Judicial Council of California · Administrative Office of the Courts

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CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-11-04

Title
Approval of the Judicial Council Meeting Minutes for the August 25-26, 2011 Meetings, and Revised September 9, 2011, Council Meeting Minutes

Recommended by
Ronald G. Overholt, Interim Administrative Director of the Courts

Mary M. Roberts, General Counsel
Nancy E. Spero, Senior Attorney
Office of the General Counsel

Action Requested
VOTING MEMBERS ONLY: Vote and return by fax or e-mail. Additionally, return original signature page.

Please Respond By
December 2, 2011

Date of Report
November 18, 2011

Contact
Nancy E. Spero, 415-865-7915
Nancy.Spero@jud.ca.gov

Executive Summary

This circulating order requests the Judicial Council to approve the minutes for the August 25-26, 2011, meetings, and the revised minutes for the September 9, 2011, Judicial Council meeting. California Rules of Court, Rule 10.6(g), states that the Secretary of the Judicial Council must prepare written minutes of each council meeting for approval at the next council meeting. When approved by the council, the minutes constitute the official record of the meeting.

Recommendation

The Administrative Office of the Courts recommends that the Judicial Council approve the minutes of its August 25-26, 2011, meetings and the revised September 9, 2011, meeting minutes.

Attachments

1. August 25-26, 2011, Judicial Council meeting minutes and revised September 9, 2011, council meeting minutes
2. Voting instructions
3. Vote and signature pages

JUDICIAL COUNCIL MEETING
Minutes of the Educational Meeting—August 25, 2011
San Francisco, California

Chief Justice Tani Cantil-Sakauye, Chair, called the meeting to order at 1 p.m. on Thursday, August 25, 2011, at the William C. Vickrey Judicial Council Conference Center in the Ronald M. George State Office Complex.

Judicial Council members present: Chief Justice Tani Cantil-Sakauye; Justices Marvin R. Baxter, Judith Ashmann-Gerst, Harry E. Hull, Jr., and Douglas P. Miller; Judges Stephen H. Baker, James E. Herman, Ira R. Kaufman, Mary Ann O'Malley, Burt Pines, Winifred Younge Smith, Kenneth K. So, Sharon J. Waters, David S. Wesley, and Erica R. Yew; Senator Noreen Evans; Ms. Miriam Aroni Krinsky, Ms. Edith R. Matthai, Mr. Joel S. Miliband, Mr. James N. Penrod, and Mr. William C. Vickrey; **advisory members:** Judges Keith D. Davis, Kevin A. Enright, Teri L. Jackson, and Robert James Moss; Commissioner Sue Alexander; Court Executive Officers Alan Carlson, Michael M. Roddy, and Kim Turner; and Mr. Frederick K. Ohlrich.

Absent: Assembly Member Mike Feuer and Judge Terry B. Friedman.

Incoming Judicial Council members present: Judges David F. De Alba, David Rosenberg and David M. Rubin; and Ms. Angela J. Davis, Mr. Mark P. Robinson, Jr., and Mr. David H. Yamasaki.

Others present included: public: Ms. Nancy A. Black, Ms. Maria Dinzeo, and Mr. Mark Estes; **AOC staff:** Mr. Peter Allen, Mr. Nick Barsetti, Ms. Deirdre Benedict, Ms. Margie Borjon-Miller, Ms. Deborah Brown, Ms. Nancy Carlisle, Ms. Marcia Carlton, Mr. Philip Carrizosa, Mr. James Carroll, Mr. Steven Chang, Mr. Curtis L. Child, Dr. Diane Cowdrey, Mr. Dexter Craig, Mr. Edward Ellestad, Mr. Chad Finke, Mr. Malcolm Franklin, Ms. Donna Hershkowitz, Ms. Leanne Kozak, Ms. Susan McMullan, Mr. Mark Moore, Mr. Ronald G. Overholt, Ms. Mary M. Roberts, Ms. Marlene Smith, Mr. Curt Soderlund, Mr. Zlatko Theodorovic, Mr. William C. Vickrey, Mr. Lee Willoughby, and Mr. Michael Wright.

Chief Justice's Opening Remarks

Chief Justice Cantil-Sakauye welcomed the council members and the audience to the council's educational meeting and introduced the three items on the meeting agenda. Educational meetings are a forum for council discussion, open to the public, with no votes or council actions taken. The Chief Justice welcomed two incoming council members present—Ms. Angela Joy Davis of the U. S. Attorney's Office for the Central District of California and Mr. Mark P. Robinson, Jr., of the law firm of Robinson Calcagnie Robinson Shapiro Davis, Inc.—both appointed as State Bar representatives with terms beginning September 15, 2011.

Item 1 Report from Executive and Planning Committee Regarding Council Business and Other Meetings

Justice Douglas P. Miller, chair of the Executive and Planning Committee, presented the recent changes that the committee has introduced to council business meetings with respect to public comment opportunities, meeting access, and other governance initiatives. The changes implement council members' recommendations on governance and oversight as discussed at the planning session in June 2011. These initiatives also reflect earlier direction from the Chief Justice to improve accessibility and promote greater public understanding of the complex issues before the branch. Changes include opening the council's educational "issues" sessions to the public, expanding the public comment period at council meetings, simplifying the notification process for members of the public who wish to address council meetings, scheduling more frequent public meetings, improving meeting outreach, and placing Judicial Council members in liaison roles with individual trial courts and divisions within the Administrative Office of the Courts. In addition, a committee of council members was recently formed to look at and clarify the rules of parliamentary procedure for council meetings. With respect to the council's oversight responsibilities, Justice Miller also noted that the Advisory Committee on Financial Accountability and Efficiency is being assigned to report to the council on the AOC's use of consultants and contractors, while the Strategic Evaluation Committee, appointed by the Chief Justice in March, continues its review of the AOC to recommend possible efficiencies.

No council action

Item 2 Judicial Branch Administration: Role of the Trial Court Presiding Judges Advisory Committee

Judges Kevin A. Enright and David Rosenberg, the current and incoming chairs of the Trial Court Presiding Judges Advisory Committee, led an interactive discussion of the role of this advisory committee. Judge Enright highlighted the advisory committee's focus over the past year, including two subcommittees working jointly with the Court Executives Advisory Committee on legislation and rules; efforts by the Court Budget Impact Working Group to communicate to the Legislature the critical impact of current and future budget reductions on the courts; and formation of another subcommittee, chaired by Presiding Judge Sherrill Ellsworth of the Superior Court of Riverside County, to look at enhancing the role of presiding judges in branch governance and communications issues. Judge Rosenberg spoke about the financial hardships the courts face and the need for presiding judges to be engaged with the Judicial Council, the Legislature, and the Governor, and to communicate with the public, the press, and justice partners on the need for adequate judicial resources, staff, and funding to serve the public effectively and accomplish the courts' constitutional role. Justice Marvin R. Baxter suggested that presiding judges be encouraged to identify possible legislative proposals in these areas of need for future council sponsorship.

No council action

Item 3 **Judicial Branch Administration: Effective Practices in Managing Trial Court Budgets in Times of Declining Resources**

Judges Kevin A. Enright, Mary Ann O'Malley, and David Rosenberg—the current, former, and incoming chairs of the Trial Court Presiding Judges Committee—and Ms. Kim Turner, Mr. Michael Roddy, and Mr. Alan Carlson—the current, former, and incoming chairs of the Court Executives Advisory Committee—participated in a panel discussion moderated by AOC Regional Administrative Director Christine Patton on the steps that trial courts have taken to maintain stability in the face of severe budget cuts and to determine best practices for managing budget cuts. From the experience of their courts, the panelists offered extensive recommendations including revisiting a court's business plan, developing cost-cutting scenarios with the participation of the court's executive committee and staff, and keeping court staff informed of budget developments on a timely basis.

For cost-cutting solutions, panelists recommended permanent cost-saving measures, actively soliciting cost-cutting ideas from staff, and re-engineering business operations over time, not only one-time solutions. A host of other suggestions were discussed, including consolidating functions to the extent possible; retooling technology and using office automation (such as Smart Forms, e-filing, voice-over-IP phone systems to save on long-distance calls, and the "magic mail machine" used in the Superior Court of California, County of Orange); finding incremental opportunities to reduce or eliminate expenses (such as replacing paper libraries with online archives, eliminating juror coffee service, and not producing paper copies unless requested); backfilling vacancies with one-year temporary hires when necessary; rolling furloughs and changing business hours to allow staff time to address the court's workload without substantial impacts to the public; more cost-effective early retirement incentives for employees; using the CalPERS trust fund to prefund public employee retiree health benefits and other postemployment benefits; consolidating contracts for goods and services with other courts or county entities to reduce costs; moving toward a flatter organization with fewer managerial layers; and prioritizing court caseloads and adjusting staffing and department operations.

On the revenue side of court operations, the panel talked about approaching fee collection more aggressively, offering payment plans to court users to remit fees and fines, and introducing credit card machines and automated phone collection systems.

Ms. Turner noted that the Court Executives Advisory Committee expects in October to bring to the Judicial Council for discussion a comprehensive proposal for launching a voluntary business process re-engineering initiative in the courts. Mr. William C. Vickrey called for gathering information about the impact of court budget reductions on the public to communicate to the Legislature and the Governor the real impacts of the branch budget crisis. He also suggested forming a coalition with the State Bar and other partner organizations that support keeping the courts open for operation to deliver a common message to the Governor and the Legislature on the importance of a statewide solution for judicial branch funding.

No council action

There being no further agenda items, the meeting was adjourned at 5:15 p.m.

CLOSED SESSION (RULE 10.6(B))—PERSONNEL MATTER

The Chief Justice appointed a search committee to oversee the process of selecting the next Administrative Director of the Courts. That selection committee is chaired by Justice Harry E. Hull, Jr. and its members are: Chief Justice Tani Cantil-Sakauye, Justice Marvin R. Baxter, Judge Stephen H. Baker, Judge Terry B. Friedman (Ret.), Judge Kenneth K. So, Judge Erica R. Yew, Ms. Edith R. Matthai, Ms. Kim Turner, and Ms. Beth Jay.

Council action

The Judicial Council delegated to its search committee the authority to (1) conduct a search to identify one or more candidates with the requisite knowledge, skill, and ability to serve as Administrative Director of the Courts; and (2) to take all steps the committee deems necessary or prudent to identify such candidate or candidates. The council directed the committee to report back to the council no later than October 28, 2011, on the status of its work.

JUDICIAL COUNCIL MEETING
Minutes of the Business Meeting—August 26, 2011
San Francisco, California

Chief Justice Tani Cantil-Sakauye, Chair, called the meeting to order at 8:30 a.m. on Friday, August 26, 2011, at the William C. Vickrey Judicial Council Conference Center of the Ronald M. George State Office Complex.

Judicial Council members present: Chief Justice Tani Cantil-Sakauye; Justices Marvin R. Baxter, Judith Ashmann-Gerst, Harry E. Hull, Jr., and Douglas P. Miller; Judges Stephen H. Baker, James E. Herman, Ira R. Kaufman, Mary Ann O'Malley, Burt Pines, Winifred Younge Smith, Kenneth K. So, Sharon J. Waters, David S. Wesley, and Erica R. Yew; Senator Noreen Evans; Ms. Miriam Aroni Krinsky, Ms. Edith R. Matthai, Mr. Joel S. Miliband, Mr. James N. Penrod, and Mr. William C. Vickrey; **advisory members:** Judges Keith D. Davis, Kevin A. Enright, Teri L. Jackson, and Robert James Moss; Commissioner Sue Alexander; Court Executive Officers Alan Carlson, Michael M. Roddy, and Kim Turner; and Mr. Frederick K. Ohlrich.

Absent: Assembly Member Mike Feuer and Judge Terry B. Friedman.

Incoming Judicial Council members present: Judges David F. De Alba, David Rosenberg and David M. Rubin; and Ms. Angela J. Davis and Mr. David H. Yamasaki.

Absent: Mr. Mark P. Robinson, Jr.

Others present included: Justices Terence L. Bruiniers, Richard D. Huffman, and Ronald B. Robie; Judges Kim Garlin Dunning, William F. Highberger, James J. McBride, Kevin J. McCormick, and David Edwin Power; Senator Noreen Evans; Court Executive Officers Tamara Lynn Beard, Shawn Landry, and James Perry; **public:** Mr. Robert Bunzel, Mr. David Cho, Ms. Nancy Cross, Ms. Kelly Dermody, Mr. Christopher B. Dolan, Ms. Lindsey Scott Flores, Mr. Martin T. Fox, Mr. Stuart Gordon, Ms. Yolanda Jackson, Ms. Beth Jay, Mr. Chris Kearny, Ms. Saskia Kim, Mr. Rich Kram, Mr. Timothy J. Lavorini, Ms. Angela Long, Ms. Karen M. Lutke, Mr. Harry Ma, Mr. Jose Rios Merida, Ms. Arcelia Montoya, Ms. Linda Moscorro, Ms. Ann Murphy, Mr. Ryan Murphy, Ms. Stephanie Skaff, Mr. Chris Summers, Ms. Claire Williams, Mr. John Lumiere Wins, and Ms. Blanca Young; **AOC staff:** Mr. Peter Allen, Mr. Clifford Alumno, Mr. Nick Barsetti, Ms. Deirdre Benedict, Ms. Margie Borjon-Miller, Ms. Deborah Brown, Mr. Robert Buckley, Ms. Nancy Carlisle, Ms. Marcia Carlton, Mr. Philip Carrizosa, Mr. James Carroll, Mr. Steven Chang, Ms. Roma Cheadle, Mr. Curtis L. Child, Dr. Diane Cowdrey, Mr. Dexter Craig, Mr. Edward Ellestad, Mr. Ekuike Falorca, Mr. Chad Finke, Mr. Bob Fleshman, Ms. Cristina Foti, Ms. Linda Foy, Mr. Malcolm Franklin, Ms. M.R. Gafill, Mr. Evan Garber, Mr. Brad Heinz, Ms. Lynn Holton, Mr. John A. Judnick, Mr. Kenneth L. Kann, Ms. Camilla

Kieliger, Ms. Leanne Kozak, Ms. Maria Kwan, Mr. Robert Lowney, Mr. Pat McGrath, Ms. Susan McMullan, Mr. Mark Moore, Ms. Debora Morrison, Ms. Vicki Muzny, Ms. Diane Nunn, Mr. Ronald G. Overholt, Ms. Jody Patel, Ms. Christine Patton, Mr. Charles Perkins, Ms. Mary M. Roberts, Ms. Jessica Sanora, Mr. Tarlok Singh, Mr. Adam Smyer, Mr. Curt Soderlund, Ms. Nancy E. Spero, Mr. Zlatko Theodorovic, Mr. Todd Torr, Mr. Courtney Tucker, Mr. William C. Vickrey, Mr. Lee Willoughby, Mr. Michael Wright, and Ms. Daisy Yee; and **media representatives:** Ms. Maria Dinzeo, *Courthouse News Service*; Ms. Emily Green, *San Francisco Daily Journal*; Mr. Vic Lee, KGO-TV; Ms. Cheryl Miller, *The Recorder*; and Mr. Doug Sovern, KCBS Radio.

Meeting Introduction and Chief Justice's Report

Chief Justice Cantil-Sakauye introduced recent changes instituted for council business meetings to achieve greater transparency and respond to the public's interest in council proceedings. On the previous day, the council held an educational meeting open to the public. Starting with this meeting, the council is also providing the opportunity for expanded public comment: up to five minutes per speaker on general topics of judicial administration at the beginning of each meeting and another opportunity for comment on specific agenda items as those are raised during the meeting. The council will continue with this greater openness and expanded public comment process at future meetings.

The Chief Justice reported on the highlights of her activities since the council meeting of June 24, 2011.

The Chief Justice announced two new chair appointments to Judicial Council advisory committees: Judge David Rosenberg as chair of the Trial Court Presiding Judges Advisory Committee and Mr. Alan Carlson as the chair of the Court Executives Advisory Committee.

Chief Justice Cantil-Sakauye welcomed the two recently appointed incoming Judicial Council members present: Ms. Angela Joy Davis of the U. S. Attorney's Office for the Central District of California and Mr. Mark Robinson, Jr., of Robinson, Calcagnie Robinson Shapiro Davis, Inc. Both are attorneys appointed as representatives of the State Bar with terms beginning September 15, 2011.

Public Comment

Written statements, letters, and e-mail messages submitted to the Judicial Council for consideration at this meeting are attached. Five individuals made requests to speak on trial court budgets and general matters for the council's attention and appeared in the following order:

1. Mr. William-Bullock III: Stewart, private citizen
2. Mr. Jose Rios Merida, Steward, Service Employees International Union
3. Mr. Timothy J. Lavorini, Civil Archives Clerk, Superior Court of San Francisco County
4. Judge Kevin J. McCormick, Superior Court of Sacramento County, representing the Alliance of California Judges

5. Mr. Christopher B. Dolan, attorney

Approval of Minutes

The minutes were approved from the Judicial Council business meeting of June 24, 2011.

Recognition of Parting AOC Executive Team Members

Chief Justice Cantil-Sakauye acknowledged the approaching departures of retiring AOC executive team members Mr. Kenneth L. Kann, Executive Office Programs Division Director, and Mr. William C. Vickrey, Administrative Director of the Courts.[1] Today's council meeting marks the last they will attend in their official capacities.

The Chief Justice announced the council's approval by circulating order of the Executive and Planning Committee's recommendation to name both the Distinguished Service Award for Judicial Administration and the Judicial Council Conference Center in honor of William C. Vickrey. The Chief Justice also presented Mr. Vickrey with a council resolution recognizing his exceptional leadership and contributions as Administrative Director of the Courts and Secretary to the Judicial Council.

Administrative Director's Report

Mr. William C. Vickrey distributed a report on the activities of the AOC and commented on several items.

Judicial Council Committee Presentations

Executive and Planning Committee

Justice Douglas P. Miller, chair of the Executive and Planning Committee, reported that the committee had met seven times since the June 24, 2011, council meeting: three times by e-mail, on August 2, August 16, and August 22; three by telephone, on August 5, August 12, and August 18; and once in person on August 24. He spoke of the committee's recent effort to expand public comment opportunities at Judicial Council meetings to encourage greater public participation and enrich council discussions. Beginning with this meeting, the meeting agenda allocates time for the public to address the council on general judicial and court administration issues at the beginning of the meeting as well as the opportunity to address specific agenda items as they are called. The committee has also simplified the process for members of the public to make requests to speak at council meetings. Justice Miller remarked on the committee's continued efforts to explore implementation of other governance recommendations from council members, including those regarding council oversight of the AOC, branch planning, communication, outreach, and management of advisory groups. These recommendations are all outcomes of council discussions at its June 22–23, 2011, planning session.

[1] A special council meeting, convened subsequent to the August 26 business meeting, and held on September 9, 2011, was actually the last council meeting Mr. Vickrey attended before his retirement as the Administrative Director of the Courts.

Policy Coordination and Liaison Committee
Justice Marvin R. Baxter, chair of the Policy Coordination and Liaison Committee (PCLC), reported that the committee had met by conference call on four occasions since the June 24, 2011, council meeting: June 29, July 20, August 19, and August 24. He reported that the committee meetings were largely budget-related, with the PCLC receiving informational updates from Office of Governmental Affairs Director Curtis L. Child on the budget and ongoing discussions about judicial branch funding issues. The committee also took action to support Assembly Bill 110, the judiciary budget trailer bill. He also reported that the committee approved circulation for public comment of a proposal on recognition of tribal court civil judgments. Finally, Justice Baxter reported that two council-sponsored measures, Assembly Bill 458 and Senate Bill 721, were signed by the Governor.

Rules and Projects Committee
Justice Harry E. Hull, Jr., chair of the Rules and Projects Committee, reported that the committee had met three times since the June 24, 2011, council meeting: by telephone on July 29 and August 23 and by e-mail on August 18. In July, the committee approved circulation for comment on a special cycle a proposal to implement the recent criminal justice realignment legislation. In August, the committee considered a technical amendment to the Uniform Bail and Penalty Schedules, as presented to the council for this meeting. Also in August, the committee discussed improvements in the rule-making process. Justice Hull said that he previously had discussed potential improvements in the Judicial Council rules development process with the Trial Court Presiding Judges and Court Executives Advisory Committees and intends to continue the discussion with those and other advisory committees, all presiding judges and court executives, and the appellate courts.

California Court Case Management System Internal Committee
Judge James E. Herman, chair of the California Court Case Management System (CCMS) Internal Committee, reported that the committee had met twice since the June 24, 2011, council meeting: by telephone on July 18 and in a joint conference call with the CCMS Executive Committee on August 24. Justice Terence L. Bruiniers, chair of the CCMS Executive Committee, joined Judge Herman to report on the status of product testing and the progress toward completion of the development phase of the CCMS project.

CONSENT AGENDA (ITEMS 1–5)

Item 1 Child Support: Fiscal Year 2011–2012 Base Funding Allocation for the Child Support Commissioner and Family Law Facilitator Program

The Family and Juvenile Law Advisory Committee recommended that the council approve the allocation of funding for the Child Support Commissioner and Family Law Facilitator Program for fiscal year 2011–2012. The Judicial Council is required to annually allocate non–trial court funding to local courts for this program (Assem. Bill 1058; Stats. 1996, ch.

957). The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council.

Council action

The Judicial Council, effective August 26, 2011, approved the allocation of funding for the Child Support Commissioner and Family Law Facilitator Program for fiscal year 2011–2012.

Item 2 Judicial Branch Administration: Audit Reports for Judicial Council Acceptance

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch recommended that the council accept four audit reports, pertaining to the Superior Courts of Amador, Imperial, Inyo, and Sonoma Counties. This action complies with the policy approved by the council on August 27, 2010, which specifies council acceptance of audit reports as the last step to finalization of the reports prior to their placement on the California Courts website for public access. Acceptance and publication of these reports will enhance accountability and provide the courts with information to minimize financial, compliance, and operational risks.

Council action

The Judicial Council, effective August 26, 2011, accepted the four audit reports pertaining to the Superior Courts of Amador, Imperial, Inyo, and Sonoma Counties.

Item 3 Collections: Amnesty Program Guidelines

The AOC's Enhanced Collections Unit recommended that the council approve two alternate sets of amnesty program guidelines to be used statewide by court and county collection programs: one for Vehicle Code and non-Vehicle Code infractions and one that includes certain misdemeanor violations should the legislation extending the amnesty program in this manner be enacted and become effective on or before January 1, 2012. The Infraction Amnesty Program Guidelines are based on existing Vehicle Code section 42008.7 and Assembly Bill 1358 (Fuentes; Stats. 2011, ch. 662), currently pending in the Legislature, which will amend section 42008.7 to include specific Vehicle Code misdemeanor violations.

Council action

The Judicial Council, effective August 26, 2011, approved two alternate sets of amnesty program guidelines to be used statewide by court and county collection programs for Vehicle Code and non-Vehicle Code infractions and specified misdemeanor violations, presuming the legislation extending the amnesty program in this manner should be enacted and become effective on or before January 1, 2012. The council directed each court and county collection program to consider using an amnesty master agreement vendor for the collection of eligible amnesty cases.

Item 4 Subordinate Judicial Officers: Authorization for Two SJO Positions in the Superior Court of San Bernardino County

The AOC recommended that the Judicial Council, in accordance with Government Code section 71622(a), authorize two positions for subordinate judicial officers at the Superior Court of San Bernardino County. Adding these positions will improve access to justice in San Bernardino, where the court's workload exceeds the capabilities of its current authorized number of subordinate judicial officers and demonstrates the need for more judicial officers. The two new positions will replace two existing hearing officer positions, and the court will pay the difference in costs out of its budget. Without authorization for these two positions, the delivery of justice in San Bernardino County will be even more severely affected.

Council action

The Judicial Council, effective August 26, 2011, authorized two positions for subordinate judicial officers at the Superior Court of San Bernardino County.

Item 5 Traffic: Uniform Bail and Penalty Schedules, September 2011

The Traffic Advisory Committee proposed that the council adopt the revised 2011 Uniform Bail and Penalty Schedules, to be effective September 1, 2011. The revised schedules incorporate information on a new $3 administrative fee that courts must collect for the Department of Motor Vehicles when defendants are referred to traffic violator school. Updating the council's schedules will assist courts in revising local bail schedules and facilitate proper collection of fees for traffic cases in accordance with new law.

Council action

The Judicial Council, effective August 26, 2011, adopted the revised 2011 Uniform Bail and Penalty Schedules, effective September 1, 2011.

DISCUSSION AGENDA (ITEMS 6–11)

New Item Judicial Branch Administration: Bar Association of San Francisco's Request to Amend Rule 10.815

The Bar Association of San Francisco (BASF) requested that the council amend rule 10.815 to authorize trial courts to establish a new fee for the appearance of each attorney at case management conferences in complex civil cases. The AOC recommended that the council decline this request to amend rule 10.815. Rule 10.815 implements Government Code section 70631, which authorizes courts, in the absence of a statute or rule authorizing or prohibiting a fee for a particular service or product, to charge a reasonable cost-recovery fee for providing the service or product as long as the Judicial Council approves the fee. The Legislature has

addressed fees for complex cases and case management conferences and amending rule 10.815 as requested would be inconsistent with statute.

Chief Justice Cantil-Sakauye and Justice Baxter recused themselves from the consideration of this matter. Justice Miller presided over this portion of the meeting.

Two individuals asked to speak on this item and appeared in the following order:

1. Ms. Stephanie Skaff, Secretary, Bar Association of San Francisco
2. Judge Richard A. Kramer, Superior Court of San Francisco County

Council action

The Judicial Council, effective August 26, 2011, in a vote of 16 to 1 with 1 abstention and 2 recusals, approved the staff's recommendations:

1. Not to amend rule 10.815;
2. To direct the AOC to consider new statewide fees or fee increases that the council may recommend to the Legislature to help offset reductions in state funding for trial court operations; and
3. To direct the AOC to continue working with the trial courts to find other ways of addressing reductions in state funding for trial court operations.

The results of the roll call vote are attached.

Item 6 Judicial Branch Administration: Judicial Branch Contracting Manual

The AOC recommended that the Judicial Council adopt a judicial branch contracting manual addressing the procurement of goods and services by judicial branch entities. Public Contract Code (PCC) section 19206 requires the council to adopt a manual that sets forth policies and procedures consistent with the PCC and substantially similar to the provisions in the *State Administrative Manual* and the *State Contracting Manual.*

Council action

The Judicial Council, effective August 26, 2011:

1. Approved the adoption of the proposed *Judicial Branch Contracting Manual* to take effect October 1, 2011, to comply with Public Contract Code section 19206.
2. Directed the AOC, in light of the need to consult further with judicial branch entities regarding the Judicial Branch Contract Law (Pub. Contract Code, § 19201 et seq.) and the contracting manual, to:
   - expand the membership of the Judicial Branch Contracting Manual Working Group to increase the representation of presiding judges; court administrators; and small, medium, and large trial courts; and

- report back to the council in December 2011 and present any proposed amendments to the manual resulting from further consultation with the working group and feedback from judicial branch entities.

3. Directed the AOC, in light of significant funding reductions since enactment of the Judicial Branch Contract Law, to seek legislative support to:

   - defer implementation of the law for a period sufficient for judicial branch entities to make structural changes to their procurement and contracting systems and reporting mechanisms and to train staff as necessary to comply with the new law's requirements; and
   - clarify the scope of the audits mandated by the law and cap the total amount that each judicial branch entity is required to reimburse the State Auditor for conducting the mandated audits.

Item 7 Budget: Fiscal Year 2012–2013 Requests for the Supreme Court, Courts of Appeal, Judicial Council/Administrative Office of the Courts, and Trial Courts

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch recommended that the council (1) approve the proposed fiscal year 2012–2013 budget requests for the AOC; and (2) delegate authority to the Administrative Director of the Courts to make technical changes to budget proposals, as necessary. The Administrative Office of the Courts further recommended that the council (1) approve the proposed FY 2012–2013 budget requests for the Supreme Court, Courts of Appeal, and trial courts; and (2) delegate authority to the Administrative Director of the Courts to develop budget requests focused on the restoration of baseline funding for judicial branch entities as well as authority to make technical changes to any budget proposals, as necessary. Submittal of budget change proposals (BCPs) is the standard process for proposing funding adjustments to the State Budget. This year, BCPs are to be submitted to the Department of Finance by September 12, 2011.

Council action

1. The Judicial Council, effective August 26, 2011, approved the following Advisory Committee on Financial Accountability and Efficiency recommendations:
   a. the proposed FY 2012–2013 budget requests for the Administrative Office of the Courts for submission to the state Department of Finance; and
   b. the delegation to the Administrative Director of the Courts of authority to make technical changes to budget proposals as necessary.
2. The Judicial Council, effective August 26, 2011, approved the following Administrative Office of the Courts recommendations:
   a. the submission to the Department of Finance of budget change proposals for FY 2012–2013, which would communicate funding needs for the Supreme Court,

Courts of Appeal, and trial courts, as identified in the report submitted to the council;

b. the delegation to the Administrative Director of the Courts of authority to develop budget requests for judicial branch entities for submission to the Department of Finance focused on the restoration of baseline funding for judicial branch entities; and

c. the delegation to the Administrative Director of the Courts of authority to make technical changes to budget proposals as necessary.

Item 8 Court Facilities: Modifications Budget and Prioritized List for Fiscal Year 2011–2012

The Trial Court Facility Modification Working Group and the AOC Office of Court Construction and Management recommended a statewide budget of $30 million for court facility modifications and planning in fiscal year 2011–2012. They also recommended a prioritized list of facility modifications ranked according to the policy prescribed by the council. This budget amount reflects the current legislatively authorized funds for court facility modifications, and these rankings prioritize hundreds of needed facility modifications according to their relative criticality and necessity.

Council action

The Judicial Council, effective August 26, 2011, approved:

1. A budget of $30 million, as allocated by the Legislature, for FY 2011–2012 statewide court facility modifications and planning, to include:
   a. a reserve of $4 million held back for immediate or potential emergency needs (priority 1) that may develop in facilities;
   b. no allocation for facility modification requests under planned priorities 2–6;
   c. an allocation of $3.5 million for statewide facility assessments and facility modification planning, including the costs of contracts, equipment, and materials to set up operations; development of building-specific facility management plans and procedures; development of hazardous material plans; and continuation of facility condition assessments; and
   d. allocation of the remaining $22.5 million for unforeseen or out-of-cycle requests under priorities 2–6.
2. The prioritized list (as submitted to the council) of facility modifications ranked according to the policy prescribed by the Judicial Council, under which the working group may make adjustments to the prioritization of planned priority 2–6 requests and reallocate funds among the budget categories.

Item 9 Criminal Justice Realignment: Allocations for FY 2011–2012

The Trial Court Budget Working Group recommended that the council approve the allocation of $17.689 million in operational funding and $1.149 million in court security–related funding contained in the Budget Act of 2011 (Stats. 2011, ch. 33) to address the trial courts' increased workload as a result of the passage of the Criminal Justice Realignment Act of 2011.

Council action

The Judicial Council, effective August 26, 2011, approved for fiscal year 2011–2012:

1. The allocation of $17.689 million in Criminal Justice Realignment Act operational funding to the superior courts, based on each court's percentage of the estimated statewide number of petitions filed for revocation (as shown in attachment A, column C, of the report submitted to the council);
2. The permanent transfer of $1.149 million in security funding appropriated through the Criminal Justice Realignment Act to the counties, based on the same pro rata methodology as that applied to operational funding (as shown in Attachment A, column D of the same report); and
3. The tracking by courts of the number of Petition for Revocation of Community Supervision forms (proposed form CR-300) that are filed starting on October 1, 2011.

Item 10 Trial Court Allocations: Personal Computer/Printer Replacement Funding

The council has statutory authority to allocate funding from statewide special funds for projects and programs that support the trial courts. The report associated with this agenda item contained staff recommendations for allocating $7.4 million to courts for the replacement of personal computers and printers, but also recommended authorizing the courts to redirect these funds as each deems necessary to mitigate the impact of budget reductions in fiscal year 2011–2012.

Council action

The Judicial Council, effective August 26, 2011, approved the allocation of $7.4 million to the courts for the replacement of personal computers and printers and authorized courts to redirect those funds, as each court deems necessary, to mitigate the impact of budget reductions in fiscal year 2011–2012.

Item 11 Ralph N. Kleps Award for Improvement in the Administration of the Courts: Profiles of the 2010–2011 Kleps Award Recipients

At its April 2011 business meeting, the council approved the 2010–2011 recipients of the Ralph N. Kleps Award for Improvement in the Administration of the Courts. The Kleps Award recognizes and honors innovative contributions made by individual courts in California to the administration of justice. Representatives from the Judicial Council presented the awards to the courts in local ceremonies. These seven extraordinary programs were profiled for the council.

No council action

Circulating Orders since the last business meeting:

CO-11-03: Recognition of Retiring Administrative Director of the Courts William C. Vickrey.

In Memoriam

Chief Justice Cantil-Sakauye closed the meeting with a moment of silence to remember recently deceased judicial colleagues and honor them for their service to their courts and the cause of justice:

- Justice David G. Sills (Ret.), Court of Appeal, Fourth Appellate District, Division Three
- Judge Thomas G. Duffy (Ret.), Superior Court of California, County of San Diego
- Judge Philip F. Jones (Ret.), Superior Court of California, County of Los Angeles
- Judge James P. Marion, Superior Court of California, County of Orange
- Judge James E. Pearce (Ret.), Los Cerritos Municipal Court (Los Angeles County)

There being no further public business, the meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Ronald G. Overholt
Interim Administrative Director of the Courts and
Secretary of the Judicial Council

Written Comments Received for
August 26, 2011, Judicial Council Business Meeting

Name and Title	Affiliation	Topic	Date of Receipt
1. Mr. Arnold Mednick, Referee	Superior Court of California, County of Los Angeles	Budget Proposals 2012-2013 and options to restore funding	8/22/11
2. Hon. Katherine Feinstein, Presiding Judge	Superior Court of California, County of San Francisco	Request for Supplemental Funding	8/22/11
3. HI & RH Prince William-Bullock III: Stewart	On his own behalf (California Home Owners)	Judicial Council form UD-100 by bank attorneys to deny home owners their due process rights	8/22/11
4. Mr. Sigfredo "Fred" Cabrera	On his own behalf (California Taxpayers)	Proposed Judicial Branch Contracting Manual	8/23/11
5. Hon. Charles Horan, Judge of the Superior Court of California, County of Los Angeles	Alliance of California Judges	Budget cuts to the trial courts	8/24/11
6. Priya S. Sanger, President et al	Bar Association of San Francisco	Trial Court Funding: Request for approval of certificate of appearance for complex case management appearance	8/24/11
7. Priya S. Sanger, President et al	Bar Association of San Francisco	Trial Court Funding: Response to August 18, 2011, memorandum from the General Counsel's Office of the Administrative Office of the Courts	8/24/11

JUDICIAL COUNCIL
ROLL CALL VOTE

Motion To approve

Subject AOC recommendations regarding BASF Request to amend Rule **Date** 8-26-11 **Tab #** 5A

	VOTE[1]		
NAME	YES	NO	ABSTAIN
1. Hon. Tani Cantil-Sakauye, Chair	RECUSED		
2. Hon. Judith Ashmann-Gerst	✓		
3. Hon. Stephen H. Baker Moves motion	✓		
4. Hon. Marvin R. Baxter *	RECUSED		
5. Hon. Noreen Evans *	✓		
6. ~~Hon. Mike Feuer~~	N/A	N/A	N/A
7. Hon. James E. Herman	✓		
8. Hon. Harry E. Hull, Jr.	✓		
9. Hon. Ira R. Kaufman	✓		
10. Ms. Miriam Aroni Krinsky	✓		
11. Ms. Edith R. Matthai	✓		
12. Mr. Joel S. Miliband	✓		
13. Hon. Douglas P. Miller	✓		
14. Hon. Mary Ann O'Malley	✓		
15. Mr. James N. Penrod			✓
16. Hon. Burt Pines SECONDS	✓		
17. Hon. Winifred Younge Smith	✓		
18. Hon. Kenneth K. So	✓		
19. Hon. Sharon J. Waters	✓		
20. Hon. David S. Wesley		✓	
21. Hon. Erica R. Yew	✓		

Total: Yes 16 No 1 Abstain 1 Absent 1

William C. Vickrey
Secretary to Judicial Council

* JC member needs to leave at 12:00 p.m. Friday, August 26.

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[1] The Secretary will read each voting member's name, in alphabetical order, with the Chair last. Each member, as his or her name is called, responds in the affirmative or negative as shown above. If the member does not wish to vote, he or she answers "present" (or "abstain").

After each member speaks, the Secretary then repeats that member's name and notes that answer in the correct column. At the conclusion of the roll call, the names of those who failed to answer can be called again or the chair can ask if any voting member entered the room after his or her name was called. Changes of vote are permitted at this time, before the result is announced.

In roll call voting, a record of how each member voted, as well as the result of the vote, should be entered in full in the minutes.

Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

455 Golden Gate Avenue • San Francisco, California 94102-3688
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

MEMORANDUM

Date
November 9, 2011

To
Ronald G. Overholt
Interim Administrative Director of the Courts

From
Nancy E. Spero, Senior Attorney NES
Nancy Carlisle, Court Services Analyst
Office of the General Counsel

Subject
Revision of September 9, 2011, Judicial Council Minutes

Action Requested
Please review and re-sign.

Deadline
N/A

Contact
Nancy Carlisle
(415) 865-7614 phone
Nancy.Carlisle@jud.ca.gov

Secretariat has identified an omission in the September 9, 2011, Judicial Council minutes, issued for council approval at the October business meeting. The version that we prepared erroneously failed to reflect the council's approval of the July 22, 2011, council minutes. To correct this omission, we propose issuing the attached revised set of September minutes.

These revised September minutes include the approval of the July minutes on page 4. This corresponds with the order in which the July minutes were addressed at the September meeting. If you concur with this correction, please sign the document and we will seek council approval along with the August council minutes by circulating order. Thank you and we apologize for this oversight.

Attachment
1. Copy of the existing September 9 Judicial Council minutes, without revision

JUDICIAL COUNCIL MEETING
Minutes of the September 9, 2011, Business Meeting
San Francisco, California

Revised on November 18, 2011

Chief Justice Tani Cantil-Sakauye, Chair, called the meeting to order at 10:30 a.m. on Friday, September 9, 2011, at the William C. Vickrey Judicial Council Conference Center of the Ronald M. George State Office Complex.

Judicial Council members present: Chief Justice Tani Cantil-Sakauye; Justices Judith Ashmann-Gerst, Harry E. Hull, Jr., and Douglas P. Miller; Judges Stephen H. Baker, Ira R. Kaufman, Mary Ann O'Malley, Burt Pines, Winifred Younge Smith, Kenneth K. So, Sharon J. Waters, David S. Wesley, and Erica R. Yew; and Ms. Miriam Aroni Krinsky, Ms. Edith R. Matthai, Mr. James N. Penrod, and Mr. William C. Vickrey; **advisory members**: Judges Keith D. Davis, Teri L. Jackson, and Robert James Moss; and Mr. Frederick K. Ohlrick, Mr. Michael M. Roddy, and Ms. Kim Turner; **members attending by phone:** Justice Marvin R. Baxter and Judge James E. Herman; and **advisory members attending by phone:** Presiding Judge Kevin A. Enright, Judge Terry B. Friedman (Ret.), Commissioner Sue Alexander, and Mr. Alan Carlson.

Incoming Judicial Council members present: Judges David Rosenberg and David M. Rubin; and Mr. David H. Yamasaki; **incoming members attending by phone:** Mr. Mark P. Robinson, Jr.

Judicial Council members absent: Senator Noreen Evans, Assembly Member Mike Feuer; and **incoming members**: Judge David F. De Alba and Ms. Angela J. Davis.

Others present included: Justice Terence L. Bruiniers, San Francisco Mayor Edwin M. Lee, and Court Executive Officer T. Michael Yuen; **public:** Ms. Priscilla Agbunag, Mr. Andrew Chew, Ms. Karen Coahg, Ms. Kelly Dermody, Mr. Christopher B. Dolan, Ms. Valerie Earley, Ms. Cynthia Foster, Mr. Stuart Gordon, Ms. Meredith Grier, Mr. Paul Henderson, Mr. Harold Kohn, Ms. Yolanda Jackson, Ms. Beth Jay, Mr. Chris Kearny, Mr. Timothy Lavorini, Ms. Angela Luy, Ms. Marla Miller, Mr. Edward On-Robinson, Ms. Raquel Silva, Mr. Arthur Sims, Mr. Steve Skikos, Mr. Steve Steller, and Ms. Blanca Young; **AOC staff:** Mr. Nick Barsetti, Ms. Margie Borjon-Miller, Ms. Deborah Brown, Mr. Robert Buckley, Ms. Nancy Carlisle, Mr. Steven Chang, Ms. Roma Cheadle, Mr. Curtis L. Child, Mr. David Cho (intern), Dr. Diane Cowdrey, Mr. Dexter Craig, Ms. Jessica Deleon (intern), Mr. Kurt Deucker, Mr. Mark Dusman, Mr. Malcolm Franklin, Mr. Ernesto Fuentes, Ms. Lynn Holton, Mr. John A. Judnick, Mr. Gary Kitajo, Ms. Leanne Kozak, Ms. Maria Kwan, Ms. Susan McMullan, Mr. Mark Moore, Mr. Ronald G. Overholt, Mr. Alan Oxford, Ms. Jody Patel, Ms. Christine Patton, Ms. Mary M. Roberts, Mr. Adam Smyer, Ms. Penne Soltysik, Ms. Nancy E. Spero, Mr. Zlatko Theodorovic, and Ms. Daisy Yee; and **media representatives:** Ms. Julie Chen, *Bay City News Service*; Ms. Maria Dinzeo, *Courthouse News Service*; Ms. Cynthia Foster, *The Recorder*; Mr. Vic Lee,

KGO-TV; Ms. Margie Shafer, KCBS Radio; Ms. Tess Townsend, *Bay Citizen*; and Ms. Amy Yarbrough, *San Francisco Daily Journal*.

Meeting Introduction

Chief Justice Cantil-Sakauye opened the meeting, a special session of the council on a request for emergency funding from the Superior of California, County of San Francisco, and called the first speaker to the podium to address the council.

Public Comment

Written statements, letters, and emails submitted to the Judicial Council for the meeting are attached. Five individuals made requests to speak on the first item of the agenda and spoke in the following order:

1. Mayor Edwin M. Lee, City of San Francisco
2. Mr. Christopher Kearny, Treasurer, Bar Association of San Francisco
3. Mr. Christopher Dolan, Dolan Law Firm, on his own behalf
4. Ms. Priscilla Agbunag, Chapter Officer, Service Employees International Union
5. Mr. Timothy Lavorini, Civil Archives Clerk, Superior Court of San Francisco County

Prefacing Remarks

Justice Douglas P. Miller, chair of the Executive and Planning Committee, noted the convening of this special meeting—in advance of the council's next regularly scheduled business meeting on October 28—called in order to expedite a response to the San Francisco court's emergency funding request. He reviewed the statutory provisions in Government Code section 77209 that establish the extent of the Judicial Council's authority and discretion to allocate funding reserved from the Trial Court Improvement Funds for urgent needs. He pointed out that the council adopted in 2002 and revised in 2007 guidelines for defining urgent needs and a process for courts to request urgent needs funds. At its last meeting, on August 26, 2011, the council directed staff to work with trial court presiding judges and court executive officers to recommend updates to those guidelines at the October council meeting. Although not required for the council to take action on a funding request, the updated guidelines will define a process for courts to request funding for urgent needs as well as criteria for the council to follow in considering such requests.

Justice Marvin R. Baxter added that the Judicial Council, and the council's Policy Coordination and Liaison Committee, discussed proposals in August for providing additional financial support to the trial courts. The committee directed the Administrative Office of the Courts' Office of Governmental Affairs to pursue revenue enhancements for the judicial branch budget with the Legislature. The committee directed staff to advocate for uniform statewide fees, however, and to oppose fees raised and retained by individual courts.

DISCUSSION AGENDA (ITEMS 1–2)

Item 1 Trial Court Improvement Fund Allocation: Emergency Funding Request for Fiscal Year 2011–2012

The Superior Court of San Francisco County requested emergency funding, and the council convened to consider various options to address this request. The court submitted a request for one-time emergency funding to be used to offset reductions in its allocated budget. Funds are available from a portion of the Trial Court Improvement Fund that is statutorily reserved for allocation to courts for urgent needs.

Council action

The Judicial Council, effective September 9, 2011, allocated $2.5 million of Trial Court Improvement Funds (Gov. Code, § 77209(b)) to the Superior Court of California, County of San Francisco, subject to the following terms and requirements:

1. The $2.5 million will be allocated from the "urgent needs" reserve of the Trial Court Improvement Fund.
2. The court will accept the $645,960 that the Judicial Council previously approved for allocation from the Judicial Administration, Efficiency, and Modernization Fund for the court's complex litigation departments.
3. The court will continue to implement best practices to enhance collections.
4. The court will continue to implement cost-saving measures.
5. The court will use necessary resources to keep open 11 courtrooms previously marked for closure and to reduce the number of staff layoffs.
6. The Judicial Council, the Administrative Office of the Courts, and the court will commit to advocate for revenue solutions, including but not limited to budget restorations and review of uniform statewide fee amounts.
7. The court will use urgent needs funding for the sole purpose of keeping open a sufficient number of courtrooms and providing other necessary services during fiscal year 2011–2012 to meet the court's obligation to adjudicate all matters, both civil and criminal, that come before the court.
8. The Judicial Council, solely to enable the court to meet its obligation to adjudicate all matters that come before it, authorizes the court to reduce its fund balance carried over from fiscal year 2011–2012 to an amount below that which the court would have otherwise been required to maintain under the council-adopted fund balance policy.
9. The court must submit a report on its use of the urgent needs funding to the Judicial Council six months after receipt of the funding. The court should submit the report by May 1, 2012, for submission to the Judicial Council at its June 22, 2012, business meeting.

10. The court will repay, without interest, the $2.5 million allocation from the urgent needs reserve of the Trial Court Improvement Fund within five years (i.e., by October 2016).

Approval of Minutes
The minutes were approved from the Judicial Council business meeting of July 22, 2011.

Item 2 Judicial Branch Administration: Presentation of Two Independent Review Reports on the California Court Case Management System (CCMS)

Justice Terence L. Bruiniers, chair of the CCMS Executive Committee, presented two independent reviews of CCMS as well as a high-level contextual overview of these reports. The first report, the Independent CCMS Code Quality Review, is a quality assessment of the code used to develop the software behind CCMS. The second, the Standard CMMI (Capabilities Maturities Model Institute) Appraisal Method for Process Improvement (SCAMPI) evaluation, is a review of the processes used by the vendor to determine if the vendor has adhered to industry best practices for software development. The main conclusions of the reports are that the CCMS product is adaptable to the variable requirements of the branch and will perform as designed once deployed into the production environment in the courts. Justice Bruiniers noted that the vendors have indicated areas for improvement going forward and that he will present an action plan to the council in October for addressing these suggestions.

No council action

There being no further public business, the meeting was adjourned at 12:50 p.m.

Respectfully submitted,

Ronald G. Overholt
Interim Administrative Director of the Courts and
Secretary of the Judicial Council

JUDICIAL COUNCIL MEETING
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San Francisco, California

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used to develop the software behind CCMS. The second, the Standard CMMI (Capabilities Maturities Model Institute) Appraisal Method for Process Improvement (SCAMPI) evaluation, is a review of the processes used by the vendor to determine if the vendor has adhered to industry best practices for software development. The main conclusions of the reports are that the CCMS product is adaptable to the variable requirements of the branch and will perform as designed once deployed into the production environment in the courts. Justice Bruiniers noted that the vendors have indicated areas for improvement going forward and that he will present an action plan to the council in October for addressing these suggestions.

No council action

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Respectfully submitted,

Ronald G. Overholt
Interim Administrative Director of the Courts and
Secretary of the Judicial Council

Instructions for Review and Action by Circulating Order

Voting members

- Please indicate your **vote, sign, and return by 5pm, December 2, 2011,** if possible, by one of these methods:

    1. Fax the signature pages to the attention of Secretariat Unit, Office of the General Counsel, at 415-865-4317; OR
    2. Reply to the e-mail message with "I approve".

- If you are unable to reply by December 2, 2011, please do so as soon as possible thereafter.

- Additionally, **return the original** signature page to the Secretariat Unit, Administrative Office of the Courts, 455 Golden Gate Avenue, San Francisco, California, 94102-3688. **Please keep a copy for your records.**

Advisory members

The circulating order is being faxed to you for your information only. There is no need to sign or return any documents.

CIRCULATING ORDER
Judicial Council of California
Voting and Signature Pages

Effective immediately, the Judicial Council approves the *minutes for the August 25-26, 2011, meetings, and revised minutes for the September 9, 2011, Council meeting.*

My vote is as follows:

☒ Approve ☐ Disapprove ☐ Abstain

/s/
Tani Cantil-Sakauye, Chair

/s/
Judith Ashmann-Gerst

/s/
Stephen H. Baker

/s/
Marvin R. Baxter

Angela J. Davis

Noreen Evans

Mike Feuer

James E. Herman

/s/
Harry E. Hull, Jr.

/s/
Teri L. Jackson

/s/
Ira R. Kaufman

/s/
Miriam A. Krinsky

Edith R. Matthai

/s/
Douglas P. Miller

/s/
Mary Ann O'Malley

/s/
Burt Pines

My vote is as follows:

☒ Approve ☐ Disapprove ☐ Abstain

Mark P. Robinson, Jr.

Kenneth K. So

/s/
Sharon J. Waters

David S. Wesley

/s/
Erica R. Yew

Date: December 6, 2011

Attest: _____
Interim Administrative Director of the Courts