



# 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)

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## EXECUTIVE AND PLANNING COMMITTEE (E&P)

### NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** Tuesday, December 17, 2019  
**Time:** 12:10 to 1:00 p.m.  
**Public Call-in Number:** 877-820-7831; passcode 460-5568 (Listen Only)

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

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [executiveandplanning@jud.ca.gov](mailto:executiveandplanning@jud.ca.gov).

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 the draft minutes of the following meetings:

- October 17, 2019, open meeting;
- November 14, 2019, closed meeting;
- November 19, 2019, closed meeting.

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#### II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. 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, 455 Golden Gate Avenue, San Francisco, California 94102, attention: Cliff Alumno. Only written comments received by 12:10 p.m. on Monday, December 16, 2019, will be provided to advisory body members prior to the start of the meeting.

**III. DISCUSSION AND POSSIBLE ACTION ITEMS**

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**Item 1**

**Agenda Setting for January 17, 2020, Judicial Council Meeting (Action Required)**

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

*Presenters: Various*

**Item 2**

**Subordinate Judicial Officer Conversion: Superior Court of Los Angeles County (Action Required)**

Review request from the Superior Court of Los Angeles County to convert one subordinate judicial officer position to a judgeship.

*Presenters: Ms. Leah Rose-Goodwin and Mr. David Smith, Business Management Services*

**Item 3**

**2020 Annual Agenda: Trial Court Presiding Judges Advisory Committee (Action Required)**

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

*Presenters: Hon. Joyce D. Hinrichs, Chair, Trial Court Presiding Judges Advisory Committee  
Mr. Corey Rada, Lead Staff, Trial Court Presiding Judges Advisory Committee*

**Item 4**

**2020 Annual Agenda: Court Executives Advisory Committee (Action Required)**

Review draft annual agenda of the Court Executives Advisory Committee.

*Presenters: Ms. Nancy CS Eberhardt, Chair, Court Executives Advisory Committee  
Ms. Donna Ignacio, Lead Staff, Court Executives Advisory Committee*

**Item 5**

**2020 Annual Agenda: Trial Court Budget Advisory Committee (Action Required)**

Review request from the Superior Court of San Mateo County to convert one subordinate judicial officer position to a judgeship.

*Presenters: Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Ms. Brandy Sanborn, Lead Staff, Trial Court Budget Advisory Committee*

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**IV. ADJOURNMENT**

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**Adjourn**



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## EXECUTIVE AND PLANNING COMMITTEE (E&P)

### MINUTES OF OPEN MEETING

Thursday, October 17, 2019

12:10 to 1:00 p.m.

Conference Call

**Advisory Body Members Present:** Hon. Samuel K. Feng (Vice-chair), Hon. Stacy Boulware Eurie, Ms. Nancy CS Eberhardt, Hon. Harry E. Hull, Jr., Hon. Dalila C. Lyons, and Hon. David M. Rubin

**Advisory Body Members Absent:** Hon. Marsha G. Slough (Chair), Hon. Marla O. Anderson, Hon. Joyce D. Hinrichs, and Mr. Patrick M. Kelly

**Committee Staff Present:** Ms. Amber Barnett and Mr. Cliff Alumno

**Staff Present:** Ms. Michelle Allan, Ms. Deborah Brown, Ms. Roma Cheadle, Mr. Mike Courtney, Ms. Marcela Eggleton, Mr. Ed Ellestad, Ms. Audrey Fancy, Mr. Michael Giden, Ms. Kristin Greenaway, Ms. Bonnie Hough, Ms. Andrea Jaramillo, Ms. Tracy Kenny, Ms. Cheryl King, Mr. Sal Lempert, Ms. Maria Lira, Mr. Eric Long, Mr. Chris Magnusson, Ms. Shima Mirzaei, Ms. Kristi Morioka, Ms. Sharon Reilly, Mr. Daniel Richardson, Ms. Anne Ronan, Ms. Leah Rose-Goodwin, Ms. Laura Speed, Mr. Corby Sturges, Ms. Millicent Tidwell, Mr. Catrayel Wood, and Ms. Josely Yangco-Frona

### OPEN MEETING

#### Call to Order and Roll Call

The vice-chair called the meeting to order at 12:10 p.m., and Mr. Alumno took roll call.

#### Approval of Minutes

The committee reviewed the following draft minutes:

- August 28, 2019, E&P meeting; and
- September 3, 2019, E&P action by e-mail.

**Action:** *With one abstention (Justice Hull), the committee approved the minutes of the August 28, 2019, E&P meeting. With one abstention (Ms. Eberhardt), the committee approved the minutes of the September 3, 2019, E&P action by e-mail.*

### DISCUSSION AND ACTION ITEMS

#### Agenda Setting for November 14, 2019, Judicial Council Business Meeting (Action Required)

The committee reviewed available draft reports for the Judicial Council business meeting in November.

**Action:** *The committee set the agenda for the November 14, 2019, Judicial Council meeting by approving reports for placement on the business meeting agenda.*

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**ADJOURNMENT**

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With the business concluded, the meeting was adjourned at 12:30 p.m.

Approved by the committee on [insert date].

DRAFT



# JUDICIAL COUNCIL OF CALIFORNIA

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## EXECUTIVE AND PLANNING COMMITTEE (E&P)

### MINUTES OF CLOSED MEETING

Thursday, November 14, 2019

10:00 to 11:30 a.m.

**Advisory Body Members Present:** Hon. Marsha G. Slough (Chair), Hon. Samuel K. Feng (Vice-chair), Hon. Marla O. Anderson, Hon. Stacy Boulware Eurie, Ms. Nancy CS Eberhardt, Hon. Joyce D. Hinrichs, Hon. Harry E. Hull, Jr., Mr. Patrick M. Kelly, Hon. Dalila C. Lyons, and Hon. David M. Rubin

**Advisory Body Members Absent:** None

#### CLOSED SESSION

##### Call to Order and Roll Call

The chair called the meeting to order at 10:00 a.m., and staff took roll call.

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

##### ***Recommendations for Advisory Body Appointments***

The committee reviewed nominations for out-of-cycle vacancies on the following advisory bodies:

- Advisory Committee on Civil Jury Instructions;
- Collaborative Justice Courts Advisory Committee;
- Family and Juvenile Law Advisory Committee; and
- Judicial Branch Workers' Compensation Program Advisory Committee.

***Action: The committee developed its recommendations to be submitted to the Chief Justice for the out-of-cycle vacancies on the following advisory bodies:***

- ***Advisory Committee on Civil Jury Instructions;***
- ***Collaborative Justice Courts Advisory Committee; and***
- ***Judicial Branch Workers' Compensation Program Advisory Committee.***

***Additionally, the committee scheduled a closed meeting to take place on Tuesday, November 19, to continue its review of the nominations for out-of-cycle vacancies on the Family and Juvenile Law Advisory Committee and develop its recommendations to the Chief Justice.***

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

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There being no further business, the meeting was adjourned at 11:30 a.m.

Approved by the advisory body on [insert date].



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## EXECUTIVE AND PLANNING COMMITTEE (E&P)

### MINUTES OF CLOSED MEETING

Thursday, November 19, 2019  
4:15 to 4:45 p.m.

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**Advisory Body Members Present:** Hon. Marsha G. Slough (Chair), Hon. Samuel K. Feng (Vice-chair), Hon. Marla O. Anderson, Hon. Stacy Boulware Eurie, Hon. Joyce D. Hinrichs, Hon. Harry E. Hull, Jr., Mr. Patrick M. Kelly, Hon. Dalila C. Lyons, and Hon. David M. Rubin

**Advisory Body Members Absent:** Ms. Nancy CS Eberhardt

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#### CLOSED SESSION

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

The chair called the meeting to order at 4:15 p.m., and staff took roll call.

##### **Pursuant to the California Rules of Court, rule 10.75(d)(1) and 10.75(e)(2)**

##### ***Recommendations for Advisory Body Appointments***

The committee continued to review nominations for out-of-cycle vacancies on the Family and Juvenile Law Advisory Committee.

***Action: The committee developed its recommendations to be submitted to the Chief Justice for out-of-cycle vacancies on the Family and Juvenile Law Advisory Committee.***

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#### ADJOURNMENT

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There being no further business, the meeting was adjourned at 5:10 p.m.

Approved by the advisory body on [insert date].



# Judicial Council of California

2850 Gateway Oaks Dr.,  
Suite 100  
Sacramento, CA  
95833

## Meeting Agenda

## Judicial Council

Meeting materials  
are available through  
the hyperlinks in  
this document.

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

*Requests for ADA accommodation should be directed to  
JCCAccessCoordinator@jud.ca.gov*

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Friday, January 17, 2020

Sacramento

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

Session: 9:00 a.m. – 9:30 a.m.

Transitional Break: 9:30 a.m. – 9:45 a.m.

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

Session: 9:45 a.m. – 12:20 p.m.

#### **Call to Order**

#### **Public Comment**

*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. For more information about meeting attendance and public comment procedures, visit:*

<http://www.courts.ca.gov/28045.htm>

- 1) Submit advance requests to speak by 4:00 p.m., Tuesday, January 14.
- 2) Submit written comments for this meeting by 1:00 p.m. on Wednesday, January 15.

*Submit advance requests to speak, written comments, or questions by e-mail to:*

[judicialcouncil@jud.ca.gov](mailto:judicialcouncil@jud.ca.gov)



*or by postal mail or delivery in person to:*

*Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, California 94102-3688  
Attention: Cliff Alumno*

## **Approval of Minutes**

**20-065**            **Minutes of November 14, 2019 Judicial Council meeting.**

## **Chief Justice's Report**

*10 minutes*

## **Administrative Director's Report**

**20-066**            **Administrative Director's Report**

*10 minutes*

## **Judicial Council Committee Presentations**

**20-067**            **Judicial Council Committee Reports**

*20 minutes*

**Break: 10:25 a.m. – 10:35 a.m.**

## **CONSENT AGENDA**

*A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Roma Cheadle at 415-865-7640 at least 48 hours before the meeting.*

[20-013](#)            **Child Support | Midyear Funding Reallocation Process for the  
Child Support Commissioner and Family Law Facilitator  
Programs (Action Required)**

**Summary:**            The Family and Juvenile Law Advisory Committee reports to the Judicial Council the results of the AB 1058 administrative midyear reallocation for fiscal years 2015-16, 2016-17, and 2017-18 and recommends that the Judicial Council combine the two AB 1058 midyear funding reallocation processes into one administrative process, to maximize program efficiencies.

[20-032](#)**Rules and Forms | Family Law: Technical Change to *Declaration for Default or Uncontested Dissolution* (Action Required)****Summary:**

The Family and Juvenile Law Advisory Committee recommends revising one form for use in default or uncontested divorces to correct a technical error in the form in which a heading entitled 4 b should read “Default With Agreement” instead of “Default Without Agreement.”

[20-023](#)**Trial Court Budget | \$10 million State-Level Reserve Policy (Action Required)****Summary:**

As a result of experiences implementing the \$10 million State-Level Reserve Policy, the Judicial Branch Budget Committee recommends revisions which will make the fund easier to use, easier to administer and more efficient for those seeking emergency funds.

[20-019](#)**Trial Court Budget | 2018-19 Adjustments to Fund Balances Above the 1 Percent Cap (Action Required)****Summary:**

Under Government Code section 77203(b), a trial court may carry over unexpended funds in an amount not to exceed 1 percent of the court’s operating budget from the prior fiscal year. The Trial Court Budget Advisory Committee recommends approving a final one-time adjustment of \$6,935,081 related to the fund balance in 2018-19 and prior-year excluded funds, as required by Government Code section 68502.5(c)(2) (A), which nets to \$796,545 after funds held on behalf of trial courts reductions.

[20-027](#)**Trial Court Budget | Allocations and Reimbursements to Trial Courts: Extension on Receipt of Children’s Waiting Room Funds During Temporary Closure (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends that the Judicial Council approve an extension for the San Mateo Superior Court to continue receiving children’s waiting room funds to accumulate sufficient resources in anticipation of two waiting rooms reopening on September 1, 2020. The San Mateo Superior Court closed its Hall of Justice facility in Redwood City and the Youth Services Center in San Mateo after the vendor canceled its contract in June 2019.

[20-029](#)**Trial Court Budget | Children’s Waiting Room Fund Balance Cap Adjustment Biennial Review (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends the Judicial Council approve children’s waiting room fund balance cap adjustments for Contra Costa Superior Court, San Bernardino Superior Court, and Santa Barbara Superior Court. The total amount requested would increase fund balance caps by \$485,549.

[20-024](#)**Trial Court Budget | Technical Refinement of Approved Workload Formula Methodology (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends adopting technical refinements to current policy parameters for the Workload Formula. While current policy supports the objectives of the judicial branch in reaching workload-based equitable funding for trial courts, some parameters require clarification in their implementation. Providing clear allocation methodologies will further the goal of funding equity, minimize adverse funding impacts to trial courts, and provide clear direction on applying policy parameters.

[20-028](#)**Trial Court Budget | Update to Children's Waiting Room Distribution and Fund Balance Policy (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends changes to the Children's Waiting Room Distribution and Fund Balance Policy, which includes an update to the timing of when children's waiting room fund balance cap reductions will occur, removal of language that is no longer relevant, other technical revisions for the purpose of clarifying language in the policy, and the timeline for submissions.

[20-026](#)**Trial Court Budget | Updates to the Funds Held on Behalf of the Trial Courts Policy (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends adopting revisions to the current Judicial Council-Approved Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts including streamlining the submission schedule, making a change to the recipient of the request, and language corrections to better align with court year-end closing, trial court allocation offsets, and requests to amend previously reviewed requests.

**DISCUSSION AGENDA****20-069****Court Facilities | Capital Project Funding Requests and Five-Year Infrastructure Plan for Fiscal Year 2020-21 (Action Required)****Summary:**

For fiscal year 2020-21, and to the California Department of Finance, the Court Facilities Advisory Committee recommends the submission of capital project funding requests and the *Five-Year Infrastructure Plan*. This submission advances the judicial branch courthouse construction program by requesting funding for needed projects on the Judicial Council's *Statewide List of Trial Court Capital-Outlay Projects*.

**Speakers:**

Hon. Brad R. Hill, Chair, Court Facilities Advisory Committee  
Mr. Mike Courtney, Facilities Services

*15 minutes*

**20-070            Judicial Branch Budget | 2020-21 Capital Outlay Budget Change Proposals for the Judicial Branch Courthouse Construction Program (Action Required)**

**Summary:**            The Judicial Branch Budget Committee (JBBC) recommends approval of submission of 2020-21 Capital Outlay Budget Change Proposals to the State Department of Finance. This recommendation is consistent with the purpose of JBBC to assist the Judicial Council in exercising its duties under rule 10.101 with respect to judicial branch budget.

**Speakers:**            Hon. David M. Rubin, Chair, Judicial Branch Budget Committee  
Mr. Zlatko Theodorovic, Director and Chief Financial Officer, Budget Services  
*10 minutes*

**20-025            Trial Court Budget | Distribution of the Fee for Court Reporter Services in Civil Proceedings Lasting More Than One Hour (Action Required)**

**Summary:**            The Trial Court Budget Advisory Committee recommends that the Judicial Council approve court reporter fees assessed pursuant to Government Code 68086(a)(2) be distributed back to trial courts on a dollar-for-dollar basis beginning July 1, 2020, and exclude court reporter fees in civil proceedings for one hour or more as a funding category in the Workload Formula effective July 1, 2020, to be consistent with the distribution of Government Code 68086(a)(1) fees.

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

**20-018            Judicial Branch Administration | Policies on Workplace Conduct (Action Required)**

**Summary:**            To promote improvement and greater consistency in how judicial branch entities prevent and address harassment, discrimination, retaliation, and inappropriate workplace conduct based on a protected classification, the Rules and Projects Committee recommends that the Judicial Council adopt a new California Rule of Court to establish standardized baseline requirements for court policies on the prevention, reporting, and resolution of these types of complaints. This proposal originates from recommendations made by the Work Group for the Prevention of Discrimination and Harassment, and approved by the Judicial Council on July 19, 2019, with a recommendation to adopt a rule on these issues.

**Speakers:**            Hon. Harry E. Hull, Jr., Chair, Rules and Projects Committee and RUPRO Subcommittee on Prevention of Harassment and Discrimination  
Hon. Dalila C. Lyons, Vice-chair, Rules and Projects Committee and RUPRO Subcommittee on Prevention of Harassment and Discrimination  
Mr. Michael Etchepare, Legal Services  
*15 minutes*

[20-002](#)**Judicial Branch Education | Fiscal Years 2020-22 Education Plan  
(Action Required)****Summary:**

The Center for Judicial Education and Research Advisory Committee recommends approving the fiscal years 2020-22 Education Plan, effective July 1, 2020. Through the work of its standing curriculum committees, the CJER Advisory Committee developed this plan for CJER education programs and products that will enable its judicial branch constituencies to fulfill the education requirements and expectations outlined in rules 10.451-10.491 of the California Rules of Court.

**Speakers:**

Hon. Kimberly A. Gaab, Chair, Center for Judicial Education and Research Advisory Committee  
Ms. Karene Alvarado, Director, Center for Judicial Education

*20 minutes*

[20-015](#)**Report to the Legislature | Recidivism Reduction Fund Court  
Grant Program: Final Report, 2019 (No Action Required)****Summary:**

The Criminal Justice Services office recommends that the Judicial Council receive the Recidivism Reduction Fund Court Grant Program: Final Report, 2019, and direct the Administrative Director to submit this annual report to the Joint Legislative Budget Committee and the Department of Finance as mandated by the Budget Act of 2015 (Assem. Bill 93; Stats. 2015, ch. 10). The report documents the Recidivism Reduction Fund court grant program, describes grant-related activities of the Judicial Council and the grantees, and addresses the effectiveness of the programs based on established outcome measures and the impact of the monies appropriated to enhance public safety and improve offender outcomes.

**Speakers:**

Ms. Shelley Curran, Criminal Justice Services

*10 minutes*

[20-034](#)**Court Innovations Grant Program | Fifth Appellate District Court  
of Appeal: Modernize the Transcript Assembly Program project  
and Self-Help and Learning Center Website Project Presentations  
(No Action Required. No materials for this item.)****Summary:**

The Budget Act of 2016 allocated \$25 million to the judicial branch to promote court innovations and efficiencies through a grant program. During this session, the Fifth Appellate District Court of Appeal will present and provide information related to the court's Modernize the Transcript Assembly Program project and the Self-Help and Learning Center Website project.

**Speakers:**

Hon. David M. Rubin, Chair, Judicial Branch Budget Committee  
Mr. Brian Cotta, Executive Officer, Fifth Appellate District Court of Appeal

*30 minutes*

**INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**[20-030](#)**Equal Access Fund | Distribution of Homelessness Prevention Funds****Summary:**

The Budget Act of 2019 provides a one-time \$20 million allocation to the Judicial Branch to augment the Equal Access Fund for legal services to low-income persons for landlord-tenant issues to prevent homelessness. On July 17, 2019, the Judicial Council approved allocating these funds to the State Bar, which distributes the funding to eligible legal services agencies. This report lists the legal services agencies receiving funding, the amount each will receive and the services that will be provided with the \$14.5 million in formula funds and \$5 million in discretionary grants.

[20-005](#)**Report to the Legislature | 2018-19 Annual Report of Court Facilities Trust Fund Expenditures****Summary:**

The Judicial Council staff has completed the 2018-19 *Annual Report of Court Facilities Trust Fund Expenditures*. Government Code Section 70352(c) requires that the Judicial Council submit a report to the Legislature on actual expenditures from the Court Facilities Trust Fund after the end of each fiscal year. In 2018-19, the fund expended \$106,590,140.

[20-021](#)**Report to the Legislature | Allocation of New Judgeships Funding in 2018-19****Summary:**

The Budget Act of 2007 (Stats. 2007, ch. 171/172) requires that the Judicial Council report to the Legislature January 1 each year the allocation of funding for support of new judgeships authorized in 2007-08 until all judgeships are appointed and new staff hired. Judicial Council's Budget Services submitted the annual report (Attachment A), "*Report on Allocation of Funding in 2018-19 for Support of New Judgeships Authorized in 2007-08*" to the Legislature on January 1, 2020.

[20-022](#)**Report to the Legislature | Electronic Recording Equipment****Summary:**

Government Code section 69958 requires that the Judicial Council report to the Legislature semiannually on all purchases and leases of electronic recording equipment that will be used to record superior court proceedings. During the January 1 through June 30, 2019, reporting period, the Superior Court of Mendocino County spent \$10,651 to purchase For the Record (FTR) Gold software and Microsoft Surface Pro tablets. These purchases, which were approved by Judicial Council staff on March 11, 2019-before purchase-help facilitate the court's official record keeping in small claims, misdemeanor, and limited civil cases.

[20-004](#)**Report to the Legislature | Measures to Promote Fair and Efficient Administration of Justice****Summary:**

Standards and Measures That Promote the Fair and Efficient Administration of Justice is a report to the Legislature required by Government Code section 77001.5, which requires the Judicial Council to adopt and annually report on judicial administration standards and measures that promote the fair and efficient administration of justice. The report includes, but is not limited to, the following subjects: (1) providing equal access to courts and respectful treatment for all court participants; (2) case processing, including the efficient use of judicial resources; and (3) general court administration.

[20-012](#)**Report to the Legislature | Online Traffic Adjudication and Ability to Pay, Annual Report****Summary:**

The Criminal Justice Services Office recommends that the Judicial Council receive *Online Traffic Adjudication and Ability to Pay, Annual Report*, and direct the Administrative Director to submit this final report to the Joint Legislative Budget Committee and the Department of Finance as mandated by the Budget Act of 2018-19 (Sen. Bill 847, Stats. 2018, Ch. 45). The report documents the background of the pilot program, describes first-year implementation activities, provides data about the litigants making requests using the software and the resulting reductions in fines and fees, and describes the next steps of developing additional online functions.

[20-007](#)**Report to the Legislature | Peremptory Challenges in Misdemeanor Cases****Summary:**

Senate Bill 843 (Stats. 2016, ch. 33) temporarily reduces the number of peremptory challenges legal counsel may utilize in criminal misdemeanor cases from the period starting on January 1, 2017, and ending on January 1, 2021. This legislative mandate, codified as Code of Civil Procedure section 231, also requires the Judicial Council to conduct a study and submit a report to the Legislature bearing on, but not restricted to, an examination of the number of peremptory challenges used by legal counsel for the defendant and state in criminal misdemeanor cases after January 1, 2017. Additionally, SB 843 calls for the presentation of findings pertaining to the types of misdemeanor cases that are typically decided by jury trials, and findings related to cost savings that may accrue to courts as a result of the passage of this legislation. This report represents the Judicial Council's response to this mandate.

[20-014](#)**Report to the Legislature | Pretrial Pilot Program****Summary:**

The Criminal Justice Services office recommends that the Judicial Council receive the *Pretrial Pilot Program: Report to the Legislature*, and direct the Administrative Director to submit this annual report to the Joint Legislative Budget Committee and the Department of Finance as mandated by the Budget Act of 2019 (Assem. Bill 74; Stats. 2019, ch. 23). This report provides a background on the Judicial Council's Pretrial Pilot Program and details the program's initial implementation activities in the participating pilot courts. This is the first legislative report on the Pretrial Pilot Program and covers activities from August 2019 to December 2019.

[20-011](#)**Trial Courts | Quarterly Investment Report for Third Quarter of 2019****Summary:**

This Trial Courts: Quarterly Investment Report for Third Quarter of 2019 covers the period of July 1, 2019, through September 30, 2019, and provides the financial results for the funds invested by the Judicial Council on behalf of the trial courts as part of the judicial branch treasury program. The report is submitted under agenda item 10, Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004.

[20-017](#)**Report to the Legislature | Receipts and Expenditures from the Local Courthouse Construction Fund****Summary:**

Government Code section 70403 requires the Judicial Council to report to the budget and fiscal committees of the Legislature annually, on or before January 1, all receipts, expenditures from the local courthouse construction funds, including any amounts required to be repaid by counties, based on the information received from counties pursuant to this section. The Receipts and Expenditures from Local Courthouse Construction Funds report provides information for the reporting period of July 1, 2018, to June 30, 2019.

The attached annual report reflects 30 counties collecting courthouse construction funds with revenues totaling \$39 million and expenditures of \$34.5 million. During this reporting period, two counties, Orange and Tulare, transferred the balance of their courthouse construction funds to the State Court Facilities Construction Fund, totaling \$4.5 million.

[20-016](#)**Report to the Legislature | Report on California Rules of Court, rule 10.75 (Meetings of Advisory Bodies)****Summary:**

The *Supplemental Report of the 2013-2014 Budget Package* requires that the Judicial Council report to the Joint Legislative Budget Committee on implementation of the open meetings rule, rule 10.75 of the California Rules of Court. Under subdivision (p) of the rule, the Judicial Council must review the rule's impact periodically to determine whether amendments are needed. No amendments are needed at this time.



[20-008](#)**Report to the Legislature | State Trial Court Electronic Filing and Document Service Accessibility Compliance****Summary:**

Assembly Bill 103 (Stats. 2017, ch. 17), the public safety bill approved by the Governor on June 27, 2017, amended Code of Civil Procedure section 1010.6(g), which requires that any system for the electronic filing and service of documents used by a California trial court must be accessible to individuals with disabilities as provided in the statute. The amendment also requires the council to submit four reports between June 2018 and December 2023 to the appropriate committees of the Legislature relating to the trial courts that have implemented a system of electronic filing and service of documents. This December 2019 report is the second of the four submissions.

[20-001](#)**Report to the Legislature | Trial Court Interpreters Program Expenditure Report for Fiscal Year 2017-18****Summary:**

The Judicial Council's Language Access Services Program recommends approving the annual report on trial court interpreter expenditures for submission to the Legislature and the Department of Finance. This report is required by the Budget Act of 2017 (Stats. 2017, ch. 14).

[20-020](#)**Report to the Legislature | Trial Court Trust Fund Revenue, Expenditure, and Fund Balance Constraints for 2018-19****Summary:**

Government Code sections 68502.5(b) and 77202.5(b) require the Judicial Council to report to the Legislature the following financial data from all fund sources, by individual trial court, with totals for all trial courts and each trial court: revenues; expenditures at the program, component, and object levels; and fund balances. The report must be submitted on or before December 31 following the close of each fiscal year. The Judicial Council's Budget Services office submitted the annual report, *Trial Court Trust Fund Revenue, Expenditure, and Fund Balance Constraints for 2018-19* (Attachment A), to the Legislature on December 31, 2019.

**Circulating Orders****Appointment Orders****Adjournment (approximately 12:20 p.m.)**



## 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**

December 3, 2019

**To**

Members of the Executive and Planning  
Committee

**From**

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

**Subject**

Conversion of One Vacant Subordinate  
Judicial Officer Position in the Superior  
Court of Los Angeles County

**Action Requested**

Approve Staff Recommendation

**Deadline**

December 17, 2019

**Contact**

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

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### Executive Summary

Office of Court Research staff recommend that the Judicial Council's Executive and Planning Committee confirm the conversion of one vacant subordinate judicial officer (SJO) position in the Superior Court of Los Angeles County. The court has notified council staff of this vacancy and has requested that the position be converted to a judgeship. Confirming this request for an SJO conversion is consistent with established council policy of improving access to justice by providing constitutionally empowered judges who are accountable to the electorate in matters that are appropriately handled by judges.

### Recommendation

Office of Court Research staff recommend that the Executive and Planning Committee (E&P) confirm the conversion of one vacant SJO position in the Superior Court of Los Angeles County. The vacancy is the result of the retirement of the commissioner serving in this position on October 4, 2019. The conversion will take effect on the date on which E&P approves the court's request.

Council staff also recommend that E&P acknowledge that the Superior Court of Los Angeles County may treat this converted position as a position that the court may temporarily fill until a judge is named and sworn to fill it.

### **Relevant 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 (Stats. 2007, ch. 722), which adopted the Judicial Council's methodology. The result of the evaluation was 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 on authorization of 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. 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;
- 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

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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/documents/sjowgfinal.pdf](http://www.courts.ca.gov/documents/sjowgfinal.pdf).

<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), [www.courts.ca.gov/documents/022307item9.pdf](http://www.courts.ca.gov/documents/022307item9.pdf); and the update of this report and SJO allocation list, Judicial Council of Cal., Executive and Planning Com. Rep., *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).

- The establishment of criteria for E&P to use in evaluating and granting requests by courts to exempt SJO vacancies from conversion.<sup>3</sup>

In addition to the above policies to expedite conversions, in 2015 the council refreshed the workload data used to determine the courts with eligible conversions. A list of eligible positions was established for the remaining conversions, and courts were notified of any changes in status based on the updated workload assessment.<sup>4</sup>

### **Analysis/Rationale**

The Superior Court of Los Angeles County is eligible for a total of 79 of the 162 conversions authorized by the Legislature and has previously converted 77 positions, with the most recent conversion occurring in June of fiscal year (FY) 2018–19. The Superior Court of Los Angeles County is the sole member of Allocation Group 1, which is allotted 7 conversions each fiscal year. The confirmation of the present request would result in the conversion of 1 of the 7 SJO positions for which the court is eligible in FY 2019–20, and would allow the court reasonable certainty and clarity concerning staffing and judicial workload over the next few years.

### **Policy implications**

Confirming this conversion is consistent with well-established tenets of council policy on SJO conversions.

### **Comments**

This proposal, which is consistent with council policy on SJO conversions, did not circulate for comment.

### **Alternatives considered**

The proposed conversion of a vacant SJO position is consistent with council policy. On that basis, no alternatives were considered.

### **Fiscal and Operational Impacts**

To date, implementation costs for the trial courts have been minimal. On appointment of a new judge to sit in a converted position, funding equal to the judge's estimated compensation—which includes salary and benefits but does not include retirement—is removed from the trial court's

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<sup>3</sup> See Judicial Council of Cal., Executive and Planning Com. Rep., *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>.

<sup>4</sup> See Judicial Council of Cal., Executive and Planning Com. Rep., *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).

Members of the Executive and Planning Committee

December 3, 2019

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allocation that previously funded the SJO position. This funding is then transferred to the statewide fund for judicial salaries and benefits, Program 45.25.

**Attachments and Links**

1. Attachment A: Letter from Presiding Judge Kevin C. Brazile, Superior Court of Los Angeles County, to Justice Marsha G. Slough, Chair, Executive and Planning Committee, November 5, 2019, regarding the conversion of a vacant SJO position



# The Superior Court

111 NORTH HILL STREET  
LOS ANGELES, CALIFORNIA 90012  
CHAMBERS OF  
**KEVIN C. BRAZILE**  
PRESIDING JUDGE

TELEPHONE  
(213) 633-0400

November 5, 2019

The Honorable Marsha G. Slough, Chair  
Judicial Council's Executive and Planning Committee  
455 Golden Gate Avenue  
San Francisco, California 94102-3688

Re: Request for Conversion of One Commissioner Position

Dear Justice Slough:

The Los Angeles Superior Court greatly appreciates the prompt action taken on previous SJO conversion requests.

I am writing to request that you forward to the Judicial Council's Executive and Planning Committee our request to expedite approval of the conversion of one (1) vacant commissioner position in the Superior Court of California for Los Angeles Superior County to judgeships in the 2019-2020 fiscal year, pursuant to Government Code Section 69615.

The vacancy was created by a retirement:

- Commissioner Anthony Moreno Peters retired on October 4, 2019.

As the above position is instantly available, and as we have a pressing need for judges, I hope and trust that the Committee will approve this request and promptly forward notice of the resulting vacancy to the Governor's office.

Thank you for your consideration and assistance.

Very truly yours,

A handwritten signature in black ink that reads "Kevin C. Brazile".

KEVIN C. BRAZILE  
Presiding Judge

KCB:BB:rm

c: Martin Hoshino, Administrative Director, Judicial Council of California  
Leah Rose Goodwin, Office of Court Research, Judicial Council of California

**Trial Court Presiding Judges Advisory Committee**  
**Annual Agenda<sup>1</sup>—2020**

**Approved by the Executive and Planning Committee: [Date]**

**I. COMMITTEE INFORMATION**

<b>Chair:</b>	Hon. Joyce D. Hinrichs, Presiding Judge, Superior Court of Humboldt County
<b>Lead Staff:</b>	Mr. Corey Rada, Senior Analyst, Trial Court Leadership
<b>Committee's Charge/Membership:</b> <p><a href="#">Rule 10.46(a)</a> of the California Rules of Court states the charge of the Trial Court Presiding Judges Advisory Committee (TCPJAC), which is to contribute 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. In addition to this charge, <a href="#">rule 10.46(b)</a> sets forth the additional duties of the committee.</p> <p><a href="#">Per rule 10.46(c)</a>, the TCPJAC is comprised of the presiding judges of all 58 superior courts. Additionally, <a href="#">rule 10.46 (d)</a> establishes an Executive Committee consisting of the committee chair, vice-chair, and members in the following categories:</p> <ul style="list-style-type: none"><li>(a) All presiding judges from superior courts with 48 or more judges;</li><li>(b) Two presiding judges from superior courts with 2 to 5 judges, who are elected by the members in this court category;</li><li>(c) Three presiding judges from superior courts with 6 to 15 judges, who are elected by the members in this court category; and</li><li>(d) Four presiding judges from superior courts with 16 to 47 judges, who are elected by the members in this court category.</li></ul> <p>The current committee <a href="#">roster</a> is available on the committee's web page.</p>	

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<sup>1</sup> The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

**Subcommittees/Working Groups<sup>2</sup>:**

1. TCPJAC/CEAC Joint Legislation Subcommittee
2. TCPJAC/CEAC Joint Rules Subcommittee
3. TCPJAC/CEAC Joint Technology Subcommittee

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<sup>2</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.



## II. COMMITTEE PROJECTS

#	New or One-Time Projects <sup>3</sup>	
1.	<b>Project Title: Provide Input to CEAC During Its Review of the Standards of Judicial Administration to Clarify and Improve Access to Justice Measures (One-Time)</b>	<b>Priority 2<sup>4</sup></b>
<p><b>Project Summary<sup>6</sup>:</b> As needed, provide input to the Court Executives Advisory Committee (CEAC) as it reviews the existing Standards of Judicial Administration and recommends additions, deletions, and/or revisions to performance measures. CEAC is conducting this review to improve the branch’s ability to communicate the trial courts’ objectives and uniform performance measures to each other, other branches of government, and the public. This effort would seek to expand existing performance measures that focus solely on time to disposition to include broader access measures (e.g., potential standards for self-help center hours, clerks’ office hours, etc.). This project was conceived as a way to assist with developing responses to Department of Finance inquiries regarding how increased and decreased funding impacts trial court operations and services.</p> <p><b>Status/Timeline:</b> 2020.</p> <p><b>Fiscal Impact/Resources:</b> Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> CEAC.</p>		

<sup>3</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>4</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.

<sup>5</sup> Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

<sup>6</sup> A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	<b>Ongoing Projects and Activities<sup>3</sup></b>	
1.	<b>Project Title: TCPJAC/CEAC Joint Legislation Subcommittee</b>	<b>Priority 1<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> II, III</b>
<p><b>Project Summary<sup>6</sup>:</b> The TCPJAC/CEAC Joint Legislation Subcommittee (JLS) is charged with developing, reviewing, commenting, and making recommendations on proposed legislation to establish new or amend existing laws. The subcommittee monitors proposed and existing legislation that has a significant operational or administrative impact on the trial courts. The subcommittee also reviews 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> <p><b>Status/Timeline:</b> Ongoing.</p> <p><b>Fiscal Impact/Resources:</b> Governmental Affairs and Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> CEAC and PCLC.</p>		
2.	<b>Project Title: TCPJAC/CEAC Joint Rules Subcommittee</b>	<b>Priority 1<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> II, III, VI</b>
<p><b>Project Summary<sup>6</sup>:</b> The TCPJAC/CEAC Joint Rules Subcommittee (JRS) is charged with developing, reviewing, and providing input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and Judicial Council forms to improve the efficiency or effectiveness of the trial courts. The subcommittee focuses on those proposals that may lead to a significant fiscal or operational impact on the trial courts. Additionally, the subcommittee makes recommendations to the Rules and Projects Committee (RUPRO) concerning the overall rule making process.</p> <p><b>Status/Timeline:</b> Ongoing.</p> <p><b>Fiscal Impact/Resources:</b> Legal Services and Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> CEAC, RUPRO, and various advisory bodies.</p>		

#	<b>Ongoing Projects and Activities<sup>3</sup></b>	
3.	<b>Project Title: Legislative Advocacy of Increased Funding for the Trial Court Trust Fund</b>	<b>Priority 1<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> II, VII</b>
<p><b>Project Summary<sup>6</sup>:</b> 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.</p> <p><b>Status/Timeline:</b> Ongoing.</p> <p><b>Fiscal Impact/Resources:</b> Governmental Affairs, Budget Services, and Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> Superior courts.</p> <p><b>AC Collaboration:</b> CEAC and the Judicial Branch Budget Committee.</p>		
4.	<b>Project Title: TCPJAC/CEAC Joint Technology Subcommittee</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> VI</b>
<p><b>Project Summary<sup>6</sup>:</b> The TCPJAC/CEAC Joint Technology Subcommittee (JTS) reviews and provides, 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. 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 (ITAC). The subcommittee is charged with providing 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 subcommittee and then presented to the TCPJAC and CEAC for final review.</p> <p><b>Status/Timeline:</b> Ongoing.</p> <p><b>Fiscal Impact/Resources:</b> Legal Services, Information Technology, and Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> CEAC and ITAC.</p>		

#	<b>Ongoing Projects and Activities<sup>3</sup></b>	
5.	<b><i>Project Title: Serve as a Resource</i></b>	<b><i>Priority 2<sup>4</sup></i></b>
<p><b><i>Project Summary<sup>6</sup>:</i></b> Serve as a subject matter resource for Judicial Council divisions and other council advisory bodies to avoid duplication of efforts and contribute to development of recommendations for council action.</p> <p><b><i>Status/Timeline:</i></b> Ongoing.</p> <p><b><i>Fiscal Impact/Resources:</i></b> Trial Court Leadership staff.</p> <p><b><i>Internal/External Stakeholders:</i></b> None.</p> <p><b><i>AC Collaboration:</i></b> CEAC and various advisory bodies.</p>		

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### III. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<p><b>TCPJAC/CEAC Joint Legislation Subcommittee.</b> Remained active throughout 2019, holding 16 conference calls to, on behalf of the TCPJAC and CEAC, provide review and make recommendations to PCLC on 45 different bills identified by Governmental Affairs as having significant operational or administrative impact on the trial courts. In December 2019, the subcommittee meeting schedule will be set according to the PCLC’s 2020 meeting schedule. The subcommittee will continue to meet to 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.</p>
2.	<p><b>TCPJAC/CEAC Joint Rules Subcommittee.</b> Remained active throughout 2019, on behalf of the TCPJAC and CEAC, and reviewed 52 rule proposals throughout the course of the year. The subcommittee provided comment on 18 rule proposals that may have a significant fiscal or operational impact on the trial courts. This subcommittee will continue to be active in 2020 and meet as needed.</p>
3.	<p><b>Committee on Judicial Ethics Opinions (CJEO) Draft Formal Opinion Comments.</b> In May 2019, TCPJAC submitted comments on CJEO Draft Formal Opinion 2019-014. The opinion establishes ethical constraints on the use of a case management system, specifically in relation to a judge’s ability to search a court’s electronic case management system for records pertaining to a matter before the judge. These comments reflected an organized response to the concerns shared by courts throughout the state.</p>
4.	<p><b>Peer Education Opportunities.</b> TCPJAC and CEAC leadership collaborated with Judicial Council staff to provide 15 effective practices and peer education breakout sessions on 10 key areas of court operations as part of the January and August 2019 TCPJAC/CEAC Statewide Business Meetings. The topics of the breakout sessions included: Pretrial Pilot Program: Introduction of Selected Pilot Courts and Probation Partners; Budget Priorities; Language Access and Court Interpreters Program; Temporary Assigned Judges Program: Update and Discussion of Best Practices; Data Analytics in the Judicial Branch; Strategies to Address Potential Budget Shortfall; Best Practices for Operating in the E-Filing/Paper on Demand Environment; Mental Health Diversion Update; Information Security Outreach Program; and Emergency Preparedness and Response. Participants included presiding judges, assistant presiding judges, court executive officers, and assistant court executive officers.</p>

**Court Executives Advisory Committee**  
**Annual Agenda<sup>1</sup>—2020**

**Approved by the Executive and Planning Committee: [Date]**

**I. COMMITTEE INFORMATION**

<b>Chair:</b>	Ms. Nancy CS Eberhardt, Court Executive Officer, Superior Court of San Bernardino County
<b>Lead Staff:</b>	Ms. Donna Ignacio, Senior Analyst, Trial Court Leadership
<b>Committee's Charge/Membership:</b> <p>Under <a href="#">rule 10.48(a)</a> of the California Rules of Court, the Court Executives Advisory Committee (CEAC) is charged with making recommendations to the council on policy issues affecting the trial courts. In addition to this charge, <a href="#">rule 10.48(b)</a> sets forth the additional duties of the committee.</p> <p><a href="#">Per rule 10.48(c)</a>, CEAC consists of the court executive officers from the 58 California superior courts. <a href="#">Rule 10.48(d)</a> establishes the Executive Committee of CEAC. The Executive Committee consists of 18 members.</p> <p>The current committee <a href="#">roster</a> is available on the committee's web page.</p>	

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<sup>1</sup> The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and Judicial Council staff resources.

**Subcommittees/Working Groups<sup>2</sup>:**

1. TCPJAC/CEAC Joint Legislation Subcommittee
2. TCPJAC/CEAC Joint Rules Subcommittee
3. TCPJAC/CEAC Joint Technology Subcommittee
4. CEAC Child Support Services Subcommittee
5. CEAC Judicial Branch Statistical Information System Subcommittee
6. CEAC Nominations Subcommittee
7. CEAC Records Management Subcommittee
8. CEAC Ad Hoc Working Group on the California Department of Justice Senate Bill (SB) 384 Implementation
9. CEAC Ad Hoc Working Group on Court Appointed Dependency Counsel – Title IV-E Program (*New*)
10. CEAC Ad Hoc Working Group on Court Security Services for the Trial Courts
11. CEAC Ad Hoc Working Group on Interpreter Payment Policy
12. CEAC Ad Hoc Working Group on Standards of Judicial Administration
13. CEAC Ad Hoc Working Group on Trial Court Facilities

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<sup>2</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.

## II. COMMITTEE PROJECTS

#	New or One-Time Projects <sup>3</sup>	
1.	<b>Project Title:</b> CEAC Ad Hoc Working Group on Court Appointed Dependency Counsel – Title IV-E Program (New, One-Time)	<b>Priority 2<sup>4</sup></b>
<p><b>Project Summary<sup>6</sup>:</b> CEAC, through an ad hoc working group, will provide operational guidance to Center for Families, Children &amp; the Courts (CFCC) as they work with the California Department of Social Services (CDSS) on the interbranch agreement, program requirements, and invoicing procedures required by the plan to reimburse the judicial branch for qualified, court-appointed dependency counsel expenditures through federal title IV-E matching funds.</p> <p><b>Status/Timeline:</b> 2020.</p> <p><b>Fiscal Impact/Resources:</b> Trial Court Leadership and CFCC staff.</p> <p><b>Internal/External Stakeholders:</b> CDSS.</p> <p><b>AC Collaboration:</b> Family and Juvenile Law Advisory Committee.</p>		

<sup>3</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>4</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.

<sup>5</sup> Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

<sup>6</sup> A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.



#	<b>New or One-Time Projects<sup>3</sup></b>	
2.	<b>Project Title: CEAC Ad Hoc Working Group on the California Department of Justice Senate Bill (SB) 384 Implementation (One-Time)</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> IV</b>
<p><b>Project Summary<sup>6</sup>:</b> CEAC, through an ad hoc working group, will consult with the California Department of Justice (DOJ) on the implementation of Senate Bill 384, <i>Sex offenders: registration: criminal offender record information systems</i>. The DOJ seeks to learn of courts' current processes and case management systems and receive input on matters of special concern to courts. The working group will share potential issues that should be considered when crafting this statewide process.</p> <p><b>Status/Timeline:</b> 2020.</p> <p><b>Fiscal Impact/Resources:</b> Trial Court Leadership and Legal Services staff.</p> <p><b>Internal/External Stakeholders:</b> DOJ.</p> <p><b>AC Collaboration:</b> None.</p>		
3.	<b>Project Title: CEAC Ad Hoc Working Group on Court Security Services for the Trial Courts (One-Time)</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> IV, VI</b>
<p><b>Project Summary<sup>6</sup>:</b> CEAC, through an ad hoc working group, will assess the statewide scope of a growing problem concerning inadequate sheriff staffing levels in the trial courts or potential reduction of current security staffing levels by the sheriff. This working group is also charged with analyzing solutions and developing recommendations, for CEAC's approval, regarding court security services for the trial courts. In recent years, and in an increasing number of courts, county sheriff's offices have provided fewer officers than set forth in the courts' MOUs. In addition, courts that have opened new and large court facilities have experienced the same decline in court security services. Because these decreased levels of sheriffs services have significant implications for the safety of judicial officers, court employees, and the public, CEAC has determined that it is essential to begin assessing the statewide scope of this problem and to develop recommendations.</p> <p><b>Status/Timeline:</b> 2020.</p> <p><b>Fiscal Impact/Resources:</b> Budget Services, Trial Court Leadership, Legal Services, and Security Operations.</p> <p><b>Internal/External Stakeholders:</b> California State Association of Counties, California State Sheriffs' Association, and Department of Finance.</p>		

#	<b>New or One-Time Projects<sup>3</sup></b>	
	<i>AC Collaboration:</i> Court Security Advisory Committee, Judicial Branch Budget Committee, Trial Court Budget Advisory Committee, and Trial Court Presiding Judges Advisory Committee (TCPJAC).	
4.	<b>Project Title: CEAC Ad Hoc Working Group on Interpreter Payment Policy (One-Time)</b>	<b>Priority 2<sup>4</sup></b>
	<b>Strategic Plan Goal<sup>5</sup> IV</b>	
	<p><b>Project Summary<sup>6</sup>:</b> CEAC, through an ad hoc working group, will assess the existing “Payment Policies for Contract Court Interpreters” policy and develop recommendations for recent audit findings related to independent contractor interpreter reimbursement claims.</p> <p><b>Status/Timeline:</b> 2020.</p> <p><b>Fiscal Impact/Resources:</b> Trial Court Leadership, Legal Services, Human Resources, and Audit Services staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> Court Interpreters Advisory Panel.</p>	
5.	<b>Project Title: CEAC Ad Hoc Working Group on Standards of Judicial Administration (One-Time)</b>	<b>Priority 2<sup>4</sup></b>
	<b>Strategic Plan Goals<sup>5</sup> IV, VI</b>	
	<p><b>Project Summary<sup>6</sup>:</b> CEAC, through an ad hoc working group and in consultation with TCPJAC (as needed), will review the existing Standards of Judicial Administration and recommend additions, deletions, and/or revisions to performance measures to improve the branch’s ability to communicate the trial courts’ objectives and uniform performance measures to each other, other branches of government, and the public. This effort seeks to expand existing performance measures that focus solely on time to disposition to include broader access measures (e.g., potential standards for self-help center hours, clerks’ office hours, etc.). This project was conceived to assist with developing responses to Department of Finance inquiries regarding how increased and decreased funding impacts trial court operations and services.</p> <p><b>Status/Timeline:</b> 2020.</p> <p><b>Fiscal Impact/Resources:</b> Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p>	

#	<b>New or One-Time Projects<sup>3</sup></b>	
	<i>AC Collaboration:</i> TCPJAC.	
6.	<b>Project Title: CEAC Ad Hoc Working Group on Trial Court Facilities (One-Time)</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> VI</b>
<p><b>Project Summary<sup>6</sup>:</b> Through the ad hoc 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 Trial Court Facility Modification Advisory Committee (TCFMAC) 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 then presented CEAC for final review.</p> <p><b>Status/Timeline:</b> 2020.</p> <p><b>Fiscal Impact/Resources:</b> Facilities Services and Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> Possible consultation with CFAC and TCFMAC.</p>		

#	<b>Ongoing Projects and Activities<sup>3</sup></b>	
1.	<b>Project Title: TCPJAC/CEAC Joint Legislation Subcommittee</b>	<b>Priority 1<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> II, III</b>
<p><b>Project Summary<sup>6</sup>:</b> The TCPJAC/CEAC Joint Legislation Subcommittee (JLS) is charged with developing, reviewing, commenting, and making recommendations on proposed legislation to establish new or amend existing laws. The subcommittee monitors proposed and existing legislation that has a significant operational or administrative impact on the trial courts. The subcommittee also reviews 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> <p><b>Status/Timeline:</b> Ongoing.</p> <p><b>Fiscal Impact/Resources:</b> Governmental Affairs and Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> TCPJAC and PCLC.</p>		
2.	<b>Project Title: TCPJAC/CEAC Joint Rules Subcommittee</b>	<b>Priority 1</b> <b>Strategic Plan Goal II, III, IV</b>
<p><b>Project Summary:</b> The TCPJAC/CEAC Joint Rules Subcommittee (JRS) is charged with developing, reviewing, and providing input on proposals to establish, amend, or repeal the California Rules of Court, Standards of Judicial Administration, and Judicial Council forms to improve the efficiency or effectiveness of the trial courts. The subcommittee focuses on those proposals that may lead to a significant fiscal or operational impact on the trial courts. Additionally, the subcommittee makes recommendations to the Rules and Projects Committee (RUPRO) concerning the overall rule making process.</p> <p><b>Status/Timeline:</b> Ongoing.</p> <p><b>Fiscal Impact/Resources:</b> Legal Services and Trial Court Leadership staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> TCPJAC, RUPRO, and various advisory bodies.</p>		

#	Ongoing Projects and Activities <sup>3</sup>	
3.	<b>Project Title: TCPJAC/CEAC Joint Technology Subcommittee</b>	<b>Priority<sup>4</sup> 2</b>
	<b>Strategic Plan Goal<sup>5</sup> IV</b>	
<p><b>Project Summary<sup>6</sup>:</b> The TCPJAC/CEAC Joint Technology Subcommittee (JTS) reviews and provides early presiding judge and court executive officer 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 (ITAC). The subcommittee is charged with providing 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 subcommittee and then presented to the TCPJAC and CEAC for final review.</p>		
<p><b>Status/Timeline:</b> Ongoing.</p>		
<p><b>Fiscal Impact/Resources:</b> Information Technology, Trial Court Leadership, and Legal Services staff.</p>		
<p><b>Internal/External Stakeholders:</b> None.</p>		
<p><b>AC Collaboration:</b> TCPJAC and ITAC.</p>		
4.	<b>Project Title: CEAC Child Support Services Subcommittee</b>	<b>Priority<sup>4</sup> 2<sup>4</sup></b>
	<b>Strategic Plan Goal<sup>5</sup> VII</b>	
<p><b>Project Summary<sup>6</sup>:</b> Through the Child Support Services Subcommittee, CEAC will work in consultation with CFCC to provide information about significant fiscal and/or operational impacts on trial courts regarding proposed policy or operational changes by the program or the Department of Child Support Services (DCSS). In addition, the subcommittee will develop comments and/or recommendations (for CEAC's approval) concerning recommendations proposed by the Workload Assessment Advisory Committee regarding the development of Assembly Bill (AB) 1058 data for the Judicial Branch Statistical Information System (JBSIS). The subcommittee will also convene to address any other critical issues related to the Plan of Cooperation (POC) and AB 1058 that might arise in the interim.</p>		
<p>In response to issues that arose with the 2015 DCSS model POC, CEAC formed an ad hoc working group to meet with State DCSS representatives and CFCC staff to discuss and resolve concerns prior to the POC's distribution to the trial courts and local child support agencies. CEAC requested that this former ad hoc working group be converted to a subcommittee to review future model POC. The subcommittee will meet annually in spring on an ongoing basis.</p>		

#	<b>Ongoing Projects and Activities<sup>3</sup></b>	
	<p><i>Status/Timeline:</i> Ongoing.</p> <p><i>Fiscal Impact/Resources:</i> CFCC, Trial Court Leadership, and Research and Evaluation staff.</p> <p><i>Internal/External Stakeholders:</i> DCSS.</p> <p><i>AC Collaboration:</i> Family and Juvenile Law Advisory Committee, Trial Court Budget Advisory Committee, and Workload Assessment Advisory Committee.</p>	
5.	<b>Project Title: Judicial Branch Statistical Information System Subcommittee</b>	<b>Priority 2<sup>4</sup></b>
	<p><b>Strategic Plan Goal<sup>5</sup> III</b></p> <p><i>Project Summary<sup>6</sup>:</i> CEAC will continue to provide oversight responsibility over Judicial Branch Statistical Information System (JBSIS) through the JBSIS Subcommittee. JBSIS is authorized through California Rules of Court, rule 10.400, and CEAC has oversight responsibility of JBSIS as defined in rule 10.48, which governs CEAC.</p> <p>The subcommittee identified the following projects:</p> <p><b>Ongoing Review and Revisions of JBSIS Reporting Standards</b>  CEAC will continue to review and seek input from courts on the recent revisions to the filing definitions and recommend additional revisions as needed. CEAC will also identify additional areas in JBSIS for review that will be important for branchwide budget advocacy efforts, monitoring court operations, and workload analysis. For 2020, this work is anticipated to be extensive. The JBSIS Subcommittee will review all JBSIS non-filings data in an effort to better match the quantity of data collection with the ability for courts and the branch to ensure a level of data integrity and quality. The JBSIS Subcommittee anticipates developing recommendations to better reflect the current trends in data analytics, with a focus on producing highly reliable data in a consistent and uniform fashion statewide. The JBSIS Subcommittee will conduct this work in collaboration with the ITAC Data Analytics Workstream.</p> <p><b>Strengthening Data Governance Principles for JBSIS Reporting</b>  The <i>JBSIS Implementation Manual</i> currently contains the data standards, definitions, reporting rules, and technical specifications for JBSIS reporting. The CEAC JBSIS Subcommittee will work on adding new components to the JBSIS manual that will document some of these new data governance principles for JBSIS to provide greater transparency and confidence in JBSIS data. The JBSIS Subcommittee will also provide input to the Judicial Council’s Statistics and Information Unit as they develop additional procedures and guidance for courts as part of their regular JBSIS reporting.</p>	

#	<b>Ongoing Projects and Activities<sup>3</sup></b>	
	<p>The following are areas of ongoing work or planned for the upcoming year:</p> <ul style="list-style-type: none"> <li>• Review all JBSIS non-filings data in an effort to better match the quality of data collection with the ability for courts and the branch to ensure a level of data integrity and quality;</li> <li>• Create a public database with ongoing JBSIS Q&amp;A and technical assistance provided by the Judicial Council’s Court Research for greater transparency and consistency in guidance provided to courts; and</li> <li>• Provide ongoing input to Judicial Council’s Audit Services on JBSIS filing audit.</li> </ul> <p><i>Status/Timeline:</i> Ongoing.</p> <p><i>Fiscal Impact/Resources:</i> Audit Services, Information Technology, Trial Court Leadership, and Court Research staff.</p> <p><i>Internal/External Stakeholders:</i> Superior courts and case management system vendors.</p> <p><i>AC Collaboration:</i> None.</p>	
6.	<b>Project Title: Project Title: CEAC Nominations Subcommittee</b>	<b>Priority 1<sup>4</sup></b>
	<p><b>Strategic Plan Goal<sup>5</sup> I</b></p> <p><i>Project Summary<sup>6</sup>:</i> Pursuant to California Rules of Court, 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> </ul> <p><i>Status/Timeline:</i> Ongoing.</p> <p><i>Fiscal Impact/Resources:</i> Trial Court Leadership staff.</p> <p><i>Internal/External Stakeholders:</i> None.</p> <p><i>AC Collaboration:</i> Executive and Planning Committee and various advisory bodies receiving nominations.</p>	

#	<b>Ongoing Projects and Activities<sup>3</sup></b>	
7.	<b>Project Title: Project Title: Project Title: CEAC Records Management Subcommittee</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> III</b>
<p><b>Project Summary<sup>6</sup>:</b> Through the Records Management Subcommittee, CEAC will continue to develop and publish updates to the <i>Trial Court Records Manual</i> (TCRM), with a focus on ensuring that content reflects current law and promoting best practices. The subcommittee will monitor the progress of proposed 2020 Judicial Council-sponsored legislations, other legislation affecting court records management, and relevant amendments to the California Rules of Courts.</p> <p><b>Status/Timeline:</b> TCRM Updates – Ongoing. Government Code sections 68152(a)(6) and 68153 – 2020.</p> <p><b>Fiscal Impact/Resources:</b> Information Technology, Trial Court Leadership, and Legal Services staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> Possible consultation with ITAC and Probate Mental Health Advisory Committee.</p>		
8.	<b>Project Title: Strengthen the Role of Court Executive Officers in Outreach to the Legislative and Executive Branches</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> II</b>
<p><b>Project Summary<sup>6</sup>:</b> 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. 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> <p><b>Status/Timeline:</b> Ongoing.</p> <p><b>Fiscal Impact/Resources:</b> Judicial Council’s Administrative Director; Trial Court Leadership, Budget Services, and Governmental Affairs staff.</p> <p><b>Internal/External Stakeholders:</b> None.</p> <p><b>AC Collaboration:</b> None.</p>		



#	<b>Ongoing Projects and Activities<sup>3</sup></b>	
9.	<b><i>Project Title:</i> Serve as a Resource</b>	<b><i>Priority 2<sup>4</sup></i></b>
<p><b><i>Project Summary<sup>6</sup>:</i></b> 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> <p><b><i>Status/Timeline:</i></b> Ongoing.</p> <p><b><i>Fiscal Impact/Resources:</i></b> Respective Judicial Council divisions.</p> <p><b><i>Internal/External Stakeholders:</i></b> None.</p> <p><b><i>AC Collaboration:</i></b> Respective advisory bodies.</p>		

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### III. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<p><b>Educational Opportunities.</b> TCPJAC and CEAC leadership collaborated with Judicial Council staff to provide 15 effective practices and peer education sessions on 10 key areas of court operations as part of the January and August 2019 TCPJAC/CEAC Statewide Business Meetings. The topics of the breakout sessions included: Pretrial Pilot Program: Introduction of Selected Pilot Courts and Probation Partners; Budget Priorities; Language Access and Court Interpreters Program; Temporary Assigned Judges Program: Update and Discussion of Best Practices; Data Analytics in the Judicial Branch; Strategies to Address Potential Budget Shortfall; Best Practices for Operating in the E-Filing/Paper on Demand Environment; Mental Health Diversion Update; Information Security Outreach Program; and Emergency Preparedness and Response. Participants included presiding judges, assistant presiding judges, court executive officers, and assistant court executive officers.</p>
2.	<p><b>TCPJAC/CEAC Joint Legislation Subcommittee.</b> Remained active throughout 2019, holding 16 conference calls to, on behalf of the TCPJAC and CEAC, provide review and make recommendations to PCLC on 45 different bills identified by Governmental Affairs as having significant operational or administrative impact on the trial courts. In December 2019, the subcommittee meeting schedule will be set according to the PCLC’s 2020 meeting schedule. The subcommittee will continue to meet to 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.</p>
3.	<p><b>TCPJAC/CEAC Joint Rules Subcommittee.</b> Remained active throughout 2019, on behalf of the TCPJAC and CEAC, and reviewed 52 rule proposals throughout the course of the year. The subcommittee provided comment on 18 rule proposals that may have a significant fiscal or operational impact on the trial courts. This subcommittee will continue to be active in 2020 and meet as needed.</p>
4.	<p><b>Child Support Services Subcommittee.</b> The subcommittee was instrumental in reviewing materials and training for an optional alternative time reporting methodology called Rolling Time Studies, which is designed to balance the need for court staff to accurately track their time to ensure that federal funding is used only for its intended purpose against the administrative burden associated with documenting and reporting 100 percent each court staff’s time. In 2019, nine trial courts began testing and two trial courts fully implemented the Rolling Time Studies for trial court staff to track and report time working on the AB 1058 Program. This alternative time reporting methodology was negotiated between the Judicial Council and DCSS as part of the corrective action plan as a result of program audits.</p>
5.	<p><b>JBSIS Subcommittee.</b> Data Quality Standards: The subcommittee created guidelines for courts on how and when to report and amend JBSIS data. These guidelines were approved by CEAC at the February 2019 meeting and was approved by the Judicial Council on May 17, 2019.</p>
6.	<p><b>Nominations Subcommittee.</b> During the 2019 nominations cycle, the subcommittee identified, assessed, and recommended court executive/judicial administrator candidates for membership on the Judicial Council, CEAC Executive Committee, and other advisory bodies.</p>

#	Project Highlights and Achievements
7.	<b>Records Management Subcommittee.</b> The subcommittee is working on updates on the TCRM to include standards and best practices for electronic court records maintained as data in case management systems.
8.	<b>CEAC Ad Hoc Working Group on Trial Court Facilities.</b> In July 2019, the working group submitted comments on behalf of CEAC on the draft <i>Facilities Funding Responsibilities between Judicial Council and Superior Courts</i> . The document includes operating guidelines to help guide TCFMAC and Judicial Council staff with respect to determining responsibility for the funding of various trial court facility matters.

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**Trial Court Budget Advisory Committee**  
**Annual Agenda<sup>1</sup>—2020**

**Approved by Executive and Planning Committee: [Date TBD]**

**I. COMMITTEE INFORMATION**

<b>Chair:</b>	Hon. Jonathan B. Conklin, Judge, Superior Court of Fresno County
<b>Lead Staff:</b>	Ms. Brandy Sanborn, Manager, Judicial Council Budget Services
<b>Committee's Charge/Membership:</b> <a href="#">Rule 10.64(a)</a> of the California Rules of Court states the charge of the Trial Court Budget Advisory Committee, which is to make recommendations to the council on the preparation, development, and implementation of the budget for trial courts and provides input to the council on policy issues affecting trial court funding. <a href="#">Rule 10.64(b)</a> sets forth additional duties of the committee.  The Trial Court Budget Advisory Committee currently has 24 members, and meets in-person four times a year, in addition to numerous teleconferences, utilizing dedicated funds from the State Trial Court Improvement and Modernization Fund. The current committee <a href="#">roster</a> is available on the committee's web page. The Funding Methodology Subcommittee meets in-person twice annually, also using dedicated funds from the State Trial Court Improvement and Modernization Fund.	

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<sup>1</sup> The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

### **Subcommittees/Working Groups<sup>2</sup>:**

1. Fiscal Planning Subcommittee – Reviews recommendations regarding trial court requests to set aside funds on their behalf that have reverted to the Trial Court Trust Fund (TCTF) pursuant to Government Code section 77203. This group also reviews requests from trial courts that relate to Children’s Waiting Room funding.
2. Funding Methodology Subcommittee (FMS) – Ongoing review and refinement of the Workload Formula, develop a methodology for allocations from the TCTF Court Interpreter Program (CIP) (0150037) in the event of a funding shortfall, and consider funding allocation methodologies for other non-discretionary dollars as necessary.
3. Revenue and Expenditure (R&E) Subcommittee – Ongoing review of TCTF and State Trial Court Improvement and Modernization Fund (IMF) allocations supporting trial court projects and programs as well as any systematic cash flow issues affecting the trial courts.
4. All Funding Sources Ad Hoc Subcommittee (*New*) – To review and confirm all trial court general ledger accounts used in the Workload Formula including operating expenditures and equipment (OE&E).
5. Consumer Price Index (CPI) Ad Hoc Subcommittee (*New*) – To develop a methodology for CPI allocations to the trial courts should funding be granted for this purpose in the 2020 Budget Act.
6. Interpreter Ad Hoc Subcommittee – To develop a methodology for allocations from the TCTF CIP in the event of a funding shortfall and review existing methodologies.

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<sup>2</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.

## II. COMMITTEE PROJECTS

#	New or One-Time Projects <sup>3</sup>	
1.	<b>Project Title: Interpreter Funding Methodology</b>	<b>Priority 2<sup>4</sup></b>
		<b>Strategic Plan Goal<sup>5</sup> VII</b>
<p><b>Project Summary<sup>6</sup>:</b> Part of the charge of the committee pursuant to rule 10.64. The project originated due to the declining fund balance in the TCTF CIP (0150037), and the Interpreter Ad Hoc Subcommittee was established to develop a methodology for allocations from the CIP in the event of a funding shortfall and to review existing methodologies. The expected outcome is to appropriately allocate funds in the event of a shortfall, and to update the methodology for reimbursing and/or allocating funds as deemed appropriate.</p> <p><b>Status/Timeline:</b> Targeted completion date for a shortfall methodology and reviewing existing methodologies is fiscal year 2019–20 for a possible 2020–21 implementation.</p> <p><b>Fiscal Impact/Resources:</b> Budget Services and Center for Children, Families &amp; the Courts (CFCC) staff.</p> <p><b>Internal/External Stakeholders:</b> External stakeholders include the trial courts.</p> <p><b>AC Collaboration:</b> None.</p>		

<sup>3</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>4</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.

<sup>5</sup> Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

<sup>6</sup> A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	<b>New or One-Time Projects<sup>3</sup></b>	
2.	<b>Project Title: Operating Expenditures and Equipment (OE&amp;E) Review</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> VII</b>
<p><b>Project Summary<sup>6</sup>:</b> Part of the charge of the committee pursuant to rule 10.64. The project originated from a Trial Court Budget Advisory Committee FMS work plan on July 12, 2018, which was carried forward from an initial review performed in 2012–13. An All Funding Sources Ad Hoc Subcommittee was established to identify all funding sources that should be a part of the Workload Formula, which helps identify the gap between a court’s allocation and Workload Formula funding. The Trial Court Budget Advisory Committee FMS heard a recommendation on February 28, 2019, as it related to the inclusion and exclusion of revenue general ledger accounts, which was recommended by the Trial Court Budget Advisory Committee and adopted by the council at its July 18, 2019 business meeting. A review will continue as it relates to OE&amp;E general ledger accounts and the expected outcome is verification of the correct accounts used in the Workload Formula as well as standardized usage of account codes for use in a uniform and consistent manner.</p> <p><b>Status/Timeline:</b> Targeted completion is fiscal year 2020–21.</p> <p><b>Fiscal Impact/Resources:</b> Budget Services and Business Management Services staff.</p> <p><b>Internal/External Stakeholders:</b> External stakeholders include the trial courts.</p> <p><b>AC Collaboration:</b> None.</p>		
3.	<b>Project Title: Consumer Price Index (CPI) Allocation Methodology</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> VII</b>
<p><b>Project Summary<sup>6</sup>:</b> Part of the charge of the committee pursuant to rule 10.64. The project originated from an item on the Trial Court Budget Advisory Committee FMS work plan and was discussed at a July 25, 2019. Trial Court Budget Advisory Committee meeting where the CPI Ad Hoc Subcommittee was established to develop a methodology for CPI allocations should funding be granted. The expected outcome is to appropriately allocate funding for trial courts’ inflationary cost increases to allow the courts to maintain service levels.</p> <p><b>Status/Timeline:</b> Targeted completion is 2019–20 for 2020–21 implementation pending outcome of a budget change proposal funding award in the 2020 Budget Act.</p>		

#	New or One-Time Projects <sup>3</sup>
	<p><i>Fiscal Impact/Resources:</i> Budget Services staff.</p> <p><i>Internal/External Stakeholders:</i> External stakeholders include the trial courts.</p> <p><i>AC Collaboration:</i> None.</p>

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#	<b>Ongoing Projects and Activities</b>	
1.	<b>Project Title: State Trial Court Improvement and Modernization Fund (IMF) and Trial Court Trust Fund (TCTF) Allocations</b>	<b>Priority 1<sup>4</sup></b>
		<b>Strategic Plan Goal<sup>5</sup> VII</b>
	<p><b>Project Summary<sup>6</sup>:</b> Part of the charge of the committee pursuant to rule 10.64. The project originated as a result of structural shortfalls identified in the IMF and TCTF. The Trial Court Budget Advisory Committee R&amp;E Subcommittee will review 2020–21 allocations from the IMF and TCTF to ensure consistency with the Judicial Council goals and objectives and propose solutions to address any structural shortfall in either fund. The expected outcome is to assist the council in ensuring solvency of the IMF and TCTF.</p> <p><b>Status/Timeline:</b> Ongoing (allocations for 2020–21 will be approved by July 2020).</p> <p><b>Fiscal Impact/Resources:</b> Budget Services staff as well as multiple other Judicial Council office staff that have programs funded from the IMF and/or TCTF.</p> <p><b>Internal/External Stakeholders:</b> Various Judicial Council offices with programs funded from the IMF and/or TCTF, and external stakeholders include trial courts and service providers.</p> <p><b>AC Collaboration:</b> Various advisory bodies that have programs in these funds and provide recommendations regarding funding and program priorities.</p>	
2.	<b>Project Title: Workload Formula</b>	<b>Priority 2<sup>4</sup></b>
		<b>Strategic Plan Goal<sup>5</sup> VII</b>
	<p><b>Project Summary<sup>6</sup>:</b> Part of the charge of the committee pursuant to rule 10.64. In April 2013, the Judicial Council approved the Workload Formula 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. Amendments to the annual work plan are presented to the Trial Court Budget Advisory Committee annually, and the expected outcome is an improvement to the Workload Formula to more accurately capture relative funding needs of the trial courts.</p> <p><b>Status/Timeline:</b> Ongoing.</p> <p><b>Fiscal Impact/Resources:</b> Budget Services and Business Management Services staff.</p>	

#	<b>Ongoing Projects and Activities</b>	
	<p><b>Internal/External Stakeholders:</b> External stakeholders include the trial courts.</p> <p><b>AC Collaboration:</b> The Workload Assessment Advisory Committee oversees the Resources Assessment Study model, which feeds into the Workload Formula.</p>	
3.	<b>Project Title: Joint Facilities Costs</b>	<p><b>Priority 2<sup>4</sup></b></p> <p><b>Strategic Plan Goal<sup>5</sup> VII</b></p>
	<p><b>Project Summary<sup>6</sup>:</b> Part of the charge of the committee pursuant to rule 10.64. The project originated from the Trial Court Budget Advisory Committee FMS work plan item from an adjustment request submitted on January 16, 2018, and was discussed at the Trial Court Budget Advisory Committee FMS meeting on July 12, 2018, where the Joint Facilities Ad Hoc Subcommittee was created. The meeting resulted in a request for Judicial Council staff to identify facilities-related costs already factored into the Workload Formula as well as identifying lease expenditures for trial courts. Court-funded leases and court-funded debt service payments were identified as items to consider including as unfunded facilities costs and was presented to the Trial Court Budget Advisory Committee FMS at its February 28, 2019 meeting. A recommendation was made by the Trial Court Budget Advisory Committee and approved by the council at its July 18, 2019 business meeting to adjust each court’s workload allocation to include net civil assessments less maintenance of effort and debt service obligations paid from civil assessments, and the remaining lease issue is pending the outcome of a 2020–21 budget change proposal submission.</p> <p><b>Status/Timeline:</b> Targeted completion is fiscal year 2020–21.</p> <p><b>Fiscal Impact/Resources:</b> Budget Services and Facilities Services staff.</p> <p><b>Internal/External Stakeholders:</b> External stakeholders include the trial courts.</p> <p><b>AC Collaboration:</b> Court Facilities Advisory Committee and Trial Court Facilities Modification Advisory Committee.</p>	

#	Ongoing Projects and Activities	
4.	<b>Project Title: Child Support Commissioner and Family Law Facilitator (AB 1058) Funding</b>	<b>Priority 2<sup>4</sup></b> <b>Strategic Plan Goal<sup>5</sup> VII</b>
<p><b>Project Summary<sup>6</sup>:</b> Part of the charge of the committee pursuant to rule 10.64. The project originated from a Judicial Council meeting in April 2015 as a recommendation from the Family and Juvenile Law Advisory Committee, with an original targeted completion date of December 2017 for 2018–19 implementation (which has been pushed out to 2021–22 implementation). The Family and Juvenile Law Advisory Committee will work on the development of a workload-based funding methodology for the facilitator portion of the program, which was originally developed in 1997 (the commissioner portion is completed, and a reallocation of funds will be considered every two years beginning with fiscal year 2021–22). The expected outcome is for the Trial Court Budget Advisory Committee to provide input on appropriately allocating funds based on workload per a Judicial Council December 2016 report.</p> <p><b>Status/Timeline:</b> Targeted completion is fiscal year 2020–21 for 2021–22 implementation.</p> <p><b>Fiscal Impact/Resources:</b> Budget Services and CFCC staff.</p> <p><b>Internal/External Stakeholders:</b> Internal stakeholders include CFCC, and external stakeholders include trial courts and the California Department of Child Support Services.</p> <p><b>AC Collaboration:</b> Family and Juvenile Law Advisory Committee.</p>		

### III. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<p><b>Workload Formula</b></p> <p>The Trial Court Budget Advisory Committee FMS developed new policy parameters for allocation of trial court funding, including methodologies for allocation of new money as well as reallocation of funds to continue the progress towards equity in funding, that was approved by the Judicial Council at its July 2019 business meeting. Highlights include funding for 25 new judgeships received in the 2019 Budget Act and adding net civil assessments and specific general ledger accounts as part of the Workload Formula. Project continues into the 2020 agenda.</p>
2.	<p><b>Court-Appointed Dependency Counsel Funding</b></p> <p>The Small Court Dependency Workload Working Group made a recommendation to the Judicial Council in May 2017 as it relates to a Bureau of Labor Statistics adjustment for two fiscal years (2017–18 and 2018–19). The working group sunsetted on May 19, 2017. CFCC brought forward various options for recommendation to the Trial Court Budget Advisory Committee FMS on October 18, 2018. The FMS recommendation was presented to the Trial Court Budget Advisory Committee on December 13, 2018, for recommendation to the Judicial Council at its January 15, 2019 business meeting. It was decided that the small court changes be made permanent effective July 1, 2019.</p>
3.	<p><b>Child Support Commissioner and Family Law Facilitator (AB 1058) Funding</b></p> <p>The Trial Court Budget Advisory Committee heard a recommendation on a commissioner methodology from the Joint AB 1058 Funding Methodology Subcommittee on October 18, 2018, which was approved by the Judicial Council at its January 15, 2019 business meeting. The family law facilitator part of the project as well as ongoing biennial review of the commissioner allocations continues into the 2020 agenda.</p>
4.	<p><b>IMF and TCTF Allocations</b></p> <p>The Trial Court Budget Advisory Committee R&amp;E Subcommittee made 2019–20 IMF and TCTF recommendations to the Trial Court Budget Advisory Committee and Judicial Council in May and July of 2019. Project continues into the 2020 agenda.</p>
5.	<p><b>Interpreter Funding Methodology</b></p> <p>The Trial Court Budget Advisory Committee made a recommendation to the Judicial Council that was approved on May 17, 2019, to use TCTF fund balance to cover an anticipated shortfall in 2019–20. The project continues into the 2020 agenda.</p>

#	<b>Project Highlights and Achievements</b>
6.	<p data-bbox="201 207 653 240"><b>2018–19 New Funding Outcomes</b></p> <p data-bbox="201 280 1923 459">The Trial Court Budget Advisory Committee presented a report to the Judicial Council on May 17, 2019, that provided information on outcomes related to new branch funding provided in the 2018 budget, totaling \$108.4 million in discretionary funds, \$19.1 million for self-help services, and \$10 million earmarked to increase the number of court reports in family law. The new funding has increased public access to court services, expanded services, decreased backlog, and enhanced operational stability to serve the public more efficiently and effectively.</p>
7.	<p data-bbox="201 475 485 508"><b>Joint Facilities Costs</b></p> <p data-bbox="201 548 1923 727">The evaluation of the Joint Facilities Ad Hoc Subcommittee was completed, and the Trial Court Budget Advisory Committee heard a recommendation from FMS in May 2019, which was approved by the council at its July 2019 business meeting to adopt an adjustment to each court’s workload allocation to include net civil assessments less maintenance of effort and debt service obligations paid from civil assessments. The remaining lease issue is pending the outcome of a 2020–21 budget change proposal submission. The project continues into the 2020 agenda.</p>
8.	<p data-bbox="201 743 800 776"><b>Workload Formula Funding at 100 Percent</b></p> <p data-bbox="201 816 1902 922">The evaluation of the 100 Percent Ad Hoc Subcommittee was completed, and the Trial Court Budget Advisory Committee heard a recommendation from FMS in July 2019, which was approved by the council at its September 2019 business meeting to adopt policy parameters regarding an allocation for trial courts that exceed 100 percent of their Workload Formula.</p>