



JUDICIAL COUNCIL OF CALIFORNIA

ADMINISTRATIVE PRESIDING
JUSTICES ADVISORY COMMITTEE

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ADMINISTRATIVE PRESIDING JUSTICES ADVISORY COMMITTEE OPEN MEETING AGENDA

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))
THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS
THIS MEETING IS BEING RECORDED

Date: April 26, 2019
Time: 2:30 pm – 3:00pm
Public Call-in Number: 1-877-820-7831 Passcode: 4585585

Meeting materials will be posted on the advisory committee web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

Written Comment

In accordance with the California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to apjac@jud.ca.gov or mailed or delivered to 455 Golden Gate Ave., 5th Floor, San Francisco, CA 94102, attention: Shaunese Henderson. Only written comments received by April 25, 2019 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-6)

Item 1

Position authority for 7.0 positions and a General Fund augmentation of \$1.571 million beginning in 2020-21 and ongoing to fund a Court Technology Manager position for the Supreme Court and each Court of Appeal (together, the Appellate Courts).

The Appellate Courts have embraced technology over the last 5 - 7 years, moving to electronic filing, providing remote access to the public, and offering many services online. At the same time, the Judicial Council Information Technology (IT) staff has been reduced and utilized in ways to promote other missions of the judicial branch. The Appellate Courts now finds that they are in need of a Technology Manager position to serve as strategic and visionary managers for many of the complex information technology projects occurring in the courts. Similar to each trial court Chief Information Officer (CIO), the Appellate Courts need a position to advance court technology and modernize the services the courts provide to the public.

Facilitators: Laura Speed and Deborah Collier-Tucker

Item 2

New Appellate Court Justice for the Courts of Appeal. Proposed ongoing General Fund augmentation of \$1.3 million is requested to support a new Appellate Justice and 4.0 FTEs (3.0 Sr. Attorneys and 1.0 Judicial Assistant) in the Courts of Appeal.

Funding will support the substantial and growing workload demands in Division 2 – Riverside Court of the Fourth Appellate District Court of Appeal. Division Two has an annual average of 1,105 appeals becoming fully briefed. Applying the weighted formula that results in 113 cases per justice, far exceeding all of the other divisions and far in excess of the optimal number of weighted cases per justice, which is 89. This request supports funding for the two new justices and their necessary chambers staff, including 3 research attorneys and 1 judicial assistant.

Facilitators: Laura Speed and Deborah Collier-Tucker

Item 3

Supreme Court and Appellate Courts –Court Appointed Counsel Programs. Proposed General Fund augmentation of \$1.63 million to support an increase in the contracts with the five Court of Appeal Court-Appointed Counsel Projects (\$1.3 million) and the Supreme Court Court-Appointed Counsel Project, San Francisco (CAP-SF) (\$0.350 million).

These six projects (non-profit organizations) provide assistance and oversight to the panel of private attorneys appointed in criminal court of appeal cases, capital appeals and habeas corpus and clemency proceedings for indigent defendants. California’s Court-Appointed Counsel Program fulfills the constitutional mandate of providing adequate representation for indigent appellants in the Courts of Appeal on non-capital cases. The objectives of California’s appellate court-appointed counsel system are to: (1) ensure the right of indigent clients to receive the effective assistance of appointed appellate counsel as guaranteed to them by the U.S. Constitution, and (2) provide the Courts of Appeal with useful briefings and arguments that allow the Courts to perform its function efficiently and effectively. CAP-SF is also responsible for assisting unrepresented death row inmates

by collecting and preserving records and evidence for later post-conviction use, and by providing advocacy needed before counsel is appointed. The funding would support significant increases in the cost of rent and staff benefits, new staff, salary increases, training, and increased costs for record collection and preservation.

Facilitators: Laura Speed and Deborah Collier-Tucker

Item 4

Appellate Court Facility Maintenance Program. Proposed ongoing General Fund augmentation of \$1.4 million to perform an in-depth building assessment of the two state-owned, court-managed appellate court facilities and to establish and support an Appellate Court Facility Maintenance Program.

The facility assessment will document the current condition of the two state-owned, court-managed buildings and create project and cost estimates for identified deficiencies. The Appellate Court Facility Maintenance Program will support facility maintenance requests for the two court-managed facilities, which is based on Building Owners and Managers Association standards and will include preventative and routine maintenance. The request will also provide funding to the remaining seven appellate court facilities for minor facility modifications and demand maintenance not covered by the building owner. The appellate courts occupy a total of just over 500,000 square feet of space in nine facilities.

Facilitators: Laura Speed and Deborah Collier-Tucker

Item 5

Appellate Court Security. Proposed ongoing General Fund augmentation of \$1.2 million (\$1.2 million and a one-time augmentation of \$21,000) to support security services provided by the California Highway Patrol Judicial Protection Section at the Courts of Appeal.

CHP-JPS's primary mission is to provide security and protection for the California Supreme Court, the California Courts of Appeal, its personnel and facilities throughout the State.

Facilitators: Laura Speed and Deborah Collier-Tucker

Item 6

Appellate Court Library System for the Supreme Court and Courts of Appeal. Proposed ongoing General Fund augmentation of \$595,000 to support the increased costs for contractual library electronic services and materials for the Court of Appeal and the Supreme Court libraries.

No new funds for the Appellate Court Library system in the past 10 years. The funding augmentation will support three areas of the library system: 1) to continue funding our current collections, 2) to support exploration of cost-effective alternate online research platforms and technologies that can be utilized by appellate courts as alternate resources,

rather than continued over-reliance on Westlaw and LexisNexis, and finally, 3) to complete a rebalance of our print and e-collections, ensuring these resources provide research support in all major legal research areas.

Item 7

Consideration of other Budget Change Proposals for FY 2020-2021 Budget (Action Required)

Committee members may wish to raise other funding requests for the committee's consideration.

Presenters: All

IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

No informational items for discussion.

V. ADJOURNMENT

Adjourn