



Judicial Council of California

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May 19, 2026

Hon. Bob Archuleta
Member of the Senate, District 30
1021 O Street, Suite 6620
Sacramento, California 95814

Subject: Senate Bill 1157 (Archuleta), as amended May 14, 2026 – Oppose unless amended.

Dear Senator Archuleta:

The Judicial Council regrets to inform you that it is opposed to Senate Bill 1157 (Archuleta), which would require the Judicial Council, by July 1, 2028, to develop and adopt guidelines to assist the court in determining whether a particular less restrictive program is an appropriate placement for a ward unless it is amended to place responsibility for development of guidelines on a non-judicial branch entity. The bill would require the guidelines to direct the court to consider specified topics, including: whether and what type of insurance coverage a program is required to possess; the training a program's staff has received; whether a residential program has conducted a criminal background check of prospective employees; whether a program has demonstrated ability to address the risk needs of wards being transferred to the less restrictive program; whether a program has provided proof of notice to the city and county in which it operates; and whether a program utilizing residential facilities meets state and local zoning and land use requirements for residential facilities.

These kinds of guidelines are regulatory in nature and thus not appropriate for development by the judicial branch. The council notes that the bill could be amended to either direct an executive branch agency to take on this task or to establish the legislature's preferred criteria in statute for the court to apply. The judicial branch does not have the expertise to set guidelines on issues such as insurance, training, or the appropriate review of criminal background checks. Moreover, the development of such guidelines, which requires making policy judgments, and weighing the risks and benefits of different standards is not appropriately a judicial branch function. While the council appreciates the recent amendments to allow for an additional six months to develop the guidelines, the extra time does not address the principled objection to the judicial branch creating

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standards for residential and other less restrictive programs. Ensuring that the judicial branch is an independent, separate, and co-equal branch of state government is one of the key strategic goals of the council. Legislation directing the judicial branch to establish program standards and guidelines inappropriately requires the judicial branch to engage in policy areas that should be undertaken by an executive branch entity or enacted by the Legislature directly.

For these reasons, the Judicial Council opposes SB 1157 unless amended to establish a means to ensure that less restrictive programs meet certain minimum standards without requiring the council to undertake the primary work on developing the standards.

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

Sincerely,



Tracy Kenny
Supervising Attorney
Judicial Council Governmental Affairs

TK/lmm

cc: Christine Aurre, Legislative Affairs Secretary, Office of the Governor
Michelle Curran, Administrative Director, Judicial Council of California