



# JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND  
PLANNING COMMITTEE

[www.courts.ca.gov/epmeetings.htm](http://www.courts.ca.gov/epmeetings.htm)  
[executiveandplanning@jud.ca.gov](mailto:executiveandplanning@jud.ca.gov)

## EXECUTIVE AND PLANNING COMMITTEE

### OPEN MEETING WITH CLOSED SESSION AGENDA

Open to the Public Unless Indicated as Closed Session (Cal. Rules of Court, rule 10.75(c)(1))

OPEN PORTION OF THIS MEETING IS BEING RECORDED

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**Date:** December 21, 2016  
**Time:** 12:10 to 1:40 p.m.  
**Public Call-In Number** 877-820-7831; passcode 846-8947 (listen only)

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Meeting materials for open portions of the meeting will be posted on the advisory body webpage on the California Courts website at least three business days before the meeting.

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

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

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##### **Call to Order and Roll Call**

##### **Approval of Minutes**

Approve minutes of the November 17, 2016, Executive and Planning Committee meeting, November 22, 2016, December 6, 2016 and December 7, 2016 Executive and Planning Committee actions by email.

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

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##### **Written Comment**

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [executiveandplanning@jud.ca.gov](mailto:executiveandplanning@jud.ca.gov) or mailed or delivered to Judicial Council of California, 2860 Gateway Oaks Drive, Suite 400, Sacramento, California, 95833, Attention: Donna Ignacio. Only written comments received by 12:10 p.m. on Tuesday, December 20, 2016, will be provided to committee members prior to the start of the meeting.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-5)**

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**Item 1**

**Subordinate Judicial Officer Conversion – Request from the Superior Court of Orange County (Action Required)**

Review request from the Superior Court of Orange County for a temporary exception to the conversion of three vacant subordinate judicial officer positions to judgeships.

Presenters: Ms. Leah Rose-Goodwin and Mr. David Smith

**Item 2**

**Agenda Setting for the January 19-20 Judicial Council Meeting (Action Required)**

Review draft reports and set the agenda for the Judicial Council meeting in January.

Presenters: Various

**Item 3**

**2017 Annual Agenda: Trial Court Presiding Judges Advisory Committee (Action Required)**

Review draft 2017 annual agenda of the Trial Court Presiding Judges Advisory Committee.

Presenter: Hon. Jeffrey Barton

**Item 4**

**2017 Annual Agenda: Court Executives Advisory Committee (Action Required)**

Review draft 2017 annual agenda of the Court Executive Advisory Committee.

Presenter: Mr. Jake Chatters

**Item 5**

**2017 Annual Agenda: Trial Court Budget Advisory Committee (Action Required)**

Review draft 2017 annual agenda of the Trial Court Budget Advisory Committee.

Presenter: Hon. Jonathan B. Conklin

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**IV. ADJOURNMENT**

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**Adjourn to Closed Session**

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**V. CLOSED SESSION (CAL. RULES OF COURT, RULE 10.75(d))**

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**Item 1**

**Pursuant to California Rules of Court, rule 10.75(d)(6)**

***Non-final audit reports***

Review available non-final audit report and continue to set agenda for the Judicial Council meeting in January.

**Item 2**

**Pursuant to California Rules of Court, rule 10.75(d)(1)**

***Upcoming Vacancy on Judicial Council***

Discuss upcoming vacancy on Judicial Council and develop recommendations to be sent to the Chief Justice.

**Adjourn Closed Session**



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## EXECUTIVE AND PLANNING COMMITTEE

### MINUTES OF OPEN MEETING

Thursday, November 17, 2016

12:10 to 1:10 p.m.

Teleconference

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**Committee Members Present:** Justice Douglas P. Miller (Chair); Judge Marla O. Anderson, (Vice Chair); Justice Harry E. Hull, Jr., Judges Jeffrey B. Barton, Daniel J. Buckley, Samuel K. Feng and Gary Nadler; and Mr. Richard D. Feldstein

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**Committee Members Absent:** Judge David M. Rubin and Ms. Donna D. Melby

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**Other Attendees:** Ms. Rodina Catalano and Mr. Neal Taniguchi

**Committee Staff Present:** Ms. Jody Patel and Ms. Amber Barnett

**Staff Present:** Ms. Michele Allan, Mr. Cliff Alumno, Ms. Heather Anderson, Ms. Deborah Brown, Ms. Eunice-Calvert Banks, Mr. Joseph Carozza, Mr. Mike Courtney, Ms. Kimberly DaSilva, Ms. Natalie Daniel, Mr. Robert Downs, Ms. Lucy Fogarty, Ms. Cristina Foti, Ms. Denise Friday, Ms. Diana Glick, Mr. Bruce Greenlee, Ms. Angela Guzman, Ms. Eve Hershcopf, Mr. Alan Herzfeld, Ms. Donna Ignacio, Ms. Hilda Iorga, Mr. Greg Keil, Mr. Doug Kauffroath, Ms. Tara Lundstrom, Mr. Chris Magnusson, Mr. Charles Martel, Ms. Anna Maves, Ms. Kristine Metzker, Mr. Douglas C. Miller, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Sharon Reilly, Ms. Leah Rose-Goodwin, Ms. Jamie Schechter, Mr. Brian Simeroth, Mr. Colin Simpson, Ms. Laura Speed, Ms. Lynette Stephens, Mr. Zlatko Theodorovic, Ms. Millicent Tidwell, Ms. Adrienne Toomey, Mr. Enrique Villasana, Ms. Jenny Wald, and Mr. Don Will.

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### OPENING MEETING

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#### Call to Order and Roll Call

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

#### Approval of Minutes

The committee voted to approve the following minutes:

- October 13, 2016, Executive and Planning Committee meeting
- October 24, 2016, Executive and Planning Committee action by email
- October 27, 2016, Executive and Planning Committee meeting (closed session)
- November 10, 2016, Executive and Planning Committee meeting (closed session)

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**DISCUSSION AND ACTION ITEMS**

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**Item 1**

**Subordinate Judicial Officer Conversion – Request from the Superior Court of Los Angeles County (Action Required)**

Review request from the Superior Court of Los Angeles County to convert three vacant subordinate judicial officer positions to judgeships.

***Action: The committee approved the request from the Superior Court of Los Angeles County to convert three vacant subordinate judicial officer positions to judgeships.***

**Item 2**

**Subordinate Judicial Officer Conversion – Request from the Superior Court of San Mateo County (Action Required)**

Review request from the Superior Court of San Mateo County for a temporary exception to the conversion of two vacant subordinate judicial officer positions to judgeships.

***Action: The committee approved the request from the Superior Court of San Mateo County for a temporary exception to the conversion of two vacant subordinate judicial officer positions to judgeships.***

**Item 3**

**Government Code Section: 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code § 68106—Report No. 40) (Action Required)**

Review report listing the latest court notices received by the Judicial Council in accordance with Government Code Section 68106 and approve to be included in the Judicial Council meeting in December.

***Action: The committee approved the report listing the latest court notices received by the Judicial Council in accordance with Government Code Section 68106 and approved the item to be included on the agenda for the Judicial Council meeting in December.***

**Item 4**

**Agenda Setting for the December 15-16 Judicial Council Meeting (Action Required)**

Review draft reports and set the agenda for the Judicial Council meeting in December.

***Action: The committee reviewed draft reports and set the agenda for the Judicial Council meeting in December—currently scheduled to be a one-day meeting on December 16, 2016.***

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

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

Approved by the advisory body on \_\_\_\_\_.



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Minutes of Action by E-mail Between Meetings for  
Executive and Planning Committee

**E-mail Proposal**

As part of the agenda setting for Judicial Council meetings, the Executive and Planning Committee was asked to review the revised report for consent item 16-226: Jury Instructions: New and Revised Civil Jury Instructions and Verdict Forms (exclusive of Jury Instructions 3103) and the report for new discussion item 16-254: Jury Instructions: CACI No. 3103, *Neglect—Essential Factual Elements* for approval to be included on the December 16, 2016, Judicial Council business meeting agenda.

**Notice**

On November 21, 2016, a notice was posted advising that the Executive and Planning Committee was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

**Action Taken**

Members voted unanimously to approve the revised consent item 16-226 for the consent agenda and new discussion item 16-254 for the discussion agenda of the December 16 Judicial Council business meeting.

Approved by the advisory body on \_\_\_\_\_.



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Minutes of Action by E-mail Between Meetings for  
Executive and Planning Committee

**E-mail Proposal**

As part of the agenda setting for Judicial Council meetings, the Executive and Planning Committee was asked to review the report for new consent item 16-255: Judicial Branch Administration: Unpaid Sabbatical Request for Hon. Gregory Alarcon for approval to be included on the December 16, 2016, Judicial Council business meeting agenda.

**Notice**

On December 5, 2016, a notice was posted advising that the Executive and Planning Committee was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

**Action Taken**

Members voted unanimously to approve new consent item 16-255 for the consent agenda of the December 16 Judicial Council business meeting.

Approved by the advisory body on \_\_\_\_\_.



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Minutes of Action by E-mail Between Meetings for  
Executive and Planning Committee

**E-mail Proposal**

As part of the agenda setting for Judicial Council meetings, the Executive and Planning Committee was asked to review the report for new consent item 16-256: Court Facilities: Lease of Chico Courthouse Pending Disposition and Confirmation of Authority for Leasing Other Closed Courthouses for approval to be included on the December 16, 2016, Judicial Council business meeting agenda.

**Notice**

On December 6, 2016, a notice was posted advising that the Executive and Planning Committee was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

**Action Taken**

Members voted unanimously to approve new item 16-256 for the consent agenda of the December 16 Judicial Council business meeting.

Approved by the advisory body on \_\_\_\_\_.





## JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue • San Francisco, California 94102-3688  
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

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### MEMORANDUM

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**Date**

November 29, 2016

**Action Requested**

Approve Staff Recommendation

**To**

Members of the Executive and Planning  
Committee

**Deadline**

December 30, 2016

**From**

Judicial Council staff  
Leah Rose-Goodwin, Manager  
David Smith, Senior Analyst  
Office of Court Research, Court Operations  
Services

**Contact**

David Smith  
415-865-7696 phone  
david.smith@jud.ca.gov

**Subject**

Request for an Exception to the Conversion of  
Three Subordinate Judicial Officer Positions  
in the Superior Court of Orange County

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**Executive Summary**

Court Operations Services staff recommend that the Judicial Council's Executive and Planning Committee (E&P) confirm a request from the Superior Court of Orange County for a temporary exception to the conversion of three vacant subordinate judicial officer (SJO) positions to judgeships. The court indicates that it anticipates workload growth in case types appropriate for SJOs to hear and on that basis indicates that it has a pressing need to maintain a mix of judicial officers that reflects this projected growth in caseload. Further, the court anticipates the loss of a number of judges due to retirement during the current fiscal year. Adding to these vacancies in the current fiscal environment is not thought to benefit the litigants of Orange County. Finally, in the aftermath of state budget cuts to the court it has had to redirect its limited budgetary resources to operational functions that best serve the needs of the public. For these reasons, the court requests a temporary exception to the conversion of the three vacant SJO positions in question.

## **Recommendation**

Court Operations Services staff recommend that E&P confirm the request from the Superior Court of Orange County for an exception to the conversion of three vacant SJO positions to judgeships. To date, the court has converted 14 of the 17 SJO positions for which it is eligible. Confirming the court's current request for a temporary exception to the conversion of these SJO positions will allow it to retain its capacity to respond to an anticipated growth in caseload that is appropriate for SJOs to hear, while allowing the court to continue to minimize the impact that state budget cuts have had on its ability to provide services to the public.

## **Previous Council Action**

The 2002 report of the Subordinate Judicial Officer Working Group led the Judicial Council to sponsor legislation to restore an appropriate balance between judges and SJOs in the trial courts. The 2002 report found that many courts had created SJO positions out of necessity in response to the dearth in the creation of new judgeships during the 1980s and 1990s. As a result, many SJOs were working as temporary judges. This imbalance between judges and SJOs was especially critical in the area of family and juvenile law.<sup>1</sup>

In 2007, the Judicial Council approved a methodology for evaluating the workload appropriate to SJOs relative to the number of SJOs working in the courts. In the same year, the Legislature passed Assembly Bill 159, which adopted the Judicial Council's methodology. This resulted in a list of 25 courts in which a total of 162 SJO positions would be converted. Government Code section 69615(c)(1)(A) allows for the annual conversion of up to 16 SJO vacancies upon authorization by the Legislature in courts identified by the Judicial Council as having SJOs in excess of the workload appropriate to SJOs.<sup>2</sup>

Subsequent council action established and refined guidelines for expediting the conversion of SJO vacancies.<sup>3</sup> These guidelines included:

- The adoption of four trial court allocation groups and a schedule that distributes the 16 annual SJO conversions across these groups in numbers that are proportional to the total number of conversions for which the groups are eligible;

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<sup>1</sup> See Judicial Council of Cal., Subordinate Judicial Officer Working Group Rep., *Subordinate Judicial Officers: Duties and Titles* (July 2002), [www.courts.ca.gov/7476.htm](http://www.courts.ca.gov/7476.htm).

<sup>2</sup> See Judicial Council of Cal., *Update of the Judicial Workload Assessment and New Methodology for Selecting Courts with Subordinate Judicial Officers for Conversion to Judgeships* (Feb. 14, 2007), available at [www.courts.ca.gov/documents/022307item9.pdf](http://www.courts.ca.gov/documents/022307item9.pdf), and the August 11, 2015, update of this report and SJO allocation list at [www.courts.ca.gov/documents/jc-20150821-itemL.pdf](http://www.courts.ca.gov/documents/jc-20150821-itemL.pdf).

<sup>3</sup> Judicial Council of Cal., *Subordinate Judicial Officers: Update of the Policy for Deferrals of Conversions to Judgeships* (Aug. 15, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4625050&GUID=80FC1733-CB19-4468-9822-E63668EBC1C4>.

- The delegation of authority to E&P for confirming SJO conversions;
- The establishment of guidelines for courts to notify the council of SJO vacancies and timelines for the redistribution of SJO conversions across the allocation groups; and

In support of these actions, Judicial Council staff refreshed the workload data in 2015 to update and refine the allotment of SJO positions among eligible courts. A list of SJO positions was established as a result of the updated workload assessment, and all courts that were still eligible for SJO conversions were notified of any changes in their status.<sup>4</sup>

In relation to the establishment of guidelines for use by E&P in confirming requests by courts to temporarily except SJO vacancies from conversion, the following criteria were adopted:<sup>5</sup>

- **Assessed judicial need** and the impact the deferral will have on it;
- **Vacancies and anticipated vacancies of judicial officers** and the impact that the deferral will have on the court's ability to manage its workload;
- **Workload growth in the court** and the impact the deferral will have on the court's ability to effectively manage it;
- **Economic hardship that disrupts court operations** and the impact the deferral will have on the court's ability to effectively manage its financial resources and workload; and
- **Operational hardship** and the impact the deferral will have on moderating its effects.

In addition to expanding the criteria under which an exception could be granted, council policy directs courts seeking a temporary exception to conversion to choose among three options for deferral. Courts with vacant SJO positions that are eligible for conversion may:

1. Request a permanent reduction in the number of authorized SJO positions rather than convert the position or fill it with another SJO.
  - Courts choosing this option have the opportunity, at some future date, to seek authority for an increase in the number of SJOs if justified by workload assessment that is based on existing council policies regarding the number and type of SJO positions.
2. Seek a deferral of the conversion and choose to fill the position with a subordinate judicial officer.

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<sup>4</sup> Judicial Council of Cal., *Subordinate Judicial Officers: Update of Conversions Using More Current Workload Data* (Aug. 11, 2015), [www.courts.ca.gov/documents/jc-20150821-itemL.pdf](http://www.courts.ca.gov/documents/jc-20150821-itemL.pdf).

<sup>5</sup> See note 3.

- Courts choosing this option can convert a position at a later date if the court's workload qualifies it for such a conversion, the court has a vacant SJO position, and a conversion under Government Code section 69615 is available at that time.
3. Seek a one-year deferral of the conversion, leaving the SJO position vacant during that time.
- Courts choosing this option must report back to E&P at the end of the one-year deferral period to indicate whether they wish to convert the vacant position or seek a permanent reduction in the number of authorized SJO positions. The subsequent conversion of a deferred SJO position will depend on the availability of authorized conversions under Government Code section 69615.

### **Rationale for Recommendation**

The Superior Court of Orange County is eligible for a total of 17 of the 162 conversions authorized by the Legislature and has previously converted 14 positions, with the last conversion occurring in fiscal year (FY) 2013–2014. Orange is the sole member of Allocation Group 2, which is allotted one conversion each year.

The Superior Court of Orange County has informed council staff that the court believes the decline in infraction and small claims filings that provide the basis for the current workload reassessment is a temporary one. Consequently, the court expects that when filings within these case types rebound the court may have a less than optimal mix of judicial officers to address workload growth if these vacant SJO positions are converted to judgeships. The court also indicates that it currently has 3 vacant judgeships and anticipates up to 10 more vacancies during the remainder of the current fiscal year, with the appointment of new judges expected to proceed relatively slowly. Adding to these anticipated vacancies in the current fiscal environment is not thought to benefit the litigants of Orange County. Finally, in response to a severe reduction in state funding, the court has prioritized the distribution of its remaining financial resources to operational functions that best serve the public. The court indicates that confirming its request for a temporary exception to the conversion of these SJO positions will allow it to continue to manage its budget in ways that minimize the impact that state budget cuts have had on its ability to provide services to the public, while allowing it to retain its capacity to respond to caseload growth in areas that are appropriate for SJOs to hear.

Council policies concerning SJO conversions grant E&P the authority to confirm conversions, as well as to evaluate and grant requests by courts to exempt vacancies from conversion. Because this request falls within the scope of the current policy on exceptions, yet is consistent with the spirit of the statute governing SJO conversions, Judicial Council staff recommends that the request be granted.

### **Comments, Alternatives Considered, and Policy Implications**

This proposal, which complies with council policy on SJO conversions, was not circulated for comment.

### **Implementation Requirements, Costs, and Operational Impacts**

If the temporary exception to SJO conversions is granted by E&P, the court would incur no new costs, while the requirement for eventual conversion of the aforementioned positions would continue to be in effect. The granting of a temporary exception to SJO conversions in the court is designed to help minimize the adverse operational impact that state funding cuts have had on the court's budget. On that basis, the operational impact is projected to be minimal. The granting of a temporary exception is accompanied by an expectation by E&P that the court will report back at the end of the deferral year to indicate whether it wishes to convert the position or seek a permanent reduction in the number of authorized SJO positions.

### **Attachment**

1. Attachment A: October 19, 2016, letter from Presiding Judge Charles Margines, Superior Court of Orange County, to Justice Douglas P. Miller, Chair, Executive and Planning Committee, regarding an exception to the conversion of SJO positions to judgeships.



# Superior Court of California County of Orange

CHAMBERS OF  
**CHARLES MARGINES**  
PRESIDING JUDGE

CENTRAL JUSTICE CENTER  
700 CIVIC CENTER DRIVE WEST  
SANTA ANA, CA 92701-4045  
(657) 622-7011

October 19, 2016

Honorable Douglas P. Miller, Chair  
Executive and Planning Committee  
Judicial Council of California  
455 Golden Gate Avenue, Fifth Floor  
San Francisco, CA 941 02-3688

SUBJECT: Conversions of Vacant Subordinate Judicial Officer Positions  
Request for **Option 3**: Seek a one-year deferral of the conversions, leaving the Commissioner positions vacant during that time.

Dear Justice Miller:

On September 11, 2015, the Executive and Planning Committee (E&P) sent a letter to Orange County Superior Court's then Presiding Judge Glenda Sanders regarding the Judicial Council's action on the reallocation of eligible conversions of subordinate judicial officer positions. The Orange County Superior Court (the Court) was identified as eligible for three additional conversions, beyond the fourteen that have already been converted. The Court responded by letter on February 5, 2016, requesting temporary exceptions to the conversions.

In a letter dated April 8, 2016, Jody Patel indicated that the Judicial Council was revisiting the criteria for conversions and exceptions based on comments from several courts. On August 26, 2016, the Judicial Council considered and adopted revisions to the policy about exemptions proposed by E&P. By email dated September 28, 2016, Judicial Council staff asked this Court whether it still wanted E&P to review and approve the Court's request to defer conversion of the three positions.

In response, the Court requests a one-year deferral of the three possible conversions for the following reasons:

**1. Assessed judicial need.** In its review of criteria, E&P stated the objective of the conversion opportunity and criteria was to "strike a balance between the immediate needs of courts to fill vacant SJO positions and the long-term policy objective of achieving a more appropriate balance between the number of judges and SJOs in the trial courts." The analysis indicating Orange is eligible for three additional conversions reveals that the shift is due entirely to a drop in infraction and small claims filings. There is no reason to believe this drop is permanent; nor are the reasons for the drop fully

understood. For example, small claims filings have dropped 49% since 2000, during which period the population of Orange County rose almost 13%. If the vacant positions were converted, and filings returned to historic levels, a new analysis might indicate the Court has too few commissioner positions. Thus, the request for deferral gives the Court more time to ascertain the proper future balance between judges and commissioners, given changes in the caseload.

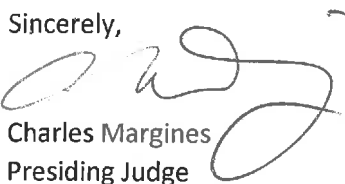
**2. Vacancies and anticipated vacancies of judicial officers.** The Court currently has three vacant judicial positions. Based on letter submitted by judges and oral statements by other judges, the Court expects up to ten more vacancies between now and July, 2017. Based on the pace of recent appointments, it will take quite some time for these positions to be filled. Adding three more vacancies to this total would not result in any of the vacancies being filled any faster and therefore would not benefit the litigants in Orange County.

**3. Workload growth in the court.** As noted, the analysis indicating Orange is eligible for three additional conversions reveals that the shift is attributable to a drop in infraction and small claims filings. The bulk of the reduction is in infractions. An analysis of infraction filings over the last 20 years indicates that through FY 2009-10, the infraction caseload varied year-to-year by less than the equivalent of one commissioner's workload. Since FY 2009-10, the infraction caseload has dropped 46%, the equivalent workload of approximately 3 commissioners. A more detailed examination into which issuing agencies and which charges account for the reduction does not suggest a permanent elimination of the caseload. In other words, caseloads could increase as fast, or faster, than they decreased with changes in policy or funding of more officers who write infractions. Consequently, there is real possibility that infraction filings will increase to historic levels, justifying additional commissioner positions. Converting these positions now might be short-sighted.

**4. Economic hardship that affects a court's ability to maintain its current level of operations.** As is the case for the entire judicial branch, the Court has suffered severe budget cuts since the beginning of the 2008 recession, and adequate funding has not yet been restored. Moreover, the adoption of WAFM and resulting shift of historic funding has meant that the Court continues to suffer reductions in funding each fiscal year. In light of these funding restrictions, the Court has prioritized funds included in its base allocation for expenses other than funding commissioner positions and associated staffing. The conversion of the three positions would result in an additional loss of base allocation funding, further hobbling the court's ability to meet service demands with the already inadequate funding provided by the State.

For the reasons stated above, the Orange County Superior Court is requesting option 3, a one-year deferral of the conversion of three Subordinate Judicial Officer positions. Thank you for your consideration of our request. If you need any additional information, I am available to discuss this further.

Sincerely,

  
Charles Margines  
Presiding Judge

Superior Court of California  
County of Orange

cc: Honorable Kirk Nakamura, Assistant Presiding Judge  
Alan Carlson, Court Executive Officer  
Leah Rose-Goodwin, Manager of the Office of Court Research  
David Smith, Senior Research Analyst

CM:cr





# Judicial Council of California

Ronald M. George State  
Office Complex  
Malcolm M. Lucas  
Board Room  
455 Golden Gate Ave.  
San Francisco, CA  
94102-3688

## Meeting Agenda

### Judicial Council

*Open to the Public Unless Indicated as Closed  
(Cal. Rules of Court, rule 10.6(a))*

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Thursday, January 19, 2017

10:00 AM

ONE DAY

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#### **CLOSED SESSION (RULE 10.6(B))—PLANNING, PERSONNEL, AND DISCUSSION PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE**

Session 10:00–10:20 a.m.

Transitional Break (10:20–10:30 a.m.)

#### **OPEN SESSION (RULE 10.6(A)) — MEETING AGENDA**

Session 10:30 a.m.–2:45 p.m.

##### **Call to Order**

##### **Public Comment**

*30 minutes*

*The Judicial Council welcomes public comment on general matters of judicial administration and on specific agenda items, as it can enhance the council's understanding of the issues coming before it.*

*Please see our public comment procedures.*

- 1) Submit advance requests to speak by 4:00 p.m., Tuesday, January 17, 2017.
- 2) Submit written comments for this meeting by 1:00 p.m. on Wednesday, January 18, 2017.

*Contact information for advance requests to speak, written comments, and questions:*

*E-mail: [judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov)*

*Postal mail or delivery in person:*

*Judicial Council of California*

*455 Golden Gate Avenue*

*San Francisco, California 94102-3688*

*Attention: Donna Ignacio*

**Approval of Minutes**

**17-009**            **Minutes of the December 16, 2016, Judicial Council meeting.**

**Chief Justice's Report**

*10 minutes*

**Administrative Director's Report**

*10 minutes*

**17-010**            **Administrative Director's Report**

**EDUCATIONAL AGENDA**

**17-016**            **Juvenile Justice: Chief's Initiative (No Action Required. There are no materials for this item.)**

**Summary:**            SUMMARY TBD

**Speakers:**            Hon. Stacy Boulware Eurie, Superior Court of California, County of Sacramento  
Hon. Donna Groman, Superior Court of California, County of Los Angeles, and Supervising Judge, County of Los Angeles Juvenile Justice courtrooms  
*30 minutes*

**Break (11:50 a.m.–12:20 p.m.)**

**17-003**            **Evidence-Based Practices and Risk & Needs Assessment (No Action Required. There are no materials for this item.)**

**Speakers:**            Dr. Edward J. Latessa, Ph.D., School of Criminal Justice, University of Cincinnati  
*90 minutes*

**CONSENT AGENDA**

[17-000](#)            **Criminal Procedure and Juvenile Law: Judicial Council Optional Forms under Proposition 64 (Action Required)**

**Summary:**            The Criminal Law and the Family and Juvenile Law Advisory Committees recommend that the Judicial Council approve four optional forms to enable petitioner/applicants to file for resentencing, dismissal, and record sealing under the "Control, Regulate and Tax Adult Use of Marijuana Act" ("Proposition 64"), and for the forms to become effective January 23, 2017. This request responds to the enactment of Proposition 64, effective November 9, 2016, which directs the Judicial Council to "promulgate and make available all necessary forms to enable the filing of the petitions and applications" provided for in the initiative. The proposed forms are currently circulating for public comment; the comment period began on December 16, 2016, and will end on

February 13, 2017. To ensure that the forms are available to courts as soon as possible, the committees seek out-of-cycle approval of the forms, prior to the closing of the period for public comment. The committees will propose any necessary revisions to the forms based on comments received to be effective September 1, 2017.

**17-001      Judicial Branch Administration: Audit Report for Judicial Council Acceptance (Action Required)**

**Summary:**

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E Committee) and Judicial Council staff recommend that the Judicial Council accept the audit report entitled *Audit of the Superior Court of California, County of Fresno*. This acceptance is consistent with the policy approved by the Judicial Council on August 27, 2010, which specifies Judicial Council acceptance of audit reports as the last step to finalization of the reports before their placement on the California Courts public website to facilitate public access. Acceptance and publication of these reports promote transparent accountability and provide the courts with information to minimize future financial, compliance, and operational risk.

[17-005](#)      **Judicial Branch Administration: Restriction on Employee Travel to States with Discriminatory Laws (Action Required)**

**Summary:**

Staff of the Judicial Council recommend the Judicial Council approve a policy to voluntarily comply with Government Code 11139.8 in the same fashion as the Executive and Legislative branches of California government. The statute prohibits travel to states that have implemented discriminatory laws after June 26, 2015.

[17-007](#)      **Civil Practice and Procedure: Review of Law Enforcement Agency Denial of Request to Remove Name from Shared Gang Database (Action Required)**

**Summary:**

The Civil and Small Claims Advisory Committee recommends adoption of rule 3.2300 and form MC-1000 to implement recently enacted legislation that authorizes superior court review of a law enforcement agency's denial of a request to remove the individual's name from a shared criminal gang database. The proposal is intended to give guidance to courts in processing requests for review under this legislation. To ensure that courts and individuals seeking review under this procedure have necessary guidance as soon as possible after the legislation takes effect on January 1, 2017, the committee seeks adoption of the rule and form effective the next business day after the Judicial Council meeting, without a prior period of public comment. If adopted, the proposal will then be circulated for public comment and any necessary amendments and revisions based on comments will be recommended to be effective no later than September 1, 2017.

[17-008](#)      **Judicial Council Report to the Legislature: Trial Court Revenue, Expenditure, and Fund Balance Constraints for Fiscal Year 2015-2016 (Action Required)**

**Summary:** Judicial Council staff recommends approving the *Report of Trial Court Revenue, Expenditure, and Fund Balance Constraints for Fiscal Year 2015-2016*, as required by Government Code sections 68502.5(b) and 77202.5(b), to be sent to the chairs of the Senate Committee on Budget and Fiscal Review, the Senate Committee on Judiciary, and the Assembly Committees on Budget and Judiciary.

[17-013](#) **Forms: Technical Changes to Proof of Service Forms (Action Required)**

**Summary:** Members of the public and Judicial Council staff have identified changes required for several proof of service forms as a result of previous rule amendments that remove the requirement that the time of service by fax or electronic service be stated on the forms. The staff to the Judicial Council recommends making the necessary corrections to avoid confusing litigants, clerks, and judicial officers.

## DISCUSSION AGENDA

[17-014](#) **Jury Instructions: Revised Civil Jury Instruction No. 3103-Supplemental Report (Action Required)**

**Summary:** This is a supplementary report covering only the Advisory Committee on Civil Jury Instructions' proposed revisions to CACI No. 3103, Neglect-Essential Factual Elements. Because of some significant opposition to the committee's proposed changes to this instruction, the committee believes that it is appropriate to set forth its decision and decision-making process about this instruction in a separate report.

**Speakers:** Hon. Martin J. Tangeman, Chair, Advisory Committee on Civil Jury Instructions

*15 minutes*

[17-002](#) **Trial Court Budget: Minimum Operating and Emergency Fund Balance Policy (Action Required)**

**Summary:** The Judicial Council's suspension of the minimum operating and emergency fund balance policy expired as of July 1, 2016. The minimum operating and emergency fund balance policy, established by the Judicial Council in October 2006 and revised in April 2009, requires trial courts to set aside a percentage of funds for use in emergency situations or when revenue shortages or budgetary imbalances may exist, based on a percentage of the court's prior year's ending total unrestricted general fund expenditures. This policy has been suspended by the Judicial Council since August 31, 2012, due to changes in statute. The Trial Court Budget Advisory Committee recommends that the Judicial Council approve an extension to the suspension of the minimum operating and emergency fund balance policy.

**Speakers:** Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Mr. Zlatko Theodorovic, Budget Services

*10 minutes*

[17-004](#)**Budget: Update to Fiscal Year 2017-2018 Budget Proposal for the Trial Courts, Statewide Electronic Filing Implementation and Operational Support (Action Required)****Summary:**

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch and the Judicial Council Technology Committee recommend approval and submission of the revised fiscal year 2017-2018 budget proposal for the Trial Courts, Statewide Electronic Filing Implementation and Operational Support. There have been revisions to this request that warrant further review and approval of the amended proposal. Submittal of budget change proposals is the standard process for proposing funding adjustments in the State Budget. This proposal was submitted to the Department of Finance on September 2, 2016, as a placeholder request. It is anticipated that this request will be submitted to the Department of Finance in February 2017 for inclusion in the 2017-18 Governor's May Revision proposal.

**Speakers:**

Mr. Zlatko Theodorovic, Budget Services

*10 minutes*

[17-015](#)**Trial Courts: State Trial Court Improvement and Modernization Fund Allocations (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends that the Judicial Council approve the one-time allocation of \$399,111 to the Superior Court of Humboldt County in 2016-2017 and \$572,622 to the Superior Court of Madera County in 2017-2018 from the State Trial Court Improvement and Modernization Fund to address information technology infrastructure needs.

**Speakers:**

Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Mr. Zlatko Theodorovic, Budget Services

*20 minutes*

**INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**[17-006](#)**Judicial Branch Education: Final Report of the 2014-2016 Education Plan****Summary:**

The Governing Committee of the Center for Judicial Education and Research (CJER) has completed the final report on its 2014-2016 Education Plan for the judicial branch (see Attachment A). The education plan, which was developed by the CJER Governing Committee for all the judicial branch audiences that CJER serves, contains training and education programs and products that enable those audiences to fulfill the education requirements and expectations outlined in rules 10.451-10.491 of the California Rules of Court. This final report provides an overview of the education plan's execution and the extent to which it met the educational objectives established by the CJER Governing Committee.

**There were no Circulating Orders since the last Judicial Council business meeting.**

**There were no Appointment Orders since the last Judicial Council business meeting.**

**Adjournment (approx. 2:45 p.m.)**

**Trial Court Presiding Judges Advisory Committee (TCPJAC)**  
**Annual Agenda—2017**  
**Approved by E&P: \_\_\_\_\_**

**I. ADVISORY BODY INFORMATION**

<b>Chair:</b>	Hon. Jeffrey B. Barton, Presiding Judge, Superior Court of San Diego County
<b>Staff:</b>	Mr. Cliff Alumno, Senior Analyst, Leadership Services Division
<b>Advisory Body's Charge:</b>	
<p>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)):</p> <ol style="list-style-type: none"> <li>(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;</li> <li>(2) Respond and provide input to the Judicial Council, appropriate advisory committees, or Judicial Council staff 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</li> <li>(3) Provide for liaison between the trial courts and the Judicial Council, its advisory committees, task forces, and working groups, and Judicial Council staff.</li> </ol>	
<b>Advisory Body's Membership:</b>	
<ul style="list-style-type: none"> <li>• <b>TCPJAC:</b> Per rule 10.46(c), TCPJAC comprises the presiding judges from all 58 superior courts of California.</li> <li>• <b>TCPJAC Executive Committee:</b> Consists of 18 members—all presiding judges from the nine superior courts with 48 or more judges; two presiding judges from the superior courts with 2 to 5 judges; three presiding judges from the superior courts with 6 to 15 judges; and four presiding judges from superior courts with 16 to 47 judges.</li> </ul>	

**Subgroups/Working Groups:**

- TCPJAC/CEAC Joint Legislation Subcommittee
- TCPJAC/CEAC Joint Rules Subcommittee
- TCPJAC/CEAC Joint Technology Subcommittee
- TCPJAC/CEAC Joint Working Group on Court Fees
- TCPJAC/CEAC Joint Working Group to Assess Issues Related to Body Cameras Worn by Law Enforcement (New)
- TCPJAC/CEAC Joint Trial Court Efficiencies Vetting Group

**Advisory Body's Key Objectives for 2017:**

- 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 regarding policies, procedures, standards, projects, and other 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;
- Gather information on effective and efficient practices relating to traffic case processing and share the information with presiding judges and court executive officers statewide;



- Review, comment, and make recommendations on issues related to the body cameras worn by law enforcement, including storage of evidence that comes from law enforcement body cameras and the presence of body-worn cameras brought into the court by officers appearing on legal matters;
- Develop strategies on how presiding judges can strengthen their role and be better prepared to both advocate for and assist the Judicial Council, including Governmental Affairs, in advocating for increased funding to the Trial Court Trust Fund;
- Improve the process of fines, fees, and forfeitures statewide;
- Collect information concerning trial court innovation projects statewide. Develop a mechanism to share information on court innovations to presiding judges and court executive officers statewide;
- 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 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.	<p><b>Develop, Review, Comment, and Make Recommendations on Proposed Legislation to Establish New and/or Amend Existing Laws</b></p> <p>Through the <b>TCPJAC/CEAC Joint Legislation Subcommittee (JLS)</b>, monitor proposed and existing legislation that has a significant operational and/or administrative impact on the trial courts.</p> <p>The JLS will also review proposals to create, amend, or repeal statutes to achieve cost savings or greater efficiencies for the trial courts and recommend proposals for future consideration by the Policy Coordination and Liaison Committee (PCLC).</p>	1	<p><b>Judicial Council Direction:</b></p> <p><b>Goal II:</b> Independence and Accountability</p> <p><b>Objective 2.</b> 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.</p> <p><b>Objective 3:</b> 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.</p> <p><b>Goal III:</b> Modernization of Management and Administration</p> <p><b>Objective 4:</b> Uphold the integrity of court orders, protect court user safety,</p>	Ongoing	<p>Comments on proposed legislation and recommendations to PCLC on behalf of TCPJAC and CEAC.</p> <p>Identify high-priority legislative proposals for the trial courts and request PCLC’s consideration of these proposals.</p>

<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
			<p>and improve public understanding of compliance requirements; improve collection of fines fees, and forfeitures statewide.</p> <p><b>Objective 5:</b> 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.</p> <p><b>Origin of Project:</b> California Rule of Court 10.46(b)(2)</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership and Governmental Affairs. Subject matter presentation and expertise. Staffing of subcommittee.</p> <p><b>Key Objective Supported:</b> 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.</p>		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
2.	<p><b>Develop, Review, and/or Provide Input on Proposals to Establish, Amend, or Repeal the California Rules of Court, Standards on Judicial Administration, and Forms; Make Recommendations on the Rule Making Process</b></p> <p>Through the <b>TCPJAC/CEAC Joint Rules Subcommittee (JRS)</b>, 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 trial courts.</p> <p>The JRS focuses on those proposals that may lead to a significant fiscal and/or operational impact on the trial courts. Additionally, the JRS makes recommendations to RUPRO concerning the overall rule making process.</p>	1	<p><b>Judicial Council Direction:</b></p> <p><b>Goal II:</b> Independence and Accountability</p> <p><b>Objective 3:</b> 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.</p> <p><b>Goal III:</b> Modernization of Management and Administration</p> <p><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.</p> <p><b>Objective 5:</b> 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.</p> <p><b>Goal VI:</b> Branchwide Infrastructure and Service Excellence</p> <p><b>Objective 4:</b> Implement new tools to facilitate the electronic exchange of</p>	Ongoing	Comments on proposals concerning rules, standards, forms. Recommendations to RUPRO on behalf of TCPJAC and CEAC.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>court information while balancing privacy and security.</p> <p><b>Origin of Project:</b> California Rule of Court 10.46(b)(2)</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership and Legal Services (LS). Subject matter presentation and expertise. Staffing of subcommittee.</p> <p><b>Key Objective Supported:</b> Develop, review, and provide input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and forms.</p>		
3.	<p><b>Review and Make Recommendations on Court Technology Proposals and Recommendations</b></p> <p>Through the <b>TCPJAC/CEAC Joint Court Technology Subcommittee</b>, the committees will review and provide, on an as needed basis, early presiding judge and court executive officer input on court technology proposals and recommendations that have a direct impact on court operations.</p>	2	<p><b>Judicial Council Direction:</b></p> <p><b>Goal VI:</b> Branchwide Infrastructure for Service Excellence</p> <p><b>B. Technology Infrastructure</b></p> <p><b>Policy 1:</b> Encourage and sustain innovation in the use of new information-sharing technologies.</p> <p><b>Policy 2:</b> 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</p>	Ongoing	Input into the development and future adoption of court technology proposals and recommendations that have a direct impact on court operations.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>The subcommittee also provides input and feedback on various technology issues being addressed by the Judicial Council Technology Committee and the Information Technology Advisory Committee. The subcommittee is charged to provide preliminary feedback on technology proposals on behalf of the TCPJAC and CEAC. Input on more substantive technology policy decisions will first be vetted by the Technology Subcommittee and then presented to TCPJAC and CEAC for final review.</p>		<p>technology needs of the judicial branch and the public.</p> <p><b>Policy 3:</b> 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.</p> <p><b>Origin of Project:</b> TCPJAC and CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership, Legal Services, and Information Technology. Subject matter presentation and expertise.</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Review, comment, and make recommendations on policies, standards, and actions related to the development, maintenance, and enhancement of technological improvements for the trial courts.</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>		

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
4.	<p><b>Study Issues Related to Courts Charging Government Entities, Other Courts, and the Public for Services and Records</b></p> <p>The TCPJAC/CEAC Joint Working Group on Court Fees provides 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 various services and records.</p> <p>This working group may perform the following:</p> <ul style="list-style-type: none"> <li>• Assess any new or amended legislation and rules of court;</li> <li>• Identify and consider effective court practices for the purpose of information sharing among presiding judges and court executive officers;</li> <li>• Development of uniform methods for calculating various court fees; and</li> </ul>	2	<p><b>Judicial Council Direction:</b></p> <p><b>Goal III:</b> Modernization of Management and Administration</p> <p><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.</p> <p><b>Origin of Project:</b> TCPJAC and CEAC</p> <p><b>Resources:</b> Trial Court Budget Advisory Committee, Judicial Council and Trial Court Leadership, Governmental Affairs, Budget Services, and Legal Services. Subject matter presentation and expertise. Staffing of working group.</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Improve the process regarding fines, fees, and forfeitures statewide.</li> <li>• Gather information on effective and efficient practices relating to traffic case processing and share the information with presiding judges and court executive officers statewide.</li> </ul>	2018	<p>Analysis of related issues and possible recommendations to the Judicial Council; input on related legislation and rules of court. Dissemination of information concerning the processing of fines for on traffic cases.</p>

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<ul style="list-style-type: none"> <li>Assist the Judicial Council with assessing the impact of implementing AB 2839 (Chapter 769, Amendment of Sections 1205 and 2900.5 of the Penal Code, relating to criminal penalties).</li> </ul>		<ul style="list-style-type: none"> <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> <li>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.</li> <li>Identify efficient and effective trial court programs and practices that provide greater access to justice.</li> <li>Develop, review, comment, and make recommendations on various Judicial Council task force reports, other studies, and other recommendations aimed at improving court administration.</li> </ul>		



<p>5.</p>	<p><b>Encourage Cost Savings and Greater Efficiencies for the Trial Courts</b></p> <p>Through the <b>TCPJAC/CEAC Joint Trial Court Efficiencies Vetting Group</b>, continue ongoing maintenance and management of the Innovation Knowledge Center (IKC), focused outreach targeting case types/programs of interest to the branch and the legislature; and ongoing marketing and encouraging use of the IKC.</p>	<p>1</p>	<p><b>Judicial Council Direction:</b></p> <p><b>Goal II:</b> Independence and Accountability</p> <p><b>Objective 3:</b> 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.</p> <p><b>Goal III:</b> Modernization of Management and Administration</p> <p><b>Objective 2:</b> Evaluate and improve management techniques, allocation of funds, internal operations, and services; support the sharing of effective management practices branchwide.</p> <p><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.</p> <p><b>Objective 5:</b> 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.</p>	<p>Ongoing</p>	<p>Maintenance of the online IKC resource pages.</p> <p>Mechanism to share information on innovative trial court projects to court leadership statewide.</p>
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#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p><b>Origin of Project:</b> Directive of the Judicial Council.</p> <p><b>Resources:</b> Judicial Council and Trial Court.</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Increase legislative and executive branch understanding of trial court operations and funding needs.</li> <li>• Identify efficient and effective trial court programs and practices that provide greater access to justice.</li> <li>• Improve the process regarding fines, fees, and forfeitures statewide.</li> <li>• Collect information concerning trial court innovation projects statewide. Develop a mechanism to share information on court innovations to presiding judges and court executive officers statewide.</li> </ul>		

6.	<p><b>Assess Issues Related to the Body Cameras Worn by Law Enforcement</b></p> <p>Through a new joint TCPJAC/CEAC working group, the committees will assess:</p> <ul style="list-style-type: none"> <li>• Physical and electronic storage of evidence that comes from law enforcement body cameras; and</li> <li>• Issues relating to the presence of body-worn cameras brought into the court by officers appearing on legal matters. Review and recommend policies and procedures for trial courts.</li> <li>• Other related issues that may arise as the working group delves into this new subject.</li> </ul>	2	<p><b>Judicial Council Direction:</b></p> <p><b>Goal III:</b> Modernization of Management and Administration</p> <p><b>Policy A.1.:</b> Improve operations through innovation, technology, and the sharing of effective practices.</p> <p><b>Objective 2:</b> Evaluate and improve management techniques, allocation of funds, internal operations, and services; support the sharing of effective management practices branchwide.</p> <p><b>Goal IV:</b> Quality of Justice and Service to the Public</p> <p><b>Policy 1:</b> Maintain a branchwide culture that fosters excellence in public service by building strong working relationships with communities, law and justice system partners, and other state and local leaders.</p> <p><b>Policy 8:</b> Collaborate with justice system partners and community stakeholders to identify and promote programs that further the interests of all court users—including children and families.</p> <p><b>Origin of Project:</b> TCPJAC and CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership. Possible</p>	2018	<p>Evaluate and make recommendations concerning the following:</p> <ul style="list-style-type: none"> <li>• Storage of physical and electronic evidence arising from the use of body-worn cameras; and</li> <li>• Presence of body-worn cameras brought into the court environment by officers appearing on legal matters.</li> </ul>
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#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>consultation with the Court Security Advisory Committee, the Criminal Law Advisory Committee, and the Information Technology Advisory Committee.</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Review, comment, and make recommendations on issues related to storage of evidence that comes from law enforcement body cameras.</li> <li>• Identify legal issues related to relating to the presence of body-worn cameras brought into the court by law enforcement officers appearing on legal matters. Review, comment, and make recommendations related to the issues identified.</li> </ul>		
7.	<p><b>Propose Amending Penal Code Section 808 to include “court commissioners” within the definition of “magistrate.”</b></p> <p>This proposal was developed at the request of presiding judges to expand the pool of judicial officers who are authorized to perform magistrate duties, provide courts with greater flexibility to equitably address</p>	2	<p><b>Judicial Council Direction:</b></p> <p><b>Goal III:</b> Modernization of Management and Administration</p> <p><b>Objective 5.</b> Develop and implement effective trial and appellate case management rules, procedures, techniques, and practices to promote the fair, timely, consistent, and</p>	<p>December 2017</p> <p>Status: During its December 2016 business meeting, the Judicial Council approved proposal for Judicial</p>	Legislative change to Penal Code Section 808.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	judicial workloads, and increase access to justice.		<p>efficient processing of all types of cases.</p> <p><b>Origin of Project:</b> TCPJAC (March 19, 2015)</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership, Criminal Justice Services, Governmental Affairs, Legal Services, and the Criminal Law Advisory Committee.</p> <p><b>Key Objective Supported:</b> 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</p>	Council- sponsorship.	
8.	<p><b>Legislative Advocacy of Increased Funding for the Trial Court Trust Fund (TCTF)</b></p> <p>Develop strategies on how presiding judges can strengthen their role and be better prepared to both advocate for and assist the Judicial Council, including Governmental Affairs, in</p>	2	<p><b>Judicial Council Direction:</b></p> <p><b>Goal VII:</b> Adequate, Stable, and Predictable Funding for a Fully Functioning Branch</p> <p><b>Policy 1.</b> Continue advocacy for fund balances sufficient to allow courts to manage cash flow challenges, a method for stable and reliable growth funding for courts to address annual</p>	Fall 2017	<p>Development of a proposed list of court improvements to advocate for an increase in TCTF funding.</p> <p>Compilation of the subject matter expertise of the presiding judges to provide better assistance to the</p>

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	advocating for increased funding to the TCTF.		<p>cost increases in baseline operations, and sufficient additional resources to allow courts to (1) improve physical access to the courts by keeping courts open, (2) expand access by increasing the ability of court users to conduct branch business online, and (3) restore programs and services that have been reduced or eliminated in recent years.</p> <p><b>Goal II:</b> Independence and Accountability</p> <p><b>Objective 3:</b> 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.</p> <p><b>Origin of Project:</b> TCPJAC Executive Committee</p> <p><b>Resources:</b> Trial Court Leadership Services, Governmental Affairs, and Budget Services. Subject matter presentation and expertise.</p> <p><b>Key Objective Supported:</b> Increase legislative and executive branch understanding of trial court operations and funding needs.</p>		Judicial Council in advocacy discussions.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
9.	<p><b>Serve as a Resource</b></p> <p>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.</p>	2	<p><b>Judicial Council Direction:</b></p> <p><b>California Rules of Court:</b> Rule 10.46(b)</p> <p><b>Origin of Project:</b> Respective Judicial Council divisions and council advisory bodies.</p> <p><b>Resources:</b> Respective Judicial Council divisions and council advisory bodies.</p> <p><b>Key Objectives Supported:</b> All</p>	Ongoing	Provide input, feedback, data, and/or recommendations to requesting Judicial Council division or council advisory body

### III. STATUS OF 2016 PROJECTS:

[List each of the projects that were included in the 2016 Annual Agenda and provide the status for the project.]

#	Project	Completion Date/Status
1	<b>TCPJAC/CEAC Joint Legislation Subcommittee</b> – Remained active throughout 2016 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. This subcommittee will continue to 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	<b>TCPJAC/CEAC Joint Rules Subcommittee</b> – Provided review and input on behalf of the TCPJAC and CEAC, submitted comments on rules, standards, and form proposals that may have a significant fiscal and/or operational impact on the trial courts. This subcommittee will continue to meet as needed.	Ongoing
3	<b>TCPJAC/CEAC Joint Technology Subcommittee</b> – Because there were no matters to consider, the subcommittee did not convene in 2016.	Ongoing
4	<b>TCPJAC/CEAC Joint Working Group on Court Fees</b> – Due to efforts being made at the national and state levels to address various issues surrounding court fees, the working group’s activities were placed on a hold. The working group did not convene or take any action in 2016.	2018
5	<b>TCPJAC/CEAC Joint Trial Court Efficiencies Vetting Group</b> – Continued ongoing maintenance and management of the Innovation Knowledge Center (IKC), focused outreach targeting case types and programs of interest to the branch and the legislature; and ongoing marketing and encouraging use of the IKC.	Ongoing
6	<b>TCPJAC/CEAC Joint CLETS Working Group</b> – Collaborated with the Judicial Council’s Family and Juvenile Law Advisory Committee to develop the <i>Informational Handout for Family Law Trainings; Obtaining Information in Family Law Child Custody Matters</i> . This document summarizes the various approaches authorized by rules and statute for court staff to conduct investigations for adoptions and guardianships and assist with recommendations in child custody/visitation cases. The handout was presented at the August 2016 TCPJAC/CEAC statewide business meeting. The document has since been distributed at a 2016 new mediator/evaluator training provided by the Center for Judicial Education and Research (CJER) and was also shared with the CJER education committee that works on family law matters. It is also planned to be distributed at future judicial and court staff institutes and conferences. This working group was dissolved in 2016.	2016



#	Project	Completion Date/Status
7	<p><b>Amendment of Rules 2.810 and 10.742 (Pertaining to the Requirement to Report on the Use of Court-Appointed Temporary Judges)</b> – The TCPJAC and CEAC recommended (1) the amendment of rule 10.742, to eliminate that rule’s reporting requirements concerning the use of court-appointed temporary judges and (2) the amendment of subdivision (d) of rule 2.810 to delete the related reference to this reporting requirement. Rule 10.742 governs the use of attorneys as court-appointed temporary judges. Subdivision (c) of the rule requires each trial court that uses attorneys as temporary judges to report quarterly to the Judicial Council the number of attorneys used as temporary judges each month, the number and types of cases on which they were used, and whether any of the appointments were made under the exception in rule 2.810(d). The proposed rule change was referred to the TCPJAC/CEAC Joint Rules Subcommittee 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 Subcommittee. This rule proposal was included in the Winter 2015 rule proposal cycle and it was circulated for public comment December 2014 to January 2015. Due to concerns and opposition expressed by commissioners, the Rules and Projects Committee referred the proposal back to TCPJAC and CEAC to further explore the commissioners’ concerns. In July 2016, Judge Brian L. McCabe (former chair, TCPJAC) and Mr. Richard Feldstein (former chair, CEAC) met with commissioner representatives to further discuss the concerns of the commissioners and attempt to find a mutual resolution. The concerns that were raised by the commissioner representatives during this discussion mirrored those contained in the public comments. After discussing the commissioners’ concerns and the resource constraints of the trial courts, Judge McCabe and Mr. Feldstein concluded proceeding with the proposal as previously submitted to RUPRO was in the best interests of the trial courts. In October 2016, the Judicial Council considered this proposal and approved the proposed amendments to the rules. These amendments are effective January 1, 2017.</p>	October 2016
8	<p><b>Propose Amending Penal Code Section 808 to include “court commissioners” within the definition of “magistrate.”</b> – In October 2016, the TCPJAC and the Criminal Law Advisory Committee submitted a report to the Policy Coordination and Liaison Committee (PCLC) recommending that the Judicial Council sponsor legislation to amend Penal Code section 808 to include “court commissioners” within the definition of those who may serve as a “magistrate.” Since the duties of magistrates are easily distinguishable from the duties of judges, commissioner responsibilities could be increased to include magistrate duties without causing undue confusion. By expanding the pool of judicial officers who are authorized to exercise magistrate powers, the proposal is designed to promote court efficiencies, enhance access to justice, and provide court leadership with more flexibility to equitably address judicial workloads. The committees circulated the proposal for public comment from April 15 to June 14, 2016. During its December 16, 2016, business meeting, the council approved Judicial Council sponsorship of this proposed legislative amendment.</p>	December 2017

#	Project	Completion Date/Status
9	<b>Seek Ways to Clarify and Encourage Judicial Involvement in Local Justice Partnerships</b> – No progress made in 2016. Project to be reevaluated and not included in 2017 annual agenda.	
10	<b>Encourage Innovation in Domestic Violence Cases</b> – No progress made in 2016. Project to be reevaluated and not included in 2017 annual agenda.	

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## IV. SUBGROUPS/WORKING GROUPS—DETAIL

### Subgroups/Working Groups:

#### **TCPJAC/CEAC Joint Legislation Subcommittee**

***Purpose of subgroup or working group:*** This standing subcommittee 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 subcommittee will refer matters to TCPJAC and/or CEAC that the members determine need broader consideration. The subcommittee convenes throughout the year by conference call. In 2016, this subcommittee 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

***Number and description of additional members (not on this advisory body):*** 10 members from CEAC

***Date formed:*** 2001

***Number of meetings or how often the subgroup or working group meets:*** The working group meets via conference call every three to four weeks about two weeks prior to each PCLC meeting, and as issues arise.

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

#### **TCPJAC/CEAC Joint Rules Subcommittee**

***Purpose of subgroup or working group:*** This standing subcommittee 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 subcommittee will refer matters to the TCPJAC and/or CEAC that the members determine need broader consideration. The subcommittee convenes throughout the year by conference call to review proposals and evaluate the fiscal/operational impact of proposals on the trial courts.

***Number of advisory body members on the subgroup or working group:*** 6

***Number and description of additional members (not on this advisory body):*** 6 members from CEAC

***Date formed:*** 2001

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

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

### **TCPJAC/CEAC Joint Technology Subcommittee**

***Purpose of subgroup or working group:*** The subcommittee provides 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. The subcommittee also provides input and feedback on various technology issues being addressed by the Judicial Council Technology Committee and the Information Technology Advisory Committee. The subcommittee is charged to provide preliminary feedback on technology proposals on behalf of the TCPJAC and CEAC. Input on more substantive technology policy decisions will first be vetted by the Technology Subcommittee and then presented to TCPJAC and CEAC for final review.

***Number of advisory body members on the subgroup or working group:*** 6

***Number and description of additional members (not on this advisory body):*** 6 members from CEAC

***Date formed:*** 2015

***Number of meetings or how often the subgroup or working group meets:*** The subcommittee will meet by conference call as needed.

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

### **TCPJAC/CEAC Joint Working Group on Court Fees**

***Purpose of subgroup or working group:*** The working group provides 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 various services and records. The working group will also assess any new and related legislation, and rules of court.

***Number of advisory body members on the subgroup or working group:*** 6

***Number and description of additional members (not on this advisory body):*** 6 members from CEAC

***Date formed:*** November 7, 2014

***Number of meetings or how often the subgroup or working group meets:*** The working group is expected to meet by conference call approximately 3 to 6 times and possibly in person.

***Ongoing or date work is expected to be completed:*** 2018

### **TCPJAC/CEAC Joint Working Group to Assess Issues Related to Body Cameras Worn by Law Enforcement (New)**

***Purpose of subgroup or working group:*** The working group is tasked with reviewing and recommending policies and procedures for trial courts issues relating to 1) the physical and electronic storage of evidence that comes from law enforcement body cameras and 2) the presence of body-worn cameras brought into the court by law enforcement officers appearing on legal matters.

***Number of advisory body members on the subgroup or working group:*** 6

***Number and description of additional members (not on this advisory body):*** 6 members from CEAC

***Date formed:*** December 2016

***Number of meetings or how often the subgroup or working group meets:*** The working group will meet by conference call as needed.

***Ongoing or date work is expected to be completed:*** 2018

### **TCPJAC/CEAC Joint Trial Court Efficiencies Vetting Group**

***Purpose of subgroup or working group:*** The vetting group continues ongoing maintenance and management of the Innovation Knowledge Center (IKC), focused outreach targeting case types/programs of interest to the branch and the legislature; and ongoing marketing and encouraging use of the IKC.

***Number of advisory body members on the subgroup or working group:*** No current TCPJAC members. They are brought in on an ad hoc basis when needed.

***Number and description of additional members (not on this advisory body):*** 4 members from CEAC

***Date formed:*** 2015 (formerly the TCPJAC/CEAC Joint Trial Court Efficiencies Working Group)

***Number of meetings or how often the subgroup or working group meets:*** None. The vetting group conducts its work by e-mail.

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

**Court Executives Advisory Committee (CEAC)**  
**Annual Agenda—2017**  
**Approved by E&P:**

**I. ADVISORY BODY INFORMATION**

<b>Chair:</b>	Mr. Jake Chatters, Court Executive Officer, Superior Court of Placer County
<b>Staff:</b>	Ms. Claudia Ortega, Senior Analyst, Leadership Services Division
<b>Advisory Body's Charge:</b>	
<p>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)).</p> <p>In addition to this charge, the committee has the following additional duties (Cal. Rules of Court, rule 10.48(b)):</p> <ol style="list-style-type: none"> <li>1) Recommend methods and policies to improve trial court administrators' access to and participation in council decision making;</li> <li>2) Review and comment on legislation, rules, forms, standards, studies, and recommendations concerning court administration proposed to the council;</li> <li>3) Review and make proposals concerning the Judicial Branch Statistical Information System or other large-scope data collection efforts;</li> <li>4) Suggest methods and policies to increase communication between the council and the trial courts; and</li> <li>5) Meet periodically with the Judicial Council's executive team to enhance branch communications.</li> </ol>	
<b>Advisory Body's Membership:</b>	
<ul style="list-style-type: none"> <li>• <b>CEAC:</b> Per rule 10.48(c), CEAC consists of the court executive officers from the 58 California superior courts.</li> <li>• <b>Executive Committee of CEAC:</b> 18 members. Per rule 10.48(d), the Executive Committee consists of the following members: <ul style="list-style-type: none"> <li>▪ The nine court executive officers or interim/acting court executive officers from the nine trial courts that have 48 or more judges;</li> <li>▪ Four court executive officers from trial courts that have 16 to 47 judges;</li> <li>▪ Two court executive officers from trial courts that have 6 to 15 judges;</li> <li>▪ Two court executive officers from trial courts that have 2 to 5 judges; and</li> <li>▪ One at-large member appointed from the trial courts by the committee chair to a one-year term.</li> </ul> </li> </ul>	

### **Subgroups/Working Groups<sup>1</sup>:**

1. TCPJAC/CEAC Joint Legislation Subcommittee
2. TCPJAC/CEAC Joint Rules Subcommittee
3. TCPJAC/CEAC Joint Technology Subcommittee
4. TCPJAC/CEAC Joint Working Group on Court Fees
5. TCPJAC/CEAC Joint Working Group to Assess Issues Related to Body Cameras Worn by Law Enforcement (New)
6. TCPJAC/CEAC Joint Trial Court Efficiencies Vetting Group
7. Nominations Subcommittee
8. Records Management Subcommittee
9. Trial Court Facilities Working Group
10. JBSIS Working Group

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<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 2017:

- Address the current level of branch-wide underfunding 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;
- Partner with the Judicial Council and other advisory bodies to identify and develop strategies that assist courts in developing operational and programmatic efficiencies thereby maximizing existing financial resources;
- Develop programs to assist trial courts with the review, reengineering, and enhancement of court processes and programs to provide increased access to justice services;
- Increase the legislative branch's and executive branch's understanding of trial court operations and the resource requirements necessary to adequately meet the justice service needs and expectations of California residents;
- Review, comment, and make recommendations regarding policies, procedures, standards, projects, and other actions related to the development, maintenance, and enhancement of technological improvements for the trial courts;
- Review, comment, and make recommendations regarding policies, procedures, standards, projects, and other actions related to the design, construction, and maintenance of trial court facilities;
- Advance the role of the professional administrator on key branch advisory groups and projects by demonstrating the value of sound administrative principles and practices to the successful delivery of justice services throughout the state;
- Recommend, review and comment on policies, procedures, and technologies 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 trial courts;
- Assist staff in the Judicial Council's Governmental Affairs office with proposed legislation addressing new laws or the amendment of existing laws including: 1) reviewing and recommending draft proposals for council-sponsored legislation; 2) reviewing and developing recommendations regarding draft proposals from other advisory bodies for legislation; 3) reviewing and developing recommendations regarding bills sponsored by other parties that may impact court administration; and 4) directly participating in and otherwise supporting legislative advocacy and related activities;
- 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 Chief Justice, Judicial Council's Administrative Director, and division chiefs regarding matters affecting the operation of trial courts.



## II. ADVISORY BODY PROJECTS

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
1.	<p><b>Develop, Review, Comment, and Make Recommendations on Proposed Legislation to Establish New and/or Amend Existing Laws</b></p> <p>Through the TCPJAC/CEAC <b>Joint Legislation Subcommittee (JLS)</b>, monitor proposed and existing legislation that has a significant operational and/or administrative impact on the trial courts.</p> <p>The JLS will also review proposals to create, amend, or repeal statutes to achieve cost savings or greater efficiencies for the trial courts and recommend proposals for future consideration by the Policy Coordination and Liaison Committee (PCLC).</p>	1	<p><b>Judicial Council Direction:</b>  <b>Goal II: Independence and Accountability</b>  <b>Objective 2.</b> 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.  <b>Objective 3.</b> 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.</p> <p><b>Goal III: Modernization of Management and Administration</b>  <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 effective trial and appellate case management rules, procedures, techniques, and practices to promote</p>	Ongoing	<p>Comments on proposed legislation and recommendations to PCLC on behalf of TCPJAC and CEAC.</p> <p>Identify high-priority legislative proposals for the trial courts and request PCLC’s consideration of these proposals.</p>

<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 <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>the fair, timely, consistent, and efficient processing of all types of cases.</p> <p><b>Origin of Project:</b> California Rule of Court 10.48(b)(2)</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership and Governmental Affairs. Subject matter presentation and expertise. Staffing of subcommittee.</p> <p><b>Key Objective Supported:</b> Assist staff in the Judicial Council’s Governmental Affairs office with proposed legislation addressing new laws or the amendment of existing laws including: 1) reviewing and recommending draft proposals for council-sponsored legislation; 2) reviewing and developing recommendations regarding draft proposals from other advisory bodies for legislation; 3) reviewing and developing recommendations regarding bills sponsored by other parties that may impact court administration; and 4) directly participating in and otherwise supporting legislative advocacy and related activities.</p>		
2.	<b>Develop, Review, and/or Provide Input on Proposals to Establish, Amend, or Repeal the California Rules of Court, Standards of</b>	1	<p><b>Judicial Council Direction:</b> <b>Goal II:</b> Independence and Accountability <b>Objective 3.</b> Improve communication within the judicial branch, with other branches of</p>	Ongoing	Comments on proposals concerning rules, standards, and forms. Recommendations to

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p><b>Judicial Administration, and Forms; Make Recommendations on the Rule Making Process</b></p> <p>Through the <b>TCPJAC/CEAC Joint Rules Subcommittee (JRS)</b>, 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 trial courts. The JRS focuses on those proposals that may lead to a significant fiscal and/or operational impact on the trial courts. Additionally, the JRS makes recommendations to RUPRO concerning the overall rule making process.</p>		<p>government, with members of the bar, and with the public to achieve better understanding of statewide issues that impact the delivery of justice.</p> <p><b>Goal III:</b> Modernization of Management and Administration  <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 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.</p> <p><b>Goal VI:</b> Branchwide Infrastructure and Service Excellence  <b>Objective 4.</b> Implement new tools to facilitate the electronic exchange of court information while balancing privacy and security.</p> <p><b>Origin of Project:</b> California Rule of Court 10.48(b)(2)</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership and Legal Services. Subject matter presentation and expertise. Staffing of subcommittee.</p>		<p>RUPRO on behalf of TCPJAC and CEAC.</p>

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p><b>Key Objective Supported:</b> 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 trial courts.</p>		
3.	<p><b>Review and Make Recommendations on Court Technology Proposals and Recommendations</b></p> <p>Through the Joint TCPJAC/CEAC Technology Subcommittee, the committees will review and provide, on an as needed basis, early presiding judge and court executive officer input on court technology proposals and recommendations that have a direct impact on court operations.</p> <p>The subcommittee also provides input and feedback on various technology issues being addressed by the Judicial Council Technology Committee and the Information Technology Advisory Committee. The subcommittee is charged with providing preliminary feedback on technology proposals on behalf of</p>	2	<p><b>Judicial Council Direction:</b> <b>Goal VI:</b> Branchwide Infrastructure for Service Excellence B. Technology Infrastructure <b>Policy 1:</b> Encourage and sustain innovation in the use of new information-sharing technologies. <b>Policy 2:</b> 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. <b>Policy 3:</b> 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.</p> <p><b>Origin of Project:</b> TCPJAC and CEAC</p>	Ongoing	Input into the development and future adoption of court technology proposals and recommendations that have a direct impact on court operations.

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>TCPJAC and CEAC. Input on more substantive technology policy decisions will first be vetted by the Technology Subcommittee and then presented to TCPJAC and CEAC for final review.</p>		<p><b>Resources:</b> Judicial Council and Trial Court Leadership, Legal Services, and Information Technology. Subject matter presentation and expertise.</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Recommend, review and comment on policies, procedures, and technologies 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>		
4.	<p><b>Study Issues Related to Courts Charging Government Entities, Other Courts, and the Public for Services and Records</b></p> <p>The TCPJAC/CEAC Joint Working Group on Court Fees provides 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</p>	2	<p><b>Judicial Council Direction:</b>  <b>Goal III:</b> Modernization of Management and Administration  <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.</p> <p><b>Origin of Project:</b> TCPJAC and CEAC</p> <p><b>Resources:</b> Trial Court Budget Advisory Committee, Judicial Council and Trial Court</p>	2018	<p>Analysis of related issues and possible recommendations to the Judicial Council; Input on related legislation and rules of court.</p> <p>Dissemination of information concerning the processing of fines for traffic cases.</p>

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>courts, and the public for various services and records.</p> <p>This working group may perform the following:</p> <ul style="list-style-type: none"> <li>• Assess any new or amended legislation and rules of court;</li> <li>• Identify and consider effective court practices for the purpose of information sharing among presiding judges and court executive officers;</li> <li>• Development of uniform methods for calculating various court fees; and</li> <li>• Assist the Judicial Council with assessing the impact of implementing AB 2839 (Chapter 769, Amendment of Sections 1205 and 2900.5 of the Penal Code, relating to criminal penalties).</li> </ul>		<p>Leadership, Governmental Affairs, Budget Services, and Legal Services. Subject matter presentation and expertise. Staffing of working group.</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Assist staff in the Judicial Council’s Governmental Affairs office with proposed legislation addressing new laws or the amendment of existing laws including: 1) reviewing and recommending draft proposals for council-sponsored legislation; 2) reviewing and developing recommendations regarding draft proposals from other advisory bodies for legislation; 3) reviewing and developing recommendations regarding bills sponsored by other parties that may impact court administration; and 4) directly participating in and otherwise supporting legislative advocacy and related activities.</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 trial courts.</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>		

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
5.	<p><b>Encourage Cost Savings and Greater Efficiencies for the Trial Courts</b></p> <p>Through the TCPJAC/CEAC <b>Joint Trial Court Efficiencies Vetting Group</b> continue ongoing maintenance and management of the Innovation Knowledge Center (IKC), focused outreach targeting case types/programs of interest to the branch and the legislature; and ongoing marketing and encouraging use of the IKC.</p>	1	<p><b>Judicial Council Direction:</b></p> <p><b>Goal II:</b> Independence and Accountability</p> <p><b>Objective 3:</b> 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.</p> <p><b>Goal III:</b> Modernization of Management and Administration</p> <p><b>Objective 2:</b> Evaluate and improve management techniques, allocation of funds, internal operations, and services; support the sharing of effective management practices branchwide.</p> <p><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.</p> <p><b>Objective 5.</b> 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.</p> <p><b>Origin of Project:</b> Directive of the Judicial Council</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership</p>	Ongoing	<p>Maintenance of the online IKC resource pages.</p> <p>Mechanism to share information on innovative trial court projects to court leadership statewide.</p>

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Develop programs to assist trial courts with the review, reengineering, and enhancement of court processes and programs to provide increased access to justice services.</li> <li>• Increase the legislative branch’s and executive branch’s understanding of trial court operations and the resource requirements necessary to adequately meet the justice service needs and expectations of California residents.</li> </ul>		
6.	<p><b>Assess Issues Related to the Body Cameras Worn by Law Enforcement</b></p> <p>Through a new TCPJAC/CEAC joint working group, the committees will assess:</p> <ul style="list-style-type: none"> <li>• Physical and electronic storage of evidence that comes from law enforcement body cameras.</li> <li>• Issues relating to the presence of body-worn cameras brought into the court by officers appearing on legal matters. Review and recommend policies and procedures for trial courts.</li> <li>• Other related issues that may arise as the working group delves into this new subject.</li> </ul>	2	<p><b>Judicial Council Direction:</b></p> <p><b>Goal III: Modernization of Management and Administration</b></p> <p><b>Policy A.1.:</b> Improve operations through innovation, technology, and the sharing of effective practices.</p> <p><b>Objective 2:</b> Evaluate and improve management techniques, allocation of funds, internal operations, and services; support the sharing of effective management practices branchwide.</p> <p><b>Goal IV: Quality of Justice and Service to the Public</b></p> <p><b>Policy 1:</b> Maintain a branchwide culture that fosters excellence in public service by building strong working relationships with communities, law and justice system partners, and other state and local leaders.</p> <p><b>Policy 8:</b> Collaborate with justice system partners and community stakeholders to identify</p>	2018	<p>Evaluate and make recommendations concerning the following:</p> <ul style="list-style-type: none"> <li>• the storage of physical and electronic evidence arising from the use of body-worn cameras; and</li> <li>• the presence of body-worn cameras brought into the court environment by officers appearing on legal matters.</li> </ul>



#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>and promote programs that further the interests of all court users—including children and families.</p> <p><b>Origin of Project:</b> TCPJAC and CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership. Possible consultation with the Court Security Advisory Committee, Criminal Law Advisory Committee, and the Information Technology Advisory Committee</p> <p><b>Key Objectives Supported:</b> Recommend, review and comment on policies, procedures, and technologies that address data and record information storage, retrieval, reporting and sharing; information ownership; and information access control issues.</p>		
7.	<p><b>Support the Language Access Plan Implementation Task Force and Focus on Local Operational Matters Related to the Future Implementation of the Language Access Plan in All Trial Courts</b></p> <p>CEAC will support the Language Access Plan Implementation Task Force in fulfilling its charge by providing any needed data, fiscal and other estimates, and input on its</p>	2	<p><b>Judicial Council Direction:</b> <i>Strategic Plan for Language Access in the California Courts</i></p> <p><b>Origin of Project:</b> CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership and Court Interpreter’s Program</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Address the current level of branch-wide underfunding by working with the Judicial Council to secure equitable, adequate, and sustainable funding for the trial courts that</li> </ul>	2017	<p>Conveyance of information to the Language Access Plan Implementation Task Force regarding implementation of the Language Access Plan in all trial courts, development of policies, best practices, recommendations, and resources that focus on local operational matters</p>

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>proposals and recommendations when requested by its chair.</p> <p>As the task force continues with its work, CEAC will also focus on <i>local</i> operational matters related to the future implementation of the Language Access Plan in all trial courts. These local operational matters include the following:</p> <ol style="list-style-type: none"> <li>1. Identify local resources and strategies for the expansion of justice services to limited English proficient litigants;</li> <li>2. Evaluate and recommend opportunities for trial courts to share and leverage innovations and enhancements related to the expansion of justice services to limited English proficient litigants; and</li> <li>3. Recommend best practices related to the local management of language access resources and services including how best to integrate them into other areas of local court operations in a manner that increases interpreter and other language access effectiveness.</li> </ol>		<p>provides resources necessary to fully fund essential court operations.</p> <ul style="list-style-type: none"> <li>• Partner with the Judicial Council and other advisory bodies to identify and develop strategies that assist courts in developing operational and programmatic efficiencies thereby maximizing existing financial resources.</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>		

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
8.	<p><b>Trial Court Facilities Working Group</b></p> <p>Through this new working group, CEAC will:</p> <ul style="list-style-type: none"> <li>Review and provide, on an as needed basis, early court executive officer input on facility related proposals and recommendations that have a direct impact on court operations; and</li> <li>Discuss strategies and best practices for courts facing delayed court construction projects and provide input, as appropriate, to the Court Facility Advisory Committee (CFAC) on advocacy efforts.</li> </ul> <p>The working group will also provide input and feedback on various facility issues being addressed by the Judicial Council Facility Modification Advisory Committee and CFAC. The working group is charged with providing preliminary feedback on facility proposals on behalf of CEAC. Input on more substantive facility policy decisions will first be vetted by the subcommittee and</p>	2	<p><b>Judicial Council Direction:</b></p> <p><b>Goal VI:</b> Branchwide Infrastructure for Service Excellence</p> <p><b>Policy A.1.</b> Provide and maintain safe, dignified, and fully functional facilities for conducting court business.</p> <p><b>Policy A.2.</b> Provide judicial branch facilities that accommodate the needs of all court users, as well as those of justice system partners.</p> <p><b>Origin of Project:</b> CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership. Possible consultation with the Court Facilities Advisory Committee, Trial Court Facility Modification Advisory Committee, Capital Program office, and Real Estate and Facilities Management office</p> <p><b>Key Objective Supported:</b></p> <p>Review, comment, and make recommendations regarding policies, procedures, standards, projects, and other actions related to the design and construction of trial court facilities.</p>	2017	<p>Provide input on facility related proposals, make recommendations, and explore best practices for courts facing delayed court construction projects.</p>

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	then presented CEAC for final review.				
9.	<p><b>Develop Guidance Concerning Reciprocal Assignments and Case Transfers</b></p> <p>CEAC will develop policies, guidelines, or effective practices concerning reciprocal assignments and the transfer of cases between courts. Trial courts have expressed confusion regarding the statutory requirements and varying court practices surrounding administration and adjudication of a case transferred from one court to another. At a recent trial court training session, all participants conveyed the need for information that would clarify the processes and help the courts identify best practices to use in accordance with relevant law. CEAC may also consider development of guidance concerning change of venue processes for civil matters.</p>	2	<p><b>Judicial Council Direction:</b>  <b>Goal III:</b> Modernization of Management and Administration  <b>Objective 2.</b> Evaluate and improve management techniques, allocation of funds, internal operations, and services: support the sharing of effective management practices branchwide.</p> <p><b>Origin of Project:</b> CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership, Assigned Judges Program, and possibly Legal Services</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Partner with the Judicial Council and other advisory bodies to identify and develop strategies that assist courts in developing operational and programmatic efficiencies thereby maximizing existing financial resources.</li> <li>• Develop programs to assist trial courts with the review, reengineering, and enhancement of court processes and programs to provide increased access to justice services.</li> </ul>	2017	Policies, guidelines, or effective practices concerning reciprocal assignments and the transfer of cases.

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
10.	<p><b>Strengthen the Role of Court Executive Officers in Outreach to the Legislative and Executive Branches</b></p> <p>CEAC will conduct outreach with the legislature with a focus on legislative staff in 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 budget and the fiscal/operational needs of the trial courts.</p> <p>CEAC will also seek to 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 Budget Services.</p>	2	<p><b>Judicial Council Direction:</b>  <b>Goal II:</b> Independence and Accountability  <b>Objective 2.</b> 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.  <b>Objective 3.</b> 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.</p> <p><b>Origin of Project:</b> CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership, Governmental Affairs, and Budget Services</p> <p><b>Key Objective Supported:</b>  Increase the legislative branch's and executive branch's understanding of trial court operations and the resource requirements necessary to adequately meet the justice service needs and expectations of California residents.</p>	Ongoing	<p>Develop legislative strategy.</p> <p>Strengthen relationships with leaders in the legislative and executive branches.</p>

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
11.	<p><b>Update the <i>Trial Court Records Manual</i> (TCRM) and Review and Make Recommendations to Statutes and Rules of Court Governing Trial Court Records Management</b></p> <p>Through the <b>Records Management Subcommittee</b>, CEAC will continue to develop and publish subsequent updates to the TCRM with a focus on sections concerning electronic records and promoting best practices. It will also continue to review and make recommendations on various statutes and rules governing trial court records management. The subcommittee identified the following projects:</p> <ul style="list-style-type: none"> <li>• Develop standards and guidelines governing electronic signatures on documents filed by the parties and attorneys for inclusion in the TCRM. The Information Technology Advisory Committee (ITAC) developed a legislative proposal to amend Code of Civil Procedure section 1010.6(b)(2) in 2016. To conform to this</li> </ul>	2	<p><b>Judicial Council Direction:</b></p> <p><b>Goal III:</b> Modernization of Management and Administration</p> <p><b>Objective 2.</b> Evaluate and improve management techniques, allocation of funds, internal operations, and services: support the sharing of effective management practices branchwide.</p> <p><b>Objective 5.</b> 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.</p> <p><b>Origin of Project:</b> Recommendation/suggestion from the Information Technology Advisory Committee and CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership, Information Technology, and Legal Services. Subject matter presentation and expertise. Staffing of subcommittee.</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Partner with the Judicial Council and other advisory bodies to identify and develop strategies that assist courts in developing operational and programmatic efficiencies thereby maximizing existing financial resources.</li> <li>• Recommend, review and comment on policies, procedures, and technologies that address data and record information storage,</li> </ul>	<p>TCRM Updates – Ongoing</p> <p>GC §§ 68152(a)(6) and 68153 – 2018</p>	<p>Updated TCRM and amendments to GC §§ 68152 and 68153.</p>

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>legislative proposal, ITAC will also develop a rule proposal in 2017 to amend Cal. Rules of Court, rule 2.257, to authorize electronic signatures on documents filed into the courts by the parties and attorneys. If the legislative proposal is enacted by the Legislature and rule proposal is adopted by the Judicial Council, the amendments will take effect January 1, 2018.</p> <ul style="list-style-type: none"> <li>• Review and develop standards and guidelines for electronic court records maintained as data in case management systems. Determine what statutory and rule changes may be required to authorize and implement the maintenance of court records in the form of data.</li> <li>• Review statutes and rules of court pertaining to the contents of registers of action and indexes to determine whether amendments to statutes or rules are necessary. The subcommittee would also like to develop additional guidelines on the contents of indexes and electronic registers of action</li> </ul>		<p>retrieval, reporting and sharing; information ownership; and information access control issues.</p> <ul style="list-style-type: none"> <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 trial courts.</li> </ul>		

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>remotely accessible by the public for inclusion in the TCRM to provide clarity and consistency among courts statewide. Currently, courts from different jurisdictions have varying practices on what to include in the electronic registers of action that are remotely accessible by the public.</p> <ul style="list-style-type: none"> <li>• Determine the need to propose amendments to Government Code section 68152 to clean up the records retention statutes. The technical amendments will include fixing statutory conflicts regarding the retention of original wills and codicils, retention of Prop 47 petitions, retention of criminal realignment filings, and retention periods for Family and Juvenile cases.</li> <li>• Develop best practices in maintaining original paper court records. Provide guidance on whether certain court records should be maintained in paper form. Several courts have approached Legal Services office with questions about</li> </ul>				



#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>specific types of court records that the original paper document need to be retained for policy reasons.</p> <ul style="list-style-type: none"> <li>• Develop additional guidelines for exhibits management.</li> <li>• Monitor the progress of proposed 2017 Judicial Council-sponsored legislation, which include amendments to Government Code section 68153, which eliminates the reporting requirement that superior courts must report destroyed court records to the Judicial Council and Government Code section 68152(a)(6), which include a retention period for court records in gun violence cases.</li> </ul>				
12.	<p><b>Provide Input to Update the JBSIS Filings Information Definitions</b></p> <p>CEAC will continue to provide input to a working group (staffed by the Office of Court Research (OCR)) that is reviewing and updating the Judicial Branch Statistical Information System (JBSIS) filings information</p>	2	<p><b>Judicial Council Direction:</b>  <b>Goal III:</b> Modernization of Management and Administration  <b>Recommended Policy A2:</b> 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.</p>	2017	Updated JBSIS filings information definitions.

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>definitions. The working group is focusing on these higher priority definitions, rather than reviewing and updating all definitions in the JBSIS manual.</p> <p>The working group has developed some preliminary recommendations and responses to the courts' feedback and questions concerning JBSIS reporting. It will continue with its work and expects to release the final JBSIS recommendations and updated definitions sometime in 2017.</p> <p>Staff from OCR has also been providing ongoing support to a separate JBSIS subcommittee of the California Tyler Users Group (CATUG). Court Executive Officers and staff members of CATUG recommended that a small group of courts work with Tyler and OCR establish a consistent approach for JBSIS reporting from this new case management system. This subcommittee identified a list of JBSIS reporting questions for OCR, many of which overlap with those questions being considered by the JBSIS working group. OCR has</p>		<p><b>Origin of Project:</b> CEAC (November 2013 business meeting)</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership and OCR</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Recommend, review and comment on policies, procedures, and technologies 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>		

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>been coordinating the efforts to ensure that consistent and accurate information is being shared with all courts regardless of their case management system.</p>				
13.	<p><b>Provide Input on Potential Audit Program for Filings Data</b></p> <p>The Office of Court Research (OCR) in conjunction with other necessary Judicial Council divisions or units will develop an audit program for filings data. 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 OCR begins work in this area. OCR will update the Workload Assessment Advisory Committee (WAAC) on this audit program to ensure that it will evaluate all the filings data used in the workload models.</p> <p>OCR has been studying various options of how an audit program could be implemented. The first component of this plan is an expansion of the current data</p>	1	<p><b>Judicial Council Direction:</b>  <b>Goal III:</b> Modernization of Management and Administration  <b>Recommended Policy A2:</b> 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.</p> <p><b>Origin of Project:</b> CEAC</p> <p><b>Resources:</b> Judicial Council and Trial Court Leadership and OCR</p> <p><b>Key Objectives Supported:</b></p> <ul style="list-style-type: none"> <li>• Recommend, review and comment on policies, procedures, and technologies 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</li> </ul>	2018	Provide input to Judicial Council staff.

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>quality control process. OCR has already implemented this improved data quality control process for the fiscal year 2014–2015 data published in the 2016 Court Statistics Report, and has started the process for fiscal year 2015–2016. Additional components of a Data Audit project plan will be new functions within the Judicial Council, so staff will develop several options along with an estimate of the resource and workload needs for each option.</p> <p>Judicial Council staff expects to develop a draft plan for this Data Audit Program in 2017, though implementation of the plan may depend on securing additional resources so that timeframe may extend into 2018. The Audit Program itself would be an ongoing process/function and it would, therefore, not have a final completion date.</p>		<p>other recommendations aimed at improving court administration.</p>		
14.	<p><b>Review and Recommend Court Administrator Candidates for Membership on the Judicial Council, CEAC Executive</b></p>	1	<p><b>Judicial Council Direction:</b> California Rule of Court 10.48(e)(2)</p> <p><b>Origin of Project:</b> N/A</p>	Ongoing	<p>Provide nomination recommendations to the Executive and Planning Committee.</p>

#	Project <sup>2</sup>	Priority <sup>3</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p><b>Committee, and Other Advisory Groups</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• Members of CEAC’s 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> <li>•</li> </ul>		<p><b>Resources:</b> Judicial Council and Trial Court Leadership</p> <p><b>Key Objective Supported:</b> Advance the role of the professional administrator on key branch advisory groups and projects by demonstrating the value of sound administrative principles and practices to the successful delivery of justice services throughout the state.</p>		
15.	<p><b>Serve as a Resource</b></p> <p>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.</p>	2	<p><b>Judicial Council Direction:</b> California Rule of Court 10.48(b)</p> <p><b>Origin of Project:</b> Respective Judicial Council divisions and advisory bodies</p> <p><b>Resources:</b> Respective Judicial Council divisions and advisory bodies</p> <p><b>Key Objectives Supported:</b> All</p>	Ongoing	Provide input, feedback, data, and/or recommendations to requesting Judicial Council division or advisory body.

### III. STATUS OF 2016 PROJECTS:

#	Project	Completion Date/Status
1	TCPJAC/CEAC Joint Legislation Subcommittee – The TCPJAC/CEAC Joint Legislation Subcommittee remained active throughout 2016 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 2017, this subcommittee 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 Subcommittee – Provided review and, on behalf of the TCPJAC and CEAC, submitted comments on rule, standards, and form proposals that may have a significant fiscal and/or operational impact on the trial courts.	Ongoing
3	TCPJAC/CEAC Joint Trial Court Efficiencies Vetting Group – Continued ongoing maintenance and management of the Innovation Knowledge Center (IKC), focused outreach targeting case types/programs of interest to the branch and the legislature, and ongoing marketing and encouraging use of the IKC.	Ongoing
4	TCPJAC/CEAC Joint Technology Subcommittee – Because there were no matters to consider, the subcommittee did not convene in 2016.	Ongoing
5	TCPJAC/CEAC Joint Working Group on Court Fees – Due to efforts being made at the national and state levels to address various issues surrounding court fees, the working group’s activities were placed on a hold. The working group did not convene or take any action in 2016.	2017
6	TCPJAC/CEAC Joint CLETS Working Group – Collaborated with the Judicial Council’s Family and Juvenile Law Advisory Committee to develop the <i>Informational Handout for Family Law Trainings; Obtaining Information in Family Law Child Custody Matters</i> . This document summarizes the various approaches authorized by rules and statute for court staff to conduct investigations for adoptions and guardianships and assist with recommendations in child custody/visitation cases. The handout was presented at the August 2016 TCPJAC/CEAC statewide business meeting. The document has since been distributed at a 2016 new mediator/evaluator training provided by the Center for Judicial Education and Research (CJER) and was also	2016

	shared with the CJER education committee that works on family law matters. It is also planned to be distributed at future judicial and court staff institutes and conferences. This working group was dissolved in October 2016.	
7	Amendment of Rules 2.810 and 10.742 (Pertaining to the Requirement to Report on the Use of Court-Appointed Temporary Judges) – The TCPJAC and CEAC recommended (1) the amendment of rule 10.742, to eliminate that rule’s reporting requirements concerning the use of court-appointed temporary judges and (2) the amendment of subdivision (d) of rule 2.810 to delete the related reference to this reporting requirement. Rule 10.742 governs the use of attorneys as court-appointed temporary judges. Subdivision (c) of the rule requires each trial court that uses attorneys as temporary judges to report quarterly to the Judicial Council the number of attorneys used as temporary judges each month, the number and types of cases on which they were used, and whether any of the appointments were made under the exception in rule 2.810(d). The proposed rule change was referred to the TCPJAC/CEAC Joint Rules Subcommittee 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 Subcommittee. This rule proposal was included in the Winter 2015 rule proposal cycle and it was circulated for public comment December 2014 to January 2015. Due to concerns and opposition expressed by commissioners, the Rules and Projects Committee referred the proposal back to TCPJAC and CEAC to further explore the commissioners’ concerns. In July 2016, Judge Brian L. McCabe (former chair, TCPJAC) and Mr. Richard Feldstein (former chair, CEAC) met with commissioner representatives to further discuss the concerns of the commissioners and attempt to find a mutual resolution. The concerns that were raised by the commissioner representatives during this discussion mirrored those contained in the public comments. After discussing the commissioners’ concerns and the resource constraints of the trial courts, Judge McCabe and Mr. Feldstein concluded proceeding with the proposal as previously submitted to RUPRO was in the best interests of the trial courts. In October 2016, the Judicial Council considered this proposal and approved the proposed amendments to the rules. These amendments are effective January 1, 2017.	2016
8	Update the Trial Court Records Manual (TCRM) – CEAC made technical changes to the TCRM so that it would conform to statutory changes and amendments to rule 10.855. The technical changes were not circulated for comment because they updated the manual to conform to existing law, changes in the law, and to make non-substantive revisions. The revised manual was submitted to the Judicial Council at its December 16, 2016 meeting for information only. The revisions to the manual became effective on January 1, 2017.	TCRM Updates – January 1, 2017  Rule 10.855 Amendments – Adopted July 1, 2016

	<p>Amend rule 10.855 (Superior court records sampling program) – The Judicial Council adopted the amendments to rule 10.855 at its June 2016 meeting and the amendments took effect July 1, 2016. These amendments will substantially reduce the number of court records that superior courts are required to keep, while still ensuring that courts preserve a statistically significant sample of court records for future research purposes.</p> <p>Amend Government Code sections 68152(a)(6) (Retention of Gun Violence Cases) and 68153 (Elimination of Reporting Requirement) – The CEAC Records Management Subcommittee recommended amending Government Code sections 68152(a)(6), to specify the retention period for court records in gun violence cases and 68153 to eliminate the statutory requirement that superior courts must report destroyed court records to the Judicial Council. The council approved sponsoring these proposed legislative amendments at its December 16 meeting.</p>	<p>Government Code sections 68152(a)(6) and 68153 – January 1, 2018</p>
<p><b>9</b></p>	<p>Provide Input to Update the JBSIS Filings Information Definitions – The JBSIS Working Group did not convene for most of 2016 due to a decline in its membership and limited Judicial Council staff resources.</p>	<p>2017</p>
<p><b>10</b></p>	<p>Provide Input on Potential Audit Program for Filings Data – Because the JBSIS Working Group was not able to finish its work and due to limited Judicial Council staff resources, no significant work was able to be done on this project in 2016.</p>	<p>2018</p>



## IV. Subgroups/Working Groups - Detail

### Subgroups/Working Groups:

#### TCPJAC/CEAC Joint Legislation Subcommittee

- *Purpose of subgroup or working group:* This standing subcommittee 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 subcommittee will refer matters to TCPJAC and/or CEAC that the members determine need broader consideration. The subcommittee convenes throughout the year by conference call. In 2016, this subcommittee 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
- *Number and description of additional members (not on this advisory body):* 10 TCPJAC members
- *Date formed:* 2001
- *Number of meetings or how often the subgroup or working group meets:* The subcommittee 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 Subcommittee

- *Purpose of subgroup or working group:* This standing subcommittee 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 subcommittee will refer matters to the TCPJAC and/or CEAC that the members determine need broader consideration. The subcommittee 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
- *Number and description of additional members (not on this advisory body):* 6 TCPJAC members
- *Date formed:* 2001
- *Number of meetings or how often the subgroup or working group meets:* The subcommittee meets by conference call approximately 7 times a year.
- *Ongoing or date work is expected to be completed:* Ongoing

### **TCPJAC/CEAC Joint Technology Subcommittee**

- *Purpose of subgroup or working group:* The subcommittee provides 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. The subcommittee also provides input and feedback on various technology issues being addressed by the Judicial Council Technology Committee and the Information Technology Advisory Committee. The subcommittee is charged to provide preliminary feedback on technology proposals on behalf of the TCPJAC and CEAC. Input on more substantive technology policy decisions will first be vetted by the Technology Subcommittee and then presented to TCPJAC and CEAC for final review.
- *Number of advisory body members on the subgroup or working group:* 6
- *Number and description of additional members (not on this advisory body):* 6 TCPJAC members
- *Date formed:* 2015
- *Number of meetings or how often the subgroup or working group meets:* As needed.
- *Ongoing or date work is expected to be completed:* Ongoing

### **TCPJAC/CEAC Joint Working Group on Court Fees**

- *Purpose of subgroup or working group:* The working group provides 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 various services and records. The working group will also assess any new and related legislation, and rules of court.
- *Number of advisory body members on the subgroup or working group:* 6
- *Number and description of additional members (not on this advisory body):* 6 TCPJAC members
- *Date formed:* November 7, 2014
- *Number of meetings or how often the subgroup or working group meets:* The working group is expected to meet by conference call approximately 3 to 6 times and possibly in-person.
- *Ongoing or date work is expected to be completed:* 2018

### **TCPJAC/CEAC Joint Trial Court Efficiencies Vetting Group**

- *Purpose of subgroup or working group:* The vetting group continues ongoing maintenance and management of the Innovation Knowledge Center (IKC), focused outreach targeting case types/programs of interest to the branch and the legislature; and ongoing marketing and encouraging use of the IKC.
- *Number of advisory body members on the subgroup or working group:* 4
- *Number and description of additional members (not on this advisory body):* TCPJAC members participate as necessary.
- *Date formed:* 2015 (formerly the TCPJAC/CEAC Joint Trial Court Efficiencies Working Group)
- *Number of meetings or how often the subgroup or working group meets:* None. The vetting group conducts its work by e-mail.
- *Ongoing or date work is expected to be completed:* Ongoing

### **TCPJAC/CEAC Joint Working Group to Assess Issues Related to Body Cameras Worn by Law Enforcement (New)**

- *Purpose of subgroup or working group:* The working group is tasked with reviewing and recommending policies and procedures for trial courts issues relating to 1) the physical and electronic storage of evidence that comes from law enforcement body cameras and 2) the presence of body-worn cameras brought into the court by officers appearing on legal matters.
- *Number of advisory body members on the subgroup or working group:* 6
- *Number and description of additional members (not on this advisory body):* 6 TCPJAC members
- *Date formed:* December 2016
- *Number of meetings or how often the subgroup or working group meets:* The working group will meet by conference call as needed.
- *Ongoing or date work is expected to be completed:* 2018

### **Trial Court Facilities Working Group**

- *Purpose of subgroup or working group:* Through this new working group, CEAC will review and provide, on an as needed basis, early court executive officer input on facility related proposals and recommendations that have a direct impact on court operations.
- *Number of advisory body members on the subgroup or working group:* 6
- *Number and description of additional members (not on this advisory body):* None.
- *Date formed:* December 2016
- *Number of meetings or how often the subgroup or working group meets:* The working group will meet by conference call as needed.
- *Ongoing or date work is expected to be completed:* 2017

### **Records Management Subcommittee**

- *Purpose of subgroup or working group:* This standing subcommittee will 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 continue to review and make recommendations on various statutes and rules governing trial court records management.
- *Number of advisory body members on the subgroup or working group:* 3
- *Number and description of additional members (not on this advisory body):* 2 Chief Information Officers, 1 Appellate Assistant Clerk/Administrator, 1 Deputy Executive Officer, and 1 Retired CEO.
- *Date formed:* The subcommittee was originally formed on June 19, 2006. The subcommittee 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**

- *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:* 6 (CEAC chair, CEAC vice-chair, and the last 4 CEAC chairs who are currently serving as court executive officers if possible). If four former chairs are not available to serve, the current chair may appoint additional members from the Executive Committee as necessary to establish a quorum. (CEAC Bylaws, Article VII, Section IV.)
- *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

### **JBSIS Working Group**

- *Purpose of subgroup or working group:* CEAC will continue to provide input to a working group (staffed by the Office of Court Research (OCR)) that is reviewing and updating the Judicial Branch Statistical Information System (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.
- *Number of advisory body members on the subgroup or working group:* 6
- *Number and description of additional members (not on this advisory body):* None
- *Date formed:* December 2013
- *Number of meetings or how often the subgroup or working group meets:* The working group will meet by conference call as needed.
- *Ongoing or date work is expected to be completed:* 2017

Date: 12/13/16

**Trial Court Budget Advisory Committee**  
**Annual Agenda—2017**  
**Approved by E&P: TBD**

**I. ADVISORY BODY INFORMATION**

<b>Chair:</b>	Hon. Jonathan B. Conklin, Superior Court of Fresno County
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<b>Staff:</b>	Ms. Brandy Sanborn, Budget Manager, Judicial Council Budget Services
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**Advisory Body's Charge:**

Rule 10.64. Trial Court Budget Advisory Committee

**Area of focus**

The Trial Court Budget Advisory Committee makes recommendations to the council on the preparation, development, and implementation of the budget for the trial courts and provides input to the council on policy issues affecting trial court funding.

**Additional duties**

In addition to the duties specified in rule 10.34, the committee may make recommendations to the council on:

- 1) Trial court budget priorities to guide the development of the budget for the upcoming fiscal year;
- 2) The allocation of trial court funding, including any changes to existing methodologies for allocating trial court budget augmentations and reductions; and
- 3) Budget policies and procedures, as appropriate.

The advisory committee currently plans to meet in-person approximately five times in 2017 and several more times by teleconference, contingent on available funding.

**Advisory Body's Membership:**

- 1) The advisory committee consists of an equal number of trial court presiding judges and court executive officers reflecting diverse aspects of state trial courts, including urban, suburban, and rural locales; the size and adequacy of budgets; and the number of authorized judgeships. For purposes of this rule, "presiding judge" means a current presiding judge or an immediate past presiding judge.
- 2) No more than two members may be from the same court.
- 3) The chairs of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee serve as ex officio voting members.
- 4) Notwithstanding rule 10.31(e), a presiding judge is qualified to complete his or her term on the advisory committee even if his or her term as presiding judge of a trial court ends.
- 5) The Judicial Council's chief of staff, chief administrative officer, chief operating officer, and director of Finance serve as non-voting members.

**Subgroups/Working Groups:**

- 1) AB 1058 Funding Allocation Subcommittee (Joint subcommittee with Family and Juvenile Law Advisory Committee)
- 2) Court-Appointed Dependency Counsel Funding Allocation Methodology Subcommittee (Joint subcommittee with Family and Juvenile Law Advisory Committee)
- 3) Criminal Justice Realignment Subcommittee
- 4) Fiscal Planning Subcommittee (New)
- 5) Funding Methodology Subcommittee
- 6) Revenue and Expenditure Subcommittee
- 7) Interpreter Funding Working Group (New)

**Advisory Body's Key Objectives for 2017:**

1. Develop, review, and refine allocation methodologies related to trial court funding.
2. Develop recommendations regarding expenditures from the State Trial Court Improvement and Modernization Fund and the Trial Court Trust Fund, to ensure consistency with Judicial Council goals and objectives, and to address any structural shortfall in either fund.
3. Develop recommendations regarding trial court requests to set aside funds on their behalf that have reverted back to the Trial Court Trust Fund pursuant to Government Code section 77203.
4. Develop recommendations for the Judicial Branch Budget Committee regarding trial court budget change proposals.
5. Develop recommendations for the Judicial Council in response to items in the Governor's proposed budget and enacted budget that impact the 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.	<p><b>Workload-based Allocation and Funding Methodology (WAFM)</b></p> <p>The Funding Methodology Subcommittee will continue to review and refine the WAFM model.</p>	2	<p><b>Judicial Council Direction:</b> Part of the charge of the committee pursuant to rule 10.64. In April 2013, the Judicial Council approved the WAFM for use in allocating the annual state trial court operations funds with the understanding that ongoing technical adjustments will continue to be evaluated and submitted to the Judicial Council for approval.</p> <p><b>Origin of Project:</b> This phase of the project is part of the Funding Methodology Subcommittee’s annual work plan approved on May 10, 2016.</p> <p><b>Resources:</b> Budget Services and Office of Court Research (OCR) staff</p> <p><b>Key Objective Supported:</b> 1 and 5</p>	Ongoing	An improvement to the WAFM to more accurately capture the WAFM-related funding needs of the trial courts.
2.	<p><b>Proposition 47 Funding</b></p> <p>The Criminal Justice Realignment Subcommittee will continue to review and refine the allocation</p>	1	<p><b>Judicial Council Direction:</b> Part of the charge of the committee pursuant to rule 10.64.</p> <p><b>Origin of Project:</b></p>	<p>Ongoing</p> <p>The subcommittee will continue to review and refine the allocation methodology based on</p>	Appropriately allocate funds based on workload.

<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
	methodology related to funds received for criminal justice realignment and the workload associated with Proposition 47.		<p>Proposition 47 became effective on November 5, 2014. The Budget Act of 2015 included \$26.9 million from the General Fund to address increased trial court workload associated with Proposition 47. The Budget Act of 2016 included \$21.4 million.</p> <p><b>Resources:</b> Budget Services and Criminal Justice Service) staff</p> <p><b>Key Objective Supported:</b> 1 and 5</p>	updated statistical data and provision of additional funding in future fiscal years.	
3.	<p><b>Court-Appointed Dependency Counsel Funding</b></p> <p>In collaboration with the Family and Juvenile Law Advisory Committee, the Juvenile Dependency: Court-Appointed-Counsel Funding Allocation Methodology Joint Subcommittee will review the workload model for court-appointed dependency counsel. In addition, the Small Court Dependency Workload Working Group (SCDW) was established in October 2016 to consider changes to the court-appointed-counsel funding methodology as it relates to</p>	2	<p><b>Judicial Council Direction:</b> Part of the charge of the committee pursuant to rule 10.64.</p> <p><b>Origin of Project:</b> April 17, 2015 Judicial Council meeting (recommendation from the Family and Juvenile Law Advisory Committee).</p> <p><b>Resources:</b> Budget Services, OCR, Center for Families, Children &amp; the Courts (CFCC) staff, and SCDW</p> <p><b>Key Objective Supported:</b> 1</p>	Ongoing	Appropriately allocate funds based on workload with consideration for smaller courts.



#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	small courts. The working group will report to the Executive and Planning Committee and will present recommendations to TCBAC for input.				
4.	<p><b>Child Support Commissioner and Family Law Facilitator (AB 1058) Funding</b></p> <p>In collaboration with the Family and Juvenile Law Advisory Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services (DCSS), the AB 1058 Funding Allocation Subcommittee will work on the development of a workload-based funding methodology for the AB 1058 program originally developed in 1997.</p>	2	<p><b>Judicial Council Direction:</b> Part of the charge of the committee pursuant to rule 10.64.</p> <p><b>Origin of Project:</b> April 17, 2015 Judicial Council meeting (recommendation from the Family and Juvenile Law Advisory Committee).</p> <p><b>Resources:</b> Budget Services, OCR, and CFCC staff</p> <p><b>Key Objective Supported: 1</b></p>	Targeted completion date of December 2017 for FY 2018-2019 implementation.	<p>Appropriately allocate funds based on workload.</p> <p>(Judicial Council Report December 2016)</p>
5.	<p><b>State Trial Court Improvement and Modernization Fund (IMF) and Trial Court Trust Fund (TCTF) Allocations</b></p> <p>The Revenue and Expenditure Subcommittee will review FY</p>	1	<p><b>Judicial Council Direction:</b> Part of the charge of the committee pursuant to rule 10.64.</p> <p><b>Origin of Project:</b> Structural shortfalls in the IMF and TCTF.</p>	Ongoing. Allocations for FY 2017–2018 will be approved by June 30, 2017.	Assist the Judicial Council in ensuring the solvency of the IMF and TCTF.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	2017–2018 allocations from the IMF and TCTF to ensure consistency with Judicial Council goals and objectives and propose solutions to address any structural shortfall in either fund.		<p><b>Resources:</b> Budget Services and multiple other office staff that have programs funded from the IMF and TCTF</p> <p><b>Key Objective Supported:</b> 2</p>		
6.	<p><b>V3 Case Management System Funding</b></p> <p>As a result of funds being appropriated in the 2016 Budget Act for V3 Case Management System replacement, branch subsidies for the system will be phased out by June 30, 2019. The Revenue and Expenditure Subcommittee will determine allocations each fiscal year pending the phase out.</p>	1	<p><b>Judicial Council Direction:</b> Part of the charge of the committee pursuant to rule 10.64.</p> <p><b>Origin of Project:</b> April 17, 2015 Judicial Council meeting.</p> <p><b>Resources:</b> Budget Services and Information Technology staff</p> <p><b>Key Objective Supported:</b> 2</p>	June 30, 2019	Appropriately allocate funds as branch subsidies are phased out.
7.	<p><b>Interpreter Funding Methodology</b></p> <p>The Interpreter Funding Working Group will develop a methodology for allocations from the TCTF Court Interpreter Program (0150037) in the event of a funding</p>	2	<p><b>Judicial Council Direction:</b> Part of the charge of the committee pursuant to rule 10.64.</p> <p><b>Origin of Project:</b> Declining fund balance in the TCTF Court Interpreter Program (0150037).</p> <p><b>Resources:</b> Budget Services staff</p>	June 30, 2017	Appropriately allocate funds in the event of a shortfall.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	shortfall, and review existing methodologies.		<b>Key Objective Supported: 1</b>		

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**STATUS OF 2016 PROJECTS:**

#	Project	Completion Date/Status
1.	<p><b>Workload-based Allocation and Funding Methodology (WAFM)</b></p> <p>The Funding Methodology Subcommittee will continue to review and refine the WAFM model.</p>	<p>Moving forward as planned; project continues into 2017 agenda.</p>
2.	<p><b>Proposition 47 Funding</b></p> <p>The Criminal Justice Realignment Subcommittee will continue to review and refine the allocation methodology related to funds received for criminal justice realignment and the workload associated with Proposition 47.</p>	<p>Moving forward as planned; project continues into 2017 agenda.</p>
3.	<p><b>Court-Appointed Dependency Counsel Funding</b></p> <p>In collaboration with the Family and Juvenile Law Advisory Committee, the Juvenile Dependency: Court-Appointed-Counsel Funding Allocation Methodology Joint Subcommittee will review the workload model for court-appointed dependency counsel.</p>	<p>Moving forward as planned; project continues into 2017 agenda.</p>
4.	<p><b>Child Support Commissioner and Family Law Facilitator (AB 1058) Funding</b></p> <p>In collaboration with the Family and Juvenile Law Advisory Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services, the AB 1058 Funding Allocation Subcommittee will reconsider the AB 1058 allocation methodology developed in 1997.</p>	<p>Moving forward as planned; project continues into 2017 agenda.</p> <p>The Judicial Council voted to reconstitute the joint subcommittee during their February 2016 meeting, to allow more time to consider different funding methodology options and coordinate with DCSS on its program review.</p>
5.	<p><b>State Trial Court Improvement and Modernization Fund (IMF) and Trial Court Trust Fund (TCTF) Allocations</b></p> <p>The Revenue and Expenditure Subcommittee will review FY 2016–2017 allocations from the IMF and TCTF to ensure consistency with</p>	<p>Moving forward as planned; project continues into 2017 agenda.</p>

#	Project	Completion Date/Status
	Judicial Council goals and objectives and propose solutions to address any structural shortfall in either fund.	
6.	<p><b>V3 Case Management System Funding</b></p> <p>In collaboration with the Judicial Council Technology Committee, develop a plan for phasing out branch subsidies for the V3 case management system by June 30, 2019. Determine allocations each fiscal year pending the phase out.</p>	<p>Moving forward as planned; project continues into 2017 agenda.</p> <p>The first phase was completed through a budget change proposal which resulted in the award of \$24.8 million to phase out branch subsidies for the V3 case management system over the 2016–2017, 2017–2018, and 2018–2019 fiscal years.</p>
7.	<p><b>State-Level Reserve Policy</b></p> <p>Develop a process for trial courts to apply for funding for emergencies from the \$10 million reserve held in the Trial Court Trust Fund.</p>	<p>Completed.</p> <p>This project was made part of the charge of the Judicial Branch Budget Committee.</p>
8.	<p><b>Fiscal Planning Proposal</b></p> <p>Develop a proposal to allow a trial court’s funds that revert to the TCTF pursuant to Government Code section 77203 be retained for the benefit of that court for specific one-time costs.</p>	<p>Completed.</p> <p>This effort was completed by the Fiscal Planning Working Group in which a process was approved by the Judicial Council in April 2016. Part of the policy included an ongoing, formal review and recommendation process by a body consisting of members from the TCBAC.</p>
9.	<p><b>Language Access Funding</b></p> <p>Develop a funding methodology for allocations of new Program 45.45 funds received as part of the Budget Act of 2016.</p>	<p>Completed.</p>
10.	<p><b>Reallocation of New Judgeships</b></p> <p>Assist in the development of a statutory framework that would authorize the Judicial Council to reallocate up to five existing vacant judgeships to areas with the greatest need. In addition, develop a funding methodology for a shift of resources, if necessary.</p>	<p>Completed.</p>

### III. Subgroups/Working Groups – Detail

#### **Subcommittees/Working Groups:**

##### **AB 1058 Funding Allocation Joint Subcommittee**

*Purpose of subcommittee or working group:* To enrich recommendations to the council and avoid duplication of effort, members of the Committee will collaborate with members of Family and Juvenile Law Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services to reconsider the AB 1058 funding allocation methodology developed in 1997 and to report back at the February 2016 Judicial Council meeting.

*Number of advisory group members:* 6

*Number and description of additional members (not on this advisory group):* This is a joint subcommittee and has six members from the Family and Juvenile Law Advisory Committee, five members from the Workload Assessment Advisory Committee, and one from the Department of Child Support Services in addition to the six members of the Trial Court Budget Advisory Committee.

*Date formed:* June 2015

*Number of meetings or how often the group meets:* As needed

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

##### **Juvenile Dependency: Court-Appointed Counsel Funding Allocation Methodology Joint Subcommittee**

*Purpose of subcommittee or working group:* To enrich recommendations to the council and avoid duplication of effort, members of the Committee will collaborate with members of the Family and Juvenile Law Advisory Committee to review the workload model for court-appointed dependency counsel.

*Number of advisory group members:* 4

*Number and description of additional members (not on this advisory group):* This is a joint subcommittee and has six members from the Family and Juvenile Law Advisory Committee in addition to the four members of the Trial Court Budget Advisory Committee.

*Date formed:* June 2015

*Number of meetings or how often the group meets:* As needed

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

##### **Criminal Justice Realignment Subcommittee**

*Purpose of subcommittee or working group:* This group's focus will be funding methodology and allocations relating to criminal justice realignment, specifically Proposition 47 workload.

*Number of advisory group members: 10*

*Date formed: 2013*

*Number of meetings or how often the group meets: 2-4 meetings/year*

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

### **Fiscal Planning Subcommittee (New)**

*Purpose of subcommittee or working group:* This group will review recommendations regarding trial court requests to set aside funds on their behalf that have reverted back to the Trial Court Trust Fund pursuant to Government Code section 77203. This group will also review requests from trial courts that relate to Children's Waiting Room funding.

*Number of advisory group members: 8*

*Date formed: July 2015*

*Number of meetings or how often the group meets: As needed*

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

### **Funding Methodology Subcommittee**

*Purpose of subcommittee or working group:* This group will continue to focus on the ongoing review and refinement of the Workload-based Allocation and Funding Methodology approved by the council in April 2013.

*Number of advisory group members: 13*

*Date formed: July 2013*

*Number of meetings or how often the group meets: 2-4 meetings/year*

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

### **Revenue and Expenditure Subcommittee**

*Purpose of subcommittee or working group:* The primary focus of this group is the ongoing review of TCTF and IMF allocations supporting trial court projects and programs as well as any systemic cash flow issues affecting the trial courts.

*Number of advisory group members: 11*

*Date formed: July 2013*

*Number of meetings or how often the group meets: 2-4 meetings/year*

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

**Interpreter Funding Working Group (New)**

*Purpose of subcommittee or working group:* The primary focus will be to develop a methodology for allocations from the TCTF Court Interpreter Program (0150037) in the event of a funding shortfall, and review existing methodologies.

*Number of advisory group members:* 5

*Date formed:* December 2016

*Number of meetings or how often the group meets:* As needed

*Ongoing or date work is expected to be completed:* June 30, 2017

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