

# EXECUTIVE AND PLANNING COMMITTEE (E&P) RULES AND PROJECTS COMMITTEE (RUPRO)

#### MINUTES OF OPEN MEETING

Thursday, November 20, 2014 12:10 to 1:10 p.m. Teleconference

**Members Present:** 

Advisory Body E&P: Justices Douglas P. Miller (Chair) and Judith Ashmann-Gerst; Judges Marla O. Anderson, Marsha G. Slough, Morris D. Jacobson, Dean T. Stout, Charles D. Wachob, James R. Brandlin; Ms. Mary Beth Todd and Ms. Donna D'Angelo Melby

> RUPRO: Justice Harry E. Hull, Jr., (Chair); Judges Brian L. McCabe (Vice Chair); Brian J. Back, Martin J. Tangeman, David De Alba, David Rosenberg and Joan P. Weber; Commissioner David E. Gunn; Mr. Richard D. Feldstein and Ms. Debra

Elaine Pole

Advisory Body

E&P: Judge David M. Rubin (Vice Chair)

**Members Absent:** 

RUPRO: Mr. James P. Fox

Other Judicial Officers Present:

Judge J. Richard Couzens (Ret.)

Committee Staff

E&P: Ms. Jody Patel and Ms. Nancy Carlisle

Present:

RUPRO: Mr. Patrick O'Donnell and Ms. Camilla Kieliger

Staff Present:

Mr. Peter Allen, Mr. Cliff Alumno, Ms. Deborah C. Brown; Mr. Arturo Castro, Ms. Roma Cheadle, Mr. Curtis L. Child, Mr. Blaine Corren, Dr. Diane Cowdrey, Ms. Linda M. Cox, Ms. Kimberly DaSilva, Mr. Robert E. Fleshman, Ms. Cristina

Foti, Mr. Bruce Greenlee, Ms. Eve Hershcopf, Ms. Donna Hershkowitz,

Ms. Bonnie Rose Hough, Mr. Cory Jasperson, Mr. Greg Keil, Ms. Shelly La Botte, Ms. Abigail Madden, Mr. Patrick O'Donnell, Ms. Sharon Reilly, Ms. Leah Rose-Goodwin, Mr. Brian Simeroth, Dr. David A. Smith, Mr. Curt Soderlund, Ms. Laura Speed, Ms. Nancy Taylor, Mr. Zlatko Theodorovic, Ms. Adrienne Toomey, Mr.

Michael Wright

#### **OPEN MEETING**

#### Call to Order and Roll Call

The committee chairs called the meeting to order at 12:10 p.m., and committee staff took roll call.

#### JOINT MEETING: DISCUSSION AND ACTION ITEM (ITEM 1)

#### Item 1

#### Proposed New and Amended Rules for Advisory Groups (Action Required)

E&P and RUPRO jointly reviewed a proposal that would 1) adopt California Rules of Court for the Trial Court Facility Modification Advisory Committee, the Workload Assessment Advisory Committee, and the Judicial Branch Workers' Compensation Advisory Committee and 2) amend the existing rule 10.50 for the Governing Committee of the Center for Judicial Education and Research (CJER) and rule 10.2 relating to Judicial Council membership and terms.

Action: E&P approved the proposed new and amended rules California Rules of Court. The proposal was forwarded to RUPRO for its consideration. RUPRO approved the proposal and recommended its placement on the business agenda of the December Judicial Council meeting. E&P approved the proposal for the consent agenda for the December 12 Judicial Council meeting (see Item 4 below).

#### E&P MEETING: DISCUSSION AND ACTION ITEMS (ITEMS 2-5)

#### Item 2

# Workload Assessment Advisory Committee: Request to Form a Temporary Subcommittee (Action Required)

E&P reviewed a request from the Workload Assessment Advisory Committee to form a short-term ad hoc subcommittee to study special circumstance cases and the effect of those cases on the caseweights that are used to assess staff and judicial workload.

Action: E&P approved the Workload Assessment Advisory Committee request.

#### Item 3

#### Approval of Minutes (Action Required)

E&P reviewed the minutes of its October 21, 2014, meeting.

Action: E&P approved the minutes of its October 21, 2014, meeting.

#### Item 4

Agenda Setting for the December 11–12, 2014, Judicial Council Meeting (Action Required) E&P reviewed available draft reports and set the agenda for the December Judicial Council meeting.

Action: E&P approved the following items for placement on the December Judicial Council meeting agenda:

- Jury Instructions: New, Revised, Renumbered, and Revoked Civil Jury Instructions and Verdict Forms
- Revisions to Notification of Military Status Form (MIL-100)
- Criminal Justice Realignment: Imposition of Mandatory Supervision
- Forms: Technical Change to Response for Dissolution, Separation, and Nullity of Marriage and Domestic Partnership (Form FL-120)

- Judicial Administration: Rules for Advisory Groups
- Access to Visitation: Program Funding Allocation for Federal Grant Fiscal Years
   2015–2016 through 2017–2018
- California Parolee Reentry Court Evaluation Report
- Children's Waiting Rooms: Distribution Request Process for Children's Waiting Rooms and Distribution Request from a Court
- Court Interpreters: Revised Policy on Use of Unused Savings from Program 45.45.
- Judicial Administration: Revision of the Conflict of Interest Code for the Judicial Council
- Judicial Branch Report to the Legislature: Receipts and Expenditures from Local Courthouse Construction Funds
- Judicial Council: 2014 Legislative Policy Summary
- Judicial Council Report to the Legislature: Statewide Collection of Delinquent Court-Ordered Debt for Fiscal Year 2013–2014
- Judicial Council-Sponsored Legislation: Monetary Sanctions Against Jurors
- Judicial Council–Sponsored Legislation (Criminal Justice Realignment):
   Parole Holds
- Judicial Council–Sponsored Legislation: Recalling Sentences Under Criminal Justice Realignment
- Judicial Council-Sponsored Legislation: Appeals of the Imposition or Calculation of Fines and Fees
- Judicial Council-Sponsored Legislation: Evidentiary Objections in Summary Judgment Proceedings
- Judicial Council—Sponsored Legislation: Sentencing Report Deadlines
- Judicial Council–Sponsored Legislation: State Court Facilities Construction Fund Report
- Report to the Legislature: Disposition of Criminal Cases According to the Race and Ethnicity of the Defendant
- Uniform Bail and Penalty Schedules, 2015 Edition
- Judicial Workload Assessment: 2014 Update of Judicial Needs Assessment and Proposed Revision to Methodology Used to Prioritize New Judgeships
- Judicial Council Legislative Priorities: 2015
- Judicial Council: Implementation of Judicial Council Directives on Judicial Council Staff Restructuring
- Trial Courts: Quarterly Investment Report for Third Quarter of 2014
- Court Facilities: Lease Revenue Bond Issuances, Fall 2013—Spring 2014

#### ADJOURNMENT

There being no further business, the meeting was adjourned at 12:45 p.m.

Approved by the Executive and Planning Committee on [enter date]. Approved by the Rules and Projects Committee on [enter date].



# Trial Court Presiding Judges Advisory Committee (TCPJAC) Annual Agenda—2015 Approved by E&P:

#### I. ADVISORY BODY INFORMATION

Chair:	Hon. Marsha G. Slough, Presiding Judge of the Superior	Hon. Marsha G. Slough, Presiding Judge of the Superior Court of San Bernardino County							
Staff:	Ms. Deirdre Benedict, Leadership Services Division								

#### **Advisory Body's Charge:**

The Trial Court Presiding Judges Advisory Committee contributes to the statewide administration of justice by monitoring areas of significance to the justice system and making recommendations to the Judicial Council on policy issues affecting the trial courts. (Cal Rules of Court, rule 10.46(a)-(b)):

- (1) Recommend methods and policies within its area of focus to improve trial court presiding judges' access to and participation in council decision making, increase communication between the council and the trial courts, and provide for training programs for judicial and court support staff;
- (2) Respond and provide input to the Judicial Council, appropriate advisory committees, or the Administrative Office of the Courts on pending policy proposals and offer new recommendations on policy initiatives in the areas of legislation, rules, forms, standards, studies, and recommendations concerning court administration; and
- (3) Provide for liaison between the trial courts and the Judicial Council, its advisory committees, task forces, and working groups, and the Administrative Office of the Courts.

#### **Advisory Body's Membership:**

- TCPJAC: Per rule 10.46(c), TCPJAC consists of the presiding judges from the 58 California Superior Courts.
- **TCPCAC Executive Committee:** Consists of 18 members—all presiding judges from the nine counties with 48 or more judges; two presiding judges from counties with 2 to 5 judges; three presiding judges from counties with 6 to 15 judges; and four presiding judges from counties with 16 to 47 judges.

Final Draft: 12-03-14

#### **Subgroups/Working Groups:**

- TCPJAC/CEAC Joint Legislation Working Group
- TCPJAC/CEAC Joint Rules Working Group
- TCPJAC/CEAC Joint Trial Court Efficiencies and Innovations Working Group
- New TCPJAC/CEAC Joint Court Facilities Working Group
- New TCPJAC/CEAC Joint Court Technology Working Group
- New TCPJAC/CEAC Joint Working Group on Court Fees
- New TCPJAC/CEAC Joint CLETS Working Group
- TCPJAC Legislative Outreach Working Group

### **Advisory Body's Key Objectives for 2015:**

- Increase legislative and executive branch understanding of trial court operations and funding needs;
- Develop, review, and provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms;
- Develop, review, comment, and make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) bills sponsored by other parties that may impact court administration;
- Review, comment, and make recommendations on policies, standards, and actions related to the development, maintenance, and enhancement of technological improvements for the trial courts;
- Identify efficient and effective trial court programs and practices that provide greater access to justice;
- Review, comment, and make recommendations on policies, standards, and actions related to the implementation of criminal justice realignment efforts;
- Review, comment, and recommend policies related to acquisition, design, and construction of new court facilities and renovation and maintenance of existing facilities;
- Develop, review, comment, and make recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration; and
- Meet periodically with the Chief Justice, the Judicial Council's Administrative Director and the three division chiefs regarding matters affecting the operation of trial courts.

#### II. ADVISORY BODY PROJECTS

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
1.	Develop, Review, Comment, and Make Recommendations on Proposed Legislation to Establish New and/or Amend Existing Laws  Through the TCPJAC/CEAC Joint Legislation Working Group (JLWG), monitor proposed and existing legislation that has a significant operational and/or administrative impact on the trial courts.  The JLWG will subsume the work of the Trial Court Legislative Efficiencies Working Group (TCLEWG) in 2015.  This includes reviewing proposals to create, amend, or repeal statutes to achieve cost	1	Judicial Council Direction:  Goal II: Independence and Accountability  Objective 2. Partner with other branches and the public to secure constitutional and statutory amendments that will strengthen the Judicial Council's authority to lead the judicial branch.  Objective 3: Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice.  Goal III: Modernization of Management and Administration	Ongoing	Comments on proposed legislation and recommendations to PCLC on behalf of TCPJAC and CEAC.  Identify high-priority legislative proposals for the trial courts and request PCLC's consideration of these proposals

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<sup>&</sup>lt;sup>1</sup> All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or *a program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.
<sup>2</sup> For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	savings or greater efficiencies for the trial courts and recommending proposals for the future consideration of the Policy Coordination and Liaison Committee (PCLC).		Objective 4: Uphold the integrity of court orders, protect court user safety, and improve public understanding of compliance requirements; improve the collection of fines, fees, and forfeitures statewide.  Objective 5: Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.  Origin of Project: California Rule of Court 10.46(b)(2)  Resources: Trial Court Liaison office (TCLO) and Governmental Affairs.		
			Subject matter presentation and expertise. Staffing of working group.		
			Key Objective Supported:		
			Develop, review, comment, and make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) bills sponsored by other parties that may impact court administration.		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
2.	Project  Provide Review and Make Recommendations on the Rule Making Process, and on Proposed and Existing Rules of Court  Through the TCPJAC/CEAC Joint Rules Working Group, monitor proposed and existing rules that have a significant fiscal and/or operational impact on the trial courts.	Priority <sup>2</sup>	Judicial Council Direction:  Goal II: Independence and Accountability  Objective 3: Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice.  Goal III: Modernization of Management and Administration  Objective 4: Uphold the integrity of court orders, protect court user safety, and improve public understanding of compliance requirements; improve the collection of fines, fees, and forfeitures statewide.  Objective 5: Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.  Goal VI: Branchwide Infrastructure		
			and Service Excellence  Objective 4: Implement new tools to facilitate the electronic exchange of court information while balancing		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			privacy and security.		
			<b>Origin of Project:</b> California Rule of Court 10.46(b)(2)		
			<b>Resources:</b> Trial Court Liaison office (TCLO) and Governmental Affairs (OGA). Subject matter presentation and expertise. Staffing of working group.		
			Key Objective Supported:		
			<ul> <li>Develop, review, and provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms.</li> </ul>		
3.	Encourage Cost Savings and Greater Efficiencies for the Trial Courts  Through the TCPJAC/CEAC Joint Trial Court Efficiencies and Innovations Working Group (TCEIWG) continue efforts and activities that support sharing information on efficient and effective trial court programs through the Innovation Knowledge Center on Serranus and the Branch Efficiencies section of the <a href="https://www.courts.ca.gov">www.courts.ca.gov</a> public website.	1	Judicial Council Direction: Goal II: Independence and Accountability Objective 3: Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice. Goal III: Modernization of Management and Administration Objective 2: Evaluate and improve management techniques, allocation of funds, internal operations, and services; support the sharing of	Ongoing	Provide assistance to requesting courts, hold business process reengineering (BPR) workshops, and maintain the online BPR resource page.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	This working group subsumes the activities of the former TCPJAC/CEAC Joint Trial Court Business Process Reengineering Working Group that will continue to provide training to interested courts in implementing business process reengineering as well as maintain the online Trial Court		effective management practices branchwide. <b>Objective 4:</b> Uphold the integrity of court orders, protect court user safety, and improve public understanding of compliance requirements; improve the collection of fines, fees, and forfeitures statewide. <b>Objective 5:</b> Develop and implement		
	Business Process Reengineering resource page now loaded onto the Innovation Knowledge Center.  Projects planned for 2015 include: focused outreach targeting case types/programs of interest to the branch and the		effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.  Origin of Project: Directive of the Judicial Council.		
	legislature; ongoing marketing and encouraging the use of the Knowledge Center; and a presentation to the Judicial Council on the one-year anniversary launch of the Innovation Knowledge Center,		Resources: Trial Court Liaison office, Legal Services, Center for Judiciary Education and Research, and Governmental Affairs. Subject matter presentation and expertise. Staffing of working group.		
	highlighting previous accomplishments and inviting Judicial Council recognition of efficient and effective programs. In February 2015, one, two-day Business Process Reengineering workshop will be held in Contra Costa Superior Court for approximately 30-40 participants.		<ul> <li>Key Objectives Supported:         <ul> <li>Increase legislative and executive branch understanding of trial court operations and funding needs.</li> </ul> </li> <li>Identify efficient and effective trial court programs and practices that provide greater access to justice.</li> </ul>		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity	
4.	Review and Make Recommendations on Court Facilities Proposals and Recommendations.  A new TCPJAC/CEAC Joint Court Facilities Working Group would provide an opportunity for PJs and CEOs to review and provide input into court facilities proposals and recommendations that have a direct impact on court operations.  This new working group grows out of the ad hoc joint working group that TCPJAC and CEAC formed in 2014 to provide comprehensive and constructive feedback to the Court Facilities	Priority <sup>2</sup> 2	Judicial Council Direction:  Goal VI: Branchwide Infrastructure for Service Excellence  1. Provide and maintain safe, dignified, and fully functional facilities for conducting court business.  2. Provide judicial branch facilities that accommodate the needs of all court users, as well as those of justice system partners.  Origin of Project: In 2014, TCPJAC/CEAC formed an ad hoc working group to provide comprehensive and constructive feedback on the court set templates to the Court Facilities Advisory Committee.			
	Advisory Committee (CFAC) on proposed court set templates that it had distributed to the judicial branch for comment.  This working group will continue to be involved and engaged in the court-set	s on nat il		Resources: Court Facilities Advisory Committee, Trial Court Facilities Modification Advisory Committee, Trial Court Liaison office (TCLO) and Capital Programs. Subject matter presentation and expertise. Staffing of working group.		
	templates project; but TCPJAC and CEAC would like to broaden the scope to provide		Key Objective Supported:  • Review, comment, and			
	input and feedback on various facility issues being addressed by the CFAC and the Trial Court		recommend policies related to acquisition, design, and construction of new court			

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	Facility Modification Advisory Committee. A recent example is the repurposing of vacant facilities throughout the branch.		facilities and renovation and maintenance of existing facilities.		
	The TCPJAC/CEAC committees propose a new joint working group of presiding judges and court executive officers be formed to serve as a resource to these two committees and to provide input on the impact of proposed recommendations on trial court operations.				
5.	Review and Make Recommendations on Court Technology Proposals and Recommendations.	2	Judicial Council Direction: Goal VI: Branchwide Infrastructure for Service Excellence B. Technology Infrastructure	Ongoing	Input into the development and future adoption of court technology proposals and recommendations
	A new TCPJAC/CEAC Joint Court Technology Working Group would provide an opportunity for PJs and CEOs to review and provide early input on court technology proposals and recommendations that have a direct impact on court operations.  TCPJAC and CEAC seek an opportunity to provide comment and input on technology policy recommendations at a stage		Policy 1: Encourage and sustain innovation in the use of new information-sharing technologies.  Policy 2: Establish a branchwide technology infrastructure that provides the hardware, software, telecommunications, and technology management systems necessary to meet the case management, information-sharing, financial, human resources, education, and administrative technology needs of the judicial branch and the public.  Policy 3: Develop and maintain		that have a direct impact on court operations.
	and input on technology policy		the judicial branch and the public.		

#	Project <sup>1</sup>	<b>Priority</b> <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	considered.  The TCPJAC and CEAC would like to assist in providing input and feedback on various technology issues being addressed by the Judicial Council Technology Committee (JCTC) and the Court Technology Advisory Committee (CTAC). They propose a new joint working group of presiding judges and court executive officers be formed to serve as a resource to these two technology committees and to provide input on the impact of proposed recommendations on trial court operations.		judicial branch that are coordinated with the branch's technology initiatives and address needs such as business continuity planning and meaningful performance standards.  Origin of Project: TCPJAC and CEAC  Resources: Trial Court Liaison office and Information Technology Services. Subject matter presentation and expertise. Staffing of working group.  Key Objectives Supported:  Review, comment, and make recommendations on policies, standards, and actions related to the development, maintenance, and enhancement of technological improvements for the trial courts;  Develop, review, comment, and/or make recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration.		
6.	Study Issues Related to Courts Charging Government Entities, Other Courts, and the Public for Services and Records On November 7, 2014, Justice	2	Judicial Council Direction:  Goal III: Modernization of Management and Administration  Objective 4. Uphold the integrity of	2016	Analysis of related issues and possible recommendations to the Judicial Council

#	Project <sup>1</sup>	<b>Priority</b> <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	Douglas Miller (on behalf of the Executive and Planning Committee) authorized the creation of the new TCPJAC/CEAC Joint Working Group on Court Fees. The new		court orders, protect court user safety, and improve public understanding of compliance requirements; improve the collection of fines, fees, and forfeitures statewide.		
	working group will provide an opportunity for presiding judges and court executive officers to		Origin of Project: TCPJAC and CEAC		
	examine the many complex issues associated with courts' practices relating to charging government entities, other		Resources: Trial Court Budget Advisory Committee, Trial Court Liaison office, Governmental Affairs, Finance and Local Services, Subject		
	courts, and the public for various services and records. Because of the possibility of related		Finance, and Legal Services. Subject matter presentation and expertise. Staffing of working group.		
	legislation being introduced in January 2015, it was necessary to form this working group on an expedited basis so that it could immediately assess any new legislation.		<ul> <li>Key Objectives Supported:</li> <li>Develop, review, comment, and/or make recommendations on proposed legislation to establish new and/or amend existing laws</li> </ul>		
	The following is the proposed charge of this working group:		including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3)		
	Assess and evaluate issues raised by the Department of Justice (DOJ) and other governmental entities about		bills sponsored by other parties that may impact court administration.		
	fees that courts charge to the DOJ, other governmental entities, and to other courts;		Develop, review, comment, and/or make recommendations on various Judicial Council task force reports,		
	Identify and address issues among courts concerning fees		other studies, and other recommendations aimed at		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<ul> <li>charged to the public;</li> <li>Consider clarification of current statutes that address court service fees and fees related to electronic court records; identify any potential barriers, ambiguous language or gaps in the law that should be addressed;</li> <li>Consider how, when, and if fees should be charged to justice system partners, other courts, and the public.</li> </ul>		improving court administration.		
7.	Enhanced Access to the Criminal Law Enforcement Technology System (CLETS)  Through a new TCPJAC/CEAC Joint CLETS Working Group, the TCPJAC and CEAC would like to work to develop proposed legislation for Judicial Council sponsorship and to seek related regulatory changes to allow court probate investigators and child custody mediators access to information from the Criminal Law Enforcement Technology System (CLETS) for purposes of conducting their investigations for adoption, guardianship, and child custody/visitation cases.	2	Judicial Council Direction: Goal III: Modernization of Management and Administration Objective 2. Evaluate and improve management techniques, allocation of funds, internal operations, and services: support the sharing of effective management practices branchwide. Objective 5. Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases. Origin of Project: CEAC (November 6, 2014 business meeting)  Resources: Trial Court Liaison office	2016	Enhanced access to CLETS for probate investigators and child custody mediators

#	Project <sup>1</sup>	<b>Priority</b> <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	The Department of Justice (DOJ) maintains CLETS. It has denied access to CLETS for family court mediators. It has granted access for probate investigators in guardianship cases only where it is an emergency placement case, under Welfare and Institutions code section 16504.5.  The inability of probate investigators to access other needed information from CLETS, despite statutory authorization for them to obtain criminal history information, poses enormous practical problems for the courts. The investigators responsible for determining whether a prospective adopting parent or prospective guardian is an appropriate placement have no ready means of accessing the criminal history information they need to make their investigations. Similarly, child custody mediators are unable to obtain information about parents' criminal backgrounds that may be critical to a custody recommendation.  Any change to the policies		(TCLO), Governmental Affairs, and possibly Criminal Law Advisory Committee, Family and Juvenile Law Advisory Committee, and Probate and Mental Health Advisory Committee  Key Objective Supported:  • Develop, review, comment, and/or make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) bills sponsored by other parties that may impact court administration	Date/Status	Outcome of Activity
	Tiny change to the policies	Ţ.			

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	regarding access to CLETS will require two steps:  1. Statutory changes that will specifically grant CLETS access to probate investigators for use in adoption and guardianship cases generally, and to child custody mediators for investigations in child custody and visitation matters.  2. Changes in FBI policy to allow such access.  Advocacy for both of these changes will require working closely with the DOJ, which is responsible for implementing both state law regarding CLETS access and FBI policy (Penal Code section 11077).				
8.	Review Rule 10.620 (Public access to administrative decisions of trial courts)  Rule 10.620 addresses public access to certain administrative decisions made by trial courts. It sets forth requirements for trial courts to provide public notice, and seek public input, regarding	2	Judicial Council Direction:  Goal IV: Quality of Justice and Service to the Public  Origin of Project: Legal Services  Resources: Trial Court Liaison office and Legal Services.	2016	Amendments to rule 10.620
	and seek public input, regarding budget recommendations made				

#	Project <sup>1</sup>	<b>Priority</b> <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	by trial courts to the Judicial Council and specified administrative decisions. The decisions subject to public notice and comment requirements include any decision to close or reduce the hours of a court location. (Cal. Rules of Court, rule 10.620(d)(3).) When notice is required, the rule specifies the ways in which it must be given, including a requirement that notice be posted at all court locations that accept papers for filing. (Cal. Rules of Court, rule 10.620(g)(3).)  Amendments to Government Code section 68106, which took effect on January 1, 2012, created new requirements for public notice and comment when trial courts decide to close court facilities or reduce hours. These requirements are inconsistent with the requirements of rule 10.620, and trial courts have faced confusion in determining how notice is to be provided. The TCPJAC and CEAC will jointly propose amending the rule to repeal those provisions that are inconsistent with Gov. Code section 68106, leaving the statute as the sole governing		• Develop, review, and/or provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms to improve the efficiency or effectiveness of the courts.		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	authority regarding notice where it is applicable, and to make the language of the rule regarding posting of notice at court facilities consistent with section 68106.				
9.	Enhanced Access to the Criminal Law Enforcement Technology System (CLETS)  The TCPJAC and CEAC would like to work jointly to develop proposed legislation for Judicial Council sponsorship and to seek related regulatory changes to allow court probate investigators and child custody mediators' access to information from the Criminal Law Enforcement Technology System (CLETS) for purposes of conducting their investigations for adoption, guardianship, and child custody/visitation cases.  The Department of Justice (DOJ) maintains CLETS. It has denied access to CLETS for family court mediators. It has granted access for probate investigators in guardianship cases only where it is an emergency placement case, under Welfare and	2	Judicial Council Direction:  Goal III: Modernization of Management and Administration  Objective 2. Evaluate and improve management techniques, allocation of funds, internal operations, and services: support the sharing of effective management practices branchwide.  Objective 5. Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.  Origin of Project: CEAC (November 6, 2014 business meeting)  Resources: Trial Court Liaison office (TCLO), Governmental Affairs, and possibly Criminal Law Advisory	2016	Enhanced access to CLETS for probate investigators and child custody mediators

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	Institutions code section 16504.5.  The inability of probate		Committee, Family and Juvenile Law Advisory Committee, and Probate and Mental Health Advisory Committee.		•
	investigators to access other		Key Objective Supported:		
	investigators to access other needed information from CLETS, despite statutory authorization for them to obtain criminal history information, poses enormous practical problems for the courts. The investigators responsible for determining whether a prospective adopting parent or prospective guardian is an appropriate placement have no ready means of accessing the criminal history information they need to make their investigations. Similarly, child custody mediators are unable to obtain information about parents' criminal backgrounds that may be critical to a custody recommendation.  Any change to the policies regarding access to CLETS will require two steps:  3. Statutory changes that will specifically grant CLETS access to probate investigators for use in adoption and guardianship cases		<ul> <li>Develop, review, comment, and/or make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) bills sponsored by other parties that may impact court administration.</li> </ul>		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	generally, and to child custody mediators for investigations in child custody and visitation matters.  4. Changes in FBI policy to allow such access.  Advocacy for both of these changes will require working closely with the DOJ, which is responsible for implementing both state law regarding CLETS access and FBI policy (Penal Code section 11077).				
10	Revise Procedure for Presiding Judges' Review and Investigation of Complaints Against Subordinate Judicial Officers (SJOs)  Proposed revisions to California Rules of Court rule 10.703 (Subordinate judicial officers: complaints and notice requirements) that would (1) simplify the procedures a presiding judge must follow while reviewing and investigating complaints against subordinate judicial officers, and (2) afford a presiding judge greater discretion in conducting	2(b)	Judicial Council Direction: Goal III: Modernization of Management and Administration  Objective 4: Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.  Origin of Project(s): Effort originated from 2010 Commission on Judicial Performance (CJP) letter to AOC proposing amendments to rule 10.703. A working group was appointed to	2016	Possible amendments to rule 10.703

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	an investigation and determining appropriate action.		explore the issue and consider support of amendments. (See TCPJAC 2012 Annual Agenda, Project # 9).		
			<b>Resources:</b> Trial Court Liaison office and Legal Services.		
			Key Objective Supported:		
			<ul> <li>Develop, review, and provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms.</li> </ul>		
11	Continue to Strengthen Role of	1	Judicial Council Direction:	Ongoing	Develop legislative
	Presiding Judges in Legislative		Goal II: Independence and		strategy.
	and Executive Outreach		Accountability		Strengthen
	The Presiding Judges Legislative Outreach Working Group works with the Judicial Council's Administrative Director, Governmental Affairs, and Fiscal Services to develop strategy and discussion points for conversations with key members of the legislative and executive branches. TCPJAC will also provide outreach to the Executive Branch, specifically		Objective 3: Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice.  Origin of Project: TCPJAC/CEAC Resources: Trial Court Liaison office (TCLO), Governmental Affairs and Finance. Subject matter presentation		relationships with legislative leaders.
	the Department of Finance, regarding trial court funding.		and expertise. Staffing of working group.		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<ul> <li>Key Objective Supported:</li> <li>Increase legislative and executive branch understanding of trial court operations and funding needs.</li> </ul>		
12	Serve as a Resource  Serve as a subject matter resource for Judicial Council divisions and other council advisory groups to avoid duplication of efforts and contribute to development of recommendations for council action.	2	Judicial Council Direction: Rule 10.46(b)  Origin of Project: Respective Judicial Council divisions and council advisory bodies.  Resources: Respective Judicial Council divisions and council advisory bodies.  Key Objectives Supported: All	Ongoing	Input, feedback, data, and/or recommendations to requesting Judicial Council division or council advisory body

# III. STATUS OF 2014 PROJECTS:

[List each of the projects that were included in the 2014 Annual Agenda and provide the status for the project.]

#	Project	Completion Date/Status
1	Strengthen Role of Presiding Judges in Legislative Outreach  The Presiding Judges Legislative Outreach Working Group works with the Administrative Director of the Courts, the Office of Governmental Affairs, and the Fiscal Services Office, to develop strategy and discussion points for conversations with key members of the legislative and executive branches regarding trial court funding.	In 2014, the Legislative Outreach Committee continued to focus on presiding judge communication and interaction with the legislature.  They conducted a survey to gather information from the trial courts on the impacts of budget cuts, and played a pivotal role in the successful restoration of \$100 million for the trial courts, and the defeat of AB 2332, the public contracting bill  The Legislative Outreach Committee will continue its efforts in
2	Jury Reform  In 2014, TCPJAC and its Jury Working Group focused its advocacy efforts on supporting the California Judges Association (CJA)-sponsored legislation (SB 794). SB 794, as currently proposed, would decrease the number of preemptory challenges allowed in criminal cases if the offense charged is punishable with a maximum term of imprisonment of one year or less. It would also lower the number of additional challenges which may be exercised separately, when two or more defendants are jointly tried.	The TCPJAC Jury Working Group presented a recommendation to the full TCPJAC Committee at the January 24, 2013 business meeting. The recommendation proposed to (1) reduce the number of statutorily allocated peremptory challenges as well as (2) reduce the size of juries in selected types of cases. (see "Reducing Peremptory Challenges and Reducing Jury Size") Concurrent to the working group's efforts, the California Judges Association (CJA) sponsored legislation (SB 794) that proposed a very modest reduction in jury size. The Judicial Council had a support position on SB 794 and participated with CJA on their advocacy efforts. SB 794 died in 2014.
3	Develop, Review, Comment, and Make Recommendations on Proposed Legislation to Establish New and/or Amend Existing Laws	The Jury Working Group will delay any proposal for Judicial Council-sponsored jury reform legislation until CJA jury efforts are concluded.  The TCPJAC/CEAC Joint Working Group on Legislation remained active throughout 2014 providing review and, on behalf of the TCPJAC and CEAC, made recommendations on proposed and existing legislation that have a significant operational and/or
	Through the TCPJAC/CEAC Joint Legislation Working Group, monitor proposed and existing legislation that have a significant	administrative impact on the trial courts.

operational and/or administrative impact on the trial courts. TCPJAC/CEAC Joint Trial Court Efficiencies Working Group (TCLEWG) The working group will review proposals to create, amend, or In October and November 2012, the TCLEWG reconvened to repeal statutes to achieve cost savings or greater efficiencies for the take a fresh look at the efficiency and cost-savings proposals that trial courts and recommend proposals for the future consideration were not adopted for Judicial Council sponsorship in previous of the Policy Coordination and Liaison Committee (PCLC). years. In December 2012, the council approved seventeen of the proposals for council-sponsored legislation. Many of the efficiency proposals endorsed for council sponsorship as legislation were included in early versions of the Governor's FY 12-13 budget, but were removed during budget negotiations with the Legislature. In 2013, one of the seventeen efficiency proposals approved for council-sponsorship in December 2012 was ultimately signed into law. AB 1293 (Bloom - Santa Monica) adds a probate fee of \$40 for the filing of a request for special notice in decedents' estate, guardianship, conservatorship, and trust proceedings. Other proposals were included in this bill and in other bills, but most of those efforts failed in the Legislature. The JLWG will subsume the work of the TCLEWG in 2015 and will consider suggested statutory changes that were previously submitted by court leaders that had been identified by TCEWG as medium to long-term projects. The JLWG will also ask the courts to identify any new statutory changes that could result in additional revenue or cost savings. Create a TCPJAC Working Group on Trial Court Leadership Provide input on judicial branch leadership educational opportunities to CJER Governing Committee **Education** Convene a group of recently or soon to be past-Presiding Judges to provide input on judicial branch educational opportunities for Revised *Making Judicial Assignments* and provided to attendees

at CJER's Supervising Judges Institute in March, 2014 and the

PJ/CEO Court Management Program in November, 2014.

judicial branch leadership and to review and revise the 2006

Assignments"

TCPJAC publication on judicial assignments *Making Judicial* 

# Provide Review and Make Recommendations on the Rule Making Process, and on Proposed and Existing Rules of Court

Through the TCPJAC/CEAC Joint Rules Working Group, monitor proposed and existing rules that have a significant fiscal and/or operational impact on the trial courts.

Provided review and, on behalf of the TCPJAC and CEAC, made recommendations on proposed and existing rules that have a significant operational and/or administrative impact on the trial courts.

# 6 Encourage Cost Savings and Greater Efficiencies for the Trial Courts –

<u>TCPJAC/CEAC Joint Trial Court Business Process Reengineering</u> Working Group (TCBPR)

In April and November 2014, three day-long workshops for approximately 100 court employees were conducted. The workshops provided participants with instruction in BPR, applicable tools, information on available resources, and the opportunity to develop a reengineering plan. The working group continues to maintain the online TCBPR resource page that will include a central repository of court reengineering improvement processes, BPR resource information, templates, and toolkits.

Note: Effective May 2014, the TCBPR Working Group was subsumed into the newly established TCPJAC/CEAC Joint Trial Court Efficiencies and Innovations (TCEI) Working Group and further information regarding BPR activities will be included as part of the TCEI activities in the 2015 Annual Agenda.

# TCPJAC/CEAC Joint Trial Court Efficiencies Working Group (TCLEWG)

In October and November 2012, the TCLEWG reconvened to take a fresh look at the efficiency and cost-savings proposals that were not adopted for Judicial Council sponsorship in previous years.

In December 2012, the council approved seventeen of the proposals for council-sponsored legislation. Many of the efficiency proposals endorsed for council sponsorship as legislation were included in early versions of the Governor's FY 12-13 budget, but were removed during budget negotiations with the Legislature.

In 2013, one of the seventeen efficiency proposals approved for council-sponsorship in December 2012 was ultimately signed into law. AB 1293 (Bloom - Santa Monica) adds a probate fee of \$40 for the filing of a request for special notice in decedents' estate, guardianship, conservatorship, and trust proceedings. Other proposals were included in this bill and in other bills, but most of those efforts failed in the Legislature.

The TCLEWG will reconvene in 2014 to consider suggested statutory changes that were previously submitted by court leaders that had been identified by TCEWG as medium to long-term projects. The TCLEWG will also ask the courts to identify any new statutory changes that could result in additional revenue or cost savings.

		TCPJAC/CEAC Joint Trial Court Business Process
		Reengineering Working Group (TCBPR)
		In April and November 2014 two day-long workshops for
		approximately 100 court employees were conducted. The
		workshops provided participants with instruction in BPR,
		applicable tools, information on available resources, and the
		opportunity to develop a reengineering plan. The working group
		continues to maintain the online TCBPR resource page that will
		include a central repository of court reengineering improvement
		processes, BPR resource information, templates, and toolkits.
		Note: Effective May 2014, the TCBPR Working Group was
	· ·	subsumed into the newly established TCPJAC/CEAC Joint Trial
		Court Efficiencies and Innovations (TCEI) Working Group and
		further information regarding BPR activities will be included as
		part of the TCEI activities in the 2015 Annual Agenda.
7	Revise Procedure of Presiding Judges Reviewing and	Possible amendments to rule 10.703 - TCPJAC's proposal to be
	Investigating Complaints Against Subordinate Judicial	considered at a 2015 Judicial Council meeting.
	Officers (SJOs)	
	Dropogod revisions to Colifornia Dulas of Count rule 10 702	
	Proposed revisions to California Rules of Court rule 10.703 (Subordinate judicial officers: complaints and notice requirements)	
	that would (1) simplify the procedures a presiding judge must	
	follow while reviewing and investigating complaints against	
	subordinate judicial officers, and (2) afford a presiding judge	
	greater discretion in conducting an investigation and determining	
	appropriate action.	
8	Review rule 10.742(c) (Judicial Administration - Use of	July 2015
	Attorneys as Court-appointed Temporary Judges) – The	
	proposed rule change was referred to the TCPJAC/CEAC Joint	
	Rules Working Group for review and vetting in 2014. In October	
	and November 2014, the TCPJAC and CEAC reviewed and	
	approved the proposed amendments to this rule as developed by the	
	Joint Rules Working Group. It is anticipated that this rule proposal	
	will be included in the Winter rule proposal cycle and the	
	amendments will become effective on July 1, 2015.	
1	<b>V</b>	

	Daviery wels 10 472 (Minimum Education Decuipements for	July 2015
`	Review rule 10.473 (Minimum Education Requirements for	July 2013
	<b>Trial Court Executive Officers</b> ) – The proposed rule change was	
	referred to the TCPJAC/CEAC Joint Rules Working Group for	
	review and vetting in 2014. In October and November 2014, the	
	TCPJAC and CEAC reviewed and approved the proposed	
	amendments to this rule as developed by the Joint Rules Working	
	Group. It is anticipated that this rule proposal will be included in	
	1 1	
	the Winter rule proposal cycle and the amendments will become	
	effective on July 1, 2015.	
N/	A Review Rule 10.630 (Reporting of Reciprocal Assignment	July 2015
	<b>Orders</b> ) – The proposed rule change was referred to the	
	TCPJAC/CEAC Joint Rules Working Group for review and vetting	
	in 2014. In October and November 2014, the TCPJAC and CEAC	
	reviewed and approved the proposed amendments to this rule as	
	developed by the Joint Rules Working Group. It is anticipated that	
	this rule proposal will be included in the Winter rule proposal cycle	
	and the amendments will become effective on July 1, 2015.	

# IV. Subgroups/Working Groups - Detail

### **Subgroups/Working Groups:**

### TCPJAC/CEAC Joint Rules Working Group (Subject to CRC 10.75)

This <u>standing</u> working group meets on behalf of the TCPJAC and CEAC to review and provide input on proposals to establish, amend, and/or repeal the California Rules of Court, Standards of Judicial Administration, and Judicial Council forms. As necessary, the working group will refer matters to the TCPJAC and/or CEAC that the members determine need broader consideration. The working group convenes throughout the year by conference call to review proposals and evaluate the fiscal/operational impact of proposals on the trial courts.

Number of members:12

Number of advisory group members: The TCPJAC has six (6) members participating in the TCPJAC/CEAC Joint Rules Working Group.

*Number and description of additional members (not on this advisory group):* In addition to the members from TCPJAC, there are six (6) other members of the TCPJAC/CEAC Joint Rules Working Group from the Court Executives Advisory Committee (CEAC).

Date formed: 2001

*Number of meetings or how often the group meets:* The working group meets by conference call approximately 7 times a year.

**Ongoing** 

# TCPJAC/CEAC Joint Legislation Working Group (Subject to CRC 10.75)

This standing working group meets on behalf of the TCPJAC and CEAC to review, comment, and make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) review and comment on bills sponsored by other parties that may impact court administration. As necessary, the working group will refer matters to TCPJAC and/or CEAC that the members determine need broader consideration. The working group convenes throughout the year by conference call. In 2015, this working group will also meet as needed to review proposals to create, amend, or repeal statutes to achieve cost savings or greater efficiencies for the trial courts and recommend proposals for the future consideration of the Policy Coordination and Liaison Committee (PCLC).

Number of members: 20

*Number of advisory group members:* The TCPJAC has ten (10) members participating in the TCPJAC/CEAC Joint Legislation Working Group.

*Number and description of additional members (not on this advisory group):* In addition to the members from TCPJAC, there are ten (10) other members of the TCPJAC/CEAC Joint Legislation Working Group from the Court Executives Advisory Committee (CEAC).

Date formed: 2001

*Number of meetings or how often the group meets:* The working group meets via conference call every three –four weeks about a week prior to each PCLC meeting, and as issues spring up.

**Ongoing** 

#### TCPJAC/CEAC Joint Trial Court Efficiencies and Innovations Working Group (Not subject to CRC 10.75)

This group promotes efforts and activities that support sharing information on efficient and effective trial court programs through the Innovation Knowledge Center on Serranus and the Branch Efficiencies section of the <a href="https://www.courts.ca.gov">www.courts.ca.gov</a> public website.

Number of members: 12

*Number of advisory group members:* The TCPJAC has six (6) members participating in the TCPJAC/CEAC Joint Trial Efficiencies and Innovations Working Group.

*Number and description of additional members (not on this advisory group):* In addition to the members from TCPJAC, there are six (6) other members from the Court Executives Advisory Committee (CEAC) participating in the TCPJAC/CEAC Joint Trial Efficiencies and Innovations Working Group.

Date formed: 2014

*Number of meetings or how often the group meets:* The full working group will meet approximately four times per year by phone. Its sub-working groups will meet approximately 15 times this year by conference call.

Ongoing

## **New TCPJAC/CEAC Joint Court Facilities Working Group (Not subject to CRC 10.75)**

This new <u>standing</u> joint working group would review and make recommendations on court facilities proposals and recommendations, and serve as a resource to the Court Facilities Advisory Committee and the Trial Court Facility Modification Advisory Committee. This working group will continue to be involved and engaged in the court-set templates project; but TCPJAC and CEAC would like to broaden the scope to review and provide input on various facilities issues being addressed by the Court Facilities Advisory Committee and the Trial Court Facility Modification Advisory Committee.

Number of members: 8

*Number of advisory group members:* The TCPJAC would have four (4) members participating in the TCPJAC/CEAC Joint Court Facilities Working Group.

*Number and description of additional members (not on this advisory group):* In addition to the members from TCPJAC, there are four (4) other members of the TCPJCA/CEAC Joint Court Facilities Working Group from the Court Executives Advisory Committee (CEAC).

Date formed: 2014

*Number of meetings or how often the group meets:* It is estimated that the working group will meet by conference call approximately 4-5 times a year.

**Ongoing** 

### **New TCPJAC/CEAC Joint Court Technology Working Group (Not subject to CRC 10.75)**

This new <u>standing</u> TCPJAC/CEAC Joint Court Technology Working Group would be formed to serve as a resource to the Judicial Council Technology Committee (JCTC) and the Court Technology Advisory Committee (CTAC). TCPJAC and CEAC seek an opportunity to provide comment and input on technology policy recommendations at a stage where input can be thoughtfully considered.

Number of members: 4

*Number of advisory group members:* The TCPJAC has four (4) members participating in the TCPJAC/CEAC Joint Court Technology Working Group.

*Number and description of additional members (not on this advisory group):* In addition to the four members from TCPJAC, there are four (4) other members of the TCPJAC/CEAC Joint Court Technology Working Group from the Court Executives Advisory Committee (CEAC).

Date formed: 2015

*Number of meetings or how often the group meets:* It is estimated that the working group will meet by conference call approximately 4-5 times a year.

**Ongoing** 

### New TCPJAC/CEAC Joint Working Group on Court Fees (Not subject to CRC 10.75)

On November 7, 2014, Justice Douglas Miller (on behalf of the Executive and Planning Committee) authorized the creation of this working group to evaluate and make recommendations to the TCPJAC and CEAC regarding, but not limited to, the following issues relating to court fees: 1) Assess and evaluate issues raised by the Department of Justice and other governmental entities about fees that courts charge to the DOJ, other governmental entities, and to other courts; 2) Identify and address issues among courts concerning fees charged to the public; 3) Consider clarification of current statutes that address court service fees and fees related to electronic court records; identify any potential barriers, ambiguous language or gaps in the law that should be addressed; and 4) Consider how, when, and if fees should be charged to justice system partners, other courts, and the public. Because of the possibility of related legislation being introduced in January 2015, it was necessary to form this working group on an expedited basis so that it could immediately assess any new legislation.

*Number of advisory body members on the subgroup or working group:* The TCPJAC has four (4) members participating in the TCPJCA/CEAC Joint Working Group on Court Fees.

*Number and description of additional members (not on this advisory body):* In addition to the four members from TCPJAC, there are four (4) other members of the TCPJAC/CEAC Joint Working Group on Court Fees from the Court Executives Advisory Committee (CEAC).

Date formed: 2015

*Number of meetings or how often the subgroup or working group meets:* It is estimated that the working group will meet by conference call approximately 5 times a year. An in-person meeting may also be required.

2016

## **New TCPJAC/CEAC Joint CLETS Working Group (Not subject to CRC 10.75)**

Purpose of subgroup or working group: Through a new TCPJAC/CEAC Joint CLETS Working Group, the TCPJAC and CEAC would like to work to develop proposed legislation for Judicial Council sponsorship and to seek related regulatory changes to allow court probate investigators and child custody mediators access to information from the Criminal Law Enforcement Technology System (CLETS) for purposes of conducting their investigations for adoption, guardianship, and child custody/visitation cases.

*Number of advisory body members on the subgroup or working group:* The TCPJAC will have four (4) members (estimated) participating in the TCPJAC/CEAC Joint CLETS Working Group.

*Number and description of additional members (not on this advisory body):* In addition to the four members from TCPJAC, there are four (4) other members of the TCPJAC/CEAC Joint CLETS Working Group from the Court Executives Advisory Committee (CEAC).

Date formed: 2015

*Number of meetings or how often the subgroup or working group meets:* It is estimated that the working group will meet by conference call approximately 5 times a year. An in-person meeting may also be required.

2016

# TCPJAC Legislative Outreach Working Group (Not subject to CRC 10.75)

The Presiding Judges Legislative Outreach Working Group works with the Administrative Director of the Judicial Council, Governmental Affairs, and Finance, to develop strategy and discussion points for conversations with key members of the legislative and executive branches regarding trial court funding.

Number of members:3

Number of advisory group members: The TCPJAC has 3 members participating in the Legislative Outreach Working Group.

Date formed: 2013

*Number of meetings or how often the group meets:* It is estimated that the working group will meet by conference call approximately 2-4 times a year. Individual members will meet with legislators in their district and/or the Capitol on an as-needed basis.

**Ongoing** 

**DRAFT 12/03/14** 

# Court Executives Advisory Committee (CEAC) Annual Agenda—2015

#### I. ADVISORY BODY INFORMATION

Chair:	Ms. Mary Beth Todd, Court Executive Officer, Superior Court of Sutter County
Staff:	Ms. Claudia Ortega, Leadership Services Division

Advisory Body's Charge: [Insert charge from Cal. Rules of Court, or the specific charge to the Task Force.]

The Court Executives Advisory Committee (CEAC) makes recommendations to the council on policy issues affecting the trial courts (Cal. Rules of Court, rule 10.48(a)).

In addition to this charge, the committee has the following additional duties (Cal. Rules of Court, rule 10.48(b)):

- 1) Recommend methods and policies to improve trial court administrators' access to and participation in council decision making;
- 2) Review and comment on legislation, rules, forms, standards, studies, and recommendations concerning court administration proposed to the council;
- 3) Review and make proposals concerning the Judicial Branch Statistical Information System or other large-scope data collection efforts:
- 4) Suggest methods and policies to increase communication between the council and the trial courts; and
- 5) Meet periodically with the Administrative Office of the Courts' executive team to enhance branch communications.

**Advisory Body's Membership:** [Insert total number of members and number of members by category.]

- CEAC: Per rule 10.48(c), CEAC consists of the court executive officers from the 58 California superior courts.
- Executive Committee of CEAC: 18 members. Per rule 10.48(d), the Executive Committee consists of the following members:
  - The nine court executive officers or interim/acting court executive officers from the nine trial courts that have 48 or more judges;
  - Four court executive officers from trial courts that have 16 to 47 judges;
  - Two court executive officers from trial courts that have 6 to 15 judges;
  - Two court executive officers from trial courts that have 2 to 5 judges; and
  - One at-large member appointed from the trial courts by the committee chair to a one-year term.

**Subgroups/Working Groups:** [List the names of each subgroup/working group, including groups made up exclusively of advisory body members and joint groups with other advisory bodies, and provide additional information about the subgroups/working groups in Section IV below. To request approval for the creation of a new subgroup/working group, include "new" before the name of the proposed subgroup/working group and describe its purpose and membership in Section IV below. <sup>1</sup>

Subcommittee or working group name:

- 1. TCPJAC/CEAC Joint Legislation Working Group
- 2. TCPJAC/CEAC Joint Rules Working Group
- 3. TCPJAC/CEAC Joint Trial Court Efficiencies and Innovations Working Group
- 4. New TCPJAC/CEAC Joint Court Facilities Working Group
- 5. New TCPJAC/CEAC Joint Court Technology Working Group
- 6. New TCPJAC/CEAC Joint Working Group on Court Fees
- 7. New TCPJAC/CEAC Joint CLETS Working Group
- 8. Nominations Subcommittee
- 9. Records Management Working Group
- 10. JBSIS Working Group

<sup>&</sup>lt;sup>1</sup> California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

#### **Advisory Body's Key Objectives for 2015:**

[An objective is a strategic aim, purpose, or "end of action" to be achieved. Enter as bullet points the advisory body's objectives for the coming year.]

- Address the unprecedented impact of past and possible future budget reductions to court operations by working with the Judicial Council to secure equitable, adequate, and sustainable funding for the trial courts that provides resources necessary to fully fund essential court operations without the need for court closures, reductions in compensation, or other service reductions;
- Identify strategies that will assist courts in mitigating multi-year budget reductions and partner with the Judicial Council to develop those strategies and address them within the branch and with the Legislature;
- Develop programs to assist trial courts with the review and reengineering of court processes to gain greater efficiency;
- Increase the legislative branch's and executive branch's understanding of trial court operations and funding needs.
- As an integral part of the success of the branch, advocate for the role of the administrator on key branch committees and projects, and advance the profession of court administration by demonstrating the value of the principles of court administration to the branch;
- Recommend, review and comment on policies that address data and record information storage, retrieval, reporting and sharing; information ownership; and information access control issues;
- Develop, review, and/or provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms to improve the efficiency or effectiveness of the courts;
- Develop, review, comment, and/or make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) bills sponsored by other parties that may impact court administration;
- Develop, review, comment, and/or make recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration; and
- Meet periodically with the Judicial Council's Administrative Director and three division chiefs regarding matters affecting the operation of trial courts.

#### II. ADVISORY BODY PROJECTS

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
1.	Develop, Review, Comment, and Make Recommendations on Proposed Legislation to Establish New and/or Amend Existing Laws  Through the TCPJAC/CEAC Joint Legislation Working Group (JLWG), monitor proposed and existing legislation that has a significant operational and/or administrative impact on the trial courts.	1	Judicial Council Direction: Goal II: Independence and Accountability Objective 2. Partner with other branches and the public to secure constitutional and statutory amendments that will strengthen the Judicial Council's authority to lead the judicial branch. Objective 3. Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice.  Goal III: Modernization of Management and Administration	Ongoing	Comments on proposed legislation and recommendations to PCLC on behalf of TCPJAC and CEAC  Identify high-priority legislative proposals for
	The JLWG will subsume the work of the Trial Court Legislative Efficiencies Working Group (TCLEWG) in 2015.  This includes reviewing		Objective 4. Uphold the integrity of court orders, protect court user safety, and improve public understanding of compliance requirements; improve the collection of fines, fees, and forfeitures statewide.  Objective 5. Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.		the trial courts and request PCLC's consideration of these proposals

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<sup>&</sup>lt;sup>2</sup> All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or *a program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

<sup>3</sup> For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	proposals to create, amend, or repeal statutes to achieve cost savings or greater efficiencies for the trial courts and recommending proposals for the future consideration by the Policy Coordination and Liaison Committee (PCLC).		<ul> <li>Origin of Project: California Rule of Court 10.48(b)(2)</li> <li>Resources: Trial Court Liaison office (TCLO) and Governmental Affairs. Subject matter presentation and expertise. Staffing of working group.</li> <li>Key Objective Supported: <ul> <li>Develop, review, comment, and/or make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) bills sponsored by other parties that may impact court administration.</li> </ul> </li> </ul>		
2.	Provide Review and Make Recommendations on the Rule Making Process, and on Proposed and Existing Rules of Court  Through the TCPJAC/CEAC Joint Rules Working Group, monitor proposed and existing rules that have a significant operational and/or administrative impact on the trial courts.		Judicial Council Direction: Goal II: Independence and Accountability Objective 3. Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice.  Goal III: Modernization of Management and Administration Objective 4. Uphold the integrity of court orders, protect court user safety, and improve public understanding of compliance requirements; improve the collection of fines, fees, and forfeitures statewide. Objective 5. Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.	Ongoing	Comments on rule proposals and recommendations to RUPRO on behalf of TCPJAC and CEAC

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<ul> <li>Goal VI: Branchwide Infrastructure and Service Excellence Objective 4. Implement new tools to facilitate the electronic exchange of court information while balancing privacy and security.</li> <li>Origin of Project: California Rule of Court 10.48(b)(2)</li> <li>Resources: Trial Court Liaison office (TCLO) and Governmental Affairs. Subject matter presentation and expertise. Staffing of working group.</li> <li>Key Objective Supported: <ul> <li>Develop, review, and/or provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms to improve the efficiency or effectiveness of the courts.</li> </ul> </li> </ul>		
3.	Encourage Cost Savings and Greater Efficiencies for the Trial Courts  Through the TCPJAC/CEAC Joint Trial Court Efficiencies and Innovations Working Group (TCEIWG) continue efforts and activities that support sharing information on efficient and effective trial court programs through the Innovation Knowledge Center on Serranus and the Branch Efficiencies section of the	i	Judicial Council Direction: Goal II: Independence and Accountability Objective 3: Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice.  Goal III: Modernization of Management and Administration Objective 2: Evaluate and improve management techniques, allocation of funds, internal operations, and services; support the sharing of effective management practices branchwide. Objective 4. Uphold the integrity of court orders, protect court user safety, and improve public understanding of	Ongoing	Provide assistance to requesting courts, hold business process reengineering (BPR) workshops, and maintain the online BPR resource page.

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	www.courts.ca.gov public website.  This working group subsumes the activities of the former TCPJAC/CEAC Joint Trial Court Business Process Reengineering Working Group that will continue to provide training to interested courts in implementing business process reengineering as well as maintain the online Trial Court Business Process Reengineering resource page now loaded onto the Innovation Knowledge Center.  Projects planned for 2015 include: focused outreach targeting case types/programs of interest to the branch and the legislature; ongoing marketing and encouraging the use of the Knowledge Center; and a presentation to the Judicial Council on the one-year anniversary launch of the Innovation Knowledge Center, highlighting previous accomplishments and inviting Judicial Council recognition of efficient and effective		compliance requirements; improve the collection of fines, fees, and forfeitures statewide.  Objective 5. Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.  Origin of Project: Directive of the Judicial Council  Resources: Trial Court Liaison office (TCLO), Legal Services, Center for Judiciary Education, and Governmental Affairs. Subject matter presentation and expertise. Staffing of working groups.  Key Objectives Supported:  Increase legislative and executive branch understanding of trial court operations and funding needs.  Develop programs to assist trial courts with the review and reengineering of court processes to gain greater efficiency.		

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	programs. In February 2015, one, two-day Business Process Reengineering workshop will be held in Contra Costa Superior Court for approximately 30-40 participants.				
4.	Review and Make Recommendations on Court Facilities Proposals and Recommendations  A new TCPJAC/CEAC Joint Court Facilities Working Group would provide an opportunity for presiding judges and court executive officers to review and provide input on court facilities proposals and recommendations that have a direct impact on court operations.  This new working group grows out of the ad hoc joint working group that TCPJAC and CEAC formed in 2014 to provide comprehensive and constructive feedback to the Court Facilities Advisory	2	Judicial Council Direction: Goal VI: Branchwide Infrastructure for Service Excellence A. Facilities Infrastructure Policy 1: Provide and maintain safe, dignified, and fully functional facilities for conducting court business. Policy 2: Provide judicial branch facilities that accommodate the needs of all court users, as well as those of justice system partners.  Origin of Project: In 2014, TCPJAC/CEAC formed an ad hoc working group to provide comprehensive and constructive feedback on the court set templates to the Court Facilities Advisory Committee.  Resources: Trial Court Liaison office (TCLO), Court Facilities Advisory Committee, Trial Court Facility Modification Advisory Committee, and Capital Programs. Subject matter presentation and expertise. Staffing of working group.  Key Objective Supported:  Develop, review, comment, and/or make recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration	Ongoing	Input into the development and future adoption of court facilities proposals and recommendati ons that have a direct impact on court operations

Committee (CFAC) on		Activity
proposed court set templates		
that it had distributed to the		
judicial branch for comment.		
This working group will		
continue to be involved and		
engaged in the court-set		
templates project; but TCPJAC		
and CEAC would like to		
broaden the scope to provide		
input and feedback on various		
facility issues being addressed		
by the CFAC and the Trial		
Court Facility Modification		
Advisory Committee. A recent		
example is the repurposing of		
vacant facilities throughout the		
branch.		
The TCPJAC and CEAC		
propose a new joint working		
group of presiding judges and court executive officers be		
formed to serve as a resource		
to these two facilities		
committees and to provide		
input on the impact of	· ·	
proposed recommendations on		
trial court operations.		
that court operations.		

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
5.	Review and Make Recommendations on Court Technology Proposals and Recommendations  A new TCPJAC/CEAC Joint Court Technology Working Group would provide an opportunity for presiding judges and court executive officers to review and provide early input on court technology proposals and recommendations that have a direct impact on court operations.	2	Judicial Council Direction: Goal VI: Branchwide Infrastructure for Service Excellence B. Technology Infrastructure Policy 1: Encourage and sustain innovation in the use of new information-sharing technologies. Policy 2: Establish a branchwide technology infrastructure that provides the hardware, software, telecommunications, and technology management systems necessary to meet the case management, information-sharing, financial, human resources, education, and administrative technology needs of the judicial branch and the public. Policy 3: Develop and maintain technology strategic plans for the judicial branch that are coordinated with the branch's technology initiatives and address needs such as business continuity planning and meaningful performance standards.	Ongoing	Input into the development and future adoption of court technology proposals and recommendati ons that have a direct impact on court operations
	TCPJAC and CEAC seek an opportunity to provide comment and input on technology policy recommendations at a stage where input can be thoughtfully considered.  The TCPJAC and CEAC would like to assist in providing input and feedback on various technology issues being addressed by the Judicial Council Technology Committee (JCTC) and the Court Technology Advisory		<ul> <li>Origin of Project: TCPJAC and CEAC</li> <li>Resources: Trial Court Liaison office and Information Technology Services. Subject matter presentation and expertise. Staffing of working group.</li> <li>Key Objectives Supported:         <ul> <li>Recommend, review and comment on policies that address data and record information storage, retrieval, reporting and sharing; information ownership; and information access control issues</li> <li>Develop, review, comment, and/or make recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration</li> </ul> </li> </ul>		

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	Committee (CTAC). They propose a new joint working group of presiding judges and court executive officers be formed to serve as a resource to these two technology committees and to provide input on the impact of proposed recommendations on trial court operations.				
6.	Study Issues Related to Courts Charging Government Entities, Other Courts, and the Public for Services and Records  On November 7, 2014, Justice Douglas Miller (on behalf of the Executive and Planning Committee) authorized the creation of the new TCPJAC/CEAC Joint Working Group on Court Fees. The new working group will provide an opportunity for presiding judges and court executive officers to examine the many complex issues associated with courts' practices relating to charging government entities, other courts, and the public for	2	Judicial Council Direction: Goal III: Modernization of Management and Administration Objective 4. Uphold the integrity of court orders, protect court user safety, and improve public understanding of compliance requirements; improve the collection of fines, fees, and forfeitures statewide.  Origin of Project: TCPJAC and CEAC  Resources: Trial Court Budget Advisory Committee, Trial Court Liaison office (TCLO), Governmental Affairs, Finance, and Legal Services. Subject matter presentation and expertise. Staffing of working group.  Key Objectives Supported:  Develop, review, comment, and/or make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) bills sponsored by other parties that	2016	Analysis of related issues and possible recommendations to the Judicial Council

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	various services and records. Because of the possibility of related legislation being introduced in January 2015, it was necessary to form this working group on an expedited basis so that it could immediately assess any new legislation.		<ul> <li>may impact court administration</li> <li>Develop, review, comment, and/or make recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration</li> </ul>		
	<ul> <li>The following is the proposed charge of this working group:</li> <li>Assess and evaluate issues raised by the Department of Justice (DOJ) and other governmental entities about fees that courts charge to the DOJ, other governmental entities, and to other courts;</li> <li>Identify and address issues among courts concerning fees charged to the public;</li> <li>Consider clarification of current statutes that address court service fees and fees related to electronic court records; identify any potential barriers, ambiguous language or gaps in the law that should be addressed;</li> <li>Consider how, when, and if fees should be charged to</li> </ul>				

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	justice system partners, other courts, and the public.				
7.	Enhanced Access to the Criminal Law Enforcement Technology System (CLETS)  Through a new TCPJAC/CEAC Joint CLETS Working Group, the TCPJAC and CEAC would like to work to develop proposed legislation for Judicial Council sponsorship and to seek related regulatory changes to allow court probate investigators and child custody mediators access to information from the Criminal Law Enforcement Technology System (CLETS) for purposes of conducting their investigations for adoption, guardianship, and child custody/visitation cases.  The Department of Justice (DOJ) maintains CLETS. It has denied access to CLETS for family court mediators. It has granted access for probate	2	Judicial Council Direction: Goal III: Modernization of Management and Administration Objective 2. Evaluate and improve management techniques, allocation of funds, internal operations, and services: support the sharing of effective management practices branchwide. Objective 5. Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.  Origin of Project: CEAC (November 6, 2014 business meeting)  Resources: Trial Court Liaison office (TCLO), Governmental Affairs, and possibly Criminal Law Advisory Committee, Family and Juvenile Law Advisory Committee, and Probate and Mental Health Advisory Committee  Key Objectives Supported:  Recommend, review and comment on policies that address data and record information storage, retrieval, reporting and sharing; information ownership; and information access control issues Develop, review, comment, and/or make recommendations on proposed legislation to establish new and/or amend	2016	Enhanced access to CLETS for probate investigators and child custody mediators

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	investigators in guardianship cases only where it is an emergency placement case, under Welfare and Institutions code section 16504.5.		existing laws including: 1) draft proposals for council- sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) bills sponsored by other parties that may impact court administration		
	The inability of probate investigators to access other needed information from CLETS, despite statutory authorization for them to obtain criminal history information, poses enormous practical problems for the courts. The investigators responsible for determining whether a prospective adopting parent or prospective guardian is an appropriate placement have no ready means of accessing the criminal history information they need to make their investigations. Similarly, child custody mediators are unable to obtain information about parents' criminal backgrounds that may be critical to a custody recommendation.				
	Any change to the policies regarding access to CLETS will require two steps:				

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	1. Statutory changes that will specifically grant CLETS access to probate investigators for use in adoption and guardianship cases generally, and to child custody mediators for investigations in child custody and visitation matters.  2. Changes in FBI policy to allow such access.  Advocacy for both of these changes will require working closely with the DOJ, which is responsible for implementing both state law regarding CLETS access and FBI policy (Penal Code section 11077).				
8.	Review Rule 10.620 (Public access to administrative decisions of trial courts)  Rule 10.620 addresses public access to certain administrative decisions made by trial courts. It sets forth requirements for trial courts to provide public notice, and seek public input, regarding budget recommendations made by	2	Judicial Council Direction: Goal IV: Quality of Justice and Service to the Public Origin of Project: Legal Services Resources: Trial Court Liaison office and Legal Services Key Objective Supported: • Develop, review, and/or provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms	2016	Amendments to rule 10.620

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	trial courts to the Judicial Council and specified administrative decisions. The decisions subject to public notice and comment requirements include any decision to close or reduce the hours of a court location. (Cal. Rules of Court, rule 10.620(d)(3).) When notice is required, the rule specifies the ways in which it must be given, including a requirement that notice be posted at all court locations that accept papers for filing. (Cal. Rules of Court, rule 10.620(g)(3).)  Amendments to Government Code section 68106, which		to improve the efficiency or effectiveness of the courts		
	took effect on January 1, 2012, created new requirements for public notice and comment when trial courts decide to close court facilities or reduce hours. These requirements are inconsistent with the requirements of rule 10.620, and trial courts have faced confusion in determining how notice is to be provided. The TCPJAC and CEAC will jointly propose amending the				

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	rule to repeal those provisions that are inconsistent with Gov. Code section 68106, leaving the statute as the sole governing authority regarding notice where it is applicable, and to make the language of the rule regarding posting of notice at court facilities consistent with section 68106.				
9.	Strengthen the Role of Court Executive Officers in Outreach to the Legislative and Executive Branches  CEAC will conduct outreach with the legislature with a focus on legislative staff in	2	Judicial Council Direction: Goal II: Independence and Accountability Objective 2. Partner with other branches and the public to secure constitutional and statutory amendments that will strengthen the Judicial Council's authority to lead the judicial branch. Objective 3. Improve communication within the judicial branch, with other branches of government, with members of the bar, and with the public to achieve better	Ongoing	Develop legislative strategy.  Strengthen relationships with leaders in the legislative and executive branches.
	both the local districts and in the Capitol. This effort will entail the development of outreach materials for court executive officers and perhaps educational sessions with legislative staff to educate them on the judicial branch		understanding of statewide issues that impact the delivery of justice.  Origin of Project: CEAC  Resources: Trial Court Liaison office (TCLO), Governmental Affairs, and Finance  Key Objective Supported:		
	budget and the fiscal/operational needs of the trial courts.  CEAC will also seek to		<ul> <li>Increase the legislative branch's and executive branch's understanding of trial court operations and funding needs.</li> </ul>		

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	strengthen communication with the Executive Branch and with the Department of Finance in particular. It will do so in consultation with the Judicial Council's Administrative Director, Governmental Affairs, and Finance.				
10.	Update the Trial Court Records Manual (TCRM) and Consider Revisions to Rule 10.855 (Superior Court Records Sampling Program)  Through the Records Management Working Group, CEAC will continue to develop and publish subsequent updates to the Trial Court Records Manual with a focus on sections concerning electronic records and promoting best practices.  It will also review and consider amendments to rule 10.855 (superior court records sampling program). In the Fall of 2012, various court executive officers proposed rule changes that could possibly lead to cost savings.	2	Judicial Council Direction: Goal III: Modernization of Management and Administration Objective 2. Evaluate and improve management techniques, allocation of funds, internal operations, and services: support the sharing of effective management practices branchwide. Objective 5. Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and efficient processing of all types of cases.  Origin of Project: Regarding the working group - California Rule of Court 10.854; regarding review of rule 10.855 - Proposal by CEO at the request of Justice Hull (Chair, RUPRO). Subsequently referred by RUPRO to CEAC and other advisory committees.  Resources: Trial Court Liaison office (TCLO), Center for Judiciary Education and Research (CJER), and Legal Services. Subject matter presentation and expertise. Staffing of working group.  Key Objectives Supported:	TCRM Updates – Ongoing Rule 10.855 Amend- ments – 2016	Updated Trial Court Records Manual and possible amendments to rule 10.855

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	The review and repeal of rule 10.855(f) was one of these proposals.  Rule 10.855(f) requires three courts assigned in rotation by the Judicial Council to preserve 100 percent of their court records for a calendar year. All other courts must preserve a systematic sample of 10 percent or more of each year's court records and a 2 percent subjective sample of the court records scheduled to be destroyed.		<ul> <li>Identify strategies that will assist courts in mitigating multi-year budget reductions and partner with the Judicial Council to develop those strategies and address them within the branch and with the Legislature.</li> <li>Recommend, review and comment on policies that address data and record information storage, retrieval, reporting and sharing; information ownership; and information access control issues.</li> <li>Develop, review, and/or provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms to improve the efficiency or effectiveness of the courts.</li> </ul>		
	In November 2012, RUPRO referred this proposal to CEAC's Records Management Working Group and the following committees for future consideration and action: Civil and Small Claims Advisory Committee; Criminal Law Advisory Committee; Family and Juvenile Law Advisory Committee; and Probate and Mental Health Advisory Committee. The proponent of this proposal stated that these records take up space and cost money to				

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	store. There are many case types that already require permanent retention of the case files. Therefore, without a sampling program, courts are already retaining a high percentage of unlimited civil case files in probate, family law and civil case types where statutes require permanent retention (e.g. eminent domain, quiet title, CEQA, etc.).				
11.	Provide Input to Update the JBSIS Filings Information Definitions  CEAC will continue to provide input to a working group (staffed by the Office of Court Research) that is reviewing and updating the JBSIS filings information definitions. The working group is focusing on these higher priority definitions, rather than reviewing and updating all definitions in the JBSIS manual.	2	Judicial Council Direction: Goal III: Modernization of Management and Administration Recommended Policy A2: Ensure that data collected by the judicial branch are complete, accurate, and current and provide a sound basis for policy decisions, resource allocations, and reports to other branches of government, law and justice system partners, and the public.  Origin of Project: CEAC (November 2013 business meeting)  Resources: Trial Court Liaison office (TCLO) and Office of Court Research (OCR)  Key Objectives Supported:  Recommend, review and comment on policies that address data and record information storage, retrieval, reporting and sharing; information ownership; and information access control issues.  Develop, review, comment, and/or make	2015	Updated JBSIS filings information definitions

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration.		
12.	Provide Input on Potential Audit Program for Filings Data  In 2015 or 2016, it is anticipated that the Office of Court Research and/or the Workload Assessment Advisory Committee will consider development of an audit program for filings data. However, the development of this audit program is contingent on the above-described JBSIS working group's completion of its review and update of the JBSIS filings information definitions. Given CEAC's charge per rule 10.48(b)(3), CEAC would like to assist with the planning for this program and provide input on it when the Office of Court Research and/or Workload Assessment Advisory Committee begins work in this area.		Judicial Council Direction: Goal III: Modernization of Management and Administration Recommended Policy A2: Ensure that data collected by the judicial branch are complete, accurate, and current and provide a sound basis for policy decisions, resource allocations, and reports to other branches of government, law and justice system partners, and the public.  Origin of Project: CEAC  Resources: Trial Court Liaison office (TCLO) and Office of Court Research (OCR)  Key Objectives Supported:  Recommend, review and comment on policies that address data and record information storage, retrieval, reporting and sharing; information ownership; and information access control issues.  Develop, review, comment, and/or make recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration.	2016	Provide input to Workload Assessment Advisory Committee (formerly SB 56 Working Group)

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
13.	Review and Recommend Court Administrator Candidates for Membership on the Judicial Council, CEAC Executive Committee, and Other Advisory Groups	1	Judicial Council Direction: California Rule of Court 10.48(e)(2)  Origin of Project: N/A  Resources: Trial Court Liaison office (TCLO)	Ongoing	Provide nomination recommen- dations to the Executive and Planning
	Pursuant to rule 10.48(e)(2), the Executive Committee of CEAC must review and recommend to the council's Executive and Planning Committee candidates for the following:  • Members of CEAC's		<ul> <li>Key Objective Supported:</li> <li>As an integral part of the success of the branch, advocate for the role of the administrator on key branch committees and projects, and advance the profession of court administration by demonstrating the value of the principles of court administration to the branch.</li> </ul>		Committee
	<ul> <li>Executive Committee;</li> <li>Nonvoting court administrator members of the council; and</li> <li>Members of other advisory committees who are court executives or judicial administrators.</li> </ul>				

#	Project <sup>2</sup>	Priority 3	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
14.	Serve as a Resource  Serve as a subject matter resource for Judicial Council divisions and other council advisory groups to avoid duplication of efforts and contribute to the development of recommendations for council action.	2	Judicial Council Direction: California Rule of Court 10.48(b)  Origin of Project: Respective Judicial Council divisions and advisory bodies  Resources: Respective Judicial Council divisions and advisory bodies  Key Objectives Supported: All	Ongoing	Provide input, feedback, data, and/or recommendati ons to requesting Judicial Council division or advisory body

## III. STATUS OF 2014 PROJECTS:

[List each of the projects that were included in the 2014 Annual Agenda and provide the status for the project.]

#	Project	Completion Date/Status
1	TCPJAC/CEAC Joint Legislation Working Group – The TCPJAC/CEAC Joint Legislation Working Group remained active throughout 2014 providing review and, on behalf of the TCPJAC and CEAC, made recommendations on proposed and existing legislation that had a significant operational and/or administrative impact on the trial courts. In 2015, this working group will also meet as needed to review proposals to create, amend, or repeal statutes to achieve cost savings or greater efficiencies for the trial courts and recommend proposals for the future consideration of the Policy Coordination and Liaison Committee (PCLC).	Ongoing
2	TCPJAC/CEAC Joint Rules Working Group – Provided review and, on behalf of the TCPJAC and CEAC, submitted comments on proposed and existing rules that had a significant operational and/or administrative impact on the trial courts.	Ongoing
3	Encourage Cost Savings and Greater Efficiencies for the Trial Courts –   TCPJAC/CEAC Joint Trial Court Business Process Reengineering Working Group (TCBPR)  In April and November 2014, three day-long workshops for approximately 100 court employees were conducted. The workshops provided participants with instruction in BPR, applicable tools, information on available resources, and the opportunity to develop a reengineering plan. The working group continues to maintain the online TCBPR resource page that will include a central repository of court reengineering improvement processes, BPR resource information, templates, and toolkits. Note: Effective May 2014, the TCBPR Working Group was subsumed into the newly established TCPJAC/CEAC Joint Trial Court Efficiencies and Innovations (TCEI) Working Group and further information regarding BPR activities will be included as part of the TCEI activities in the 2015 Annual Agenda.	Ongoing
4	Provide Input to Update the JBSIS Filings Information Definitions – A working group has met by conference call several times in 2014 and it has compiled a list of definitions that should be reviewed and/or updated.	2015
5	Provide Input on Potential Audit Program for Filings Data – Work has not yet begun to develop this audit program as doing so is contingent on the above-described JBSIS working group's completion of its review and update of the JBSIS filings information definitions.	2016
6	Update the Trial Court Records Manual (TCRM) and Support Related Rule Changes – The Records Management Working Group continued to review changes and improvements to the Trial Court Records	TCRM Updates – Ongoing

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	Manual and began to consider amendments to rule 10.855 to achieve greater efficiencies and cost savings.	Rule 10.855 Amendments – 2016
7	Review rule 10.473 (Minimum Education Requirements for Trial Court Executive Officers) – The proposed rule change was referred to the TCPJAC/CEAC Joint Rules Working Group for review and vetting in 2014. In October and November 2014, the TCPJAC and CEAC reviewed and approved the proposed amendments to this rule as developed by the Joint Rules Working Group. It is anticipated that this rule proposal will be included in the Winter rule proposal cycle and the amendments will become effective on July 1, 2015.	July 2015
8	Review Rule 10.630 (Reporting of Reciprocal Assignment Orders) – The proposed rule change was referred to the TCPJAC/CEAC Joint Rules Working Group for review and vetting in 2014. In October and November 2014, the TCPJAC and CEAC reviewed and approved the proposed amendments to this rule as developed by the Joint Rules Working Group. It is anticipated that this rule proposal will be included in the Winter rule proposal cycle and the amendments will become effective on July 1, 2015.	July 2015
9	Review rule 10.742(c) (Judicial Administration - Use of Attorneys as Court-appointed Temporary Judges) — The proposed rule change was referred to the TCPJAC/CEAC Joint Rules Working Group for review and vetting in 2014. In October and November 2014, the TCPJAC and CEAC reviewed and approved the proposed amendments to this rule as developed by the Joint Rules Working Group. It is anticipated that this rule proposal will be included in the Winter rule proposal cycle and the amendments will become effective on July 1, 2015.	July 2015
10	Criminal Justice Realignment: Data and Funding – CEAC participated in the compilation of data and provided support for requests for additional funding to address the full costs of realignment. SB 1021 included language requiring the council to collect data from the trial courts related to the public safety realignment, specifically sentencing and disposition data. The Criminal Justice Realignment Data Working Group identified the data that should be collected and helped guide the data collection effort. Pursuant to Penal Code section 13155, courts continue to provide data on a quarterly basis to the council. The council provides the information to the Department of Finance and the Board of State and Community Corrections.	Completed
11	Review rules 10.48 and 10.49 (CEAC and COCE) – In December 2012, E&P and RUPRO developed preliminary recommendations regarding the governance, structure, and organization of the council's advisory groups and their subgroups. One of the recommendations asked the council to implement the following: (1) merge the Conference of Court Executives (COCE) into CEAC; (2) create an Executive Committee of CEAC;	Completed

	and (3) eliminate the appellate court clerk membership position on CEAC. In 2013, the CEAC chair and staff worked with staff to RUPRO to draft the necessary proposed rule changes. In August 2013, CEAC approved these proposed revisions for submission to the council's internal committees for their consideration. The rule proposals were circulated for public comment from October 25 – December 20, 2013. The final rule proposals were approved by the council on February 20, 2014 and become effective on that date. In summary, rule 10.48 was amended to merge COCE and CEAC into one advisory body with an executive committee. Rule 10.49, concerning COCE, was repealed.	
12	Update CEAC Bylaws – It was necessary for CEAC to update its bylaws to address outdated language and to ensure that they conformed to the proposed amendments to rule 10.48 (CEAC) that went into effect on February 20, 2014. In August 2013, CEAC approved preliminary revisions to the committee's bylaws, which also went into effect on the same date that the amendments to rule 10.48 went into effect (February 20, 2014).	Completed

#### IV. Subgroups/Working Groups - Detail

**Subgroups/Working Groups:** [For each group listed in Section I, including any proposed "new" subgroups/working groups, provide the below information. For working groups that include members who are not on this advisory body, provide information about the additional members (e.g., from which other advisory bodies), and include the number of representatives from this advisory body as well as additional members on the working group.]

# TCPJAC/CEAC Joint Legislation Working Group (Subject to CRC 10.75)

- Purpose of subgroup or working group: This standing working group meets on behalf of the TCPJAC and CEAC to review, comment, and make recommendations on proposed legislation to establish new and/or amend existing laws including: 1) draft proposals for council-sponsored legislation; 2) draft proposals from other advisory committees for legislation; and 3) review and comment on bills sponsored by other parties that may impact court administration. As necessary, the working group will refer matters to TCPJAC and/or CEAC that the members determine need broader consideration. The working group convenes throughout the year by conference call. In 2015, this working group will also meet as needed to review proposals to create, amend, or repeal statutes to achieve cost savings or greater efficiencies for the trial courts and recommend proposals for the future consideration of the Policy Coordination and Liaison Committee (PCLC).
- Number of advisory body members on the subgroup or working group: 10 CEOs
- Number and description of additional members (not on this advisory body): 10 PJs
- *Date formed:* 2001
- *Number of meetings or how often the subgroup or working group meets:* The working group meets via conference call every three –four weeks about a week prior to each PCLC meeting, and as issues arise.
- Ongoing or date work is expected to be completed: Ongoing

#### TCPJAC/CEAC Joint Rules Working Group (Subject to CRC 10.75)

- Purpose of subgroup or working group: This standing working group meets on behalf of the TCPJAC and CEAC to review and provide input on proposals to establish, amend, and/or repeal the California Rules of Court, Standards of Judicial Administration, and Judicial Council forms. As necessary, the working group will refer matters to the TCPJAC and/or CEAC that the members determine need broader consideration. The working group convenes throughout the year by conference call to review proposals and evaluate the operational and/or administrative impact of proposals on the trial courts.
- Number of advisory body members on the subgroup or working group: 6 CEOs
- Number and description of additional members (not on this advisory body): 6 PJs
- Date formed: 2001
- Number of meetings or how often the subgroup or working group meets: The working group meets by conference call approximately 7 times a year.

• Ongoing or date work is expected to be completed: Ongoing

# New TCPJAC/CEAC Joint Trial Court Efficiencies and Innovations Working Group (Not subject to CRC 10.75)

- Purpose of subgroup or working group: This group promotes efforts and activities that support sharing information on efficient and effective trial court programs through the Innovation Knowledge Center on Serranus and the Branch Efficiencies section of the www.courts.ca.gov public website.
- *Number of advisory body members on the subgroup or working group:* 6 CEOs
- Number and description of additional members (not on this advisory body): 6 PJs
- Date formed: 2014
- *Number of meetings or how often the subgroup or working group meets:* The full working group will meet approximately 4 times per year by phone. Its sub-working groups will meet approximately 15 times this year by conference call.
- Ongoing or date work is expected to be completed: Ongoing

#### **New TCPJAC/CEAC Joint Court Facilities Working Group (Not subject to CRC 10.75)**

- Purpose of subgroup or working group: This new <u>standing</u> joint working group would review and make recommendations on court facilities proposals and recommendations, and serve as a resource to the Court Facilities Advisory Committee and the Trial Court Facility Modification Advisory Committee. This working group will continue to be involved and engaged in the court-set templates project; but TCPJAC and CEAC would like to broaden the scope to review and provide input on various facilities issues being addressed by the Court Facilities Advisory Committee and the Trial Court Facility Modification Advisory Committee.
- Number of advisory body members on the subgroup or working group: 4 CEOs
- Number and description of additional members (not on this advisory body): 4 PJs
- Date formed: 2014
- *Number of meetings or how often the subgroup or working group meets:* It is estimated that the working group will meet by conference call approximately 4-5 times a year.
- Ongoing or date work is expected to be completed: Ongoing

#### New TCPJAC/CEAC Joint Court Technology Working Group (Not subject to CRC 10.75)

- Purpose of subgroup or working group: This new standing TCPJAC/CEAC Joint Court Technology Working Group would be formed to serve as a resource to the Judicial Council Technology Committee (JCTC) and the Court Technology Advisory Committee (CTAC). TCPJAC and CEAC seek an opportunity to provide comment and input on technology policy recommendations at a stage where input can be thoughtfully considered.
- Number of advisory body members on the subgroup or working group: 4 CEOs
- Number and description of additional members (not on this advisory body): 4 PJs

- Date formed: 2015
- *Number of meetings or how often the subgroup or working group meets:* It is estimated that the working group will meet by conference call approximately 4-5 times a year.
- Ongoing or date work is expected to be completed: Ongoing

#### New TCPJAC/CEAC Joint Working Group on Court Fees (Not subject to CRC 10.75)

- Purpose of subgroup or working group: On November 7, 2014, Justice Douglas Miller (on behalf of the Executive and Planning Committee) authorized the creation of this working group to evaluate and make recommendations to the TCPJAC and CEAC regarding, but not limited to, the following issues relating to court fees: 1) Assess and evaluate issues raised by the Department of Justice and other governmental entities about fees that courts charge to the DOJ, other governmental entities, and to other courts; 2) Identify and address issues among courts concerning fees charged to the public; 3) Consider clarification of current statutes that address court service fees and fees related to electronic court records; identify any potential barriers, ambiguous language or gaps in the law that should be addressed; and 4) Consider how, when, and if fees should be charged to justice system partners, other courts, and the public. Because of the possibility of related legislation being introduced in January 2015, it was necessary to form this working group on an expedited basis so that it could immediately assess any new legislation.
- *Number of advisory body members on the subgroup or working group:* 4 CEOs
- Number and description of additional members (not on this advisory body): 4 PJs
- Date formed: 2015
- *Number of meetings or how often the subgroup or working group meets:* It is estimated that the working group will meet by conference call approximately 5 times a year. An in-person meeting may also be required.
- Ongoing or date work is expected to be completed: 2016

# New TCPJAC/CEAC Joint CLETS Working Group (Not subject to CRC 10.75)

- Purpose of subgroup or working group: Through a new TCPJAC/CEAC Joint CLETS Working Group, the TCPJAC and CEAC would like to work to develop proposed legislation for Judicial Council sponsorship and to seek related regulatory changes to allow court probate investigators and child custody mediators access to information from the Criminal Law Enforcement Technology System (CLETS) for purposes of conducting their investigations for adoption, guardianship, and child custody/visitation cases.
- *Number of advisory body members on the subgroup or working group:* 4 CEOs (estimated)
- Number and description of additional members (not on this advisory body): 4 PJs (estimated)
- Date formed: 2015
- *Number of meetings or how often the subgroup or working group meets:* It is estimated that the working group will meet by conference call approximately 5 times a year. An in-person meeting may also be required.
- Ongoing or date work is expected to be completed: 2016

#### **Records Management Working Group (Subject to CRC 10.75)**

- Purpose of subgroup or working group: This <u>standing</u> working group will develop and publish subsequent updates to the Trial Court Records Manual with a focus on sections concerning electronic records and promoting best practices. Continue to monitor support the Judicial Council-sponsored legislative proposal to amend Government Code section 68152 that defines minimum retention periods for certain trial court case records.
- Number of advisory body members on the subgroup or working group: 5 CEOs
- Number and description of additional members (not on this advisory body): 2 Chief Information Officers, 1 Appellate Assistant Clerk/Administrator, and 1 Deputy Executive Officer
- Date formed: The working group was originally formed on June 19, 2006. The working group changed its name on January 8, 2010.
- Number of meetings or how often the subgroup or working group meets: Approximately 3 to 5 times a year by conference call
- Ongoing or date work is expected to be completed: Ongoing

# **Nominations Subcommittee (Not subject to CRC 10.75)**

- *Purpose of subgroup or working group:* Review and recommend court administrator candidates for membership on the Judicial Council, CEAC Executive Committee, and other advisory bodies.
- Number of advisory body members on the subgroup or working group: Approximately 7 (CEAC chair, CEAC vice-chair, and 5 previous CEAC chairs if possible)
- Number and description of additional members (not on this advisory body): N/A
- *Date formed:* Approximately 2004
- Number of meetings or how often the subgroup or working group meets: Approximately 6 times a year by conference call
- Ongoing or date work is expected to be completed: Ongoing

Date: 12/05/14