



Judicial Council of California
Executive and Planning Committee

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

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING

January 15, 2025
12:10 to 1:00 p.m.
Videoconference

Advisory Body Members Present: Hon. Brad R. Hill (Chair), Hon. Maureen F. Hallahan (Vice-chair), Hon. Carin T. Fujisaki, Hon. Maria D. Hernandez, Hon. Joan K. Irion, Hon. Ann C. Moorman, Hon. Lisa M. Rogan, Hon. Tamara L. Wood, Ms. Gretchen Nelson, and Mr. David H. Yamasaki

Advisory Body Members Absent: Hon. Judith K. Dulcich and Mr. Darrel E. Parker

Committee Staff Present: Ms. Amber Barnett, Ms. Josely Yangco-Fronda, and Ms. Donna Ignacio

Staff Present: Mr. Tamer Ahmed, Ms. Rebekah Askew, Mr. James Barolo, Mr. Chris Belloli, Ms. Deborah Brown, Ms. Laura Brown, Ms. Francine Byrne, Ms. Salena Chow, Mr. Marshall Comia, Mr. Blaine Corren, Ms. Angela Cowan, Mr. Douglas Denton, Ms. Jessica Devencenzi, Mr. Robert Downs, Mr. Michael Etchepare, Mr. Michael Giden, Ms. Jenny Grantz, Ms. Kristin Greenway, Mr. Jason Haas, Ms. Thera Hearne, Mr. Cory Jasperson, Ms. Saskia Kim, Mr. Dalton Layne, Ms. Eunice Lee, Mr. Don Lowrie, Mr. Chris Magnusson, Mr. Ray Mata, Ms. Pella McCormick, Mr. Russell McGregor, Mr. Robert Miller, Ms. Shannon Moore, Ms. Fran Mueller, Ms. Miki Novitski, Mr. Robert Oyung, Ms. Becky Porter, Ms. Kara Portnow, Ms. Leah Rose-Goodwin, Mr. Jonathan Sibayan, Ms. Melanie Snider, Ms. Laura Speed, Ms. Heather Staton, Mr. Zlatko Theodorovic, Ms. Oksana Tuk, Mr. Callum Urquhart, Ms. Shaneen Williams, and Ms. Martha Wright

OPEN MEETING

Call to Order and Roll Call

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

Approval of Minutes

The committee reviewed the following draft minutes:

- October 10, 2024, open meeting;
- October 18, 2024, action by email;
- October 30, 2024, action by email;
- November 14, 2024, closed meeting; and
- December 5, 2024, open meeting.

Action: The committee approved the minutes of the October 10 and December 5, 2024, open meetings, October 10, 18, and October 30, 2024, actions by email, and November 14, 2024, closed meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

Item 1

Agenda Setting for February 21, 2025, Judicial Council Meeting (Action Required)

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

Action: The committee set the agenda for the February 21, 2025, Judicial Council meeting by approving available reports for placement on the business meeting agenda.

Item 2

Center for Judicial Education and Research Advisory Committee – Recommendation to Rule 10.50 and Other-Related Rules as Needed (Action Required)

Review recommendation from the chair of the Executive and Planning Committee to amend California Rules of Court, rule of court 10.50, Center for Judicial Education and Research Advisory Committee to align with Judicial Council staff organization changes and consider forwarding to the Judicial Council for adoption at a future meeting. Related rules of court that refer to the Center for Judicial Education and Research Advisory Committee will also be amended to reflect the name change.

Action: The committee approved the recommendation to amend California Rules of Court, rule 10.50 and other related rules pertaining to the Center for Judicial Education and Research Advisory Committee, to align with Judicial Council staff organization changes and reflect the name change and forward to the Judicial Council for adoption at a future meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:26 p.m.

Approved by the committee on _____.



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Executive and Planning Committee

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executiveandplanning@jud.ca.gov

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF ACTION BY EMAIL

Thursday, February 6, 2025

1:00 p.m.

Advisory Body Members Present: Hon. Brad R. Hill (Chair), Hon. Maureen F. Hallahan (Vice-chair), Hon. Judith K. Dulcich, Hon. Carin T. Fujisaki, Hon. Maria D. Hernandez, Hon. Joan K. Irion, Hon. Lisa M. Rogan, Hon. Tamara L. Wood, Ms. Gretchen Nelson, and Mr. David H. Yamasaki

Advisory Body Members Absent: Hon. Ann C. Moorman

Others Present: Mr. Robert Oyung, Ms. Laura Speed, Ms. Amber Barnett, Ms. Josely Yangco-Fronda, and Ms. Donna Ignacio

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 matters 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, February 5, 2025, 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

Agenda Setting for the February 21, 2025, Judicial Council Meeting (Action Required)

Review and consider the following draft council reports listed below for placement on the February 21, 2025, Judicial Council business meeting agenda.

1. 25-020 (Consent): Allocations and Reimbursements to Trial Courts | Midyear Reallocation of Court Reporter Funding (Action Required)
2. 25-028 (Consent): Rules and Forms | Technical Form Changes to Reflect Federal Poverty Guidelines (Action Required)
3. 25-062 (Discussion): Trial Court Budget | Allocation for Partial Restoration of Trial Court Operations Funding for Fiscal Year 2024–25 (Action Required)
4. 25-029 (Discussion): Report to the Legislature | Superior Court Lactation Rooms Funding and Expenditures (Action Required)
5. 25-064 (Information): Trial Courts | Quarterly Investment Report for First Quarter Fiscal Year 2024–25
6. 25-070 (Information): Report to the Legislature | Measures to Promote Fair and Efficient Administration of Justice

Action: The committee approved the reports above for placement on the February 21, 2025, Judicial Council business meeting agenda.

CLOSURE OF ACTION

The action by email concluded at 1:00 p.m. on February 7, 2025.

Approved by the committee on _____.

DRAFT



Judicial Council of California

Meeting Agenda

Judicial Council

Please visit
courts website:
www.courts.ca.gov
to view live meeting on
April 25, 2025.

Meeting materials
are available through
the hyperlinks in
this document.

Friday, April 25, 2025

San Francisco

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

Session: 9:00–9:30 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: 9:45 a.m.

Call to Order

Public Comment

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 12:00 p.m. on Thursday, April 24, by email to:

judicialcouncil@jud.ca.gov

Chief Justice's Report

15 minutes

Administrative Director's Report**25-002 Administrative Director's Report***15 minutes***Judicial Council Internal Committee Reports****25-100 Legislation Committee****Speakers:** Hon. Stacy E. Boulware Eurie*10 minutes***25-092 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-Fronda at 415-865-7626 at least 48 hours before the meeting.

[25-007](#) Minutes of February 21, 2025, Judicial Council Meeting**[25-080](#) Criminal Law | Judicial Council Appointment to the California Council for Interstate Adult Offender Supervision (Action Required)**

Summary: The Executive and Planning Committee recommends reappointing Judge R. Glenn Yabuno, Superior Court of San Bernardino County, to the California Council for Interstate Adult Offender Supervision. The seven-member California Council is required by the Interstate Compact for Adult Offender Supervision, which governs state administration of the transfer across state lines of the supervision of adult parolees and probationers, to include a superior court judge appointed by the Judicial Council. The individual selected for appointment will also serve simultaneously on the California State Council for Interstate Juvenile Supervision.

[25-021](#) Judicial Branch Administration | Judicial Branch Workers' Compensation Program (Action Required)

Summary: The Judicial Branch Workers' Compensation Program Advisory Committee (Committee) recommends approval of the workers' compensation cost allocation of \$18.45 million for the trial courts and \$1.28 million for the state judiciary for fiscal year 2025-26. The Committee also recommends revising the current nurse triage process to include clinical consultation as a benefit for its membership.

[25-013](#)**Juvenile Law | 2024-25 Allocations for Dependency Counsel Collections Program and Expected Unspent Program Funding (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends two redistributions of funding for court-appointed juvenile dependency counsel for fiscal year (FY) 2024-25. Under the Juvenile Dependency Counsel Collections Program, courts collect reimbursements from parents and other responsible persons liable for the cost of dependency-related legal services to the extent that those persons are able to pay. The committee recommends that the Judicial Council allocate the FY 2023-24 statutorily restricted funds to the trial courts, calculated according to the methodology adopted by the council in 2013. The committee also recommends that the council reallocate unspent dependency counsel funding from courts that have identified funds they do not intend on spending to courts that are not fully funded to their need.

[25-079](#)**Pretrial Release | 2025 Report on Pretrial Release Program to the Legislature, Year 3 (Action Required)****Summary:**

The Budget Act of 2023 (Sen. Bill 101; Stats. 2023, ch. 12) allocated \$70 million of ongoing funding to the Judicial Council for the operation of ongoing court programs and practices that promote safe, efficient, fair, and timely pretrial release of individuals booked into jail. The Judicial Council is required to submit annual reports on the program's progress. Criminal Justice Services staff recommend that the Judicial Council approve *Pretrial Release Program: Year 3 Report to the Legislature, 2025* and direct the Administrative Director to submit it to the Legislature, as required under the Budget Bill. The report describes key components of the Pretrial Release Program and documents the local and statewide activities in the third year of the program.

[25-082](#)**Rules and Forms | Additional CARE Act Legislation (Action Required)****Summary:**

To implement recently enacted legislation amending the Community Assistance, Recovery, and Empowerment (CARE) Act in Senate Bills 42 (Stats. 2024, ch. 640), 1323 (Stats. 2024, ch. 646), and 1400 (Stats. 2024, ch. 647), the Probate and Mental Health Advisory Committee recommends amending three rules of court, adopting one form, approving two forms, revising three forms, adopting one standard of judicial administration, and renaming a title in the standards of judicial administration. The committee also recommends revisions to certain forms in response to feedback from members of the public regarding the forms' readability and ease of use.

[25-078](#)**Rules and Forms | Appellate Procedure: Certified Record in Capital Cases (Action Required)****Summary:**

Penal Code section 1218 previously required courts to transmit a complete transcript to the Governor in cases resulting in a judgment of death. The Legislature recently amended section 1218 to remove this requirement; a court need only transmit a

statement of the conviction and judgment. Accordingly, Judicial Council staff recommend amending the rule of court addressing the record in capital cases to reflect the statutory amendment.

[25-096](#)**Rules and Forms | CEQA Actions: New Projects and Fees for Expedited Review (Action Required)****Summary:**

The Appellate Advisory Committee and Civil and Small Claims Advisory Committee recommend amending eight rules of the California Rules of Court for the expedited resolution of actions and proceedings brought under the California Environmental Quality Act to implement legislation requiring inclusion of “environmental leadership media campus project” for streamlined review and the requirement that applicants of this project type pay the costs of the trial and appellate courts in adjudicating challenges to those projects.

[25-085](#)**Rules and Forms | Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions (Action Required)****Summary:**

The Civil and Small Claims Advisory Committee proposes amending California Rules of Court, rule 3.545 and adopting rule 3.546 to adjust court procedures for coordinated actions and coordination proceedings. The recommended rule amendment and new rule aim to address concerns that the existing rules on these matters are overly burdensome for courts and do not contain a process to terminate coordination proceedings.

[25-077](#)**Rules and Forms | Criminal Law: Felony Plea Form (Action Required)****Summary:**

The California Supreme Court recently directed trial courts to advise defendants pleading guilty or no contest to a sexually violent offense about the possibility of being referred to sexually violent predator proceedings and to inquire whether the parties discussed the possibility of a disposition involving a plea to an offense that is not a sexually violent offense. In addition, Proposition 36 requires trial courts to advise defendants convicted of specified felony drug offenses that they can be charged with murder if death results from illicitly manufacturing, distributing, selling, furnishing, or giving away drugs. The Criminal Law Advisory Committee recommends incorporating these advisements and inquiry into the felony plea form and clarifying existing language on the form about the factual basis for the plea.

[25-076](#)**Rules and Forms | Criminal Law: New Postconviction Retail Crime Restraining Order (Action Required)****Summary:**

Penal Code section 490.8, effective January 1, 2025, allows a court to prohibit a defendant convicted of specified offenses from entering the premises of a protected retail establishment for up to two years. To implement this new statute, the Criminal Law Advisory Committee recommends a new retail crime restraining order for court use.

[25-075](#)**Rules and Forms | Decedents' Estates: Succession to Property of Small Value (Action Required)****Summary:**

In response to a mandate in Probate Code section 890 and amendments to other sections of the code enacted by Assembly Bill 2016 (Stats. 2024, ch. 455), the Probate and Mental Health Advisory Committee recommends revising four forms used in summary proceedings for determining succession to property of small value. The recommended revisions update forms DE-310 and DE-315 to reflect the narrowed scope of the statutory petition procedure for succession to real property and indicate the increased threshold value below which property must fall to be eligible for this procedure. The revisions also update forms DE-300 and DE-305 to reflect adjustments required by Probate Code section 890 to the threshold values applicable to other statutory succession procedures.

[25-099](#)**Rules and Forms | Family Law: Summary Dissolution Forms (Action Required)****Summary:**

The Family and Juvenile Law Advisory Committee recommends revising two family law summary dissolution forms, which are mandated by Family Code section 2400 to reflect any increase in the California Consumer Price Index.

[25-098](#)**Rules and Forms | Family Law: Technical Changes to Forms (Action Required)****Summary:**

The Family and Juvenile Law Advisory Committee recommends technical changes to improve several forms by correcting clerical errors, updating references to state and federal codes, and making other minor changes to align the forms with statewide procedures. The technical changes will improve the accuracy of the forms and avoid causing confusion for court users, clerks, and judicial officers.

[25-087](#)**Rules and Forms | Judicial Branch Education: Center for Judicial Education and Research Advisory Committee Name Change and Other Technical Amendments (Action Required)****Summary:**

The Executive and Planning Committee recommends amending 12 rules of court to change the name of the Center for Judicial Education and Research Advisory Committee to the Center for Judicial Education and Resources Advisory Committee and make other technical amendments. The revised name adopts the recent name change of the Judicial Council's education office and more accurately reflects the work of the committee.

[25-073](#)**Rules and Forms | Judicial Branch Technology: Rules for Adoption of Technology and Data Security Guidelines (Action Required)****Summary:**

The Court Executives Advisory Committee (CEAC) and the Information Technology Advisory Committee (ITAC) recommend adopting one rule and amending one rule to create a process for adopting and revising technology and data security guidelines for the courts and the Judicial Council. This proposal originated with the Joint Information

Security Governance Subcommittee, which reviews and recommends security-related guidelines, policies, and other proposals for action by ITAC and CEAC.

[25-071](#)**Rules and Forms | Juvenile Law: Restitution Orders
(Action Required)****Summary:**

Assembly Bill 1186 (Bonta; Stats. 2024, ch. 805) amended provisions of the Penal Code and the Welfare and Institutions Code regarding restitution liability in criminal and juvenile court, including eliminating joint and several liability for co-offending children in juvenile delinquency cases. The Family and Juvenile Law Advisory Committee recommends revising the restitution order and instructions forms to delete joint and several liability for juvenile co-offenders, address restitution apportionment in juvenile court orders, and clarify the liability of who may be ordered to pay restitution in criminal and juvenile proceedings. In addition, the committee recommends revisions to allow for use of the order when a child under informal supervision has agreed to restitution.

[25-086](#)**Rules and Forms | Miscellaneous Technical Changes
(Action Required)****Summary:**

Various members of the judicial branch, members of the public, and Judicial Council staff have identified errors in the California Rules of Court and in Judicial Council forms resulting from input errors, as well as minor changes needed to conform to changes in law or previous council actions. Judicial Council staff recommend making the necessary corrections to ensure that the forms conform to the law and to avoid causing confusion for court users, clerks, and judicial officers.

[25-030](#)**Rules and Forms | Miscellaneous Technical Changes to Traffic
Form (Action Required)****Summary:**

The Traffic Advisory Committee recommends revising *Officer's Declaration* (form TR-235) to incorporate a change resulting from legislation and to correct and update grammar and stylistic conventions on the form. These changes are technical, minor, and noncontroversial. The committee recommends making the necessary corrections to conform to statute and to ensure clarity for court users, clerks, and judicial officers.

[25-074](#)**Rules and Forms | Probate Conservatorship and Guardianship:
Notice of Change of Residence and Notice of Death
(Action Required)****Summary:**

Amendments to Probate Code sections 2352, 2361, and 2700 by Senate Bill 1106 (Stats. 2024, ch. 455) expanded the duty of a conservator or guardian of the person to give notice before the change of residence of a conservatee or ward and required a conservator to give notice, electronically if possible, of any arrangements they have made for a deceased conservatee's funeral, burial, or memorial. The Probate and Mental Health Advisory Committee recommends amending two rules and revising six forms to apply the new statutory requirements and update the rules and forms to conform to

other amendments to the law, including the statutory authorization of electronic delivery of notices and other papers, subject to consent.

[25-084](#)**Rules and Forms | Protective Orders: New Civil Retail Crime Restraining Order (Action Required)****Summary:**

The Civil and Small Claims Advisory Committee recommends amending three rules of the California Rules of Court, adopting six Judicial Council forms for mandatory use, and approving two information sheets in a new forms series to implement recent legislation creating a new restraining order based on two or more alleged acts of retail crime.

[25-102](#)**Rules and Forms | Protective Orders: Technical Change to Domestic Violence Form (Action Required)****Summary:**

Judicial Council staff recommend revisions to one domestic violence restraining order form to correct a technical error and to make other minor corrections. The form's revisions will avoid confusion over the expiration date of the order.

[25-067](#)**Trial Court Budget | Court Interpreters Program Fiscal Year 2024-25 Midyear Reallocation and Augmentation (Action Required)****Summary:**

High rates charged by independent contractors is one of several factors that has led to the recent marked increase in court interpreter expenses. Based on identified court need for Court Interpreters Program funding in the Trial Court Trust Fund, the Trial Court Budget Advisory Committee recommends a midyear reallocation of approximately \$637,000 and an augmentation of \$11.6 million for fiscal year 2024-25 to address anticipated funding shortfalls due to increasing interpreter costs and expenses. The allocations will help maintain the current levels of interpreter services for court users.

[25-083](#)**Trial Court Budget | Fiscal Year 2024-25 Reallocation of Community Assistance, Recovery, and Empowerment (CARE) Act Funding (Action Required)****Summary:**

The Trial Court Budget Advisory Committee (TCBAC) recommends the reallocation of Community Assistance, Recovery, and Empowerment (CARE) Act fiscal year 2024-25 funds to the trial courts. The CARE Act funding methodology calls for a midyear reallocation process to redistribute funds that courts project will be left unspent to courts that request additional program funding. Judicial Council staff conducted a survey of all the trial courts and identified \$7,638,154.96 projected to be available for reallocation from 34 courts and requests from 2 courts that a total of \$400,000.00 be redistributed to them. The TCBAC presented this recommendation to the Judicial Branch Budget Committee (JBBC) on March 14, 2025, and the JBBC approved it for consideration by the Judicial Council.

[25-031](#)**Uniform Bail and Penalty Schedules | Miscellaneous Technical Changes to the 2025 Edition for Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing (Action Required)****Summary:**

The Traffic Advisory Committee recommends adopting the *Uniform Bail and Penalty Schedules, 2025 Edition (Revised): Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing* to correct errors in the conviction assessment column for 32 offenses and to update the page numbers in the table of contents. These changes are technical, minor, and noncontroversial.

DISCUSSION AGENDA[25-051](#)**Collaborative Justice | Addressing Racial Disparities and Improving Equity in California's Adult Collaborative Programs (Action Required)****Summary:**

This report to the Judicial Council provides actions that the council can take to support collaborative court and diversion programs with advancing diversity, equity, and inclusion to improve participant outcomes and program success. The report provides four priority areas inclusive of data-driven strategies that are designed to promote progress at the state and local levels while navigating current political, economic, and public health landscapes. The Collaborative Justice Courts Advisory Committee recommends that the council receive the report and direct the Collaborative Justice Courts Advisory Committee to implement the identified priority areas.

Speakers:

Hon. Charles Smiley III, Vice-Chair, Collaborative Justice Courts Advisory Committee

Ms. Veronica Lewis, Cochair, Racial Justice, Equity and Inclusion Subcommittee

Ms. Deanna Adams, Criminal Justice Services

20 minutes

[25-058](#)**Judicial Branch Administration | Tactical Plan for Technology 2025-2026 (Action Required)****Summary:**

The Technology Committee and the Information Technology Advisory Committee recommend adopting the *Tactical Plan for Technology 2025-2026*. Prepared by the Tactical Plan Update Workstream, the plan aligns with the *Strategic Plan for Technology 2023-2026* and provides a road map for achieving branchwide goals. The 2025-2026 plan reflects the status of existing initiatives, outlines a new initiative, and focuses on technology solutions that advance the administration of justice. The updated plan serves the public by leveraging emerging technologies to enhance court operations, enable efficiencies, and increase accessibility.

Speakers: Hon. Sheila F. Hanson, Chair, Information Technology Advisory Committee
Mr. Brian Cotta, Information Technology Advisory Committee
Mr. John Yee, Information Technology

20 minutes

25-095 Judicial Council Update | Jury Instructions and the Juror Experience (No Report. No Action Required.)

Summary: Informational presentation to the Judicial Council by the chairs of the Judicial Council's Advisory Committee on Civil Jury Instructions, Advisory Committee on Criminal Jury Instructions, and Court Executives Advisory Committee outlining the history of the state's pattern jury instructions and jury service, as well as recent and possible future developments.

Speakers: Hon. Adrienne M. Grover, Chair, Civil Jury Instructions Advisory Committee
Hon. Jeffrey S. Ross, Chair, Criminal Jury Instructions Advisory Committee
Mr. Darrel E. Parker, Chair, Court Executives Advisory Committee

30 minutes

[25-094](#) **Trial Courts | Update of Resource Assessment Study Model (Action Required)**

Summary: The Data Analytics Advisory Committee recommends the Judicial Council approve updated workload measures of the Resource Assessment Study (RAS). The RAS model is a weighted caseload methodology used to assess trial court staff needs, incorporating court filings, caseweights, and a staff work year value to estimate the time required for case processing activities. The proposed model parameters are based on findings from a 2024 time study conducted in 19 courts across the state. Previous iterations of the model were approved by the Judicial Council in 2005, 2013, and 2017.

Speakers: Hon. Joyce D. Hinrichs (Ret.), Chair, Data Analytics Advisory Committee
Hon. Thomas E. Kuhnle, Vice-Chair, Data Analytics Advisory Committee
Ms. Leah Rose-Goodwin, Research, Analytics, and Data
Ms. Kristin Greenaway, Research, Analytics, and Data

25 minutes

25-097 Legal Services Trust Fund Commission Presentation (No Report. No Action Required.)

Summary: The chairs of the Legal Services Trust Fund Commission (LSTFC) will present information about the work of the Commission and the legal aid programs the LSTFC funds.

Speakers: Ms. Erica Connolly, Cochair, Legal Services Trust Fund Commission
Mr. Amin Al-Sarraf, Cochair, Legal Services Trust Fund Commission
Ms. Melanie Snider, Center for Families, Children, and the Courts

15 minutes

25-101 Public Service Recognition Week (No Report. No Action Required.)**Summary:**

Public Service Recognition Week will be celebrated May 4-10, 2025. In 2024, the Judicial Council produced a video featuring the Chief Justice and court employees focused on "Why I Choose To Serve." Building on this foundation, this year, a series of five videos will highlight occupations and personal stories from employees in public service within the state judicial branch. The videos will be promoted on the web and within the branch during public service recognition week. This agenda item will preview the videos in the public meeting.

10 minutes

INFORMATION AGENDA (NO ACTION REQUIRED)**[25-088](#)****Judicial Council Update | Release of Demographic Data on California Justices and Judges****Summary:**

This informational report to the Judicial Council is notice of the annual release of aggregate demographic information concerning the gender, race/ethnicity, sexual orientation, gender identity, veteran status, and disability status of California's justices and judges by specific jurisdiction, which council staff is required by statute to collect and release annually.

[25-081](#)**Judicial Council Update | Trial Court Facility Modifications Report for Quarter 2 of Fiscal Year 2024-25****Summary:**

This informational report to the Judicial Council outlines the allocations of facility modification funding made to improve trial court facilities in the second quarter (October through December) of fiscal year 2024-25. To determine allocations, the Trial Court Facility Modification Advisory Committee reviews and approves facility modification requests from across the state in accordance with the council's *Trial Court Facility Modifications Policy*.

[25-065](#)**Report to the Legislature | 2024 Training for Judicial Officers Pursuant to Gov. Code §68555.5****Summary:**

In accordance with Government Code section 68555.5, the Judicial Council submitted the required report to the Legislature, *2024 Training for Judicial Officers Pursuant to Gov. Code § 68555.5*. The attached report conveys the titles of the training courses offered by the Judicial Council pursuant to Government Code section 68555 and the number of judicial officers who participated in each training.

[25-012](#)**Report to the Legislature | Allocation of Funding in 2024-25 for Federally Funded Dependency Representation Program Shortfall****Summary:**

Judicial Council staff submitted to the Legislature the *Report on Allocation of Funding in 2024-25 for Federally Funded Dependency Representation Program Shortfall*, in accordance with the requirement in the 2024 Budget Act. This shortfall was first included in the 2021 Budget Act to reimburse courts and court appointed dependency counsel for any gap between the federal reimbursement maximum and what the state is able to recover in federal reimbursement funds. In fiscal year 2023-24, approximately 69 percent of participant billings met the criteria for federal reimbursement. This has been relatively consistent over the last three years.

[25-066](#)**Report to the Legislature | Compliance With Education Requirements of Welfare and Institution Code Section 304.7****Summary:**

In accordance with Welfare and Institutions Code section 304.7(c), the Judicial Council submits the required compliance report to the Legislature, *Juvenile Dependency Training Completion Report*. The attached report demonstrates compliance by judges, commissioners, and referees with the juvenile judicial officer training and education requirements of the statute. The information provided in this report was gathered from the courts by staff of the Judicial Council's Center for Judicial Education and Resources.

[25-093](#)**Report to the Legislature | Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for 2023-24****Summary:**

Under Government Code section 68086(f), the Judicial Council is required to submit a report on the statewide court reporter fees collected and expenditures for court reporter services in superior court civil proceedings to the Joint Legislative Budget Committee by February 1 of each year. On or before February 1, 2025, Judicial Council staff submitted *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for 2023-24*.

[25-089](#)**Report to the Legislature | Trial Court Operational Metrics: 2025 Report****Summary:**

The Budget Act of 2022 (Stats. 2022, ch. 43) requires that the Judicial Council annually report to the Legislature on the operations of each trial court and include various specified operational and budgetary metrics. This is the third year that the branch has produced this report. *Trial Court Operational Metrics, 2025 Report* is included as Attachment A to this report.

[25-072](#)**Trial Courts | Public Notice of Court Closures or Reduced Clerks' Office Hours****Summary:**

This report includes one clerk's office closure notice from the Superior Court of El Dorado County. Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours and (2) the council to post all such notices on its website and relay them to the Legislature.

[25-090](#)**Trial Courts | Quarterly Investment Report for Second Quarter Fiscal Year 2024-25****Summary:**

This quarterly investment report covers the period from October 1, 2024, through December 31, 2024, 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**25-103****Circulating Orders since the last business meeting.****Appointment Orders****25-104****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

February 21, 2025

Action Requested

Review and Approve

To

Members of the Executive and Planning Committee

Deadline

March 19, 2025

From

Judicial Council staff
Francine Byrne, Director
Criminal Justice Services

Contact

Deirdre Benedict, Supervising Analyst
Criminal Justice Services
415-865-7543 phone
deirdre.benedict@jud.ca.gov

Subject

Extension of Temporary Subordinate Judicial Officers/Commissioners for Support of Pretrial Release Program in the Superior Courts of Fresno and Kern Counties

Executive Summary

Criminal Justice Services (CJS) staff recommend that the Executive and Planning Committee approve the extension of temporary subordinate judicial officer (SJO) positions in the Superior Courts of Fresno and Kern Counties through June 30, 2026. The temporary nature of these requests will allow the Judicial Council to continue to evaluate the long-term need for additional SJO or commissioner positions to support the Pretrial Release Program.

Recommendation

CJS staff recommend that the Executive Committee confirm the requests of the Superior Courts of Fresno and Kern Counties for the extension of temporary SJO or commissioner positions in the courts. Authorization for these positions is requested through June 30, 2026. This temporary request will enable the courts and the Judicial Council to continue to evaluate additional

workload demands necessitated by the Pretrial Release Program and to determine a long-term approach to adding necessary SJO positions.

Relevant Previous Council Action

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

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. 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 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 on the request of a trial court.

Analysis/Rationale

The Pretrial Release Program originally received funding through Senate Bill 129 (Stats. 2021, ch. 69), which amended the Budget Act of 2021. SB 129 provides funding for “the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.” (Sen. Bill 129, § 4, item 0250-101-0001, provision 9.)

The purpose of the funding, as specified in SB 129, and continued in subsequent Budget Acts, is to provide superior courts with information and resources to support judicial officers in making pretrial release decisions. The funds must be used by the courts for pretrial programs and practices and may be spent on the “costs associated with judicial officer pretrial release decisions prior to or at arraignment.” (Sen. Bill 129, § 4, item 0250-101-0001, provision 11(a).)

As outlined under the Relevant Previous Council Action section, Government Code section 71622(a) grants authority to the Judicial Council to determine the number and type of SJO positions in each trial court. The council has adopted a policy for the review and approval of requests from trial courts to change the number of SJO positions, delegating approval authority to its Executive and Planning Committee. The *Pretrial Release Program Guidance Memorandum*, released to all courts in October 2021, outlined the process for courts without authorized vacant commissioner positions to submit a request for a temporary commissioner position from the council’s Executive and Planning Committee. The position would be tied to pretrial funding, and the commissioner would be required to maintain a grant time sheet (filed with the court) to ensure that the commissioner’s time is spent on pretrial release duties.

CJS has received a total of two extension requests from the Superior Courts of Fresno and Kern Counties.

Superior Court of Fresno County

The Superior Court of Fresno County requests extension of one authorized subordinate judicial officer/commissioner position for the Pretrial Release Program.

The court had previously obtained approval to add one subordinate judicial officer/commissioner for fiscal years 2022–23, 2023–24, and 2024–25. To date, the position has remained unfilled, but the court anticipates hiring a commissioner in fiscal year (FY) 2025–26, specifically to take on the pretrial workload including the after-hours and weekend responsibilities. The passage of Proposition 36 and modifications to the bail schedule is prompting additional changes to the Fresno court’s pretrial program. They anticipate this will result in a significant workload increase with a portion of the work being required beyond traditional work hours for a judicial officer or subordinate judicial officer.

Approval of this request will continue the temporary increase of the Fresno court's SJO positions from 6.0 to 7.0 full-time equivalents (FTEs) through June 30, 2026, with the designation of "FTE Limited Term" to apply to the temporary SJO.

Superior Court of Kern County

The Superior Court of Kern County requests extension of one authorized SJO/commissioner position for the Pretrial Release Program.

The court had previously obtained approval to add one subordinate judicial officer/commissioner for FY 2022–23, FY 2023–24, and FY 2024–25. This position has been filled and currently presides over misdemeanor and felony arraignments and makes determinations regarding pretrial release. The arraignment commissioner performs a vital function in the Kern court's criminal court operation and allows the court to centralize a significant portion of its arraignments and pretrial determinations, thus freeing up other courtrooms for postarraignment court proceedings and trials. It allows the commissioner to spend the time necessary to review the Public Safety Assessment produced for each in-custody defendant and make an individualized determination about his or her suitability for pretrial release. This subordinate judicial officer/commissioner position is also expected to play a large role in a new pre-arraignment review of pretrial release that the court expects to implement within the next six months.

Approval of this request will continue the temporary increase of the Kern court's SJO positions from 7.0 FTE to 8.0 FTE through June 30, 2026, with the designation of "FTE Limited Term" to apply to the temporary SJO.

Policy implications

Confirming the extension of temporary SJO positions for the purposes described above 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 increase of extensions in SJO FTEs is consistent with council policy. On that basis, no alternatives were considered.

Fiscal and Operational Impacts

The courts' requests align with the legislative intent of pretrial funding provided to the courts through the program. No additional council funding will be sought in conjunction with this request.

The courts have performed the necessary budget analyses to confirm that they have sufficient funds to pay for the costs associated with these requests. Implementing the recommendation would generate no fiscal or operational costs beyond the allocation previously awarded to the courts as part of their dedicated pretrial funding.

Attachments and Links

1. Attachment A: Letter from Presiding Judge Houry A. Sanderson, Superior Court of Fresno County, to Administrative Presiding Justice Brad R. Hill, Executive and Planning Committee chair (Feb. 14, 2025)
2. Attachment B: Letter from Presiding Judge John W. Lua, Superior Court of Kern County, to Administrative Presiding Justice Brad R. Hill, Executive and Planning Committee chair (Feb. 4, 2025)

*Superior Court of California
County of Fresno*

CHAMBERS OF
HOURY A. SANDERSON
Presiding Judge

1100 VAN NESS AVENUE
FRESNO, CALIFORNIA 93724-0002
(559) 457-6348
FAX (559) 457-1707
E-mail: hsanderson@fresno.courts.ca.gov

February 14, 2025

The Honorable Brad R. Hill, Chair
Judicial Council's Executive and Planning Committee
Executiveandplanning@jud.ca.gov

Re: Request for Additional Subordinate Judicial Officer Positions

Dear Justice Hill:

In order to fulfill the statewide initiative to reduce pretrial detention, the Fresno Superior Court has determined that additional judicial resources are necessary. The Fresno Superior Court is seeking approval to add a Subordinate Judicial Officer position to be utilized to assist in our pretrial program. The Court sought and obtained approval to add a Subordinate Judicial Officer for Pretrial for the previous three fiscal years. As of this time we have not yet hired the previously approved additional Subordinate Judicial Officer. We are therefore seeking an extension of the previous approvals through fiscal year 2025/2026.

We have implemented our pretrial assessment program and have made significant progress over the past year with the expansion of our program. We have implemented the afterhours and weekend reviews and reports from the supervising agency, which requires court oversight and review at these times. Currently, the volume of oversight is not significant. However, we anticipate expanding the criteria of those eligible which will increase the volume of reviews, reports and oversight needed. The passage of Proposition 36 and modifications to our bail schedule are prompting additional changes to our pretrial program. Although we have not yet utilized the position, there are plans to do so in the future. We continue to anticipate the program will result in a significant workload increase with a portion of the work being required beyond traditional work hours for a Judicial Officer or Subordinate Judicial Officer.

For this reason, it remains our preference that a Subordinate Judicial Officer be recruited and hired specifically to take on the pretrial workload including the afterhours and weekend responsibilities. It is the Court's intent to authorize the Subordinate Judicial Officer to conduct pre arraignment reviews and make pretrial release decisions

The Honorable Brad R. Hill, Chair

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February 14, 2025

that impose the least restrictive conditions to address public safety and return to court release decisions.

Currently, the Court is receiving funds allocated for Pretrial Assessment Services, with the appropriation of funds, the Court will be able to fund the new Subordinate Judicial Officer position. As this will be a new position, the Court will not be utilizing the funds to supplant current local funding to support pretrial assessment services. The Court anticipates being in the position to recruit a Subordinate Judicial Officer in the next few months. Previously, the Court sought and obtained approval to hire a Subordinate Judicial Officer for Pretrial. The Court is now seeking an extension of the approval through fiscal year 2025/2026. The extension will allow the Court to proceed with recruitment as soon as the after-hours parameters are expanded and finalized.

Thank you in advance for your consideration in this matter.

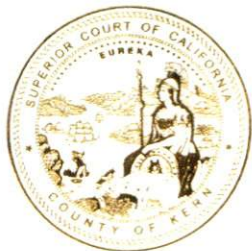
Sincerely,

A handwritten signature in blue ink, reading "Houry A. Sanderson". The signature is fluid and cursive, with the first name "Houry" being more prominent.

Houry A. Sanderson
Presiding Judge

HAS:DA:jlk

cc: Ms. Shelly Curran, Administrative Director of the Judicial Council
Ms. Deirdre Benedict, Supervising Analyst Criminal Justice Services |
Operations and Programs Division



**Superior Court
State of California**
COUNTY OF KERN

1415 Truxtun Avenue
Bakersfield, CA 93301
(661) 610-6000

February 4, 2025

Honorable Brad Hill, Chair
Executive & Planning
Committee Judicial
Council of California 455
Golden Gate Avenue
San Francisco, CA 94102

Re: Kern County - Extension of Temporary Commissioner Position

Dear Justice Hill:

The Superior Court of California, County of Kern, requests an extension of our temporary commissioner position through the end of FY 2025-26. This position is funded through the SB 129 Pretrial Release Program Funding.

This Commissioner position currently presides over misdemeanor and felony arraignments, and makes determinations regarding pretrial release. The workload among judicial officers in Kern County is heavy, and the arraignment calendars are very busy. Kern County currently has 40 judges and 8 commissioners (including this temporary commissioner position) with approximately two retirements expected in the next fiscal year. The most recent judicial workload assessment from November 2022 shows that Kern County is in need of 11 more judges, over and above those currently authorized positions. (I do note that the 2024 Judicial Needs Assessment report has been delayed. I fully expect that Kern County will still be high on the report as needing additional judges.)

The arraignment commissioner performs a vital function in Kern County's criminal courts operation and allows us to centralize our metro arraignments and pretrial determinations, thus freeing up other courtrooms for other criminal court proceedings such as trials and post-sentencing matters. It allows the commissioner to spend the time necessary to review the Pretrial Safety Assessment produced for each in custody defendant and make an individualized determination about his or her suitability for pretrial release. The Commissioner will also play a large role in a new pre-arraignment review of pretrial release that we hope will be implemented within the next six months.

Please feel free to contact me if you require any further information or have any questions regarding this request to continue funding.

Sincerely,

John W. Lua
Presiding Judge of Kern County Superior Court