



Judicial Council of California

Executive and Planning Committee

www.courts.ca.gov/epmeetings.htm
executiveandplanning@jud.ca.gov

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EXECUTIVE AND PLANNING COMMITTEE

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 VIDEOCONFERENCE

THIS MEETING IS BEING RECORDED

Date: Tuesday, June 20, 2023
Time: 12:10 to 1:00 p.m.
Public Video Livestream: <https://jcc.granicus.com/player/event/2854>

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 a recording of the meeting must submit a written request at least two business days before the meeting. Requests can be emailed to executiveandplanning@jud.ca.gov.

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

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

Call to Order and Roll Call

Approval of Minutes

Approve the following draft minutes:

- April 18, 2023, open meeting;
- May 18, 2023, action by email
- May 30, 2023, closed meeting;
- June 1, 2023, closed meeting; and
- June 13, 2023, closed meeting.

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

This meeting will be conducted by videoconference with a livestream available for the public. As such, the public may submit comments for this meeting in writing only. In accordance with rule 10.75(k)(1) of the California Rules of Court, 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 emailed to executiveandplanning@jud.ca.gov. Only written comments received by

12:10 p.m. on Monday, June 19, 2023, will be provided to the committee members prior to the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS

Item 1

Agenda Setting for July 21, 2023, Judicial Council Meeting (Action Required)

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

Presenters: Various

Item 2

Request to Amend 2023 Annual Agenda: Center for Judicial Education and Research Advisory Committee (Action Required)

Review a request from the Center for Judicial Education and Research Advisory Committee to add one new project to its 2023 annual agenda to amend a California Rules of Court, rule 10.603(c)(2)(B).

Presenter: Hon. Darrell S. Mavis, Chair, Center for Judicial Education and Research Advisory Committee

Item 3

Creation of Two New Subordinate Judicial Officer Positions: Superior Court of San Bernardino County (Action Required)

Review and approve a recommendation from the Office of Court Research staff to confirm a request from the Superior Court of San Bernardino County for the creation of two new permanent, full-time subordinate judicial officer (SJO) positions to provide increased access to justice to the communities the court serves.

Presenters: Ms. Kristin Greenaway, Office of Court Research, Business Management Services
Mr. David Smith, Office of Court Research, Business Management Services

IV. ADJOURNMENT

Adjourn



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING

Wednesday, April 18, 2023

12:10 to 1:00 p.m.

Videoconference

Advisory Body Members Present: Hon. Marsha G. Slough (Chair), Hon. Samuel K. Feng (Vice-chair), Hon. Marla O. Anderson, Hon. Judith K. Dulcich, Hon. Carin T. Fujisaki, Hon. Ann C. Moorman, Ms. Gretchen Nelson, and Hon. David M. Rubin

Advisory Body Members Absent: Ms. Rebecca J. Fleming and Hon. Kimberly Merrifield

Committee Staff

Present: Ms. Amber Barnett, Ms. Josely Yangco-Frona, and Mr. Cliff Alumno

Staff Present: Mr. James Barolo, Ms. Deirdre Benedict, Ms. Deborah Brown, Ms. Theresa Chiong, Ms. Shelley Curran, Mr. Douglas Denton, Ms. Charlene Depner, Ms. Audrey Fancy, Ms. Sarah Fleischer-Ihn, Mr. Michael Giden, Ms. Kristin Greenaway, Mr. Kendall Hannon, Mr. Cyrus Ip, Ms. Tracy Kenny, Ms. Rosemary Lane, Mr. Eric Long, Ms. Anna Maves, Ms. Pella McCormick, Ms. Kelly Meehleib, Mr. Edward Metro, Ms. Fran Mueller, Ms. Brandy Olivera, Mr. Robert Oyung, Ms. Elyse Pulley, Mr. Jessie Romine, Ms. Anne Ronan, Ms. Leah Rose-Goodwin, Ms. Laura Speed, Mr. Corby Sturges, Mr. Gregory Tanaka, Mr. Zlatko Theodorovic, Ms. Oksana Tuk, Ms. Sadie Varlea, Mr. John Wordlaw, and Mr. Jeffrey Wu

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m. Mr. Alumno took roll call and made the opening announcements.

Approval of Minutes

The committee reviewed the draft minutes of the following:

- February 22, 2023, open meeting.
- April 6, 2023, closed meeting; and
- April 12, 2023, open meeting.

Action: *The committee unanimously approved the minutes of the February 22, 2023, open meeting. With one abstention (Ms. Nelson), the committee approved the minutes of the April 6, 2023, closed meeting. With one abstention (Justice Fujisaki), the committee approved the minutes of the April 12, 2023, open meeting.*

DISCUSSION AND ACTION ITEMS

Item 1

Agenda Setting for May 12, 2023, Judicial Council Meeting (Action Required)

The committee reviewed available draft reports and set the agenda for the Judicial Council meeting in May.

Action: *The committee set the agenda for the May 12, 2023, Judicial Council meeting by approving reports for placement on the business meeting agenda.*

Item 2

Extension of Temporary Subordinate Judicial Officer Positions for Pretrial Release Program: Superior Courts of Fresno, Kern, Lassen, and San Bernardino Counties (Action Required)

The committee reviewed a recommendation from Criminal Justice Services staff to confirm requests by the Superior Courts of Fresno, Kern, Lassen, and San Bernardino Counties for the extension of temporary subordinate judicial officer or commissioner positions through June 30, 2024, to support the Pretrial Release Program.

Action: *The committee approved the recommendation from Criminal Justice Services staff and confirmed the requests the Superior Courts of Fresno, Kern, Lassen, and San Bernardino Counties for the extension of temporary subordinate judicial officer or commissioner positions through June 30, 2024, to support the Pretrial Release Program.*

Item 3

Conversion of Limited-Term Subordinate Judicial Officer Position to Permanent for Pretrial Release Program: Superior Court of Sonoma County (Action Required)

The committee reviewed a recommendation from Judicial Council staff to confirm a request by the Superior Court of Sonoma County for conversion of a limited-term subordinate judicial officer (SJO) position serving in support of the court's Pretrial Release Program to a permanent SJO position serving in the same role.

Action: *The committee approved the recommendation from Judicial Council staff and confirmed the request by the Superior Court of Sonoma County for conversion of a limited term SJO position serving in support of the court's Pretrial Release Program to a permanent SJO position serving in the same role.*

Item 4

Fractional Increase of Full-Time Equivalency of Subordinate Judicial Officer Position: Superior Court of Calaveras County (Action Required)

The committee reviewed a recommendation from Office of Court Research staff to confirm a request from the Superior Court of Calaveras County for a fractional increase in the workload of a 0.3 full-time equivalency (FTE) subordinate judicial officer position to a 0.8 FTE SJO position.

Action: *The committee approved the recommendation from Office of Court Research staff and confirmed the request from the Superior Court of Calaveras County for a fractional increase in the workload of a 0.3 full-time equivalency (FTE) subordinate judicial officer position to a 0.8 FTE SJO position.*

ADJOURNMENT

Before adjourning the meeting, Justice Slough announced that Mr. Alumno is leaving the Judicial Council Support group, effective April 19, 2023, and accepted a position with the Legal Services office. She thanked Mr. Alumno for his service, let him know he will be missed, and wished him well in his new role with the Judicial Council. The members also expressed their appreciation for his service and the support he provided to the committee.

With the business concluded, the meeting was adjourned at 12:45 p.m.

Approved by the committee on [insert date].

DRAFT



EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF ACTION BY EMAIL

Thursday, May 18, 2023

5:00 p.m.

Advisory Body Members Who Participated: Hon. Marsha G. Slough (Chair), Hon. Samuel K. Feng (Vice-chair), Hon. Marla O. Anderson, Hon. Judith K. Dulcich, Hon. Carin T. Fujisaki, Hon. Kimberly Merrifield, Hon. Ann C. Moorman, Ms. Gretchen Nelson, and Hon. David M. Rubin

Advisory Body Members Absent: Ms. Rebecca J. Fleming

Committee Staff Present: Ms. Amber Barnett and Ms. Josely Yangco-Frona

ACTION BY EMAIL

As provided in the California Rules of Court, rule 10.75 (o)(1)(B), the chair concluded that prompt action was needed. This action by email concerned a matter that would otherwise be discussed in an open meeting; therefore, in accordance with rule 10.75(o)(2), public notice and the proposal were posted on Wednesday, May 17, 2023, to allow at least one complete business day for public comment before the committee took action. No public comments were received.

OPEN DISCUSSION AND ACTION ITEM

Subordinate Judicial Officer Conversion: Superior Court of Madera County (Action Required)

The committee reviewed a recommendation from the Office of Court Research staff to confirm a request by the Superior Court of Madera County for a fractional increase in the workload of a commissioner serving in the court by .2 full-time equivalency to cover an increase in existing workload appropriate for a subordinate judicial officer to hear.

Action: *The committee approved the request from the Superior Court of Madera County for a fractional increase in the workload of a commissioner serving in the court by .2 full-time equivalency.*

CLOSURE OF ACTION

The action by email concluded at 5:00 p.m. on May 23, 2023.

Approved by the advisory body on **enter date**.



EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF CLOSED MEETING

May 30, 2023

1:00–4:00 P.M.

Advisory Body Members Present: Hon. Marsha G. Slough (Chair), Hon. Samuel K. Feng (Vice-chair), Hon. Marla O. Anderson, Hon. Judith K. Dulcich, Ms. Rebecca J. Fleming, Hon. Carin T. Fujisaki, Hon. Ann C. Moorman, and Hon. David M. Rubin

Advisory Body Members Absent: Hon. Kimberly Merrifield

Committee Staff Present: Ms. Amber Barnett, Ms. Maria Kwan, Ms. Kathy Joson, Mr. Robert Oyung, and Ms. Josely Yangco-Fronza

CLOSED SESSION

Call to Order and Roll Call

The chair called the meeting to order at 1:00 p.m., and staff confirmed members' attendance.

Item 1

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

2023 Advisory Body Nominations Discussions

The committee reviewed nominations for the following advisory bodies:

- Advisory Committee on Audits and Financial Accountability for the Judicial Branch
- Advisory Committee on Providing Access and Fairness
- Center for Judicial Education and Research Advisory Committee
- Civil and Small Claims Advisory Committee
- Court Facilities Advisory Committee
- Court Interpreters Advisory Panel
- Court Security Advisory Committee
- Data Analytics Advisory Committee
- Executive Committee of Court Executives Advisory Committee
- Information Technology Advisory Committee
- Trial Court Facility Modifications Advisory Committee

Action: The committee developed recommendations to be submitted to the Chief Justice for appointments to the advisory bodies listed above.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:25 p.m.

Approved by the advisory body on **enter date**.

DRAFT



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF CLOSED MEETING

June 1, 2023
1:00–4:00 P.M.

Advisory Body Members Present: Hon. Marsha G. Slough (Chair), Hon. Marla O. Anderson, Hon. Judith K. Dulcich, Ms. Rebecca J. Fleming, Hon. Carin T. Fujisaki, Hon. Kimberly Merrifield, and Hon. Ann C. Moorman

Advisory Body Members Absent: Hon. Samuel K. Feng (Vice-chair) and Hon. David M. Rubin

Committee Staff Present: Ms. Amber Barnett, Ms. Maria Kwan, Ms. Kathy Joson, Ms. Laura Speed, and Ms. Josely Yangco-Fronza

CLOSED SESSION

Call to Order and Roll Call

The chair called the meeting to order at 1:00 p.m., and staff confirmed members' attendance.

Item 1

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

2023 Advisory Body and Education Committee Nominations Discussions

The committee reviewed nominations for the following advisory bodies and education committee:

- Advisory Committee on Civil Jury Instructions
- Appellate Advisory Committee
- Collaborative Justice Courts Advisory Committee
- Judicial Branch Workers' Compensation Program Advisory Committee
- Legal Services Trust Fund Commission
- Probate and Mental Health Advisory Committee
- Tribal Court–State Court Forum
- Traffic Advisory Committee
- B.E. Witkin Judicial College Steering Committee

Action: The committee developed recommendations to be submitted to the Chief Justice for appointments to the advisory bodies and education committee listed above.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:15 p.m.

Approved by the advisory body on **enter date**.

DRAFT



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF CLOSED MEETING

June 13, 2023

1:00–4:00 P.M.

Advisory Body Members Present: Hon. Marsha G. Slough (Chair), Hon. Samuel K. Feng (Vice-chair), Hon. Marla O. Anderson, Hon. Judith K. Dulcich, Ms. Rebecca J. Fleming, Hon. Carin T. Fujisaki, Hon. Kimberly Merrifield, Hon. Ann C. Moorman, and Hon. David M. Rubin

Advisory Body Members Absent:

Committee Staff Present: Ms. Amber Barnett, Ms. Maria Kwan, Ms. Kathy Joson, Mr. Robert Oyung, and Ms. Josely Yangco-Fronza

CLOSED SESSION

Call to Order and Roll Call

The chair called the meeting to order at 1:00 p.m., and staff confirmed members' attendance.

Item 1

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

2023 Advisory Body and Education Committee Nominations Discussions

The committee reviewed nominations for the following advisory bodies and education committee:

- Advisory Committee on Criminal Jury Instructions
- Criminal Law Advisory Committee
- Family and Juvenile Law Advisory Committee
- Trial Court Budget Advisory Committee
- Appellate Practice Curriculum Committee
- Civil Law Curriculum Committee
- Criminal Law Curriculum Committee
- Family Law Curriculum Committee
- Judicial Branch Access, Ethics and Fairness Curriculum Committee
- Judicial Branch Leadership Development Curriculum Committee
- Juvenile Law Curriculum Committee
- Probate Law Curriculum Committee
- Trial Court Operations Curriculum Committee

Action: *The committee developed recommendations to be submitted to the Chief Justice for appointments to the advisory bodies and education committees listed above.*

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:53 p.m.

Approved by the advisory body on **enter date**.

DRAFT



Judicial Council of California

Meeting Agenda

Judicial Council

Please visit
courts website:
www.courts.ca.gov
to view live meeting on
July 21, 2023

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*

Friday, July 21, 2023

San Francisco

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

Session: 9:00 – 9:20 a.m.

OPEN SESSION (RULE 10.6(a)) — MEETING AGENDA

A link to the live videostream will be available in the Meeting Information Center at the start of the open session. If the closed session adjourns late, the start time of the open session may be delayed.

Open Session Begins: 9:35 a.m.

Call to Order

10 minutes

Public Comment

10 minutes

The Judicial Council welcomes public comment on general matters of judicial administration. Written comments are encouraged in advance of the meeting for specific agenda items so council members can consider them prior to the council meeting.

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

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

Submit advance requests to speak and written comments for this meeting by 1:00 p.m. on Thursday, July 20, by email to:

judicialcouncil@jud.ca.gov

Chief Justice's Report

15 minutes

Acting Administrative Director's Report

23-124 Acting Administrative Director's Report

15 minutes

Judicial Council Internal Committee Presentations and Reports

23-084 Presentation | Legislation Committee

Speakers: Hon. Marla O. Anderson, Chair

10 minutes

23-123 Written Reports

CONSENT AGENDA

5 minutes

A council member may request an item be moved from the Consent Agenda to the Discussion Agenda. Please notify Josely Yangco-Fronza at 415-865-7626 at least 48 hours before the meeting.

[23-118](#) Minutes of May 12, 2023, Judicial Council Meeting

[23-121](#) Allocations and Reimbursements to Trial Courts | Funding for Court Reporters (Action Required)

Summary: Senate Bill 170 (Ch. 240, Stats. 2021), which amended the 2021 Budget Act, included \$30 million ongoing General Fund to the Judicial Council for establishing a methodology to allocate funding to all trial courts to increase the number of court reporters in family law and civil cases. The budget language in the 2022 Budget Act and ongoing expanded the use of this funding. However, these changes do not impact how these funds are allocated to the courts. The Trial Court Budget Advisory Committee recommends approving a proportional allocation of the ongoing \$30 million to all trial courts for 2022-23.

[23-035](#) Allocations and Reimbursements to Trial Courts | Pretrial Release Funding and Allocation Methodology (Action Required)

Summary: The Budget Committee recommends approval of the Trial Court Budget Advisory Committee (TCBAC) recommendation that the Judicial Council allocate 2023-24 Pretrial Release funding of \$68.95 million General Fund for the trial courts in accordance with methodologies outlined in Assembly Bill 221 (Stats. 2021, ch. 69) and including minimum funding floors.

[23-119](#)**Child Support | Updating AB 1058 Program Funding Methodologies and Adopting Fiscal Year 2023-24 Funding Allocations (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends reallocating funds for the Assembly Bill 1058 Child Support Commissioner and Family Law Facilitator Program based on the current funding methodologies, with updated workload and population data. The Child Support Commissioner program workload-based funding methodology was implemented in Fiscal Year (FY) 2019-20, the Family Law Facilitator program population-based funding methodology was implemented in FY 2021-22, and the underlying data for both are updated every two years. The committee also recommends approving base and federal drawdown allocations for the Assembly Bill 1058 Child Support Commissioner and Family Law Facilitator Program for FY 2023-24. The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council, which requires the council to annually approve the Assembly Bill 1058 Program funding allocations.

[23-004](#)**Court Facilities | Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024-25 (Action Required)****Summary:**

The Court Facilities Advisory Committee will make a recommendation on the Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024-25 and submission of the plan to the state Department of Finance. This five-year plan for trial court capital-outlay projects forms the basis for capital project funding requests for the upcoming and outlying fiscal years. The recommendation from the committee will be made following its discussion of this topic at its public meeting, which is being held on June 27, 2023.

[23-104](#)**Juvenile Law | Fiscal Court Appointed Special Advocate Funding Methodology, Program Expansion, and Fiscal Year 2023-2024 Allocations (Action Required)****Summary:**

The Family and Juvenile Law Advisory Committee recommends allocation of \$2.713 million for fiscal year (FY) 2023-24 for the Court Appointed Special Advocate (CASA) Local Assistance program, and two updates to the funding allocation methodology. The judicial branch budget for Judicial Council CASA grants for FY 2023-24 is \$2.713 million, which includes a \$500,000 augmentation. The allocations would fund 45 CASA programs serving 52 counties.

[23-128](#)**Rules and Forms | Annual Cost of Living Adjustment (Action Required)****Summary:**

The Code of Civil Procedure requires the Judicial Council to publish a list of the current dollar amounts of exemptions from judgment. As required by statute, the dollar amount of one exemption was adjusted effective July 1, 2023. Accordingly, Judicial Council staff recommend revising the form that contains the list of dollar amounts of exemptions from judgment to reflect the updated

figure.

23-114 Rules and Forms | Judicial Branch Administration: Procedures for Submitting Contentions Regarding Administration of the Courts (Action Required)

Summary: Recommend the Judicial Council adopt California Rules of Court, rule 10.1014 to establish procedures for submitting to administrative presiding justices contentions that an administrative presiding justice or presiding justice has not properly addressed or managed an important matter related to the administration of a Court of Appeal or a division of a Court of Appeal

[23-101](#) **Rules and Forms | Order on Petition for Relief From Financial Obligations During Military Service (Action Required)**

Summary: The Civil and Small Claims Advisory Committee recommends the revision of a Judicial Council form to reflect statutory amendments prohibiting the accrual of interest on deferred financial obligations for members of the United States military reserves or the National Guard who are called to active duty.

[23-066](#) **Sargent Shriver Civil Counsel Act | Selection of Pilot Projects (Action Required)**

Summary: The Sargent Shriver Civil Counsel Act Implementation Committee recommends approval of 14 three-year grants for a total of \$48,328,296 to qualified legal service providers and court partners for the administration of pilot projects that provide legal representation and improved court services to low-income parties, regardless of their citizenship or immigration status, in civil matters involving housing-related matters, domestic violence and civil harassment restraining orders, probate conservatorships, guardianships of the person, elder abuse, or actions by a parent to obtain legal or physical custody of a child, consistent with the Sargent Shriver Civil Counsel Act (Government Code § 68650 and 68651).

[23-120](#) **Trial Court Budget | Fiscal Year 2023-24 Allocation of Community Assistance, Recovery, and Empowerment (CARE) Act Funding (Action Required)**

Summary: The Trial Court Budget Advisory Committee recommends allocation of the \$20 million for fiscal year (FY) 2023-24 included in the 2023 Budget Act to courts for implementation of the Community Assistance, Recovery, and Empowerment (CARE) Act. The allocation may change based on final appropriations included in the signed 2023 Budget Act (Author; Stats. 2023, ch. XXX).

[23-076](#)**Trial Court Budget | Fiscal Year 2023-24 Allocation of Court-Appointed Juvenile Dependency Counsel Funding (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends allocation of \$186.7 million for fiscal year (FY) 2023-24 from the ongoing Trial Court Trust Fund to the trial courts for court-appointed juvenile dependency counsel. The allocation may change based on final appropriations included in the signed 2023 Budget Act (Author; Stats. 2023, ch. XXX).

[23-058](#)**Trial Court Budget | State Trial Court Improvement and Modernization Fund Allocations for 2023-24 (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends approving allocations for 2023-24 from the State Trial Court Improvement and Modernization Fund in the amount of \$45.153 million. Assuming approval of the allocations, and with current revenue projections, the State Trial Court Improvement and Modernization Fund will end 2023-24 with a fund balance of \$31.731 million, of which approximately \$3.119 million will be unrestricted.

[23-122](#)**Trial Courts | Statement of Investment Policy and Investment Activities for Trial Courts (Action Required)****Summary:**

The Judicial Council staff recommends approving an updated Statement of Investment Policy and Investment Activities for Trial Courts to name the Director of Branch Accounting and Procurement as “Treasurer” of invested trial court funds and to make other non-substantive changes. Treasury Services, which reports to Branch Accounting and Procurement, is responsible for managing investment activities on behalf of the Trial Courts. This group historically had a shared management structure between Budget Services and Branch Accounting and Procurement but is now singularly under Branch Accounting and Procurement.

[23-034](#)**Trial Courts | Trial Court Trust Fund Funds Held on Behalf of the Trial Courts (Action Required)****Summary:**

The Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends six new and nine amended Trial Court Trust Fund funds to be held on behalf of the trial courts’ requests totaling \$7.5 million from nine trial courts. Under the Judicial Council-adopted process, courts can request that a reduction in their Trial Court Trust Fund allocations be retained in the Trial Court Trust Fund as restricted fund balance for the benefit of those courts. The funds are then allocated back to the courts by the Judicial Council for the purposes stated in their approved requests.

DISCUSSION AGENDA

[23-033](#)

Trial Court Budget | Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2023-24 (Action Required)

Summary:

For 2023-24, the Trial Court Budget Advisory Committee recommends the Judicial Council allocate \$2.977 billion to the trial courts, including \$2.759 billion from the Trial Court Trust Fund, which includes new funding of \$74.125 million inflationary funding and \$207.804 million from the state General Fund for employee benefits, pretrial funding, Community Assistance, Recovery, and Empowerment Act funding, and for support of operation of the trial courts.

The Trial Court Budget Advisory Committee also recommends the Judicial Council approve the Workload Formula allocation of \$2.475 billion based on recommended methodologies as well as methodologies approved by the Judicial Council. Assuming approval of the allocations, current revenue projections, and estimated savings from 2022-23 appropriations, the Trial Court Trust Fund will end 2023-24 with a fund balance of \$201.242 million, of which approximately \$128.465 million will be unrestricted.

Speakers:

Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee
Ms. Rebecca Fleming, Vice-Chair, Trial Court Budget Advisory Committee

10 minutes

[23-032](#)

Judicial Branch Budget | 2024-25 Budget Change Proposals for Supreme Court, Courts of Appeal, Superior Courts, Habeas Corpus Resource Center, Judicial Branch Facilities Program, and Judicial Council (Action Required)

Summary:

To continue responsible reinvestment in the judicial branch, allowing for greater access to justice for California's citizens, the Judicial Branch Budget Committee recommends submitting these budget change proposals to the California Department of Finance for consideration in the 2024-25 Governor's Budget.

Speakers:

Hon. David M. Rubin, Chair, Judicial Branch Budget Committee
Mr. Zlatko Theodorovic, Budget Services Director

15 minutes

23-111 Court Facilities | Revised Courthouse Naming Policy (Action Required)

Summary: The Court Facilities Advisory Committee and its Subcommittee on Courthouse Names will make a recommendation on an update to the Courthouse Naming Policy. Changes over time necessitate an update to the policy since it was adopted by the Judicial Council in 2014. The recommendation from these committees will be made following discussion of this topic at their public meetings, which are being held respectively on June 12 and 27, 2023.

Speakers: Hon. Brad R. Hill, Administrative Presiding Justice and Chair of the Court Facilities Advisory Committee

10 minutes

[23-113](#) Judicial Branch Administration | IT Modernization Funding, Fiscal Years 2022-23 and 2023-24 (Action Required)

Summary: The Budget Act of 2022 appropriated funding for judicial branch technology modernization. The Judicial Council has directed the Technology Committee to recommend funding allocations and provide regular updates on approved allocations. The Technology Committee recommends that the Judicial Council allocate approximately \$12.5 million to trial and appellate courts for fiscal year (FY) 2023-24, as itemized in the attached summary. The recommended allocations would support projects that align with the judicial branch's technology goals, while allowing individual courts to expand their use of technology to best meet their particular business needs.

Speakers: Hon. Kyle S. Brodie, Chair, Technology Committee
Ms. Heather Pettit, Information Technology

15 minutes

[23-115](#) Judicial Branch Administration | Tactical Plan for Technology 2023-2024 (Action Required)

Summary: The Tactical Plan Update Workstream and the Information Technology Advisory Committee recommend adopting the updated *Tactical Plan for Technology 2023-2024*. The updated plan was developed by reviewing the *Strategic Plan for Technology* to ensure alignment with branchwide goals, evaluating the status of existing initiatives, and considering new initiatives. Building on the technology strategic plan, the tactical plan describes the focused efforts on technology solutions that further the administration of justice and meet the needs of the people of California.

Speakers: Hon. Sheila F. Hanson, ITAC Chair; Judge, Superior Court of Orange County
Ms. Anabel Romero, Court Executive Officer, Superior Court of San Bernardino County
Ms. Jeannette Vannoy, Chief Information Officer, Superior Court of Napa County
Ms. Heather Pettit, Information Technology

20 minutes

[23-007](#)**Pretrial Pilot Program | Final Report to the Legislature
(Action Required)****Summary:**

The Budget Act of 2019 earmarked \$75 million to the Judicial Council to launch and evaluate two-year pretrial projects in local trial courts. As directed by the Legislature, the projects aim to increase the safe and efficient release of arrestees before trial, use the least restrictive monitoring practices possible while protecting public safety and ensuring court appearances, validate and expand the use of risk assessment tools, and assess any bias. Criminal Justice Services staff recommend that the Judicial Council receive *Pretrial Pilot Program: Final Report to the Legislature* and direct the Acting Administrative Director to submit this report to the Joint Legislative Budget Committee and the Department of Finance, as required by the Budget Act of 2019. This is the final legislative report on the pilot program and documents the implementation and outcomes of the program. It also presents aggregate data on public safety as measured by arrests for new crimes during the pretrial period, rates of failure to appear at a court hearing as required, validity of the tools as measured by the accuracy of the risk assessment tools in predicting failures to appear in court and new arrests, and whether the accuracy of the tool's predictions varies by race or ethnicity, gender, or other factors.

Speakers:

Hon. Marsha G. Slough, Chair, Executive and Planning Committee
Ms. Francine Byrne, Criminal Justice Services

20 minutes

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)[23-030](#)**Report to the Legislature | Electronic Recording Equipment****Summary:**

Pursuant to Government Code section 69958, the Judicial Council is required to report to the Legislature semiannually on the purchase and lease of any electronic recording equipment that will be used to record superior court proceedings. During the reporting period of July 1 to December 31, 2022, six courts reported a combined total of \$630,261 for equipment or related items. On or before June 30, 2023, the Judicial Council's Budget Services staff submitted the *Report of Electronic Recording Equipment Purchased or Leased by Superior Courts (July 1 through December 31, 2022)*.

[23-105](#)**Report to the Legislature | FY 2022-23 Funding for California Court Appointed Special Advocate Association****Summary:**

On or before July 1, 2023, staff for the Judicial Council's Center for Families, Children & the Courts submitted to the Legislature *Report on California Court Appointed Special Advocate Association Funding Allocations and Program Development: Year One*, in accordance with the requirements set forth in the Budget Act of 2022.

[23-117](#)**Report to the Legislature | Trial Court Interpreters Program
Expenditure Report For Fiscal Year 2021-22****Summary:**

On June 30, 2023, the Judicial Council's Language Access Services submitted the annual report on trial court interpreter expenditures to the Legislature and the Department of Finance. This report is required by the Budget Act of 2021 (Sen. Bill 170; Stats. 2021, ch. 240).

[23-031](#)**Trial Courts | Quarterly Investment Report for First Quarter 2023****Summary:**

This quarterly investment report covers the period from January 1, 2023, through March 31, 2023, 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 the Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004.

Circulating Orders**23-125****Circulating Orders since the last business meeting.****Appointment Orders****23-126****Appointment Orders since the last business meeting.****Adjournment**



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

Telephone 415-865-4200 · Fax 415-865-4205

M E M O R A N D U M

Date

May 25, 2023

Action Requested

Approve Addition to Annual Agenda

To

Members of the Executive and Planning
Committee

Deadline

June 20, 2023

From

Center for Judicial Education and Research
Advisory Committee
Hon. Darrell S. Mavis, Chair

Contact

Steven G. Warner, Supervising Attorney
Center for Judicial Education and Research
415-865-8703 phone
steven.warner@jud.ca.gov

Subject

Addition of Project to Annual Agenda

Executive Summary

The Center for Judicial Education and Research seeks to recommend a technical amendment to California Rules of Court, rule 10.603(c)(2)(B) for the council's consideration. The proposed amendment would remove references to repealed California Standards of Judicial Administration and replace them with citations to applicable court rules.

Action Requested

The Center for Judicial Education and Research (CJER) Advisory Committee asks that the Executive and Planning Committee approve the addition of a project to recommend a technical amendment to rule 10.603(c)(2)(B) to the 2023 Annual Agenda of the CJER Advisory Committee.

Basis for Request

Background

California Rules of Court, rule 10.603 specifies a presiding judge’s authority and duties, including judicial schedules. Under this rule, a presiding judge “must prepare a plan” for judges’ “vacations and absences from court.” (Rule 10.603(c)(2)(A).) The rule requires that this plan “take into account the principles contained in standards 10.11–10.13 (on judicial education) and standard 10.5 (on community activities) of the Standards of Judicial Administration.” (Rule 10.603(c)(2)(B).) The three cited standards were repealed when education-related court rules were adopted effective January 1, 2007. At that time, rule 10.603(c)(2)(B) was not modified to replace references to repealed standards with citations to applicable court rules.

Annual Agenda

The CJER Advisory Committee proposes to add a project to recommend a technical amendment to rule 10.603 to its 2023 Annual Agenda. This is a priority to ensure that the rules of court are accurate and current. The specifications for the items would be as follows:

- **Project Summary:** Recommend a technical amendment to California Rules of Court, rule 10.603(c)(2)(B) by replacing references to repealed Standards of Judicial Administration with citations to applicable court rules.
- **Status/Timeline:** Rule change would be circulated for comment in the fall 2023 cycle and submitted to the Judicial Council for review and approval in May 2024, with anticipated effective date of September 1, 2024.
- **Resources:** CJER contact: Karene Alvarado and Legal Services.
- **AC Collaboration:** Rules Committee.

The proposed completion date is September 1, 2024 (the proposed effective date for the new rule).

Attachments and Links

1. Revised CJER Advisory Committee 2023 Annual Agenda, at pp. 3–9

Center for Judicial Education and Research Advisory Committee
Annual Agenda¹—2023
Approved by Executive and Planning Committee: [Amended TBD]

I. COMMITTEE INFORMATION

Chair:	Hon. Darrell S. Mavis, Judge, Superior Court of California, County of Los Angeles
Lead Staff:	Mr. Steven G. Warner, Supervising Attorney, Center for Judicial Education and Research
Committee's Charge/Membership: <p>Rule 10.50(b) of the California Rules of Court states the charge of the Center for Judicial Education and Research (CJER) Advisory Committee is to make recommendations to the council for improving the administration of justice through comprehensive and quality education and training for judicial officers and other judicial branch personnel. Rule 10.50(c) sets forth additional duties of the committee.</p> <p>The CJER Advisory Committee currently has 16 voting members and 3 advisory members. The current committee roster is available on the committee's webpage.</p>	
Subcommittees/Working Groups²: <ol style="list-style-type: none">1. Appellate Practice Curriculum Committee2. Civil Law Curriculum Committee3. Criminal Law Curriculum Committee4. Family Law Curriculum Committee5. Judicial Branch Access, Ethics & Fairness Curriculum Committee6. Judicial Branch Leadership Development Curriculum Committee7. Juvenile Law Curriculum Committee8. Probate Law Curriculum Committee9. Trial Court Operations Curriculum Committee10. B. E. Witkin Judicial College Steering Committee	

¹ 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.

² 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.

Meetings Planned for 2022³ (Advisory body and all subcommittees and working groups)

March 2, 2023 (teleconference)

May 9, 2023 (teleconference)

September 14, 2023 (in-person in San Francisco)

November 30, 2023 (teleconference)

Check here if exception to policy is granted by Executive Office or rule of court.

DRAFT

³ Refer to [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

COMMITTEE PROJECTS

#	New or One-Time Projects ⁴	
1.	Design the 2024–2026 Education Plan	<p><i>Priority</i>⁵ 1</p> <p><i>Strategic Plan Goal</i>⁶ V</p>
<p>Project Summary⁷: Curriculum committees and work groups collaborate with CJER staff to review the current curriculum in their subject area and undertake a needs assessment. Curriculum committees recommend products to be delivered during the two-year cycle, including suggesting the best delivery method (e.g., live in-person or live remote) for the content, to the CJER Advisory Committee. The CJER Advisory Committee conducts a cost-benefit analysis for every high-cost item and finalizes a draft two-year education plan. That draft plan is submitted to the Judicial Council for review and approval.</p> <p>Status/Timeline: A draft of the 2024–2026 Education Plan will be submitted to the Judicial Council for review and approval in November 2023.</p> <p>Fiscal Impact/Resources: Not applicable.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		

⁴ 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.

⁵ 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.

⁶ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

⁷ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	New or One-Time Projects⁴	
2.	Placeholder for Project(s) Assigned by the Ad Hoc Workgroup on Post-Pandemic Initiatives	Priority 1
		Strategic Plan Goal V
	<p>Project Summary: The Ad Hoc Workgroup on Post-Pandemic Initiatives may recommend to the Center for Judicial Education and Research Advisory Committee a project or projects that assist courts, justice partners, and parties with access to justice during and following the COVID-19 pandemic; address otherwise urgent needs; or are mandated by legislative changes.</p> <p>Status/Timeline: To be determined.</p> <p>Fiscal Impact/Resources: To be determined.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: To be determined.</p> <p>AC Collaboration: To be determined.</p>	
3.	Amend California Rules of Court, Rule 10.603(c)(2)(B)	Priority 1
		Strategic Plan Goal V
	<p>Project Summary: Recommend a technical amendment to California Rules of Court, rule 10.603(c)(2)(B), by replacing references to repealed Standards of Judicial Administration with citations to applicable court rule(s).</p> <p>Status/Timeline: Rule change would be circulated for comment in the fall 2023 cycle and submitted to the Judicial Council for review and approval in May 2024, with anticipated effective date of September 1, 2024.</p> <p>Fiscal Impact/Resources: CJER contact: Karene Alvarado and Legal Services.</p> <p><input type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Rules Committee.</p>	

#	Ongoing Projects and Activities	
1.	Continue to Implement the 2022–2024 Education Plan	Priority 1
		Strategic Plan Goal V
<p>Project Summary: Continue delivering to judicial officers and court staff the educational products contained in the 2022–2024 Education Plan, which the Judicial Council approved at its January 21, 2022, meeting.</p> <p>Status/Timeline: Ends June 30, 2024.</p> <p>Fiscal Impact/Resources: CJER contact: Karene Alvarado.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		
2.	Continue to Expand Judicial Branch Bias Education	Priority 1
		Strategic Plan Goal V
<p>Project Summary: Continue the expansion of bias education for judicial officers and court personnel.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: CJER contact: Karene Alvarado.</p> <p><input type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		

# Ongoing Projects and Activities	
3.	Amend California Rules of Court, Rule 10.493
	Priority 1
	Strategic Plan Goal V
<p>Project Summary: In response to two public comments received on last year’s proposed revisions to education-related court rules, amend California Rules of Court, rule 10.493, to add definitions for “e-Learning” and “asynchronous” training.</p> <p>Status/Timeline: Rules changes would be circulated for comment in the spring 2023 cycle and submitted to the Judicial Council for review and approval in September 2023, with anticipated effective date of January 1, 2024.</p> <p>Fiscal Impact/Resources: CJER contact: Karene Alvarado and Legal Services.</p> <p><input type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Rules Committee.</p>	

II. LIST OF 2022 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Delivered two sessions of the B. E. Witkin Judicial College. This eliminated the backlog of new judicial officers waiting to attend the College since the March 2020 acute phase of COVID-19 and brought all judicial officers in compliance with education-related court rules.
2.	Launched the 2022–2024 Education Plan on July 1, 2022, which applied lessons learned during the pandemic. Select live programs such as Institutes will continue to be delivered remotely to maximize access.
3.	Recommended to the Judicial Council general and specific revisions to the education requirements and expectations within the California Rules of Court to ensure uniformity of language and adaptability to emerging technology while increasing courts’ discretion in meeting the educational needs of judicial officers and court personnel.
4.	Implemented recommendations from the Work Group for the Prevention of Discrimination and Harassment to expand bias education as appropriate, including adding content to the Access & Fairness podcast series and the Continuing the Dialogue video series.
5.	Implemented recommendations from the Mental Health Implementation Task Force as appropriate.
6.	Added two videos designed for new court executive officers (CEOs) to the new CEO section of CJER Online’s executive toolkit. Each video’s topic responds to a need identified by the Work Group for New CEO Education: jury management and using data to inform executive decision-making.
7.	Launched new Qualifying Ethics 8 Core Course.



Judicial Council of California

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M E M O R A N D U M

Date

June 12, 2023

Action Requested

Approve Staff Recommendation

To

Members of the Executive and Planning Committee

Deadline

June 20, 2023

From

Judicial Council staff
Leah Rose-Goodwin, Manager
Kristin Greenaway, Supervising Research Analyst
Office of Court Research

Contact

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

Subject

Creation of 2 New Subordinate Judicial Officer Positions in the Superior Court of San Bernardino County

Executive Summary

Office of Court Research (OCR) staff recommend that the Executive and Planning Committee approve the creation of 2 new permanent, full-time subordinate judicial officer (SJO) positions in the Superior Court of San Bernardino County. The court has informed council staff of a pressing need to provide increased access to justice in the communities that the court serves, including providing an SJO at a geographically remote site, and as a potential backup in other locations. Confirming this request is consistent with established council policy of improving access to justice by providing judicial resources that are commensurate with the workload of the courts.

Recommendation

Office of Court Research staff recommend that the Executive and Planning Committee (Executive Committee) confirm the request of the Superior Court of San Bernardino County for the addition of 2 new SJO positions in the court.

Relevant Previous Council Action

In 2007, the Judicial Council adopted a policy for the review and approval of requests from trial courts to change the number of subordinate judicial officer positions and delegate approval authority to its Executive and Planning Committee (Executive Committee). Government Code section 71622(a) grants authority to the council to determine the number and type of subordinate judicial officer positions in each trial court.¹

More specifically, the Judicial Council adopted a policy pertaining to changes in the number and status of SJO positions that, for the purposes of the current request, contained the following elements:

1. To establish a new SJO position, permanently eliminate an SJO position, or change the time base of an existing SJO position, a court must request and obtain approval from the Executive Committee. The requesting court must fund and bear all costs associated with an additional or augmented SJO position.
2. If an increase in the number of SJO positions is sought, the court must submit a request in writing to the appropriate Judicial Council regional administrative director.² A request must contain a certification by the presiding judge that the court has sufficient funds in its ongoing budget to cover the cost of any additional or augmented position. Judicial Council staff must provide the Executive Committee with (a) an estimation of the requesting court's ability to fund one-time and ongoing costs resulting from the establishment or augmentation of a new position, and (b) a confirmation of need, both SJO workload and overall judicial need, based on the most recent council-approved Judicial Needs Assessment.
3. The Executive Committee will authorize new or augmented SJO positions only if (a) the court can continuously fund the associated increased costs, and (b) the most recent council-approved Judicial Needs Assessment demonstrates that the requesting court's SJO workload justifies additional SJO positions and cannot be handled with existing judicial resources. The Executive Committee's decision to change the number or type of SJO positions must be in writing and contain an analysis of the factors underlying the decision.
4. The Executive Committee will eliminate or decrease the time base of an SJO position upon the request of a trial court.

¹ Judicial Council of Cal., mins. (Feb. 23, 2007), item 9, *Update of Judicial Workload Assessment and New Methodology for Selecting Courts in Which Subordinate Judicial Officers Should be Converted to Judgeships*; and item 10, *Subordinate Judicial Officers: Policy for Approval of Number of Subordinate Judicial Officers in Trial Courts*, www.courts.ca.gov/documents/min0207.pdf.

² The position of regional administrative director was eliminated in 2012 as a result of the restructuring of the Administrative Office of the Courts (former name of the Judicial Council staff organization).

Analysis/Rationale

The request by the Superior Court of San Bernardino County for the addition of 2 new SJO positions, is based on the court's analysis of its current and projected workload need, as well as data from OCR's judicial workload study.³ Findings from both sets of research indicate a significant assessed need for judicial officers to address current caseloads in the county of San Bernardino. In relation to SJO positions, OCR's most recent assessment of SJO need indicates that the court has an unmet need of 9.8 full-time equivalent (FTE) SJO positions. The 2 new SJO positions that the court has requested will be committed to providing increased access to justice to the communities the court serves. This will include providing an SJO to the courthouse in Needles, a geographically isolated location some 146 miles from the closest courthouse in Barstow. The court believes that this is the soundest way to provide a judicial presence in Needles, where the SJO will preside over cases that are appropriate for an SJO to hear.

Confirming the court's request in this matter is within the scope of the Judicial Council's responsibilities under Government Code section 71622(a),⁴ which delegated authority to the Executive Committee for review and approval of courts' requests to permanently adjust the workload or number of SJOs serving in a court.⁵

Policy implications

Confirming the addition of 2 new SJO positions in the Superior Court of San Bernardino County is consistent with well-established tenets of council policy on SJO positions.

Comments

This proposal, which is consistent with council policy on the status and funding of SJO positions, did not circulate for comment.

Alternatives considered

The proposed addition of 2 new SJO positions is consistent with council policy. On that basis, no alternatives were considered.

Fiscal and Operational Impacts

The court indicates that it has performed the necessary budget analysis to confirm that it has sufficient funds to pay for the costs associated with this request. On that basis, implementing the recommendation would generate no fiscal or operational costs to the branch as a whole.

³ Judicial Council of Cal., *The Need for New Judgeships in the Superior Courts: 2020 Update of the Judicial Needs Assessment* (Nov. 2020), www.courts.ca.gov/documents/2020_Update_of_the_Judicial_Needs_Assessment.pdf.

⁴ "Each trial court may establish and may appoint any subordinate judicial officers that are deemed necessary for the performance of subordinate judicial duties, as authorized by law to be performed by subordinate judicial officers. However, the number and type of subordinate judicial officers in a trial court shall be subject to approval by the Judicial Council. Subordinate judicial officers shall serve at the pleasure of the trial court." (Gov. Code, § 71622(a).)

⁵ Judicial Council of Cal., mins. (Feb. 23, 2007), item 10, *Subordinate Judicial Officers: Policy for Approval of Number of Subordinate Judicial Officers in Trial Courts*, www.courts.ca.gov/documents/min0207.pdf.

Attachments and Links

1. Attachment A: Letter from Presiding Judge R. Glenn Yabuno, Superior Court of San Bernardino County, to Justice Marsha G. Slough, Chair, Executive and Planning Committee (May 23, 2023)



**Superior Court of California
County of San Bernardino**

R. Glenn Yabuno
Presiding Judge

247 West Third Street, Eleventh Floor
San Bernardino, CA 92415-0302

(909) 708-8747

May 23, 2023

Hon. Marsha G. Slough, Chair
Executive & Planning Committee
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102

RE: Request for Subordinate Judicial Officer/Commissioner Positions

Dear Justice Slough and members of Executive Planning:

The Superior Court of California, County of San Bernardino respectfully requests authorization and approval of two new Subordinate Judicial Officer/Commissioner positions.

These Subordinate Judicial Officers/Commissioners will be dedicated to provide increased access to justice to our communities, including providing a judicial officer on-site at our Needles Courthouse and as backup in other areas.

As you are aware, our Court has a critical need for judgeships with a current assessed need for 30 more judges to handle existing caseloads. In addition, we are currently operating with eight vacant judge positions with two additional judge retirements announced for July 2023.

We believe that the only realistic way to provide a judicial presence in Needles is with the authorization of two Commissioner positions. The Court intends to offer services for a variety of case types to meet the needs of court users. The Court is dedicated to providing an increased court presence in our farthest outlying community. The Needles Courthouse is 146 miles or a 2.50-hour drive one way to the closest courthouse in Barstow or 220 miles one way (3.50-hour drive) to the San Bernardino Justice Center. One new position is needed in order to better serve the Needles Community, and the Court has earmarked money from the budget to fund the positions of the 2.0 FTE commissioner salary and benefits. Upon Judicial Council approval we hope to hire and on-board one Commissioner to start working in Needles in October 2023.

The other new position will be used to provide access to justice by handling court hearings in the most critically needed areas to be determined by need.

We appreciate the Judicial Council's review and consideration of our request.

Please contact me at (909) 708-8767 or at ryabuno@sb-court.org if you or any member have questions regarding this request. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Glenn Yabuno', with a long horizontal flourish extending to the left.

R. Glenn Yabuno
Presiding Judge

cc: Hon. Lisa Rogan, Assistant Presiding Judge
Anabel Z. Romero, Court Executive Officer

RGY:kl