



JUDICIAL COUNCIL
OF CALIFORNIA

EXECUTIVE AND
PLANNING COMMITTEE

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

MINUTES OF OPEN MEETING WITH CLOSED SESSION

Tuesday, October 9, 2014
12:10 to 1:40 p.m.
Teleconference

Advisory Body Members Present: E&P: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Justice Judith Ashmann-Gerst; Presiding Judge Marla O. Anderson; Presiding Judge Marsha G. Slough; Assistant Presiding Judges Morris D. Jacobson and Dean T. Stout; Ms. Mary Beth Todd and Ms. Donna D'Angelo Melby

RUPRO: Associate Justice Harry E. Hull, Jr., (Chair); Presiding Judge Brian L. McCabe (Vice Chair); Presiding Judge Brian J. Back; Assistant Presiding Judge Martin J. Tangeman; Judges David Rosenberg and Joan P. Weber; Commissioner David E. Gunn; Mr. Richard D. Feldstein, Mr. James P. Fox, and Ms. Debra Elaine Pole

Advisory Body Members Absent: E&P: Assistant Presiding Judge Charles D. Wachob; Judge James R. Brandlin
RUPRO: Judge David DeAlba

Invited Guests Present: Judge Laurie Earl, Cochair, Trial Court Budget Advisory Committee

Committee Staff Present: Ms. Jody Patel and Ms. Nancy Carlisle

Staff Present: Mr. Peter Allen, Mr. Cliff Alumno, Ms. Heather Anderson, Mr. Patrick Ballard, Ms. Deborah C. Brown; Ms. Tina Carroll, Mr. Arturo Castro, Mr. Steven Chang, Ms. Roma Cheadle, Ms. Jessica Craven, Mr. Curtis L. Child, Ms. Cristina Foti, Ms. Donna Hershkowitz, Mr. Burt Hirschfield, Ms. Leah Rose-Goodwin, Mr. Chris Magnusson, Mr. Patrick McGrath, Ms. Vicky Muzny, Ms. Amy Nuñez, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Kelly Quinn, Ms. Anne Ronan, Mr. Corby Sturges, Mr. Zlatko Theodorovic

OPEN MEETING

Call to Order and Roll Call

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

JOINT MEETING: DISCUSSION AND ACTION ITEM (ITEM 1)

Item 1

Trial Court Budget Advisory Committee (TCBAC): Rule Amendments (Action Required)

E&P and RUPRO reviewed a proposal amending California Rules of Court, rule 10.64, the rule governing TCBAC to make a change to the membership category for presiding judges. The proposal also recommended that the rule be amended to eliminate a provision concerning the appointment of cochairs and to make minor technical changes.

Action: *E&P approved the proposed amendments to California Rules of Court, rule 10.64. The proposal was forwarded to RUPRO for its consideration. RUPRO approved the proposal and recommended its placement on the consent agenda of the October Judicial Council meeting. The proposal was forwarded to E&P for consideration of RUPRO's recommendation (see Item 5 below).*

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

Item 2

Trial Court Budget Advisory Committee (TCBAC): Term Extensions (Action Required)

E&P reviewed a request from TCBAC chair regarding term extensions for all existing members through December 31, 2014, in order to continue addressing critical budget challenges facing the trial courts during this interim period.

Action: *E&P approved the request from the TCBAC chair to extend the terms of all existing members through December 31, 2014.*

Item 3

Approval of Minutes (Action Required)

E&P reviewed the minutes of its August 12 and 19, 2014, meetings.

Action: *E&P approved the minutes of its August 12 and 19, 2014, meetings.*

Item 4

Subordinate Judicial Officer (SJO) Positions (Action Required)

E&P reviewed requests from several superior courts to change the number of SJO positions in their courts.

Action: *E&P approved requests from four superior courts, as follows, to change number of SJO positions in those courts:*

- *Superior Court of Kings County: Increase the FTE associated with one commissioner position by 0.1 FTE.*
- *Superior Court of Lake County: Reduce the workload of an SJO position by 0.2 FTE*
- *Superior Court of Marin County: Reduce the SJO positions authorized by 1.8 FTE*
- *Superior Court of San Francisco County: Reduce the SJO positions authorized by 9.1 FTE.*

Item 5

Agenda Setting for the October 27–28, 2014, Judicial Council Meeting (Action Required)

E&P reviewed available draft reports and set the agenda for the October Judicial Council meeting.

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

- *Judicial Workload Assessment: 2014 Update of Judicial Needs Assessment and Proposed Revision to Methodology Used to Prioritize New Judgeships*
- *Criminal Justice: Recidivism Reduction Fund Court Grant Program*
- *Update to Court Technology Governance and Strategic Plan*
- *Special Juvenile Immigration Status and the California Courts*
- *Appellate Procedure: Confidential Records*
- *Appellate Procedure: Extensions of Time to File Briefs*
- *Appellate Procedure: Judicial Notice Requests*
- *Appellate Procedure: Record in Juvenile Appeals*
- *Criminal Justice Realignment: Petition and Order for Dismissal*
- *Criminal Justice Realignment: Petitions for Revocation of Supervision*
- *Fee Waivers: Payments Over Time and Specific Fees Included in Waivers*
- *Child Support: Revise Income Withholding for Support and Related Instructions*
- *Family Law: Petition and Response for Dissolution, Legal Separation, and Nullity of Marriage and Domestic Partnership*
- *Family Law: Uniform Standards of Practice for Providers of Supervised Visitation*
- *Family and Juvenile Law: Parentage*
- *Juvenile Dependency: Attorney Training*
- *Juvenile Dependency: Information Form for Parents*
- *Judicial Administration: Rule for Trial Court Budget Advisory Committee*
- *Rules and Forms: Miscellaneous Technical Changes*
- *Decedents' Estates: Waiver of Bond by Beneficiaries of Estates*
- *Probate Conservatorship and Guardianship: Accounting Schedules for Gains and Losses on Sales of Estate Assets*
- *2014 Report to the Legislature: Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice*
- *Equal Access Fund: Distribution of Funds for Partnership Grants and IOLTA-Formula Grants*
- *Judicial Administration: Change of the Duties of the Advisory Committee on Financial Accountability and Efficiency of the Judicial Branch*
- *Judicial Council Report to the Legislature: Allocations and Reimbursements to the Trial Courts for Fiscal Year 2013–2014*

- **Judicial Council Report to the Legislature: Allocation of New Judgeships Funding in FY 2013–2014**
- **Judicial Council Report to the Legislature: Electronic Recording Equipment**
- **Juvenile Dependency: Proposed Allocation for Fiscal Year 2014–2015 for Court Appointed Special Advocate Local Assistance**
- **Judicial Council Report to the Legislature: Cash-Flow Loans Made to Trial Courts in Fiscal Year 2013–2014**
- **Adoption and Permanency Month: Judicial Council Resolution**
- **Court Facilities: The Napa Seismic Experience (No materials for this item.)**
- **Final Report of the Implementation Task Force on Self-Represented Litigants**
- **Judicial Council: Implementation of Judicial Council Directives on Judicial Council Staff Restructuring**
- **Court Facilities: Trial Court Facility Modification Quarterly Activity Report, Quarter 4 of Fiscal Year 2013–2014**
- **Trial Courts: Annual Investment Report for Fiscal Year 2013-2014**

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 1:00 p.m.

E & P M E E T I N G : C L O S E D S E S S I O N

Item 6

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

Review materials regarding out-of-cycle vacancies on advisory bodies.

Action: E&P determined its recommendations to be sent to the Chief Justice for out-of-cycle vacancies on advisory bodies.

Item 7

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

Facilities Policy Development

Action: Informational only; therefore, no action by E&P.

Adjourned closed session at 1:30 p.m.

Approved by the Executive and Planning Committee on October 21, 2014.

Approved by the Rules and Projects Committee on November 5, 2014.