



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

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

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

Advisory Body Members Absent: Hon. Brad R. Hill (Chair), Mr. Darrel E. Parker, and Ms. Gretchen Nelson

Invited Guests Present: Hon. Kevin C. Brazile, Cochair, Advisory Committee on Providing Access and Fairness

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

Staff Present: Mr. Tamer Ahmed, Mr. Juan Ambriz, Mr. James Barolo, Ms. Deborah Brown, Ms. Kristin Burford, Ms. Francine Byrne, Mr. Luis Castillo, Ms. Lisa Chavez, Ms. Salena Chow, Mr. Marshall Comia, Mr. Blaine Corren, Ms. Angela Cowan, Mr. Douglas Denton, Ms. Jessica Devencenzi, Mr. Edward Ellestad, Mr. Michael Etchepare, Ms. Audrey Fancy, Mr. Michael Giden, Ms. Nou Her, Ms. Saskia Kim, Mr. Dalton Layne, Ms. Eunice Lee, Mr. Eric Long, Mr. Chris Magnusson, Ms. Anna Maves, Ms. Kelly Meehleib, Ms. Fran Mueller, Ms. Donna Newman, Ms. Tiana Osborne-Gauthier, Mr. Robert Oyung, Mr. Scott Parker, Ms. Michelle Petrushka, Ms. Brandie Pilapil, Ms. Kelly Ragsdale, Ms. Sarah Rattanasamay, Ms. Cristina Resendiz-Johnson, Ms. Sarah Saria, Ms. Christy Simons, Mr. Jagan Singh, Ms. Melanie Snider, Ms. Laura Speed, Ms. Lynette Stephens, Mr. Zlatko Theodorovic, Ms. Oksana Tuk, Mr. Kevin Walker, Mr. Don Will, Ms. Aggie Wong, Ms. Rachel Yee, and Ms. Carrie Zoller

OPEN MEETING

Call to Order and Roll Call

The vice-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:

- March 19, 2025, open meeting;
- March 27, 2025, closed meeting;
- May 22, 2025, closed meeting;
- May 28, 2025, closed meeting; and
- June 5, 2025, closed meeting.

Action: The committee approved the minutes of the March 19, 2025, open meeting and March 27, May 22, May 28, and June 5, 2025, closed meetings.

DISCUSSION AND ACTION ITEMS (ITEMS 1 - 2)

Item 1

Agenda Setting for July 18, 2025, Judicial Council Meeting (Action Required)

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

Action: The committee set the agenda for the July 18, 2025, Judicial Council meeting by approving available reports for placement on the business meeting agenda.

Item 2

Request to Amend 2025 Annual Agenda: Advisory Committee on Providing Access and Fairness (Action Required)

Review the request from the Advisory Committee on Providing Access and Fairness to add a new project to its 2025 annual agenda. This new project will develop Standard of Judicial Administration and Rules and Forms revisions to implement Assembly Bill 1899.

Action: The committee approved the request from the Advisory Committee on Providing Access and Fairness to add a new project to its 2025 annual agenda to develop Standards of Judicial Administration and rules and forms revisions to implement Assembly Bill 1899.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:35 p.m.

Approved by the committee on _____.



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Executive and Planning Committee

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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF ACTION BY EMAIL

Monday, June 30, 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. Ann C. Moorman, Hon. Lisa M. Rogan, Hon. Tamara L. Wood, Ms. Gretchen Nelson, and Mr. David H. Yamasaki

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 Friday, June 27, 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 ITEMS

Item 1

Agenda Setting for July 18, 2025, Judicial Council Meeting (Action Required)

Review and consider the following draft council report listed below for placement on the July 18, 2025, Judicial Council business meeting agenda.

- 25-108 (Consent) Rules and Forms | Adjustment to Deposit Account Exemption from Enforcement for Judgement (Action Required)

Action: *The committee approved the report above for placement on the July 18, 2025, Judicial Council business meeting agenda.*

Item 2

Request to Amend 2025 Annual Agenda: Center for Judicial Education and Resources Advisory Committee (Action Required)

Review the request from the Center for Judicial Education and Resources Advisory Committee to add a new one-time project titled “*Repeal California Rules of Court, Rule 10.492.*”

Action: The committee approved the request from the Center for Judicial Education and Resources Advisory Committee to add a new one-time project to its 2025 annual agenda titled "Repeal California Rules of Court, Rule 10.492".

CLOSURE OF ACTION

The action by email concluded at 12:00 p.m. on July 2, 2025.

Approved by the committee on _____.

DRAFT



Judicial Council of California

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

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

MEMORANDUM

Date

September 11, 2025

Action Requested

Review and Recommend for Judicial Council Approval

To

Members of the Executive and Planning Committee

Deadline

September 18, 2025

From

Aurora Rezapour, Director
Human Resources

Contact

Felizia Nava-Kardon
415-865-4280 phone
felizia.nava-kardon@jud.ca.gov

Subject

Sabbatical Leave Request by Hon. Ronald Owen Kaye

Executive Summary

Judge Ronald Owen Kaye, Superior Court of Los Angeles County, requests that the Executive and Planning Committee recommend Judicial Council approval for an unpaid sabbatical leave for the period of August 24, 2026, through January 8, 2027. During this sabbatical leave, Judge Kaye will participate as a visiting scholar at the Universidad de Granada and Universidad de Málaga through their respective law schools, meeting with and presenting lectures to students and faculty on multiple areas of United States and California civil and criminal law. Judge Kaye will also meet with experts, observe judicial proceedings, and engage in research focusing on the impact of mental illness as a basis for mitigation from criminal liability within the Spanish criminal justice system.

Judge Kaye believes that this proposed sabbatical will enable him to return with a comparative analysis in this area, enriching the work of the Mental Health Court while also fostering outreach and relationship building for the California court system. Upon conclusion of the sabbatical leave, Judge Kaye will submit a report in writing to the Judicial Council setting forth how the leave has benefited and will continue to benefit the administration of justice in California, along

with its effect on the performance of his duties as a judicial officer. He also intends to share the information learned from the study with his colleagues on the bench and with the Los Angeles court's administrators in hopes that it will inspire other judges to explore different approaches and lenses to address mental health disabilities and their impact on criminal liability in California.

Recommendation

Judicial Council Human Resources recommends that the Executive and Planning Committee make a recommendation to the Judicial Council to approve the request for an unpaid sabbatical leave for the period of August 24, 2026, through January 8, 2027, for Judge Ronald Owen Kaye.

Relevant Previous Council Action

The council has taken no previous action regarding this request.

Analysis/Rationale

This request is being considered under the procedures set forth in California Rules of Court, rule 10.502. Rule 10.502(d) contemplates that the committee will make a recommendation to the Judicial Council regarding requests for judicial sabbaticals.

Judge Kaye is currently the presiding judge of the Hollywood Mental Health Courthouse of the Superior Court of Los Angeles County and has held the assignment since February 2021. Judge Kaye states that both aspects of his proposed sabbatical relate to his current assignment, where he has incorporated aspects from other disciplines into his interactions with and supervision of mentally ill patients/defendants receiving treatment at Hollywood Mental Health Court, which is furthering their psychological stability and the prospect of their successful return to society. He has also taught principles and procedures of mental health and criminal law to graduate students, mental health professionals, and government officials, which has further enhanced his ability to connect with people in his assigned courtroom.

Judge Kaye's participation as a visiting scholar at Universidad de Granada and Universidad de Málaga will allow him to engage with Spanish law and psychology professors and judges while examining alternative approaches in addressing the mental health needs of patients/defendants and civil respondents in Hollywood Mental Health Court. He is particularly interested in examining the role of the judge in the mental health context, as he believes Spanish judges play a more active, investigative role in court proceedings compared to the more arbitral role of judges in the United States. Further, Judge Kaye states that Spanish criminal law appears to emphasize mitigation of criminal liability based on mental illness to a greater degree than United States courts, with significant commonalities. His hope is that through his exposure to the Spanish judicial system's approach to mental illness and criminality, he will learn whether its

policies and procedures might be more efficient or insightful in certain aspects than those of the U.S. system.

Judge Kaye states that examining human nature through a different lens can only enhance his effectiveness and flexibility as both a lawyer and a bench officer. He believes exposure to this legal approach in Spain would further his goal of thinking outside the box when it comes to the role a defendant's mental illness has in mitigating their criminal liability.

Policy implications

Rule 10.502(b) outlines the eligibility requirements for an unpaid sabbatical under Government Code section 68554. Judge Kaye's sabbatical proposal contains all the documentation required by rule 10.502. His application letter (Attachment A) elaborates how his study on criminal law, as practiced in Bhutan, led to benefits to the administration of justice in California and enhanced his perspective and approach as a judge in Hollywood Mental Health Court. Presiding Judge Sergio C. Tapia II of the Superior Court of Los Angeles County has written a letter of support for Judge Kaye's sabbatical (Attachment B).

Comments

Presiding Judge Tapia is supportive of the sabbatical request and states that he also believes that this sabbatical will enhance Judge Kaye's performance and benefit the administration of justice in their court. He adds that if the request is approved, the court will work to arrange coverage for Judge Kaye's assigned courtroom.

Alternatives considered

There were no alternatives proposed for this recommendation.

Fiscal and Operational Impacts

There is no fiscal impact. If the unpaid sabbatical leave is approved, Judge Kaye will draw no salary during his sabbatical. His period of absence will not count as service toward retirement.

Attachments

1. Attachment A: Application for Unpaid Sabbatical Leave
2. Attachment B: Letter From Presiding Judge Sergio C. Tapia II
3. Attachment C: Invitation from Universidad de Granada
4. Attachment D: Invitation from Universidad de Málaga
5. Attachment E: Curriculum Vitae, Ronald Owen Kaye
6. Attachment F: Antoine Abou-Diwan, "LA judge to be honored for humanizing the court experience," *Los Angeles Daily Journal* (Feb. 4, 2025)
7. Attachment G: Certificate of Completion of Mental Health Diversion

8. Attachment H: Joe Garcia, “Inside LA’s mental health court: Meth, homelessness and the judge who wants to help,” *CalMatters* (Apr. 23, 2025)
9. Attachment I: Ronald Kaye, “Criminal Justice in Bhutan,” *UCLA Law Magazine* (Fall/Winter 2000–2001)

To: Shelley Curran, Administrative Director
Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102

From: Judge Ronald Owen Kaye

Re: Application of Judge Ronald Owen Kaye for Unpaid Sabbatical Leave (California Rule of Court 10.502) in Granada and Malaga, Spain from August 24, 2026, to January 8, 2027, Returning the Hollywood Mental Health Court on January 11, 2027

Date: August 11, 2025

I. Introduction and Proposed Sabbatical

I hereby submit this application for sabbatical leave from the Los Angeles County Superior Court for the purpose of: 1) meeting with experts, observing judicial proceedings and engaging in research focusing on the impact of mental illness as a basis for mitigation from criminal liability within the Spanish criminal justice system; and 2) participate as a visiting scholar at the Universidad de Granada and the Universidad de Malaga, through their respective law schools, meeting with and presenting lectures to the students and faculty on multiple areas of United States and California civil and criminal law. The substance of the proposed sabbatical corresponds with the Letters of Invitation as a visiting scholar I have received from the Universidad de Granada and Universidad de Malaga. *See* Exhibit A, Letter of Invitation of Professor Jose Antonio Diaz Cabiale, Secretary of the School of Law of the Universidad de Granada, and Exhibit B, Letter of Invitation of Professor Yolanda De Lucchi, Professor of Procedural Law of the Universidad de Malaga.¹

As demonstrated below, both aspects of my proposed sabbatical correspond to my assignment in the Hollywood Mental Health Court for the last four and one half years where I have: 1) incorporated aspects from other disciplines into my interaction with and supervision of mentally ill patients / defendants receiving treatment at the Hollywood Mental Health Court, thereby furthering their psychological stability and the prospect of their successful return to society; and 2) taught principles and procedures of mental health and criminal law to non-lawyers (i.e., undergraduate and graduate students, mental health professionals, government officials and members of law enforcement) which has further enhanced my communication skills and my ability to connect with people in my assigned courtroom. Consequently, both aspects of my proposed sabbatical will benefit the

¹ My primary location for lecturing and research will be out of the Universidad de Granada, where I have engaged with multiple professors from both the legal and psychology schools. However, based on the request of Professor Lucchi from Universidad de Malaga, I have agreed – if my sabbatical is approved – to provide guest lectures at that academic institution as well.

administration of justice overall and the performance of my duties on the Mental Health Court.

Attached hereto at Exhibit C is the correspondence of Judge Sergio C. Tapia II, Presiding Judge of the Los Angeles County Superior Court, approving my proposed sabbatical request, including the reasons for the approval. *See* Rule 10.502(c)(2)(C).

Both the Universidad de Granada and the Universidad de Malaga have advised me that there will be no compensation for my service, and I certify that I will not receive compensation for activities performed during the proposed sabbatical leave pursuant to Rule 10.502(g).

On completion of the sabbatical leave, I pledge to submit a report in writing to the Judicial Counsel setting forth how the sabbatical leave has benefited and will continue to benefit the administration of justice in California along with its effect on the performance of my duties as a judicial officer.

II. My Background

After graduating from UCLA Law School, in 1990 I began my legal career as a staff attorney for the Central American Refugee Center representing victims of persecution in El Salvador and Guatemala. After finishing a year trying political asylum claims, I then fulfilled my prior commitment to the law firm of Heller, Ehrman, White and McAuliffe and worked as an associate, but in 1992, I shifted careers and joined the Legal Aid Foundation of Los Angeles, focusing on the representation of individuals who were victims of home equity fraud. After trying multiple home equity fraud cases in Los Angeles Superior Court, in 1995 I became a Deputy Federal Public Defender for the Office of the Federal Public Defender, Central District of California, representing criminal defendants charged with federal criminal offenses. I continued in that position until 2003, at which time I co-founded Kaye, McLane, Bednarski & Litt, a firm which specialized in plaintiffs' civil rights litigation and criminal defense. In that position, I sought relief for my clients against municipalities for unconstitutional and wrongful imprisonment, failure to receive adequate medical and mental health care while in custody and being subjected to excessive force.

My current resume is attached hereto at Exhibit D.

In 2020, after a 30-year career as a litigator – primarily in the areas of civil rights and criminal defense – with the encouragement of several mentors on the Los Angeles Superior Court bench, I submitted my application to the Governor to be a judge. My goal was to use my extensive experience working with clients in difficult cases, my commitment to due process, and my diverse experience in litigation in the furtherance of justice in this new and important role as a judge on the Los Angeles Superior Court. I also wanted to return to an

environment where I had more frequent interaction with litigants – something which was more common before I went into private practice – and as a judge, to try and humanize their experience and be present for them in the courtroom setting. Fortunately, I received notice of my appointment from the Governor’s Secretary of Appointments, Justice Martin Jenkins, on November 13, 2020.

Presently, my wife and I just celebrated our 28th wedding anniversary and finally are “empty nesters,” with my daughter having graduated college last year and my son having done so in May. We travel, hike in the mountains and are proud “parents” of our Staffordshire Bull Terrier named Lola (often mistakenly called a pit bull), who was adopted from the Paws for Life program out of Vacaville State Prison.

III. My Examination of How Mental Illness is Addressed in the Spanish Criminal Justice System Will Benefit the Administration of Justice and the Enhancement of the Performance of My Duties as a Judicial Officer in the Hollywood Mental Health Court

A. My Background in the Hollywood Mental Health Court Presiding Over the Treatment of Mentally Ill Defendants

The Los Angeles Superior Court assigned me to Department 213 of the Hollywood Mental Health Court in February of 2021, three months after Governor Newsom appointed me to the bench. I have remained at this assignment to the date of the filing of this application for sabbatical, and I intend to return to this assignment if this application is approved.

I preside over a significant caseload – approximately 50 cases per day – where psychiatrists and psychologists assess whether defendants are competent to stand trial under PC §1368 et seq. If the defendant is found incompetent, criminal proceedings are suspended and either restoration to competency is attempted, mental health diversion is granted, or an LPS conservatorship is filed based on the defendant / patient being deemed gravely disabled. I also preside over civil commitments for individuals no longer in the criminal justice system, but who are subject to petitions which generally place them in a locked State Hospital based on the finding that they are a danger to society, e.g. Murphy Conservatorships under WIC § 5308(h)(1)(B). In both contexts, placement into the least restrictive treatment facility is a priority. Further, in both contexts I preside over jury and bench trials.

The cases brought before this court stem from minor misdemeanor violations of municipal codes (e.g. vagrancy) to capital murder. Essentially, all cases require the balancing of three distinct variables: obtaining the appropriate treatment for the defendant / patient or civil respondent, attention to the individual’s liberty interest, and the need to protect the community. Fortuitously, this assignment coincides with my previous civil rights practice

prior to my appointment to the bench, where I filed multiple lawsuits against municipalities for failing to provide adequate mental health care for people in custody.

The patients / defendants and civil respondents in our court overwhelmingly suffer from extreme psychotic disorders: schizophrenia, bipolar disorder or schizoaffective disorder, but many also have developmental disabilities. A great percentage of the defendants / patients have been unhoused for lengthy periods of time and also suffer from substance abuse disorders. As such, tailoring treatment plans and housing in order to maintain the three overriding principles – treatment, liberty and protecting the community – has been fundamental to my assignment.

1. My Experience Incorporating Outside Influences and Practices into my Courtroom

As I grew into my assignment, I made significant efforts to “think outside the box;” adopting novel practices and procedures in order to humanize the court experience and connect with the mentally ill patients / defendants or respondents, with the hope of enhancing the likelihood that they will embrace their treatment, but always prioritizing the goal of protecting the community and the patient / defendant in the future. For example:

- Off the bench, I have been attending graduations of inmates serving sentences inside Lancaster State Prison to celebrate their successful completion of classes on: emotional intelligence, gang members anonymous, and preparation for the Parole Board.² Universally, this was the first time any of these graduates ever engaged with a sitting judge outside the courtroom. During the ceremony I distribute certificates of completion to the graduates and witnessed the pride and sense of accomplishment they exhibited.

With this experience, and for the first time in the Los Angeles Mental Health Court’s history, I began the practice of setting “graduations” for defendants who complete Mental Health Diversion under PC §1001.36, distributing certificates of completion as a tangible statement of the patient / defendant’s accomplishment. The pride which the patient / defendant, their clinicians and at times, their families share at these

² My attendance at the graduations in Lancaster State Prison stems from a program I initiated in my courtroom for individuals on parole who recently were released from prison. Overwhelmingly, it is the first time each person has been in a courtroom for decades, and the first time entering through the front door in civilian clothes – not in a jumpsuit and not through a tunnel escorted by a deputy sheriff. The previously incarcerated individuals share stories with me – a sitting judge – about the anxiety they felt coming into the courthouse, the trauma they previously suffered in the courtroom, what their hopes and dreams are for the future, and the liberating experience of sharing with and being welcomed by a judge in a courtroom setting. *See* Exhibit E, Antoine Abou-Diwan, “LA judge to be honored for humanizing the court experience,” Los Angeles Daily Journal, February 4, 2025.

graduations is profound. *See* Exhibit F, Certificate of Completion of Mental Health Diversion.

- On the bench I take great effort to personally engage with the patients / defendants in the Hollywood Mental Health Court, referencing diverse aspects of their lives during their periodic progress appearances. For example, I highlight their reunification with their children, their period of sobriety, their receipt of their high school or college degrees, their exploration of music and art, and their practice of mindfulness and meditation – all while under Mental Health Court supervision. I am confident that my personal engagement has enhanced their connection with the Court, and their commitment to their treatment plan. *See*, Exhibit G, Joe Garcia “Inside LA’s mental health court: “Meth, homelessness and the judge who wants to help” CalMatters, April 23, 2025.

Although I was inclined to try to more humanize the court experience for the patients / defendants from the beginning of my assignment to the Mental Health Court, this motivation was further bolstered by my examination of the work done with mentally ill patients by Franco Basaglia, a psychiatrist and neurologist based out of Trieste, Italy. In the 1970s in Trieste, the government moved away from institutionalization of the mentally ill towards a system centered on community mental health centers, social enterprises, and supportive housing. The model emphasizes treating individuals with dignity and respect, fostering their recovery and their integration into the community. The Trieste method of direct, personal engagement with the mentally ill patient has been called “radical hospitality,” and I have incorporated this approach into my engagement with patients / defendants and civil respondents, particularly in my supervision of their Mental Health Diversion.

- Methamphetamine abuse is pervasive for unhoused people in Los Angeles suffering from psychotic disorders, and it profoundly interferes with patients / defendants’ treatment at residential facilities during their period of Mental Health Diversion. After connecting with leaders in the field of substance abuse treatment at the Forensic Mental Health Association of California’s 2024 conference, I learned about the Contingency Management approach to treatment as being one of the most effective means of addressing methamphetamine addiction. This approach encourages sobriety by providing tangible incentives to methamphetamine addicts to refrain from using, e.g., by providing gift cards. Individuals who test negative and continue to participate in treatment receive periodic rewards for their success. My understanding is that data assessment of this approach demonstrates it is by far the most successful intervention for methamphetamine abuse available.

Consequently, after meeting with leaders and further researching contingency management, I encouraged attorneys assigned to my courtroom to pursue this avenue of treatment and I have connected patients / defendants to resources in Los Angeles County which provide this treatment. The results of this approach have been very positive. It is noteworthy that the Los Angeles County Office of Diversion and Reentry has recently incorporated Contingency Management treatment into their Mental Health Diversion protocol.

B. My Examination of How the Spanish Criminal Justice System Addresses Mental Illness as a Basis for Mitigation of Criminal Liability Will Expose Me to a Different Approach of Addressing Mental Illness in the California Criminal Justice System

Consistent with the examples highlighted above, through engagement with Spanish law school professors, psychology professors and Spanish judges, along with my observation of court proceedings, I hope to examine and perhaps adopt alternative approaches in addressing mental health needs of the patients / defendants and civil respondents in the Hollywood Mental Health Court. First, it will be particularly interesting to examine the role of the judge in the mental health context, as Spanish judges play a more active, investigative role in court proceedings, particularly in criminal cases, compared to the more passive, arbiter role of judges in the United States. Spanish judges, especially investigating judges, are tasked with gathering evidence, questioning witnesses, and building their cases, in contrast to United States judges who primarily oversee the proceedings and rule on legal matters presented by opposing parties.

Further, Spanish criminal law appears to emphasize mitigation of criminal liability based on mental illness to a greater degree than in the United States courts, with significant commonalities. Spanish criminal law establishes that a person may be declared criminally liable for the actions being tried if, at the time of committing the criminal offense, they had full capacity to understand the unlawfulness of the act (cognitive capacity) as well as the capacity to direct their action in accordance with this understanding (volitional capacity). There are three levels of mental circumstances that can change criminal responsibility in Spanish law: 1) at the full degree of criminal responsibility, the understanding and will of the criminal defendant are not distorted or subject to reduction based on mental illnesses; 2) at the level of partial criminal responsibility, the person suffers or has suffered a mental alteration or illness that interferes with his or her higher mental functions, without completely annulling them; and 3) at the level of non-criminal responsibility, where the cognitive and/or volitional capacity of the defendant is annulled, and there is a perfect causal correspondence between the disorder and the crime.

Like our criminal justice system, the mental state of the defendant must be reconstructed retrospectively at the time of the crime, and the need to establish a causal nexus between the psychological disability and the crime alleged to have been committed.

However, from my review of the literature and speaking with professors in Granada and Malaga, my impression is that the impact of mental health factors in mitigating criminal liability is even more prevalent than in California. This includes taking into consideration the mitigating impact of factors such as serious addiction and a defendant's fit of rage or "blindness."

Inherent to this analysis is the need for the Spanish court, primarily through the investigating judge, to establish investigative procedures and to receive evidence and argument in support of and against such mitigation. It also requires alternative sentencing / supervision mechanisms – often in the civil context – to supervise and treat those defendants who have received such mitigation, thereby protecting the safety of the community and promoting the defendants' reentry into society in the future.

This mitigating role or a full exculpatory impact on the defendant's criminal exposure, somewhat akin to the concept of Not Guilty by Reason of Insanity pursuant to PC §1026, and Mental Health Diversion in California under PC §1001.36, are legal concepts I employ every day on the bench in Mental Health Court. My hope is that through my exposure to the Spanish judicial system's different approach to mental illness and criminality, I will learn whether their system has policies and procedures which are perhaps more efficient and/or more insightful in certain aspects than our system. If so, as referenced above, I could possibly incorporate novel procedures into my unique assignment in the Hollywood Mental Health Court.

Preliminarily, through my discussions with professors in Universidad de Granada and Universidad de Malaga, I am confident that I will be able to engage in meetings with both legal and psychology scholars who have done research in this area. Already, I have made contact with two professors who are very supportive of my proposed research and my assessment of the Spanish system regarding the treatment of the mentally ill, particularly as a sitting California Superior Court judge. I also am hopeful, with the help these connections, to meet with judges both in the local court of Granada and in the Tribunal Supremo (Supreme Court) in Madrid to discuss this issue, and I anticipate observing court proceedings and watching the application of the law firsthand.

As discussed above, my philosophy on the bench has always been to think "outside of the box" when addressing litigants in my courtroom who are receiving treatment for mental health disabilities, something which has proven to be very effective. But I have always believed that examining human nature through a "different lens" can only enhance my effectiveness and flexibility as both a lawyer and now as a bench officer. Exposure to this novel legal approach in Spain – which appears to be farther reaching than our system with regard to the role a defendant's mental illness has in mitigating his criminal liability – will further that goal.

IV. Lecturing and Meeting with Spanish Professors, Judges and Students Will Benefit the Administration of Justice and Enhancement of My Performance of My Official Duties as a Judicial Officer in the Hollywood Mental Health Court

While on the bench for the past four and a half years, I have been teaching mental health experts, law students, college students, government officials and law enforcement officers about mental health law and the Hollywood Mental Health Court. For example:

- At the request of psychiatrists on our Mental Health Expert panel, I created a seminar on criminal law for both USC and UCLA psychiatry fellows who have graduated medical school. Now in its third year, five to ten medical students attend seminar sessions discussing fundamental principles and procedures of United States and California criminal law, procedure and evidence; ultimately focusing on their work in our court as experts evaluating patients for competency and dangerousness
- I lectured at the 2025 Forensic Mental Health Association of California's annual conference to hundreds of mental health professionals reflecting the expectations of the Court – both in report writing and in testifying – in receiving mental health opinions on competency, dangerousness, grave disability and capacity for purposes of involuntary medication.
- I have been a guest lecturer for UCLA law students and USC undergraduate students on numerous occasions discussing mental health law, and also with regard to my prior civil rights practice and my transition to the bench.
- I have lectured to government officials and law enforcement officers, most recently at the Hoover Symposium at Stanford University, on mental health law, diversion, and other aspects of the Hollywood Mental Health Court.

As demonstrated in the Letters of Invitation, attached hereto at Exhibits A and B, I anticipate lecturing to students and faculty in English³ at the Universidad de Granada and Universidad de Malaga on mental health law, but also on many other aspects from my legal experience prior to being appointed to the bench – specifically criminal law and civil rights law. This includes the following topics:

1. American criminal procedure;
2. American civil procedure;
3. Fundamental aspects of criminal law pertaining to the Fifth and Sixth Amendments of the American Constitution, particularly reflecting due process;

³ I also have a solid foundation in speaking Spanish, and as such, have represented Spanish speaking clients in my prior law practice as a civil rights and criminal defense attorney.

4. Fundamental civil rights issues pertaining to equal protection, and the Civil Rights Act reflecting my experience representing individuals who were wrongfully imprisoned;
5. How American law addresses individuals with mental health maladies – including the concepts of incompetent to stand trial, not guilty by reason of insanity and civil commitments for individuals deemed a danger to society; and
6. Trial advocacy – particularly discussing the American legal system’s principle of cross-examination.

Akin to my past lecturing described above – outside of the criminal law seminar presented to USC and UCLA psychiatry fellows – I anticipate these lectures will focus on general principles of these various areas of law, but I also anticipate highlighting cases from my experience in private practice and on the bench, often referencing sections of transcripts from court proceedings, but of course not referencing any identifying information of the parties.

In my discussions with Professors Jose Antonio Diaz Cabiale and Yolanda De Lucchi, I also anticipate having regular informal “brown bag” meetings with professors and students to hash out the differences between our two legal systems, and I will create regular office hours to enable students and faculty to reach out and meet with me individually. Presently, I take great pride and interest in mentoring many law students and young lawyers – including having sworn in many new attorneys to the bar – and I find one on one and small group interaction with young lawyers very productive and satisfying. I regularly consult with young attorneys and law students about our court, my prior law practice, and their career aspirations. I find this service to individuals in the beginning of their law careers to be very satisfying, and my goal is to have a similar role, if possible, in Spain.

The vast majority of my teaching experience has focused on working with non-lawyers: psychiatrists, law students and undergraduate students, government officials and law enforcement officers. As such, I am comfortable breaking down complex legal concepts to people who are not particularly fluent in the language of the law.

Correspondingly, I also take great effort in my courtroom to simplify and explain court procedures to the patients / defendants, and also to the parents and friends who attend court proceedings. I have found that the ability to speak clearly, concretely and as simply as possible to the patients / defendants and their parents and friends who attend court appearances reduces the anxiety of the courtroom experience and provides them with realistic expectations of what will occur in the Mental Health Court proceedings.

I anticipate that teaching to and meeting with Spanish law students and faculty will further enhance my communication skills for the courtroom, breaking down United States and California legal concepts to individuals completely unfamiliar with the purpose behind

the law and the balancing of contrasting interests.⁴ This practice will inherently benefit the performance of my official duties in presiding over the Mental Health Court.

I also hope to nurture relationships with professors, students and judges in the Spanish legal system, and will invite them to visit the Los Angeles Superior Court in the future as my guest. Presently, I consistently receive representatives of other branches of the judiciary, representatives of local and statewide government, attorneys from my past civil rights and criminal law practice, and academics; all who observe the proceedings in my courtroom and who afterward discuss my approach to addressing mental health and criminal justice issues in Los Angeles. Hopefully, I can engender a similar relationship with individuals from my sabbatical in Spain to also be my guests in our courtroom and be able to present our unique, compelling and critical area of the law to them.

V. After I Return from Sabbatical, I Intend to Share My Knowledge and Experiences with Our Court and Other Courts throughout California

Since being appointed to the bench, I have made it a priority to reach out to my fellow judges about the programs I employ in my courtroom:

First, after I initiated the in-court program for previously incarcerated individuals reentering society, in September of 2021 I gave a presentation to members of the Los Angeles Superior Court judiciary about the Anti-Recidivism Coalition, a state wide group, of which I previously was a Board member, which provides treatment, housing and community for people reentering society from prison after being granted parole. Several criminal judges advised me that they were going to make referrals to this program to defendants in their courts in post-conviction matters.

Second, in September of 2024 at the California Judges Association annual conference in San Jose, I facilitated a panel about the importance for members of the bench to personally engage with criminal defendants by treating them with respect in the courtroom, rather than simply as cases on the docket. I brought two men with me to speak at the conference session – one who served 42 years in prison after being convicted at 17 years old, and the other who served 25 years who came from a particularly dysfunctional family background. Both men explained the alienation they felt in the courtroom, the failure to even be addressed personally by the judge, specifically highlighting how the judges in their cases failed to treat them with humanity. Both men further described how they have been thriving and

⁴ For example, in my criminal law seminar with USC and UCLA Psychiatry Fellows, I begin my first lecture with the goals of protecting individual liberties preserved through the Fifth, Sixth and Fourteenth Amendments juxtaposed with protecting the safety of the community, a philosophical and political tension they generally have not thought about.

productive in society since they had been released on parole. After the presentation, we sat for a lengthy period with multiple judges from the audience discussing the importance of how they treat criminal defendants in court proceedings – beyond the law, beyond the sentence imposed – and how by doing so, the system of justice is benefitted.

Finally, I have reached out and created relationships with other judges on the California Judges Association Mental Health Committee – of which I’m a member – and have been on panels with Mental Health judges from San Francisco Superior Court, collaborating about the commonalities and differences in our approaches.

My hope is to return to the California judiciary after the proposed sabbatical and use the information I have learned to inspire other judges about different approaches / different lenses to address mental health disabilities and its impact on criminal liability in California.

VI. Conclusion

I view this proposed sabbatical as a unique opportunity to enhance my skills and insight as a bench officer in the Hollywood Mental Health Court, thereby benefitting my performance on the bench as well as the administration of justice. I anticipate that being an astute observer of another culture’s efforts to address mental illness – a critically important component for the fair administration of justice – will give me greater wisdom for my own decision making. I also look forward to being an “ambassador” of our California legal system, sharing my legal experience as a bench officer and previously as an attorney with Spanish students, professors and judges through lectures and meetings. I envision this opportunity as a wonderful exchange of knowledge through my immersion into another legal culture as well as my ability to share insights from our legal system, which I have been so fortunate to have participated in from a variety of positions.

I had the opportunity to take advantage of a similar exchange with lawyers and judges from another culture many years ago, where I experienced first-hand the profound benefits of such an exchange as a criminal defense attorney. In the year 2000, as a Deputy Federal Public Defender in the Central District of California, I was very fortunate to have been granted a leave of absence to teach a seminar on United States criminal law to members of the judiciary of the Kingdom of Bhutan. *See Exhibit H, Ronald Kaye “Criminal Justice in Bhutan,” UCLA Law Magazine Fall/Winter 2000-2001.* Although my role primary was that of an instructor, I was exposed to an entirely new perspective through my engaging with experts on Bhutanese jurisprudence, and particularly criminal law. I was very much mentored by the then Chief Justice of Bhutan, Sonam Tobgye, who I keep in touch with to this day and discuss aspects of the law. While engaging with members of the Bhutanese judiciary I was immersed into their criminal justice mindset, which is heavily influence by the Buddhist principles of impermanence and change: specifically, that a criminal

defendant's likelihood of recidivism and his anti-social personality will most likely inevitably transform; that it is not a static characteristic.

When I returned to Los Angeles after my time in Bhutan, I resumed my position as a Deputy Federal Public Defender, but I truly understood that my perspective had been enhanced by being immersed into the Bhutanese legal system and this concept of change. Although not overt, I believe I incorporated this concept of the possibility of change into my consciousness and it manifest in my sentencing arguments on behalf of my clients – criminal defendants facing prison sentences in federal custody.

Twenty-five years later, I similarly believe that my proposed immersion into the Spanish criminal justice system and its treatment of patients / defendants suffering from mental illness, along with my engagement with Spanish academics, students and judges, will enhance my perspective and broaden my approach as a judge in the Hollywood Mental Health Court when I return from this proposed sabbatical.



The Superior Court

111 NORTH HILL STREET
LOS ANGELES, CALIFORNIA 90012
CHAMBERS OF
SERGIO C. TAPIA II
PRESIDING JUDGE

TELEPHONE
(213) 633-0400

August 8, 2025

Shelley Curran, Administrative Director
Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102

Re: Judicial Sabbatical for Judge Ronald Owen Kaye from August 26, 2026, to January 8, 2027

Dear Ms. Curran:

I am writing to inform you that I have approved Judge Ronald Owen Kaye's request to apply for an unpaid judicial sabbatical in accordance with California Rules of Court, rule 10.502, and Government Code section 68554. If the Executive and Planning Committee of the Judicial Council recommends granting his sabbatical request and the Judicial Council approves it, Judge Kaye will be absent from the Superior Court of Los Angeles County from August 24, 2026, to January 8, 2027.

During this period, Judge Kaye will serve as a visiting scholar at the University of Granada and the University of Malaga in Spain. He plans to examine how the Spanish legal system addresses criminal liability in cases where the accused has a mental illness. Additionally, he will be lecturing to Spanish legal scholars, judges, and law students on topics related to California and federal law, drawing on his prior law practice and judicial experience. He has assured me that his work during the sabbatical will comply with the Canons of the California Code of Judicial Ethics.

For the past four and a half years, Judge Kaye has presided in one of our Mental Health Courts, where he has worked with individuals deemed incompetent to stand trial due to mental health disabilities. Judge Kaye believes that this proposed sabbatical will enable him to return with a comparative analysis in this area, enriching the work of the Mental Health Court while also fostering outreach and relationship-building for the California court system. I share Judge Kaye's belief that this sabbatical will enhance his performance and benefit the administration of justice in our court. If Judge Kaye's absence is approved, we will work to arrange coverage for his assigned courtroom.

Sincerely,

A handwritten signature in black ink that reads "Sergio C. Tapia II". The signature is fluid and cursive, with a large, stylized "S" at the beginning.

SERGIO C. TAPIA II
Presiding Judge

c: Hon. Ricardo R. Ocampo, Assistant Presiding Judge
Hon. Ronald Owen Kaye, Judge of the Los Angeles Superior Court



UNIVERSIDAD DE GRANADA

Dear Judge Kaye:

On behalf of the Faculty of Law at the Universidad de Granada, I would like to offer you a position as a visiting scholar for the autumn semester of 2026, from September to January, 2027. This would be an unpaid position.

With your background in both American criminal law and civil rights law and your experience adjudicating both criminal and civil matters involving individuals with mental health disabilities as a judge in the Los Angeles Mental Health Court, we anticipate you will be a great addition to both the faculty and the students at the University.

I have discussed your interest in learning about the impact of a defendant's mental illness on addressing criminal responsibility in the Spanish criminal justice system with our faculty and we will be able to facilitate meetings with experts in criminology, legal procedure and psychology. This includes Professor Manuel Gabriel Jimenez Torres, who has engaged in extensive research on this topic within the Department of Personality, Evaluation and Psychological Treatment, and Professor / Secretary Jesus Barquin Sanz of Institute of Criminology. We will also act as a liaison for you to meet with Spanish judges, both in Granada and in the Supreme Court in Madrid, to discuss this compelling area of the law.

In addition, pursuant to our discussions, we envision that you would lecture throughout your stay with the Universidad de Granada. Topics we hope you can address are:

1. American criminal procedure.
2. American civil procedure.

3. Fundamental aspects of criminal law pertaining to the Fifth and Sixth Amendments of the American Constitution, particularly reflecting due process.
4. Fundamental civil rights issues pertaining to equal protection, and the Civil Rights Act reflecting your experience representing individuals who were wrongfully imprisoned.
5. How American law addresses individuals with mental health maladies - including the concepts of incompetent to stand trial and civil commitments for individuals deemed a danger to society; and
6. Trial advocacy - particularly discussing the American legal system's principle of cross-examination.

We anticipate that your lectures will be presented in English, as our students uniformly have a sufficient mastery of English to fully participate in the lectures.

We are very excited to have you collaborate with the faculty and the students at the Universidad de Granada in the autumn semester of 2026. This is a novel opportunity for our University to learn from a Judge from the United States, who also has extensive experience as an attorney in both criminal and civil rights law. We anticipate you will be a rich addition to our University.

Sincerely,

José Antonio Díaz Cabiale
SECRETARIO
DEL DEPARTAMENTO
DE DERECHO PROCESAL Y DERECHO ECLESIASTICO DEL ESTADO

Jose Antonio
Diaz Cabiale

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Jose Antonio Diaz Cabiale
Fecha: 2025.04.14
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Granada 14 de abril de 2025



Málaga, January, 16th 2025

Dear Judge Kaye,

It was a pleasure meeting with you and discussing your work in the Los Angeles Superior Court. On behalf of the Universidad de Malaga, we would like to offer you the position of visiting scholar for the semester starting September of 2026, completing by the end of the year, 2026. As I discussed with both you and my colleague Professor Diaz Cabale, as you will be residing in Granada and your principle responsibilities will be with the Universidad de Granada, you have agreed to travel to Malaga multiple times during the semester to provide lectures to students and faculty about the criminal justice system of the United States and the application of criminal law on people with mental illnesses.

The topics you shared from your outline of the criminal law seminar you teach in Los Angeles to forensic psychiatry fellows would be a wonderful addition to our law students' education, as it contrasts dramatically from our system. I discussed it with fellow faculty members and we are very excited to have you share your knowledge and experience.

Finally, as we discussed, there would be no compensation or salary for you, as there are no such funds available. We very much appreciate that you have considered donating your time to the Universidad without payment.

I very much look forward to collaborating with you in the future

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Yolanda De Lucchi
Full Professor in Procedural Law
University of Málaga

Ronald Owen Kaye

Telephone: [REDACTED]

Email: [REDACTED]

Education

1983 B.A. UCLA – Magna Cum Laude, Phi Beta Kappa

1989 J.D. UCLA School of Law

1989 M.A. UCLA Graduate School of Urban Planning

Professional

- Los Angeles County Superior Court – Hollywood Mental Health Courthouse (February 2021 to the present)
Superior Court Judge presiding over all proceedings, including jury and bench trials related to: Competency under PC§1368; Civil Commitments pursuant to PC §§2970 and 1026.5, WIC §§5008(h)(1)(B) and 6500; and evidentiary hearings pertaining to Petitions for Involuntary Hospitalization pursuant to WIC §5250. Created and administer a program where individuals released from prison engage in court with a sitting bench officer and discuss their reentry into society.
- Kaye, McLane, Bednarski LLP – Kaye, McLane, Bednarski & Litt, LLP (2003 to the 2020)
Founder and Equity Partner – Lead counsel for plaintiffs in federal civil rights litigation against government entities claiming wrongful imprisonment, excessive force, and deprivation of constitutionally mandated mental health and medical care in custody; Criminal defense counsel in both federal and California courts representing individuals charged with white collar crimes, espionage, computer crimes and crimes against individuals.
- Federal Public Defender in the Central District of California (1995 to 2003)
Deputy Federal Public Defender – Represented defendants in all aspects of litigation in federal criminal proceedings in the Central District of California. Practice consisted of extensive trial, motions, and sentencing work before the Federal District Court; and appellate advocacy before the Ninth Circuit Court of Appeals.
- Legal Aid Foundation of Los Angeles (1992 to 1995)
Staff Attorney – Represented victims of home equity fraud – illegal foreclosures and contractor fraud, and “individual rights cases” – victims of crime before the California Board of Control and individuals convicted of misdemeanor crimes in their expungement proceedings. Practice consisted of full responsibility in all aspects of litigation and negotiation on behalf of indigent clients.

- Heller, Ehrman, White & McAuliffe (1991 to 1992)
Associate - Engaged in research, drafted memoranda, wrote letters, and argued before administrative bodies in the areas of hazardous waste litigation and land use; counseled Central American Refugees on their political asylum claims; interviewed witnesses and performed research for the Christopher Commission, tasked with producing a report analyzing unconstitutional practices of the Los Angeles Police Department.
- Central American Refugee Center - CARECEN (1990 to 1991)
Staff Attorney - Directed the legal department in the representation of refugees in their political asylum claims in the United States. Argued for relief before the Immigration Court; wrote appeal briefs for the Board of Immigration Appeals; supervised volunteer attorneys on pro bono work; headed a legal delegation to El Salvador investigating the murder of the Salvadoran Jesuit priests killed at the Jesuit University by the Salvadoran military on November 16, 1989.

Teaching Experience & Other Legal Experience:

- Presently Teaching Criminal Law Seminars to Forensic Psychiatry Fellows from USC and UCLA Medical Schools
- Member of the Mental Health Committee of the California Judges Association
- Previously Board Member and Presently Advisory Board Member of the Anti-Recidivism Coalition
- Advisory Board Member of the Loyola Law School Center for Juvenile Law & Policy
- Taught Seminar in U.S. Criminal Law – Judiciary of the Kingdom of Bhutan – 2000
- President of Los Angeles Chapter of National Lawyers Guild – 1995
- Led Fact Finding Delegation to El Salvador Investigating Murder of the Jesuit Priests – 1990
- Teaching Assistant in UCLA Undergraduate Legal Communication Course – 1986-1988

Honors and Awards

2025 The Criminal Courts Bar of Los Angeles Outstanding Community Service Award
 2019 Daily Journal Top 100 Lawyers in California
 2016 The Criminal Courts Bar of Los Angeles Johnnie Cochran Memorial Award
 2015 The ACLU of Southern California Prisoners' Rights Award
 2015 The National Lawyers Guild Honoree
 2014 Daily Journal Top 100 Lawyers in California
 2010 Daily Journal Top 100 Lawyers in California
 2010 California Lawyer Magazine - Attorney of the Year Award (CLAY)
 2009-2020 Listed as a California "Super Lawyer"
 1989 Fulbright Fellowship Grantee

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LA judge to be honored for humanizing the court experience

By Antoine Abou-Diwan
Daily Journal Staff writer

Vance Harris is filing his first ever tax return this year. It's one of many firsts for the 33-year-old.

"I'm not going through life as a traditional adult person would," Harris said. "From losing my job and filing for unemployment – it's the first year I'm doing taxes – it's the nerve-wracking. There are things you second-guess and overthink."

Harris is a bus driver for the Los Angeles County Metropolitan

Transportation Authority. He got a late start on conventional adult life because he was imprisoned from age 18 to 32 for carjacking, he said. He was released in March 2023 to a halfway house and has been trying to adjust to daily life ever since. Key to that are efforts by Los Angeles County Superior Court Judge Ronald Owen Kaye.

Gov. Gavin Newsom appointed Kaye to the Los Angeles County Superior Court in 2020. Kaye was placed in the mental health court

in Hollywood. That assignment, he said, was fortuitous, because it balances the protection of society and defendants, many of whom struggle with schizophrenia and other mental disorders. It also meshes with his decades of civil rights work and criminal defense.

"When I was first appointed to bench, the first month I went on retreat with people returning to society. It was my son, me and about 30 former inmates in the wilderness, in the mountains," Kaye said. "Ev-

erybody went around in a circle and talked about what it was like to be back, how they were dealing with trauma."

One of the men on that trip was locked up in the supermax Pelican Bay State Prison for 30 years, Kaye said. The judge said he did not recall the crime for which the man was imprisoned.

"He started crying. He said, 'I can't believe a judge is treating me with humanity and addressing me as a person,'" Kaye said.

That trip inspired Kaye. He currently works with the Anti-Recidivism Coalition, whose formerly incarcerated members visit his court twice per month. Unlike their past experiences with the court system, they enter the building through the front door, go through security like the public, and observe the proceedings from the gallery. When Kaye is done with his calendar, he stops to talk with his visitors.

"They have never been addressed

See Page 4 — LA

LA Judge Ronald Kaye to be honored for humanizing court experience

Continued from page 1

in a positive way by sheriff's deputies," Kaye said. "They watch litigation."

They watch mental health court. They're basically taken aback. They talk about what it was like engaging with their case. They talk about their hopes for the future."

Kaye said he also has talked informally with other judges about what it means for defendants to be treated as human beings, without impacting their sentences.

Harris said he was arrested after he stole a car in Northridge. One of his charges was attempted murder, which he beat at trial.

"As a defendant, I did not feel I was innocent until proven guilty. I did

what I did. I'm not trying to downplay it," Harris said.

"But how you get treated [in court] is so nasty," Harris continued. "You get treated as if you're invisible. They talk to the attorney and the DA. There is no acknowledgement of you. The only time you speak is when you say what is your plea."

Kaye's interaction with former inmates is "heart-warming," Harris said. "When you're in the system you're a number. It doesn't matter if you're there for murder or petty theft. Judge Kaye pays attention to details. He asks you, 'How are you? How are you feeling?'"

That work is why the Criminal Courts Bar Association of Los An-

geles will give Kaye an award for outstanding community service in April.

"The award is usually given to a lawyer. It is given to somebody that does a great job but is willing to go outside the legal profession to do community service work," said the association's executive director, Christopher Chaney.

"He goes above and beyond being a judge," Chaney said about Kaye.

"He goes to different prisons and counsels people on mental health issues. He's a very active man outside being a judge, and where he's a judge is very difficult, with long calendars, lots of people."



Judge Ronald Owen Kaye

antoine_abou-diwan@dailyjournal.com

Certificate of Completion

THIS IS TO CERTIFY THAT

Has successfully completed the
Office of Diversion and Reentry Program



Ronald Owen Kaye
Los Angeles Superior Court Judge

Date



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MENTAL HEALTH

Inside LA's mental health court: Meth, homelessness and the judge who wants to help



BY JOE GARCIA
APRIL 23, 2025

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Los Angeles County Superior Court Judge Ronald Owen Kaye in his office at the Hollywood Courthouse in Los Angeles on March 12, 2025. Photo by Jules Hotz for CalMatters

IN SUMMARY

Addiction and homelessness are a constant presence in L.A.'s mental health court. Its judge wants defendants to "feel like someone who's deep in the system of power cares about them."

In a Hollywood courtroom, prosecutor and defense attorney both asserted their positions on how to best administer justice to the man appearing before them in shackled restraints. Judge Ronald Owen Kaye surveyed documents on his computer, then looked over his eyeglasses from person to person.

"We've got quite a lot going on here," Kaye said that day in February. He then turned his focus squarely to the defendant. With a state-appointed psychiatrist's evaluation now on file, the judge wanted to discuss next steps. "I'd like to hear where you stand on all this, sir. Let's talk turkey."

"I'm sorry, your Honor," responded the man in earnest. "I wasn't planning on having turkey for lunch. I was kinda hoping for tuna."

With a gentle smile, Kaye removed his glasses and patiently explained to the troubled defendant how the turn-of-phrase simply meant it was time to get to business. In Kaye's Los Angeles Superior Court, that business often entails balancing criminal justice with appropriate [mental health](#) care needs to address both public safety and individual accountability.

When a criminal defendant's mental competency to stand trial is at issue, their case will get redirected to a handful of courtrooms like Kaye's. In partnership with [L.A. County's Office of Diversion and Reentry](#), these mental health courts can also further assess the alleged offenders for treatment and housing placement.

Defendants appear before Judge Kaye via different means. Many are transported from L.A. County Jail, shackled and ushered into the courtroom by sheriff's deputies. They often stand disheveled, maybe aloof or hypervigilant, lucid or confused, bouncy or somber.



Los Angeles County Superior Court's Hollywood Courthouse on March 12, 2025. Photo by Jules Hotz for CalMatters

Others appear remotely from two video monitors live streamed from county and state facilities. Some even enter the building through the front door on their own volition.

In March, one defendant nodded and stared unblinking through the video screens as his public defender told the court his client was ready to accept treatment and be transferred from county jail to a state hospital.

“Is that what you want, sir?” said Kaye. “We want to get you out of that locked box as soon as possible and get you where you can get help, but I need to hear it from you.”

“I want to go home,” the man said, his body tense as he leaned closer to the camera in distress. “I want to go home.”

Both Kaye and the public defender explained to him that being released was not an option. Either the court would find him incompetent and place him in hospitalized custody — or if he was found competent, he would

stand trial in a criminal court and face his felony charges.

“I want to go to trial so I can go home,” the man continued.

“Sir, in this court you absolutely have the right to a trial to determine mental competency,” Judge Kaye assured him. “But your attorney and the prosecutor have agreed in the best interests of justice to get you treatment at the state hospital. You don’t want that?”

The man’s wild-eyed expression told the story of his incompetence. “Yes, I want to go home.”

Judge Kaye postponed a ruling for 30 days. “Talk to your client,” he said to the defender. “But if he says he wants a trial here, we’ll have to honor that.”

On a Friday in February, a woman appeared on the monitors from a treatment facility, with a clinician beside her raving about her steady improvement over the last six months. She smiled and waved as Kaye listened to her positive evaluation report.

“We are all so happy to see you doing so well,” Kaye said. “Just continue on this path and you’ll be back with your family, okay?”

“Yes, judge,” she said. “Thank you for changing my life.” Like many people receiving services through the Office of Diversion and Reentry, she found stable mental health care through the court’s ability to offer and monitor residential housing and treatment.

“No, no,” he said. “You’re the one working to get yourself better. Keep it up.”

Kaye’s path to mental health court

A former legal aid attorney, federal public defender and [civil rights attorney](#) who’d [filed multiple lawsuits against the county](#) for deprivation of mental health care, Kaye suddenly found himself assigned to the mental health court soon after Gov. Gavin Newsom appointed him to the bench in 2020.

“I really didn’t know what to expect, but I did know from my prior civil rights practice a bit about the lack of mental health care in Los Angeles County,” said Kaye. “So I felt how fortuitous that somebody like me would have the authority to assure that, as much as possible, quality care is provided.”

Attachment H
“I’m always balancing these issues of liberty — people’s freedom; and treatment — getting them quality of care; and making sure the community is safe. That’s essentially what I do in virtually every aspect of my job.”



First: Los Angeles County Superior Court Judge Ronald Owen Kaye at the Hollywood Courthouse. **Last:** A 2004 article from the Los Angeles Times on display in Kaye’s office, on March 12, 2025. Photos by Jules Hotz for CalMatters

Kaye said that the last handful of years on the bench have opened his eyes to the ravaging toll methamphetamine abuse extracts on a person’s long-term mental health. “I also never knew firsthand the level of methamphetamine abuse that is just plaguing the homeless and the mentally ill community, and how profoundly difficult methamphetamine is as a drug to kick,” he said.

He has also been struck by the effectiveness of psychotropic medications. “I had no idea of how they can interrupt delusional thinking and give a person a level of stability,” he said. “With the right care and the right psychotropic medications, I’ve seen miracles happen.”

Attachment H
Where the circumstances merit intervention and housing, Kaye tries to look at a person's full history and make a positive impact on their lives. But it's complicated, particularly when he encounters people who've been in and out of the criminal justice and mental health systems for years or even decades.

"I deal with chronic homelessness, chronic mental illness, and drug abuse," he said. "The drug abuse is often a manifestation of the mental illness because they're engaged in self-medication — and that all manifests in criminal conduct."

Launched in 2015, L.A.'s Diversion and Reentry services have helped more than 13,000 incarcerated persons with diagnosed mental health disorders transition successfully out of county jail. The program currently handles over 2,500 participants in residential housing treatment, with roughly 1,400 in permanent supportive housing.

California's Department of State Hospitals began a pilot program in 2018 that helped implement diversion services in 28 additional counties to address the growing numbers of criminal defendants deemed incompetent to stand trial, many of whom also deal with homelessness and/or substance abuse.

Effective June 30, the pilot program will end — to be replaced by permanent diversion services available to all counties that choose to implement them. According to the Department of State Hospitals, 10 permanent county programs have already been contracted, and 14 others are currently in the process of having their contracts finalized.



Tents in Skid Row in downtown Los Angeles on June 20, 2021. Photo by Teun Voeten, Sipa USA via Reuters

On another day in Kaye’s court, a middle-aged man appeared in person for a scheduled progress check and stood at the small podium on the public side of the courtroom. He and Kaye spoke about his progress in outpatient treatment.

“Are you still living in that RV on the street?” Kaye asked him. “Are you working?”

“I’m just barely getting by, your Honor,” he said. “It’s a struggle.”

“We can get you in a housing program right now,” the judge said. “Hot meals, a safe bed, a stable health care environment. But I can’t force that on you. It’s your decision.”

The man declined Kaye’s offer, citing how he lives in his vehicle with his girlfriend and their dog — and they all need to stay together. He walked out of the court with a follow-up appearance scheduled in 60 days.

Attachment H
“My vision, if at all possible, is to make people feel comfortable in court and make them feel like they matter,” he said. “They can actually be looked at in the eye by someone in authority and feel like someone who’s deep in the system of power cares about them.”

New courtroom experiences for former prisoners

The human potential for growth — and to be able to earn a second chance — is a recurring theme of Kaye’s career. Away from the bench, he also works with the formerly incarcerated community to provide emotional support and inspiration.

In collaboration with the Anti-Recidivism Coalition and the Los Angeles Innocence Project, Kaye meets with newly paroled people, welcoming them into his courtroom and chambers, where he is free of his robe and the usual symbols of authority.

Franky Carrillo, chief policy director for the Innocence Project in L.A., knows Kaye well. After being exonerated in 2011 for a wrongful murder conviction, Carrillo first partnered with Kaye to bring a civil lawsuit against L.A. County, a case that resulted in a \$10 million settlement approved by the Board of Supervisors in 2016.

Through his nonprofit, Restorative Project, Carrillo has brought Kaye on retreats with mixed groups of formerly incarcerated ex-lifers, criminal justice reform advocates and allies to speak and help build a stronger sense of community.

“I think it’s very healing to have Judge Kaye be present, in order to maybe take away the stigma of what a judge might’ve signified in someone’s life — 20, 30 years prior, when they were sentenced,” said Carrillo. “Lo’ and behold, you’re free, and this is your first interaction with a judge on the outside.”

Mery Alaberkyan served as Judge Kaye’s judicial assistant from 2023 to 2024, while starting Loyola Law School. Her time in his court shaped her vision of the kind of lawyer she hopes to become.

The most important lesson Alaberkyan took away from Kaye’s courtroom demeanor was his humanizing style of communication.

“He would greet every single defendant, making sure they were acknowledged and that they understood what was happening in the courtroom,” she said. “You see people in a jumpsuit and most people’s reaction is to shy away, but he actually made sure that defendants were treated like this is *their* case and not something that was happening *to* them — like, whatever you need to say, you may say.”



Los Angeles County Superior Court Judge Ronald Owen Kaye in his office at the Hollywood Courthouse in Los Angeles on March 12, 2025. Photo by Jules Hotz for CalMatters

On April 5, the Criminal Courts Bar Association of Los Angeles honored Judge Kaye with its annual Morton Herbert Award for outstanding community service. Typically, the award goes to attorneys for volunteer work. Only once before has it gone to a judge since it was created in the 1950s.

“This category fit him perfectly,” said Christopher Chaney, the association’s executive director, who represented several clients in Kaye’s court during the COVID-era mental health crisis.

“We all know about his empathetic approach and the work he does going into prisons and helping individuals with their life after prison,” Chaney said. “Our recidivism rates – the numbers are so upside down. We gotta figure out soft landings for these guys when they get out.”

The night of the award ceremony, Carrillo and other formerly incarcerated individuals joined the black-tie gala to celebrate their friend and ally. In a tuxedo, standing beside his wife at a VIP table, Judge Kaye hugged many of them and made sure they were included in photos.

Attachment H:
“You know, mental court anywhere — but especially here in Los Angeles — is not easy,” Carrillo said.
“Because he came pre-equipped with the compassion that I think all judges should have, it’s just perfect. It’s a win-win for the county and for everyone in the courtroom.”

Joe Garcia is a California local news fellow.

MORE ON MENTAL HEALTH IN CALIFORNIA



California is spending billions on mental health housing. Will it reach those most in need?
MARCH 6, 2025



People are getting arrested under California’s new tough-on-crime law. Some counties aren’t ready
FEBRUARY 11, 2025

THE LATEST



These communities are unaware they’ve lived near toxic gas for decades. Why has no action been taken?



Abundance meets resistance: Are Democrats finally ready to go all in on building housing?



Lawmaker seeks new way to outlaw threats against California schools and places of worship



How Trump tariffs could upend California farms, wine businesses and ports



UC has been enrolling more in-state students. Proposed state cuts may halt that growth

Criminal Justice in Bhutan

RONALD KAYE '89

There I was, having lunch at the home of Sonam Tobgye, the Chief Justice of the High Court of the Kingdom of Bhutan, discussing Bhutanese law and how Buddhist thought affects the court's perspective on the issue of criminal justice. After teaching a seminar about the criminal justice system of the United States to over half of the judges of Bhutan (called *Dashos* in the Bhutanese language of Dzongka), I now had an opportunity to question Bhutan's most esteemed jurist about what the Bhutanese consider to be the fundamental issues with respect to criminal behavior and punishment.

Interspersing his comments with quotes from President Abraham Lincoln, Justice Oliver Wendell Holmes, and the Buddha, the Chief Justice explained that the Bhutanese hold certain fundamental beliefs when addressing criminal defendants. These beliefs stem directly from the teachings of the Buddha and have been codified in a legal system since the country was unified in 1652. Some examples:

Sentencing in Bhutanese court is not considered punishment. Based on the principle of karma, when a defendant acts in an antisocial way, the defendant must pay for his misdeed in order to liberate himself. Thus, the Bhutanese believe it is good fortune that the defendant has been apprehended and has had an opportunity to work for a "clean slate" by paying for his wrongful conduct.

Expungement of past criminal convictions is crucial to a system of justice—a person should be sentenced based on the wrong he has committed, not on his past criminal history. A philosophy that, rather than condemning the person for his past misdeeds (the ghosts of the past should not haunt the



Ronald Kaye '89 and his wife Pamela J. Lew '94 proudly announce to their fellow alums that the adventure continues with the birth of Liana, born Feb. 6, 2000.

defendant), serves to motivate a defendant to work toward more productive, law abiding behavior.

Although it is not a formal doctrine, the Chief Justice shared his personal belief that people should not be given sentences longer than five years, because longer sentences hardened and institutionalized defendants, leaving them little hope of re-establishing their relationships and fully returning to their communities.

For me, a Deputy Federal Public Defender working in Los Angeles, such sincere commitment to the concept of rehabilitation, and belief in the power of the human spirit to change for the better, coming directly from the most powerful judicial official in the country, was more than refreshing—it was inspirational. Like Dorothy in *The Wizard of Oz*, I was sure I was not in Kansas, nor the Federal District Court in Los Angeles. No, I was in Bhutan, the only surviving Buddhist Kingdom in the Himalayas.

The High Court had invited me to visit Bhutan to teach about trial advocacy and American criminal procedure from a practitioner's perspective. I was able to secure this invitation after being introduced to the Chief Justice, albeit via E-mail 20,000 miles away, by a friend at Stanford who is a professor of Buddhism. My friend sensed that a seminar on American law would intrigue the Bhutanese at this stage in the development of their legal system. Luckily for me, his intuition was correct.

In view of my role as a Deputy Federal Public Defender, my presentation naturally focused on the rights of the accused. I was the first lawyer ever to lecture in Bhutan, although several professors from the United States and Europe had visited in

the past. My seminar focused on the tension inherent in the U.S. criminal justice system between the rights of the criminal defendant facing the loss of his liberty—perhaps the most revered principle in our society—and the need to maintain order and security in our communities.

In my practice I regularly try to persuade judges and juries to not lose sight of the fundamental rights of my clients, regardless of whether the facts of the case reveal that they committed the offense. Consequently, I had personal experience with the way judges, and sometimes juries, struggled with this tension in criminal cases and these competing goals. Now I was asked to share my experiences with the judges of a country that had little experience with crime, and where personal freedom was not as important as the welfare of the community and the spiritual development of the people. Yet in the year 2000, through access to the Internet and to visitors from abroad, the Bhutanese were becoming intrigued by cultures and ideas which were for so long completely alien to life in their country.

Before I embarked on this journey, I had researched Bhutan and its history and the reasons it was the only surviving Buddhist Kingdom in the Himalayas. I learned that the country had never been colonized, even though China and India, its huge neighbors to the north and the south, had been subject to colonial rule throughout their histories. Centuries of independence and isolation fostered a fierce pride in the Bhutanese culture and their unique identity in the world. Therefore, although not technologically advanced or economically well-developed, the Bhutanese do not envy the outside world; they realize the beauty of both their culture and country. In Bhutan, there are no beggars and there are no people starving. Unlike other people in the developing world, the Bhutanese may be interested in visiting other cultures, but they seem to have little desire to emigrate abroad.

By reading the national newspaper, the *Kuensel*, over the Internet, I was able to get an advance look at modern



From High Court: Silk Knot Symbolizing Justice

Bhutanese culture. I was particularly interested in the types of crimes occurring in the society. Although crime as we know it virtually did not exist in Bhutan for centuries, crimes such as money laundering and burglary have begun to occur, but on a very small scale. I knew I would be immersing myself in a dramatically different social environment when the front page of the newspaper had a lead story about the use of

airplane glue by a few teenagers in the country's capital, Thimphu. (Interestingly, the Bhutanese universally believe that antisocial criminal behavior had arrived in their country due to the influence of other cultures, primarily the action-packed "blood and guts" plots portrayed in Hindi movies imported from Bombay.)

Once the seminar started, I dove into the topics which make up the bread and butter of being a criminal defense attorney in the United States: suppression of evidence, the right to counsel, the right to an impartial jury of your peers. The seminar consisted primarily of discussing the constitutional bases of these rights, applying the Fourth, Fifth, and Sixth Amendments to the landmark Supreme Court cases of *Miranda v. Arizona*, *Gideon v. Wainwright*, *Batson v. Kentucky*, etc., and demonstrating how these principles work in the "real world" through war stories from my own practice. To bring the class closer to "real life," I brought a transcript from a trial I had done in the Central District of California, a case where my client was charged with assaulting a federal prison guard. With transcript in hand, I was able to share with the judges my jury selection decisions, cross examination techniques, and closing argument analogies. To create a feeling of excitement and anticipation for my "students," I left the verdict as a surprise until the end of the seminar.

My twenty-five students were Bhutan's brightest—judges who presided over districts administering to the country's 750,000 people. The country only recently started to formalize its legal system and recruit students into the legal profes-

sion. High school students who showed the most promise were recruited by the Chief Justice himself to join the legal profession. Since the country literally didn't open up to the outside world until the early 1960s, almost every judge's parents were peasant farmers, generally uneducated. The judges themselves were often the first in their families to receive formal education.

Surprisingly, every judge who attended the seminar was fluent in English, generally with a strong Indian accent. After Tibet was annexed by the Chinese in the 1950s, the previous King of Bhutan realized that isolation from the rest of the world was no longer a viable option, and made English the language of instruction to children throughout their elementary and secondary school educations. Consequently, children not only had mandatory English classes, but they also learned history, math, and science in the English language. And virtually all the judges studied law in India—in either Bombay, New Delhi, or Calcutta—where the legal education is based on the British case law system and the language of jurisprudence is English.

The judges' familiarity with the American system stemmed from both their readings of landmark Supreme Court cases and the sensational cases which affected the consciousness not only of the public in the United States, but of people throughout the world. During the seminar I was peppered with questions about the O.J. Simpson, Rodney King, and Amadou Diallo trials. On repeated occasions I was asked to put myself into the shoes of Johnnie Cochran and ponder why he made particular decisions at trial, and what impact these decisions had on the jury.

For me, the most eye-opening aspect of the seminar was the judges themselves: impressive and truly inspiring. Throughout the seminar they demonstrated an unwavering commitment to the rights of the accused, fully embracing the principles of fairness in the judicial process as being as much of a priority as protecting the members of the community from criminals. When discussing prosecutorial misconduct in



Ron and Pamila taking tea with Norbu Tsering, a judicial assistant to the Chief Justice of Bhutan, and Ngawang, the Chief Justice's driver, overlooking the Dzong (castle) at Trongsa, Bhutan.

a case which I had pending before the Ninth Circuit Court of Appeals, several judges were appalled by the tactics of that particular Assistant United States Attorney. I will never forget one of the judges saying, "Seems like the only thing that prosecutor wanted was to win, and to win he stepped on the rights of your client—that seems contrary to your whole system of justice." I laughed out loud and responded

that I hoped the Ninth Circuit shared his sentiments.

During my stay in Bhutan I was consistently amazed at the forward-thinking attitude of the judiciary—their intent to fully computerize the dockets of the entire country, their emphasis on enacting legislation which protects human rights and the environment, and their stress on the importance of continuing legal education for police, prosecutors, and members of the judiciary. The judges are also equally passionate about maintaining their particularly independent cultural identity. Buddhist iconography dominates courtrooms. Each judge wears traditional dress and a *kabne*—a scarf bestowed by the King and representing the judge's rank in society. And the symbol of justice proudly displayed in the courts of Bhutan is the silk knot, which, although tightly knotted, can always be untied—an embodiment of the Buddhist tenet that all human actions can be forgiven.

When I asked a young judge what he thought about the symbol of the U.S. judicial system—the scales of justice—he told me he thought it was compelling that justice was blindfolded, seeking out the truth regardless of the person's appearance or race. He then asked me what role compassion plays in our system. I responded that compassion is not systemic in U.S. jurisprudence, but stems from the discretion of the particular judge in a particular case. He was quiet for a second and then said that Buddhism requires a commitment to compassion beyond the individual judge's particular personality.

It seems that the United States judicial system may have something very valuable to learn from the Kingdom of Bhutan.





Judicial Council of California

Meeting Agenda

Judicial Council

Please visit
courts website:
www.courts.ca.gov
to view live meeting on
October 24, 2025.

Meeting materials
are available through
the hyperlinks in
this document.

*Open to the Public Unless Indicated as Closed
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*Requests for ADA accommodation should be directed to
JCCAccessCoordinator@jud.ca.gov*

Friday, October 24, 2025

Videoconference

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

Session: 9:30–10:00 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: 10:10 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 12:00 p.m. on Thursday, October 23, by email to:

judicialcouncil@jud.ca.gov

Chief Justice's Report*15 minutes***Administrative Director's Report****25-004 Administrative Director's Report***15 minutes***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.

[25-009](#) Minutes of July 18, 2025, Judicial Council Meeting**[25-163](#) Equal Access Fund | Distribution of Funds for CARE Act Legal Representation (Action Required)**

Summary: The Legal Services Trust Fund Commission recommends approving the distribution of \$17,404,000 to the Legal Services Trust Fund Commission of the State Bar of California for the implementation of the Community Assistance, Recovery, and Empowerment (CARE) Act as authorized by the Budget Act of 2025. The commission will distribute these funds as grants to qualified legal services projects and public defender offices to provide legal counsel for representation in CARE Act proceedings and training and technical assistance to these legal providers and to the State Bar of California for administration of this program.

[25-164](#) Equal Access Fund | Distribution of Funds for IOLTA-Formula Grants and Partnership Grants (Action Required)

Summary: The Legal Services Trust Fund Commission recommends approving the distribution of up to \$40,487,700 to the Legal Services Trust Fund Commission of the State Bar of California for the Equal Access Fund Interest on Lawyers' Trust Accounts-Formula Grants and Partnership Grants as authorized by the Budget Act of 2025 (Stats. 2025, ch. 4). The commission will distribute the funds as grants to legal services providers and support centers to be used for legal services in civil matters for indigent people and self-represented litigants to improve equal access and the fair administration of justice, as authorized by the Budget Act.

[25-170](#) Equal Access Fund | Distribution of Funds to the California Access to Justice Commission (Action Required)

Summary: The Advisory Committee on Providing Access and Fairness recommends the approval of a distribution of \$5.25 million to the California Access to Justice Commission for grants to civil legal aid nonprofits organizations to support the infrastructure and innovations needs of legal services in civil matters for indigent

persons, and for administration of a tax-advantaged student loan repayment program.

[25-171](#)**Judicial Branch Administration | Sabbatical Request for Judge Ronald Owen Kaye (Action Required)****Summary:**

The Executive and Planning Committee recommends the approval of an unpaid sabbatical leave for Judge Ronald Owen Kaye, Superior Court of Los Angeles County, for the period of August 24, 2026, through January 8, 2027. During this sabbatical leave, Judge Kaye will participate as a visiting scholar at the Universidad de Granada and Universidad de Málaga through their respective law schools, meeting with and presenting lectures to students and faculty on multiple areas of United States and California civil and criminal law. Judge Kaye will also meet with experts, observe judicial proceedings, and engage in research focusing on the impact of mental illness as a basis for mitigation from criminal liability within the Spanish criminal justice system. Judge Kaye believes that this proposed sabbatical will enable him to return with a comparative analysis in this area, enriching the work of the Mental Health Court while fostering outreach and relationship building for the California court system.

[25-128](#)**Jury Instructions | Criminal Jury Instructions (2025 Supplement) (Action Required)****Summary:**

The Advisory Committee on Criminal Jury Instructions recommends approving for publication the new and revised criminal jury instructions prepared by the committee under rule 2.1050 of the California Rules of Court. These changes will, among other things, keep the instructions current with statutory and case authority. Once approved, the new and revised instructions will be published in the 2025 supplement of *Judicial Council of California Criminal Jury Instructions*.

[25-167](#)**Report to the Legislature | California Community Corrections Performance Incentives Act of 2009 (Action Required)****Summary:**

Penal Code section 1232 requires the Judicial Council to submit an annual comprehensive report to the Legislature on the implementation of the California Community Corrections Performance Incentives Act of 2009 (Stats. 2009, ch. 608). The legislation seeks to alleviate state prison overcrowding by reducing the number of individuals on felony supervision who are sent there. The program is also designed to encourage county probation departments to use evidence-based supervision practices to accomplish these goals. The report includes information on the effectiveness of the act in alleviating state prison overcrowding as well as recommendations regarding allocations of state resources and oversight of the program by Judicial Council staff.

[25-153](#)**Rules and Forms | Access and Fairness: Accommodations for Court Users to Pump or Express Breast Milk (Action Required)****Summary:**

Senate Bill 949 (Stats. 2024, ch. 159) requires superior courts to grant court users who are participating in court proceedings a reasonable amount of break time to

express milk for their infant children. The legislation also mandates that the Judicial Council create a confidential process for superior court users to request break time for that purpose. To implement the new law, the Advisory Committee on Providing Access and Fairness recommends a new rule of court and a new optional form.

[25-131](#)**Rules and Forms | Appellate Procedure: Extension of Time in Misdemeanor and Infraction Appeals (Action Required)****Summary:**

The Appellate Advisory Committee recommends approving a new form for requesting extensions of time to file a brief in misdemeanor and infraction appeals. This recommendation originated with suggestions from the former Chief Justice's Appellate Caseflow Workgroup and a committee member.

[25-132](#)**Rules and Forms | Appellate Procedure: Remote Appearances at Oral Argument in the Appellate Division (Action Required)****Summary:**

The Appellate Advisory Committee recommends updating the California Rules of Court regarding oral argument in superior court appellate divisions to reflect modern videoconferencing technology and allow broader authorization for remote participation by both parties and appellate division judges. The recommended amendments will enhance access to the courts for self-represented litigants who lack resources or the ability to travel to court in person, along with saving travel costs for courts and simplifying scheduling, ultimately reducing delays for parties.

[25-149](#)**Rules and Forms | Civil Practice and Procedure: Amendment of the Collections Case Rule (Action Required)****Summary:**

California Rules of Court, rule 3.740 governs collections cases. The Civil and Small Claims Advisory Committee recommends amending the monetary limit in rule 3.740 to \$35,000. With this increase, the monetary limit in rule 3.740 will match the current jurisdictional limit for limited civil cases, which was raised in 2024 by Senate Bill 71 (Stats. 2023, ch. 861).

[25-151](#)**Rules and Forms | Civil Practice and Procedure: Authorization to Appear on Behalf of a Party in Small Claims Cases (Action Required)****Summary:**

Authorization to Appear (form SC-109) implements Code of Civil Procedure section 116.540, which allows an individual to appear in small claims court on behalf of the plaintiff or defendant in certain circumstances. The Civil and Small Claims Advisory Committee recommends revising form SC-109 to ensure it fully complies with section 116.540.

[25-150](#)**Rules and Forms | Civil Practice and Procedure: Confidential Information Form for Doxing Cases (Action Required)****Summary:**

Assembly Bill 1979 (Stats. 2024, ch. 557) creates a private cause of action against a person who publishes private information about an individual on the internet (referred to as “doxing”). The bill creates a statutory procedure to allow plaintiffs in these cases to use a pseudonym and requires the Judicial Council to adopt or revise forms as

necessary to implement that procedure. The Civil and Small Claims Advisory Committee recommends revising one form to fulfill this statutory mandate.

[25-014](#)**Rules and Forms | Civil Practice and Procedure: Deadlines for Filings for Class Certification Motions (Action Required)****Summary:**

The Civil and Small Claims Advisory Committee recommends amending California Rules of Court, rule 3.764 to lengthen the deadlines for filings related to class certification motions to ensure courts have sufficient time to review the papers in advance of the hearing. The proposed deadlines offered in this report would address that concern and coordinate the deadlines for opposition and reply filings for these motions with the corresponding deadlines applicable to filings for motions for summary judgment.

[25-147](#)**Rules and Forms | Civil Practice and Procedure: Implementation of Assembly Bill 2837 (Action Required)****Summary:**

Assembly Bill 2837 (Stats. 2024, ch. 514) made numerous changes to the laws regarding enforcement of judgment, including a new requirement to verify the judgment debtor's address before the sheriff can serve papers related to enforcement of a judgment for personal debt, changes to the start of the earnings withholding period, and new requirements for orders on claims of exemption from enforcement of judgment. The Civil and Small Claims Advisory Committee recommends adopting 3 forms and revising 13 forms to implement AB 2837.

[25-146](#)**Rules and Forms | Civil Practice and Procedure: Rules Regarding Telephonic Appearances (Action Required)****Summary:**

Code of Civil Procedure section 367.75 authorizes courts to conduct proceedings using remote technology in all civil matters. Assembly Bill 170 (Stats. 2024, ch. 51) extends the sunset date of that statute from January 1, 2026, to January 1, 2027. Judicial Council staff recommend that the council amend several rules of court regarding telephonic appearances to reflect the extended sunset date of January 1, 2027, as provided in section 367.75.

[25-135](#)**Rules and Forms | Comprehensive Adjudications of Groundwater Rights (Action Required)****Summary:**

The Civil and Small Claims Advisory Committee recommends amending the rule of court that designates certain case types as provisionally complex to include comprehensive groundwater adjudications. This change conforms the rule to Code of Civil Procedure section 838. The committee also recommends adopting a rule specifying the procedure by which the presiding judge of the court in a county overlying the groundwater basin at issue requests that the Chair of the Judicial Council assign a judge to adjudicate the dispute.

[25-144](#)**Rules and Forms | Criminal Law: Findings and Orders for Pretrial Release or Detention (Action Required)****Summary:**

In *In re Humphrey* (2021) 11 Cal.5th 135, the Supreme Court held that conditioning pretrial release from custody solely on whether an arrestee can afford bail is unconstitutional and articulated a framework for bail determinations based on public and victim safety. To assist courts with making the appropriate findings and orders for pretrial release or detention as articulated in *In re Humphrey* and in line with statutory and constitutional requirements, the Criminal Law Advisory Committee recommends a new form for optional use.

[25-142](#)**Rules and Forms | Criminal Law: Findings and Orders Regarding Prohibited Items While on Diversion (Action Required)****Summary:**

Recent legislation prohibits the possession of firearms, other deadly weapons, and ammunition by a defendant participating in mental health or military diversion, based on specified findings by the court. The prohibition remains in effect until the defendant has either successfully completed diversion or has their firearms rights restored. The Criminal Law Advisory Committee recommends a new optional form to assist courts with making the appropriate findings and orders prohibiting a defendant from owning or possessing firearms, other deadly weapons, and ammunition while on mental health or military diversion.

[25-143](#)**Rules and Forms | Criminal Law: Implementation of Recent Legislation Regarding Criminal Protective Orders (Action Required)****Summary:**

Recent legislation addressed firearm and ammunition relinquishment for defendants subject to a criminal protective order and lengthened the time frame for certain postconviction criminal protective orders. To implement this legislation, the Criminal Law Advisory Committee recommends repealing a rule of court, adopting a new form, approving four new forms and an information sheet, and revising three criminal protective order forms. The committee also recommends adopting a new confidential California Law Enforcement Telecommunications System form for use with criminal protective orders, and amending California Rules of Court, rule 1.51 to require prosecuting agencies to use the form.

[25-141](#)**Rules and Forms | Criminal Law: Mental Competency Proceedings (Action Required)****Summary:**

Statutes on competency to stand trial in felony and misdemeanor cases were recently amended to provide courts with additional treatment-based solutions for defendants found incompetent to stand trial and to streamline mental competency proceedings. The Criminal Law Advisory Committee recommends adopting, amending, and renumbering rules of court to implement these legislative changes, as well as additional amendments to clarify procedures, remove language duplicative of statute, and improve organization, clarity, and concision.

[25-157](#)**Rules and Forms | Family Law and Protective Orders:
Implementation of Senate Bill 599 and Assembly Bill 3072
(Action Required)****Summary:**

To implement Senate Bill 599 (Caballero; Stats. 2023, ch. 493) and Assembly Bill 3072 (Petrie-Norris; Stats. 2024, ch. 317), the Family and Juvenile Law Advisory Committee recommends adopting a new rule of court; amending a standard of judicial administration; and approving, and revising domestic violence restraining order and family law forms. The committee also recommends minor technical changes to two domestic violence information forms.

[25-155](#)**Rules and Forms | Family Law: Joint Petition for Dissolution or
Legal Separation (Action Required)****Summary:**

To implement Senate Bill 1427 (Stats. 2024, ch. 190), the Family and Juvenile Law Advisory Committee recommends that the Judicial Council amend four rules of court, adopt three mandatory forms, and approve one optional form. Effective January 1, 2026, SB 1427 authorizes parties who do not qualify to use the current summary dissolution process to file a joint summons and a joint petition to ask the court for a dissolution of marriage or domestic partnership or for a legal separation. The legislation requires the Judicial Council to adopt or amend any rules or forms necessary for implementation no later than January 1, 2026.

[25-037](#)**Rules and Forms | Family Law: Rules and Forms to Determine
Parental Relationship Based on Gestational Carrier Agreement
(Action Required)****Summary:**

The Family and Juvenile Law Advisory Committee recommends a new form series for parties (intended parents) who conceive a child with a gestational carrier (also known as a surrogate) under the terms of a gestational carrier agreement (also called “an assisted reproduction agreement for gestational carriers”) and then seek a judgment in family court determining a parental relationship under Family Code sections 7960-7962. The committee also recommends that the council adopt a new rule of court, amend several rules, repeal one rule, and revise three family law forms to add content for gestational surrogacy cases. The proposal originates from judicial officers and attorneys who shared their ideas for uniform rules and forms, specific to gestational surrogacy cases, that would benefit family court judges, court clerks, the parties, and their attorneys.

[25-160](#)**Rules and Forms | Family Law: Standards for Computer Software
Used to Assist in Determining Support (Action Required)****Summary:**

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council amend a rule of court that provides standards for computer software that assists in determining child and spousal support. This action is necessary to conform the rule to current law. The recommended changes also update terminology and requirements related to technology and clarify language related to the Judicial Council’s guideline calculator testing and certification process.

[25-134](#)**Rules and Forms | Judicial Branch Education: Sunset of Pandemic-Related Deadline Extensions (Action Required)****Summary:**

Pandemic-related deadline extensions, contained within rule 10.492 of the California Rules of Court, provided judicial officers and judicial branch personnel additional time to complete continuing education requirements. By its sunset provision, the rule ceased to have effect on December 31, 2024. The Center for Judicial Education and Resources Advisory Committee now recommends the Judicial Council make a technical amendment to repeal rule 10.492 in its entirety to eliminate any actual or potential confusion that the extensions may remain in effect.

[25-145](#)**Rules and Forms | Juvenile Law: Date a Child Entered Foster Care (Action Required)****Summary:**

Assembly Bill 2664 (Bryan; Stats. 2024, ch. 412) amended Welfare and Institutions Code section 361.49 to clarify the date a child is deemed to have entered foster care to establish timelines for the provision of reunification services. The Family and Juvenile Law Advisory Committee recommends amending two definitions in rule 5.502 of the California Rules of Court to conform to the law and to correct a statutory reference.

[25-172](#)**Rules and Forms | Juvenile Law: Indian Child Welfare Act (ICWA) Inquiry and Family Finding (Action Required)****Summary:**

To implement new legislation and recent case law regarding the Indian Child Welfare Act (ICWA) and foster-care placement in juvenile cases, the Family and Juvenile Law Advisory Committee and the Tribal Court-State Court Forum recommend amending four rules of court and revising 22 forms. This proposal responds to Assembly Bill 81 (Ramos; Stats. 2024, ch. 656), which addressed the implementation of the Indian Child Welfare Act (25 U.S.C. §§ 1901 et seq.), including ICWA inquiry, and Assembly Bill 2929 (Carillo; Stats. 2024, ch. 845), which addressed family finding in juvenile dependency cases. The proposal also responds to two recent decisions from the Supreme Court of California concerning ICWA inquiry: *In re Kenneth D.* (2024) 16 Cal.5th 1087; and *In re Dezi C.* (2024) 16 Cal.5th 1112. The proposal would also correct several technical issues in the rules and forms.

[25-168](#)**Rules and Forms | Juvenile Law: Racial Justice Act Forms (Action Required)****Summary:**

Juvenile courts expect more claims under the Racial Justice Act to be filed since Assembly Bill 256 (Kalra; Stats. 2022, ch. 739) expanded the retroactive application of the act, enabling more individuals to file claims for relief. The Family and Juvenile Law Advisory Committee proposes five new forms for optional use to assist litigants and juvenile courts with claims under the act.

[25-038](#)**Rules and Forms | Juvenile Law: Retention of Jurisdiction and Petitions Requesting Juvenile Case Files of Deceased Children (Action Required)****Summary:**

To implement Assembly Bill 1756 (Stats. 2023, ch. 478, § 62) and Senate Bill 1161 (Stats. 2024, ch. 782, § 12), the Family and Juvenile Law Advisory Committee recommends (1) amending one rule of the California Rules of Court to comply with AB 1756's amendment to Welfare and Institutions Code section 10850.4 to extend the juvenile court's jurisdiction in cases involving the death of a child or nonminor dependent; (2) amending one rule of court to implement SB 1161's amendment to the definition of a "juvenile case file" in Welfare and Institutions Code section 827(e); and (3) adopting one rule of court, amending two rules of court, adopting six mandatory forms, approving one optional form, and revising six forms to clarify the different legal standards for requesting any juvenile delinquency case file or a living child's juvenile dependency case file versus a deceased child's juvenile dependency case file under Welfare and Institutions Code section 827.

[25-129](#)**Rules and Forms | Juvenile Law: Sex Offender Registration (Action Required)****Summary:**

Because *Information on Filing a Petition to Terminate Juvenile Sex Offender Registration* (form JV-915-INFO) contains two legally inaccurate statements, the Family and Juvenile Law Advisory Committee recommends revising the form so that it accurately reflects controlling statutory provisions.

[25-156](#)**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 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 rules and forms conform to law and to avoid causing confusion for court users, clerks, and judicial officers.

[25-159](#)**Rules and Forms | Miscellaneous Technical Changes to CARE Act Rule and Adoption, CARE Act, and Sheriff Service Forms (Action Required)****Summary:**

Judicial Council staff have identified errors in one rule of court and seven Judicial Council forms resulting from typographical mistakes, changes resulting from legislation, and previous rule amendments and forms revisions. Judicial Council staff recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

[25-133](#)**Rules and Forms | New Case Categories for Civil Case Cover Sheet (Action Required)****Summary:**

The Civil and Small Claims Advisory Committee and Court Executives Advisory Committee jointly recommend adding new case categories and case types to *Civil Case Cover Sheet* (form CM-010). Specifically, the committees recommend adding a “Comprehensive groundwater adjudication” case type to ensure consistency with both Code of Civil Procedure section 838(b) and the associated pending amendment to rule 3.400(c) of the California Rules of Court. Additionally, adding “Asbestos” and “Employment Development Department (EDD)” case categories will help fulfill forthcoming data reporting requirements in the Judicial Branch Statistical Information System and reduce manual data reporting by courts.

[25-130](#)**Rules and Forms | Probate Conservatorship: Acceptance of Transfers Under the California Conservatorship Jurisdiction Act (Action Required)****Summary:**

Under recent statutory changes enacted by Assembly Bill 2841 (Stats. 2022, ch. 807), the courts are required to provide specific information to the Secretary of State when a person has been disqualified from voting. In addition, a member of the Probate and Mental Health Advisory Committee noted difficulty in obtaining necessary information when reviewing a request to accept transfer of a conservatorship from another jurisdiction. The Probate and Mental Health Advisory Committee recommends amending one rule of court and revising two optional forms to provide the court with information it needs for the transfer of conservatorships into California and the reporting duties imposed by the Elections Code. This will make proceedings more efficient and conform to the statutory changes.

[25-154](#)**Rules and Forms | Probate Conservatorship: Information for Conservatees (Action Required)****Summary:**

Probate Code section 1835.5 requires the court, within 30 days of appointing a conservator, to provide the conservatee with specified information, including a personalized list of rights retained by and withheld from the conservatee. Several statutes enacted over the past 10 years have also expanded and clarified the rights of all conservatees. In response to these changes to the law, the Probate and Mental Health Advisory Committee recommends approving one form for optional use by courts to use to provide the information required by section 1835.5, revising the mandatory form used to give notice of the general rights of conservatees to update it, and revising the address attachment to the general notice form to conform to the revisions to the principal form.

[25-162](#)**Rules and Forms | Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement Assembly Bill 2759 (Action Required)****Summary:**

Assembly Bill 2759 (Petrie-Norris; Stats. 2024, ch. 535), effective January 1, 2025, created new requirements for granting a firearm exemption to a restraining order that includes a firearm or ammunition prohibition. The Family and Juvenile Law Advisory Committee recommends adopting two new firearm exemption order forms and revising several domestic violence and juvenile restraining order forms to reflect the new requirements. The committee also recommends revisions to form CLETS-001 to include an instruction for petitioners of retail theft protective orders and to make necessary updates.

[25-140](#)**Rules and Forms | Protective Orders: Civil Harassment Forms to Implement Senate Bill 554 (Action Required)****Summary:**

The Civil and Small Claims Advisory Committee recommends revisions to two civil harassment restraining order forms to implement Senate Bill 554 (Stats. 2024, ch. 652). The petition (form CH-100) included in this proposal also contains proposed revisions to implement Senate Bill 899 (Stats. 2024, ch. 544).

[25-138](#)**Rules and Forms | Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899 (Action Required)****Summary:**

The Civil and Small Claims Advisory Committee recommends adopting 15 protective order forms and revising 37 protective order forms to implement significant changes to the law and to make other clarifying corrections. Changes are needed to civil harassment, elder or dependent adult abuse, gun violence, postsecondary school violence, and workplace violence restraining orders to implement Senate Bill 899 (Stats. 2024, ch. 554). The committee's recommendations to implement SB 899 are made in this report and in the reports entitled *Protective Orders: Civil Harassment Forms to Implement Senate Bill 554* and *Protective Orders: Postsecondary School Violence Forms to Implement Assembly Bill 2096*.

[25-139](#)**Rules and Forms | Protective Orders: Postsecondary School Violence Forms to Implement Assembly Bill 2096 (Action Required)****Summary:**

The Civil and Small Claims Advisory Committee proposes the revision of all 26 forms in the private postsecondary school violence form set to implement Assembly Bill 2096 (Stats. 2024, ch. 947), which goes into effect on January 1, 2026, and to make other necessary changes to accurately reflect current law. The forms included with this report also contain revisions recommended to implement Senate Bill 899 (Stats. 2024, ch. 544), as well as four forms the committee recommends adopting to implement that law. Those recommendations are explained in a separate proposal entitled *Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899*, which also includes new and revised forms for other categories of protective orders.

[25-148](#)**Rules and Forms | Unlawful Detainer: Form Revisions to Reflect Repeal of COVID-19 Legislation (Action Required)****Summary:**

Several statutes enacted to address the COVID-19 pandemic have been repealed. The Civil and Small Claims Advisory Committee recommends revising four forms and revoking 10 forms to implement these changes in law, revising one unlawful detainer form to refer to the federal CARES Act, and revising one summons form to make nonsubstantive corrections.

[25-165](#)**Sargent Shriver Civil Counsel Act | Fiscal Year 2025-26 Trial Court Trust Fund Allocation Increase for Sargent Shriver Civil Counsel Program (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends approving a \$1.4 million augmentation to the fiscal year 2025-26 Trial Court Trust Fund allocation for the Sargent Shriver Civil Counsel Program. The additional funding would be taken from program reserves and distributed on a pro rata basis to current Shriver projects to expand and sustain legal representation and court services in housing and other civil cases.

DISCUSSION AGENDA[25-063](#)**Juvenile Law | Court Adoption and Permanency Month (Action Required)****Summary:**

The Family and Juvenile Law Advisory Committee recommends adopting a resolution proclaiming November 2025 to be Court Adoption and Permanency Month. This resolution would recognize the ongoing efforts of California's juvenile courts and their justice partners to provide children and families with access to fair, understandable judicial proceedings leading to timely and well-informed permanency outcomes that are in the best interest of the child.

Speakers:

Hon. Tari L. Cody, Cochair, Family and Juvenile Law Advisory Committee
Adoptive Family

20 minutes

INFORMATION AGENDA (NO ACTION REQUIRED)[25-119](#)**Judicial Branch Education | Report on Compliance with Education Rules for Justices and Judges****Summary:**

The Supreme Court, Courts of Appeal, and trial courts have submitted to the Judicial Council cumulative records of participation in education by their benches, as required under California Rules of Court, rule 10.452(d)(6) and (e)(7), for the 2022-2024 education cycle, which concluded on December 31, 2024.

[25-169](#)**Judicial Council Update | Trial Court Facility Modifications Report for Quarter 4 and Annual Summary for Fiscal Year 2024-25****Summary:**

This informational report to the Judicial Council outlines (1) allocations of facility modification funding made to improve trial court facilities in the fourth quarter (April through June) of fiscal year 2024-25, and (2) a summary of all funding allocations during the fiscal year. 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*.

[25-137](#)**Report to the Legislature | Contracts for the Trial Courts for the Fiscal Year Ended June 30, 2025****Summary:**

Section 19209 of the Public Contract Code and the *Judicial Branch Contracting Manual* require that the Judicial Council submit a report annually to the Joint Legislative Budget Committee and the State Auditor to provide information related to contracts and payments from the trial courts to all vendors and contractors. The report includes a list of vendors and contractors as required by section 19209(b) and identifies the amounts of payments to the contractors and vendors, the types of services and goods provided, and the trial courts with which the contractors and vendors contracted to provide those goods and services. The report summary also includes a list of all amended contracts as required by section 19209(c), including any changes to the contract value, types of services or goods, or contract. For the latest reporting period, the Judicial Council reports 34,656 payments representing \$713.66 million for trial courts. As mandated, Judicial Council staff submitted this report by September 30, 2025.

[25-152](#)**Trial Courts | Public Notice of Court Closures or Reduced Clerks' Office Hours****Summary:**

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. This report lists the latest court notices received by the council under this statutory requirement. Since the previous report, one superior court--the Superior Court of Fresno County--has issued a new notice.

Judicial Council Internal Committee Reports**25-166****Written Reports****Circulating Orders****25-173****Circulating Orders since the last business meeting.**

Appointment Orders

Adjournment

DRAFT