



Judicial Council of California

520 Capitol Mall, Suite 600 · Sacramento, California 95814-4717

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PATRICIA GUERRERO
Chief Justice of California
Chair of the Judicial Council

MS. SHELLEY CURRAN
Administrative Director

September 5, 2024

Hon. Gavin Newsom
Governor of California
1021 O Street, Suite 9000
Sacramento, California 95814

Subject: Assembly Bill 3013 (Maienschein), as amended August 19, 2024—Support, if amended

Dear Governor Newsom:

The Judicial Council has a position of support, if amended on Assembly Bill 3013, which authorizes the Superior Courts of the Counties of Alameda, Contra Costa, Los Angeles, Mendocino, Monterey, Orange, San Bernardino, San Diego, San Joaquin, San Mateo, Santa Clara, Tulare, and Ventura to conduct pilot projects to study the potential use of remote court reporting.

Courts are currently facing significant challenges in securing enough court reporters to prepare a verbatim record for each court proceeding. Allowing courts to use remote court reporters could help address this gap by attracting and retaining court reporters who would prefer to report remotely and to allow courts to use reporters more efficiently within their counties when there are significant distances between courthouses. The Judicial Council engaged in an active dialogue with the author's office and the bill sponsor to try and craft legislation that would protect the concerns identified to ensure that the pilot would be successful while also providing a structure that would make it possible for some or all of the named courts to participate in the pilot. While we are hopeful that one or more courts may be able to pilot under the provisions of AB 3013, amendments are necessary to address the following issues before the council could support the bill:

- **Keep meet and confer language clear:** Meet and confer is the appropriate level of consultation for an operational issue like this pilot and adding the words “and reach agreement” simply blurs the line. Courts want to get started on the pilots but will be unwilling to open this discussion if it requires full bargaining in a context outside the parameters of issues that should be collectively bargained.

- **Remove requirement for dedicated cameras and microphones on jury box:** There are critical safety reasons not to have cameras trained on the jurors, especially in criminal proceedings, and the pilots do not include any jury trials, thus this requirement is unnecessary and counterproductive. AB 3013 has tried to address this issue by making clear that the cameras should not be in use or visible when juries are in the box, but courts do not wish to install cameras for this limited and unnecessary purpose when it can be addressed simply by asking anyone in the jury box to testify from the witness stand or other appropriate location that already has a camera and microphone installed.
- **Include preliminary hearings in the matters that can be remotely reported:** Currently, due to the shortage of court reporters statewide, most courts are moving court reporters from courtroom to courtroom and sometimes courthouse to courthouse to meet the mandatory case types with the available employees. The pilot could really enhance efficiency by allowing that to happen more seamlessly, but if preliminary hearings are excluded, offsite location of a court reporter may not be possible because courts will not be able to spare a court reporter for the workload that is allowed and still handle the other mandatory cases.

With these amendments many of the named courts would be interested in meeting and conferring with their court reporters to consider initiating these pilots and gathering information about the benefits and challenges of using remote court reporting because they want to take any steps that are available to persuade more court reporters to remain employed by the courts and make these positions more attractive to court reporters currently serving in the private market.

For these reasons, the Judicial Council has a support, if amended position on AB 3013.

Should you have any questions or require additional information, please contact Tracy Kenny at 916-323-3121.

Sincerely,



Cory T. Jasperson
Director
Governmental Affairs

CTJ/TK/lmm

cc: Hon. Brian Maienschein, Member of the Assembly, 76th District
Sandra Barreiro, Governmental Relations Advocate, SEIU California
Jith Meganathan, Deputy Legislative Secretary, Office of the Governor
Shelley Curran, Administrative Director, Judicial Council of California



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PATRICIA GUERRERO
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MS. SHELLEY CURRAN
Administrative Director

August 27, 2024

Hon. Brian Maienschein
Member of Assembly, 76th District
1021 O Street, Suite 5640
Sacramento, California 95814

Subject: Assembly Bill 3013 (Maienschein), as amended August 19, 2024 – Support, if amended

Dear Assembly Member Maienschein:

The Judicial Council has a support, if amended position on Assembly Bill 3013, which authorizes the Superior Courts of the Counties of Alameda, Contra Costa, Los Angeles, Mendocino, Monterey, Orange, San Bernardino, San Diego, San Joaquin, San Mateo, Santa Clara, Tulare, and Ventura to conduct pilot projects to study the potential use of remote court reporting.

Courts are currently facing significant challenges in securing enough court reporters to prepare a verbatim record for each court proceeding. Allowing courts to use remote court reporters could help address this gap by attracting and retaining court reporters who would prefer to report remotely and to allow courts to use reporters efficiently within their counties when there are significant distances between courthouses. To ensure that the pilot would be successful we engaged in an active dialogue with your office and the bill sponsor to try and craft legislation that would protect the concerns you identified while also providing a structure that would make it possible for some or all of the named courts to participate in the pilot. While we are hopeful that one or more courts may be able to pilot under the provisions of AB 3013, we would need to see amendments to address the following issues before the council could support the bill:

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Should you have any questions or require additional information, please contact Tracy Kenny at 916-323-3121.

Sincerely,



Cory T. Jaspersen
Director, Governmental Affairs

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cc: Allison Whitt Meredith, Committee Counsel, Senate Judiciary Committee
Nicholas Liedtke, Chief Deputy Counsel, Assembly Judiciary Committee
Sandra Barreiro, Governmental Relations Advocate, SEIU California
Jith Meganathan, Deputy Legislative Secretary, Office of the Governor
Shelley Curran, Administrative Director, Judicial Council of California