



JUDICIAL COUNCIL  
OF CALIFORNIA

COURT EXECUTIVES  
ADVISORY COMMITTEE

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**COURT EXECUTIVES ADVISORY COMMITTEE (CEAC)**

**RECORDS MANAGEMENT SUBCOMMITTEE**

**MINUTES OF OPEN MEETING**

January 12, 2016

2:00–3:00 P.M.

Conference Call

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**Advisory Body Members Present:** Richard Feldstein (Chair), Alan Carlson, Kevin Lane, Pat Patterson, Tricia Penrose, and Kim Turner

**Advisory Body Members Absent:** Jake Chatters and Robert Oyung

**Judicial Staff Present:** Chris Belloli, Tara Lundstrom, Patrick O'Donnell, and Josely Yangco-Fronza

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**OPEN MEETING**

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**Call to Order and Roll Call**

The Chair called the meeting to order at 2:00 p.m., and took roll call.

**Approval of Minutes**

The subcommittee reviewed and approved the public minutes of the October 19, 2015, subcommittee meeting.

**Written Comments Received**

No written comments were received.

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**DISCUSSION AND ACTION ITEMS (ITEMS 1–3)**

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**Item 1**

**Proposed New Sampling Program (Rule 10.855): Draft Rotation Assignment Schedule for Superior Courts**

Mr. Chris Belloli, Supervising Analyst, Office of Court Research, Judicial Council, provided a brief background on the proposed new trial court rotation assignment schedule and explained how the new schedule was generated. The proposed new schedule is a modified version of the current longitudinal sample assignment, wherein three courts are assigned each year and to ensure a representative sample, courts were selected from clusters of small, medium, and large courts every year.

Ms. Tara Lundstrom, Attorney, Legal Services, Judicial Council, discussed modifying the retroactive application of the rule proposal that is being circulated for public comment. Currently, the amended rule would only apply retroactively for those courts that have kept their records. Instead, it is suggested that the retroactive language be modified to apply to all courts whether or not they have been actively destroying eligible records and complying with the current sampling requirements. After consultation with Mr. Belloli, Ms. Lundstrom stated that the proposed modification would still preserve a statistically significant valid sample of court records for research purposes and would comply with the statutory preservation requirements. The modification would also make the process simpler and easier for courts to implement in addition to providing significant savings in terms of storage needs and imaging costs.

Ms. Lundstrom pointed out that if the subcommittee is interested in making this modification to the current rule proposal; it would require circulating the amended rule for the second time either on an expedited comment cycle for it to go into effect July 1, 2016, or during the regular spring comment cycle, to go into effect January 1, 2017.

**Motion:**

Ms. Kim Turner made a motion to authorize staff to request an expedited invitation to comment out for the revised rule proposal with the same rule effective date of July 1, 2016. Mr. Alan Carlson seconded the motion.

The CEAC Records Management Subcommittee unanimously approved the motion.

**Item 2**

**Government Code Section 68152 Clean-Up**

Ms. Lundstrom discussed the Government Code section 68152 clean-up to fix statutory conflicts regarding the retention of wills and codicils, and retention of Prop 47 cases. Staff would like to confirm that the subcommittee wants to work on this project this year before discussing specific proposals with staff and chairs of the Probate and Mental Health Advisory Committee and the Criminal Law Advisory Committee.

The subcommittee asked Mr. O'Donnell and Ms. Lundstrom to connect with the Probate and Mental Health and Criminal Law Advisory Committees to see if they would like to collaborate and work on this project with the subcommittee this year.

**Item 3**

**Next Steps**

Schedule the next subcommittee meeting to review and discuss the revised rule proposal.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 2:40 p.m.

Approved by the advisory body on February 2, 2016.