-020 and rules 3.680 and 3.682)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda for a July 1, 2013, effective date.

Item 2 **Civil Practice and Procedure Wage Garnishment for Change in Computation Method** (revise form WG-002)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda for a July 1, 2013, effective date.

Item 3 **Civil Practice and Procedures: *Memorandum of Garnishee*** (revise form AT-167/EJ-152)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda for a July 1, 2013, effective date.

Item 11 **Telephone Appearances: Amendment of the Fee Amount** (amend rule 3.670)

Action: The Rules and Projects Committee approved the proposal for circulation for comment.

Family and Juvenile

Item 4 **Family Law: Rules and Forms for Domestic and Intercountry Adoptions** (adopt rules 5.490, 5.491, and 5.492; adopt form ADOPT-216; and revise forms ADOPT-200 and ADOPT-215)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda for a July 1, 2013, effective date.

Item 5 **Juvenile Law: Indian Child Welfare Act in Delinquency Cases** (amend rules 5.480, 5.481, 5,482, 5.530, and 5.785)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda for a July 1, 2013, effective date.

Item 6 **Family Law: Revision to Declaration of Disclosure Forms** (revise forms FL-140, FL-141, FL-107-INFO, and FL-160)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda for a July 1, 2013, effective date.

Criminal

Item 7 **Criminal Justice Realignment: Minimum Contents of Parole Revocation Reports** (amend rule 4.541)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda for a July 1, 2013, effective date.

Judicial Administration

Item 12 **Trial Court Presiding Judges Advisory Committee: Chair Nomination Process** (amend rule 10.46)

Action: The Rules and Projects Committee approved the proposal for circulation for comment on a special cycle.

Technical Amendments

Item 8 **Rules and Forms: Miscellaneous Technical Amendments** (amend rules 1.6, 2.304, 2.506, 3.1702, 4.102, 5.83, 5.555, 7.101, 8.112, 8.454, and 10.855; revise forms APP-003, APP-151, CR-115; CR-300, DISC-003/UD-106, DISC-005, DV-200, EA-200, FL-117, FL-485, FL-490, FL-686, JV-226, JV-401, JV-421, JV-618, JV-642, SC-220, SC-220-INFO, SC-221, SC-222, SV-100-INFO, UD-106, WG-030, and WV-100-INFO)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda for a July 1, 2013, effective date.

Other Business

Item 9 **Minutes** (February 13, 2013)

Action: The Rules and Projects Committee approved the minutes.

Item 10 **Judicial Council directive #79:** *"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."*

Action: The Rules and Projects Committee established an education committee to review and make recommendations to the full committee on how to implement the directive.

Firearms relinquishment letter seeking early comment

Action: The Rules and Projects Committee recommended seeking early comment from trial court presiding judges and court executive officers.

Approved by the committee on May 23, 2013

Minutes

Rules and Projects Committee

Proposal Circulated by Email on Friday, April 5, 2013
and approved on Tuesday, April 9, 2013

Members participating: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Hon. Laurie M. Earl, Hon. Emilie H. Elias, Hon. Sherrill A. Ellsworth, and Hon. Mary Ann O'Malley.

Members not participating: Mr. Alan Carlson, Mr. James P. Fox, Hon. Morris D. Jacobson, and Hon. Charles D. Wachob

RUPRO staff participating: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

AOC staff participating: Ms. Anne Ronan.

Proposals to recommend for Judicial Council action

Item 1 **Technical amendment:** ***Current Dollar Amounts of Exemptions From Enforcement of Judgments*** (revise EJ-156)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda, with an effective date of April 26, 2013.

Approved by the committee on May 23, 2013

Minutes

Rules and Projects Committee Videoconference

April 15, 2013

10:00 a.m. - 12:15 p.m.

Members present: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Mr. Alan Carlson, Hon. Laurie M. Earl, Hon. Emilie H. Elias, Mr. James P. Fox, Hon. Morris D. Jacobson, Hon. Mary Ann O'Malley, and Hon. Charles D. Wachob.

Members absent: Hon. Sherrill A. Ellsworth.

RUPRO staff present: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

AOC staff present: Ms. Heather Anderson, Ms. Melissa Ardaiz, Ms. Mara Bernstein, Mr. Arturo Castro, Donna Clay-Conti, Ms. Kerry Doyle, Ms. Ann Gilmour, Ms. Bonnie Hough, Mr. Mark Jacobson, Ms. Tracy Kenny, Ms. Shelly LaBotte, Ms. Anna Maves, Mr. Douglas C. Miller, Ms. Anne Ronan, Ms. Gabrielle Selden, Mr. Corby Sturges, Mr. Alan Wiener, and Ms. Carrie Zoller.

Guests present: Hon. Mitchell L. Beckloff, Hon. Richard C. Blake, Hon. Raymond J. Ikola, Hon. Richard J. Loftus, Jr., Hon. Dennis M. Perluss, and Mr. Jay Volberg.

Appellate

Item 1 **Appellate Procedure: Number of Copies of Filed Documents** (amend rules 8.44, 8.70, 8.72, and 8.212)

Action: The Rules and Projects Committee approved the proposal for circulation with the following modification:

Clarify the difference between electronic copies (8.44(c)) and electronic filing (8.70(e)(3)).

Item 2 **Appellate Procedure: Signatures on Filed Documents** (amend rule 8.42 and amend rule 8.77)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 3 **Appellate Procedure: Civil Case Information Statements** (amend rule 8.100)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 4 **Appellate Procedure: Reporter's Transcripts in Civil Appeals** (amend rules 8.130 and 8.834)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 5 **Appellate Court Procedure: Defaults in Procuring Record and Completion of the Record in Civil Appeals** (adopt rule 8.149; amend rules 8.122, 8.140, 8.832, 8.840, and 8.842)

Action: The Rules and Projects Committee approved the proposal for circulation with the following modification:

Add a question to the request for specific comments box asking if the proposed new provisions regarding when preparation of a designated clerk's transcript must be completed and when the record as a whole is considered complete are clear and easy for trial court clerks to implement.

Item 6 **Appellate Procedure: Preparation of Transcripts in Felony and Juvenile Appeals** (amend rules 8.336 and 8.409)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 7 **Appellate Procedure: Sealed and Confidential Records** (adopt rule 8.45 and 8.47; amend rules 2.550, 8.46, 8.120 8.144, 8.320, 8.336, 8.380, 8.384, 8.385, 8.407, 8.409, 8.486, 8.487, and 8.610; and repeal rule 8.328)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 8 **Appellate Procedure: Writ proceedings** (amend rules 8.386, 8.387, 8.485, 8.486, 8.487, 8.490, 8.931, 8.933, and 8.935)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 9 **Appellate Procedure: Appellate division rules and forms**

Action: The Rules and Projects Committee approved the proposal for circulation.

Alternative Dispute Resolution

Item 10 **Alternative Dispute Resolution: Ethics Standards for Neutral Arbitrators in Contractual Arbitration**

Action: The Rules and Projects Committee approved the proposal for circulation.

Civil and Small Claims

Item 11 **Civil Practice and Procedure: Discovery Motions**

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 12 **Court Administration and Form and Format of Papers: Repeal Rules on Use of Recycled Paper**

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 13 **Civil Judgments: Clerk's Calculation of Prejudgment Interest** (amend rule 3.1802)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 14 **Civil Practice and Procedures: Telephonic Appearances** (amend rule 3.670)

Action: The Rules and Projects Committee approved the proposal for circulation with the following modifications:

Rule 3.670(d)(1):

Add "unless otherwise permitted by the court" after "at least 10:00 a.m. two court days before the ex parte appearance".

Family and Juvenile

Item 15 **Family Law: Improvements to Request for Order Rules and Forms** (amend rules 5.92, 5.94; revise forms FL-300, FL-300-INFO, FL-305, FL-306, FL-311, FL-312, FL-320, FL-336, FL-337,FL-341(C), FL-341(D), and FL-341(E))

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 16 **Family Law: Clarification of Rules Regarding Service and Posting of a Summons and Forms of Pleading** (amend rules 5.68, 5.72, and 5.74)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 17 **Family Law: Revisions to Family Law Summons** (revise form FL-110)

Action: The Rules and Projects Committee postponed a decision pending the California Benefit Exchange providing further language to the advisory committee related to the eligibility for health insurance coverage.

Item 18 **Family Law: Family Law: Ex Parte Application to Terminate Earnings Assignment Order** (revise form FL-430)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 19 **Family Law: Approval of New Form Declaration of Supervised Visitation Provider**

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 20 **Juvenile Law: Psychotropic Medications** (amend rule 5.640; revise forms JV-219-INFO, JV-221, and JV-222)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 21 **Juvenile Law: Interstate Compact on the Placement of Children Regulation Changes** (amend rule 5.616)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 22 **Juvenile Law: Access to Services for Children, Nonminors, and Nonminor Dependents**

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 23 **Juvenile Law: Restraining Orders** (amend California Rules of Court, rules 5.620, 5.625, and 5.630; revise and renumber Judicial Council forms FL-306/JV-251 as JV-251 and JV-255 as JV-257 and adopt new Judicial Council form JV-255; revise forms JV-250, and FL-306/JV-251)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 24 **Juvenile Law: Extended Foster Care**

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 25 **Juvenile Law: Minor Changes for Statutory Compliance (**amend rules 5.570, 5.695, 5.710, 5.715, 5.720, and 5.805**)**

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 26 **Juvenile Dependency: Revoke Information Forms to be Replaced by Information Pamphlets** (revoke forms JV-050 and JV-055)

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 27 **Family Law: New Rule for Title IV-D Case Transfers to Tribal Court**

Action: The Rules and Projects Committee approved the proposal for circulation.

Item 28 **Juvenile Law and Criminal Law: Order for Restitution and Abstract of Judgment** (Revise forms CR-110/JV-790 and CR-112/JV-792; approve forms CR-111/JV-791 and CR-113/JV-793)

Action: The Rules and Projects Committee approved the proposal for circulation.

Miscellaneous

Item 29 **Military Service: Optional Form for Notification of a Party's Military Status** (MIL-100)

Action: The Rules and Projects Committee approved the proposal for circulation with the following modifications:

Revise the form to be used in criminal and juvenile dependency cases only, and add a specific request for comment on whether the form should be available for use in other case types.

Criminal

Item 30 **Criminal Cases: Encouraging Local Mental Health Protocols and Adding Stakeholders to Currently Mandated Meetings** (amend rules 10.951 and 10.952)

Action: The Rules and Projects Committee approved the proposal for circulation with the following modifications.

Add a specific request for comment on whether it is helpful to have a statewide Rule of Court provide guidance to those jurisdictions interested in court procedures that are not mandatory.

Item 31 **Criminal Procedure: Petition and Order for Dismissal** (revise CR-180 and CR-181)

Action: The Rules and Projects Committee approved the proposal for circulation.

Probate and Mental Health

Item 32 **Probate Guardianship: Eligibility of a Ward for Special Immigrant Juvenile Status (SIJS) Under Federal Immigration Law** (approve GC-224)

Action: The Rules and Projects Committee approved the proposal for circulation.

Judicial Administration

Item 33 **Attorney Misconduct: Notification to State Bar** (adopt rules 10.609 and 10.1017)

Action: The Rules and Projects Committee approved the proposal for circulation with the following modification:

Rule 10.609(a):
Change "the judge signing the order" to "the judge issuing the order".

Item 34 **Subordinate Judicial Officers: Complaints and Notice Requirements** (amend rule 10.703)

Action: The Rules and Projects Committee approved the proposal for circulation.

For recommendation to the Judicial Council:

Civil and Small Claims

Item 35 **Unlawful Detainer: Answer to Complaint** (revise form UD-105)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's April 26, 2013, consent agenda, with a January 1, 2014, effective date.

Other Business

Appellate Advisory Committee: Annual agenda

Action: The Rules and Projects Committee approved the annual agenda.

Revise the Invitation to Comment template "Request for specific comments" section to add:

- Does the proposal reasonably achieve the stated purpose?
- Would this proposal have an impact on public's access to the courts? If a positive impact, please describe. If a negative impact, what changes might lessen the impact?
- Would the proposal provide costs savings? If so, please quantify. If not, what changes might be made that would provide savings, or greater savings?
- If this proposal would be cumbersome or difficult to implement in a court of your size, what changes would allow the proposal to be implemented more easily or simply in a court of your size?

RUPRO staff will implement these global changes before the proposals are circulated for comment.

Approved by the committee on May 23, 2013

Minutes

Rules and Projects Committee

Proposal Circulated by Email on Wednesday, April 17, 2013
and approved on Friday, April 19, 2013

Members participating: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Mr. Alan Carlson, Hon. Laurie M. Earl, Hon. Emilie H. Elias, Hon. Sherrill A. Ellsworth, Mr. James P. Fox, Hon. Morris D. Jacobson, Hon. Mary Ann O'Malley, and Hon. Charles D. Wachob.

RUPRO staff participating: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

AOC staff participating: Ms. Bonnie Hough, Ms. Claudia Ortega, Ms. Gabrielle Selden, and Ms. Marlene Smith.

Proposals to approve for circulation for comment

Item 1 **Family Law: Improvements to Request for Order Rules and Forms**

Action: The Rules and Projects Committee approved the proposal for circulation for comment.

Approved by the committee on May 23, 2013

Minutes

Rules and Projects Committee

Proposal Circulated by Email on Friday, April 19, 2013
and approved on Monday, April 22, 2013

Members participating: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Mr. Alan Carlson, Hon. Laurie M. Earl, Hon. Sherrill A. Ellsworth, Mr. James P. Fox, Hon. Morris D. Jacobson, Hon. Mary Ann O'Malley, and Hon. Charles D. Wachob.

Members not participating: Hon. Emilie H. Elias.

RUPRO staff participating: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

AOC staff participating: Ms. Donna Clay-Conti, Ms. Audrey Fancy, Ms. Bonnie Hough, Ms. Gabrielle Selden, and Ms. Marlene Smith.

Proposals to approve for circulation for comment

Item 1 **Family Law: Revisions to Family Law Summons**

Action: The Rules and Projects Committee approved the revised proposal for circulation for comment. The proposal was deferred at the April 15, 2013, meeting pending revisions.

Approved by the committee on May 23, 2013

Minutes

Rules and Projects Committee

Proposal Circulated by Email on Tuesday, April 30, 2013
and approved on Thursday, May 2, 2013

Members participating: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Mr. Alan Carlson, Hon. Laurie M. Earl, Hon. Emilie H. Elias, Hon. Sherrill A. Ellsworth, Mr. James P. Fox, Hon. Morris D. Jacobson, and Hon. Mary Ann O'Malley.

Members not participating: Hon. Charles D. Wachob.

RUPRO staff participating: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

AOC staff participating: Mr. Arturo Castro, Ms. Shelley Curran, and Ms. Barbara Whiteoak.

Proposals to approve for circulation for comment

Item 1 **Criminal Justice Realignment: Warrants for Supervised Persons**

Action: The Rules and Projects Committee approved the proposal for circulation for comment.

Approved by the committee on May 23, 2013

Minutes

Rules and Projects Committee

Proposal Circulated by Email on Wednesday, May 8, 2013
and approved on Friday, May 10, 2013

Members participating: Hon. Harry E. Hull, Jr. (chair), Mr. Alan Carlson, Hon. Emilie H. Elias, Hon. Sherrill A. Ellsworth, Mr. James P. Fox, and Hon. Morris D. Jacobson.

Members not participating: Hon. Judith Ashmann-Gerst (vice-chair), Hon. Laurie M. Earl, Hon. Mary Ann O'Malley, and Hon. Charles D. Wachob.

RUPRO staff participating: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

Proposals to approve for Judicial Council action

Item 1 **Minimum education requirements for Administrative Office of the Courts executives, managers, supervisors, and other** employees (revise rule 10.491)

Action: The Rules and Projects Committee recommended submitting the proposed amendment to the Judicial Council for approval without circuating for comment.

Approved by the committee on May 23, 2013

Minutes

Rules and Projects Committee Teleconference

Thursday, May 23, 2013
12:00–12:30 p.m.

Members present: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Mr. James P. Fox, Hon. Morris D. Jacobson, and Hon. Mary Ann O'Malley.

Members absent: Mr. Alan Carlson, Hon. Laurie M. Earl, Hon. Emilie H. Elias, Hon. Sherrill A. Ellsworth, and Hon. Charles D. Wachob.

RUPRO staff present: Ms. Deborah Brown, Ms. Susan McMullan, and Ms. Camilla Kieliger.

AOC staff present: Mr. Bruce Greenlee and Ms. Anne Ronan.

Proposal to recommend for RUPRO approval

Civil Jury Instructions

Item 1 **Civil Jury Instructions: Approve Publication of Minor Revisions**

Action: The Rules and Projects Committee approved publication of the revised instructions.

Proposals to recommend for Judicial Council approval

Civil Jury Instructions

Item 2 **Civil Jury Instructions: Additions, Revisions, and Revocations**

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 28, 2013, consent agenda.

Judicial Branch Education

Item 3 **Judicial Branch Education: AOC Staff Education (Action Required)**

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 28, 2013, consent agenda.

Civil and Small Claims

Item 4 **Civil Practice and Procedure: Adjustment of Maximum Amount of Imputed Liability of Parent or Guardian for Tort of a Minor (Action Required)**

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 28, 2013, consent agenda.

Other Business

Item 5 **Minutes** (March 20, March 22, April 5, April 15, April 19, April 22, May 2, and May 10, 2013)

Action: The Rules and Projects Committee approved the minutes.

Approved by the committee on June 11, 2013

Minutes

Rules and Projects Committee Teleconference

June 11, 2013
4:00 – 4:40 p.m.

Members present: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Mr. Alan Carlson, Hon. Laurie M. Earl, Hon. Sherrill A. Ellsworth, Hon. Emilie H. Elias, Mr. James P. Fox, Hon. Morris D. Jacobson, and Hon. Mary Ann O'Malley.

Members absent: Hon. Charles D. Wachob.

RUPRO staff present: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

AOC staff present: Ms. Deirdre Benedict, Mr. Arturo Castro, and Ms. Anne Ronan.

Proposals to recommend for Judicial Council approval

Judicial Administration

Item 1 **Trial Court Presiding Judges Advisory Committee: Chair Nomination Process** (amend rule 10.46)

Action: The Rules and Projects Committee deferred this item to a separate meeting.

Criminal

Item 2 **Criminal Justice Realignment: Warrants for Supervised** Persons (adopt forms CR-301 and CR-302)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 28, 2013, consent agenda, with a July 1, 2013, effective date.

Civil

Item 3 **Civil Practice and Procedure: Change in Computation Method for Garnishing Wages in** *Earnings Withholding Order for Elder and Dependant Adult Financial Abuse (Wage Garnishment)*(revise form WG-030)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 28, 2013, consent agenda, with a July 1, 2013, effective date..

Item 4 **Telephone Appearances: Amendment of the Fee Amount** (amend rule 3.670)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 28, 2013, consent agenda, with a July 1, 2013, effective date.

Technology

Item 5 **Mandatory Electronic Filing and Service: Rules of Court and Judicial Council Forms to Implement Assembly Bill 2073** (amend rules 2.250, 2.251, 2.252, 2.253, 2.254, 2.256, 2.258, and 2.259; approve forms EFS-007 and EFS-008)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 28, 2013, discussion agenda, with a July 1, 2013, effective date.

Other Business

Item 6 **Minutes** (approve May 23, 2013, minutes)

Action: The Rules and Projects Committee approved the minutes.

Minutes

Rules and Projects Committee

Proposal Circulated by Email on Thursday, June 13, 2013
and approved on Friday, June 14, 2013

Members participating: Hon. Harry E. Hull, Jr. (chair), Hon. Judith Ashmann-Gerst (vice-chair), Mr. Alan Carlson, Hon. Laurie M. Earl, Hon. Emilie H. Elias, Hon. Sherrill A. Ellsworth, Mr. James P. Fox, and Hon. Morris D. Jacobson, Hon. Mary Ann O'Malley, and Hon. Charles D. Wachob.

RUPRO staff participating: Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

AOC staff participating: Ms. Deirdre Benedict.

Proposals to approve for Judicial Council action

Item 1 **Trial Courts: Trial Court Presiding Judges Advisory Committee Chair Nomination Process** (revise rule 10.46)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's June 28, 2013, consent agenda, with a July 1, 2013, effective date.