



# JUDICIAL COUNCIL OF CALIFORNIA

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CENTER FOR JUDICIAL EDUCATION AND  
RESEARCH ADVISORY COMMITTEE

## **CJER Advisory Committee Minutes September 22, 2021 Open Meeting via Zoom**

**Present:** Hon. Kimberly A. Gaab, Hon. Darrell S. Mavis, Mr. Sharif Elmallah, Hon. Michael A. Fagalde, Mr. Joseph Ford, Mr. Jason Galkin, Hon. Joni T. Hiramoto, Hon. Richard D. Huffman, Hon. Mark A. Juhas, Mr. Kevin J. Lane, Hon. Mary Ann O'Malley, Hon. Gayle L. Peron, Hon. Robert J. Trentacosta, Hon. Daniel Zeke Zeidler

**Staff:** Ms. Karene Alvarado, Mr. Steven Warner, Mr. Jason Mayo, Ms. Hazel Houle

**Not Present:** Hon. Michele M. Castillo, Hon. Michael A. Knish, Ms. Kristine Custodio Suero, Hon. Erica R. Yew, Mr. Martin Hoshino

### **Welcome**

Judge Gaab opened the meeting at 12:16 p.m.

### **Review and Discuss Proposal to Amend Rule 10.492(c) [Action Item]**

Judge Gaab noted that because the 2022-2024 Education Plan will be submitted to the Judicial Council, this item is subject to the Open Meeting Rule 10.75, and the meeting discussion is public.

Judge Gaab mentioned that as was discussed at the CJER Advisory Committee's September 2, 2021 meeting, the decision was recently made to cancel the B.E. Witkin Judicial College planned for in-person delivery starting on October 23, 2021. She noted that the last College was held in August 2019. Since then, both the 2020 and the 2021 Judicial College were scheduled, initially postponed, and ultimately cancelled. Those in-person events could not be held safely because of the COVID-19 pandemic.

Judge Gaab said that when the CJER Advisory Committee decided to shift all in-person programs to remote delivery during the pandemic, the Committee chose not to deliver the College remotely. Instead, the CJER Advisory Committee prioritized preserving the unique nature of the program and the particular benefits provided by in-person delivery. The Judicial College is two weeks long and includes 32 separate courses and valuable visits to San Quentin State Prison and the Delancey Street Foundation.

Judge Gaab said that in late 2020 the CJER Advisory Committee pursued a new California Rule of Court, Rule 10.492, that extended the deadline by 12 months for all judicial officers and court staff to take mandatory judicial education programs. She stated that this rule was adopted by the Judicial Council and was effective on January 1, 2021. She said that at the time it was hoped that in-person education could safely resume by Fall 2021. The CJER Advisory Committee's goal is to ensure that judicial officers receive the essential education that the College provides in a safe and secure environment. She noted that because of the increasing likelihood that the pandemic will be present in 2022 and possibly beyond, the CJER Advisory Committee should explore the possibility of delivering the College remotely in the future. This will ensure that judicial officers remain compliant with the education requirements in the California Rules of Court and have a chance to participate in this important program that has been delayed for the duration of the pandemic.

Judge Gaab said the CJER Advisory Committee is meeting today to consider an urgent proposed amendment to rule 10.492 that would extend the deadline for completing the B.E. Witkin Judicial College an additional 12 months. She noted that the proposed amendment would also extend the rule's sunset date by two years, to 2024. She said the goal is to vote on this item today and bring it to the Judicial Council for consideration at its November 19, 2021 meeting.

The proposed amendment to Rule 10.492 was unanimously approved upon a motion by Judge O'Malley, which was seconded by Judge Mavis.

Meeting adjourned at 12:25 p.m.