

**Judicial Council of California**  
**CCMS Internal Committee**  
**November 9, 2011, 8:00 a.m. – 9:00 a.m.**  
**Conference Call**

**Members Participating:** Justice Judith Ashmann-Gerst; Judges David F. De Alba, James E. Herman, Ira R. Kaufman, Teri L. Jackson, and David S. Wesley; and Ms. Edith R. Matthai and Ms. Kim Turner.

**Member Absent:** Judges Stephen H. Baker and Robert James Moss; and Mr. Mark P. Robinson.

**AOC Members Participating:** Ms. Nancy Carlisle, Mr. Steven Chang, Mr. Mark A. Moore, Mr. Ronald G. Overholt, Ms. Christine Patton, Ms. Mary R. Roberts, Ms. Virginia Sanders-Hind, and Ms. Nancy E. Spero.

Status of Product Acceptance and Discussion with Deloitte Regarding the Extension of the Warranty Period

AOC staff briefed the committee on the status of the CCMS product acceptance, the product warranty period, and the settlement of an outstanding credit from DeLoitte Consulting to be applied to the project. The committee discussed the timing of the warranty period and the deployment schedule projected for the early adopter courts and the need for a firm deployment schedule to resolve timing issues. The committee also discussed the responsibility for system maintenance over the warranty period.

Due Diligence

The committee chair expressed the expectation that the committee would stay informed of the due diligence process for assessing the recently proposed opportunity for a 3-way collaboration among the AOC, the State Bar of California, and the Chan Soon-Shiong Family Foundation for CCMS deployment. AOC staff summarized the planning and coordination underway within the AOC to conduct the due diligence process within the 12-week period pursuant to the letter of intent concerning the possible collaboration, which the Judicial Council on October 28, 2011, authorized the AOC to execute. The committee discussed the focus of due diligence and future communications to the branch on the progress of the due diligence effort.

Developing Alternatives

The committee chair noted the committee would be involved in the review of the deployment alternatives to be presented to the Judicial Council, at the conclusion of the due diligence period. The committee discussed cost considerations to include in the deployment alternatives and the need for a comparable cost basis for conducting financial analysis of each deployment alternative. The committee also discussed the possibility of collecting information from the State Bar on advantages of CCMS to practicing attorneys and their clients and including this information in the analysis of possible deployment solutions.

Future Internal Meeting Schedule

The committee agreed on establishing a conference call schedule at two week intervals for the duration of the due diligence period, through February 17, 2011.

*Approved by the committee on November 23, 2011*



## ADMINISTRATIVE OFFICE OF THE COURTS

CALIFORNIA COURT CASE MANAGEMENT SYSTEM  
PROGRAM MANAGEMENT OFFICE

### **CCMS Internal Committee Meeting Teleconference November 23, 2011**

#### **MEMBERS PRESENT**

Hon. James E. Herman; Hon. Steven H. Baker; Hon. David F. De Alba; Hon. Ira R. Kaufman; Hon. Teri L. Jackson; Hon. Robert James Moss; Ms. Kim Turner

#### **INVITED GUESTS PRESENT**

Hon. Terence L. Bruiniers; Hon. Richard J. Loftus Jr.

#### **MEMBERS ABSENT**

Hon. Judith Ashmann-Gerst; Hon. David S. Wesley; Ms. Edith R. Matthai; Mr. Mark P. Robinson, Jr.

#### **STAFF PRESENT**

Ms. Christine Patton, Interim Deputy Chief Director; Ms. Jody Patel, Regional Administrative Director; Mr. Mark A. Moore, Executive Director, CCMS Program Management Office (PMO); Mr. Mark Dusman, Director, Information Services Division; Mr. Stephen Chang, Finance Division; Mr. Curtis Child, Director, Office of Governmental Affairs; Ms. Jessica Craven CCMS PMO; Ms. Mary Roberts, General Counsel; Ms. Nancy Spero, Office of the General Counsel

#### **STAFF CONTACT**

Ms. Nancy Spero Telephone: 415-865-7915 Email: [nancy.spero@jud.ca.gov](mailto:nancy.spero@jud.ca.gov)

#### **WELCOME AND APPROVAL OF MINUTES**

The meeting minutes from November 9, 2011 were approved.

#### **CHAIR'S REPORT**

Judge Herman, Chair of the CCMS Internal committee, welcomed Judge Richard J. Loftus, Jr. from Superior Court of Santa Clara County to the meeting. Judge Rosenberg, Chair of the Trial Court Presiding Judge Advisory Committee (TCPJAC), requested Judge Loftus, a vice-chair of TCPJAC, to attend and provide input on the due diligence process. There was a discussion regarding the deployment of CCMS in other courts after the early adopter courts and what the next steps would be.

Judge Herman stated that he and a steering committee of the CCMS Internal Committee, Justice Ashmann-Gerst, Judge Kaufman and Ms. Kim Turner, meet every Monday morning for an hour to keep abreast of developments. Judge Herman invited Mark Moore to provide information about product acceptance: the product acceptance document will be signed soon and Ron Overholt had a productive conversation with the vendor about a warranty extension.

#### **DUE DILIGENCE STATUS**

Judge Herman, Ms. Christine Patton, Ms. Mary M. Roberts, and Mr. Mark Moore provided an update on the status of the due diligence: the AOC and the State Bar have signed the letter of intent and the signature from the Chan Soon-Shiong Foundation is pending. Eight tracks will proceed under the due diligence effort: financial, governance, governmental affairs, legal, Program Management Office, communications, deployment, and technical.

#### **DEPLOYMENT ALTERNATIVES AND BUDGET**

Mark Moore briefed the committee on deployment alternatives and how the deployment budget could be reduced if there were collaboration with the Chan Soon-Shiong Foundation. Specific analysis will need to be performed to generate projected cost savings.

#### **LEGISLATIVE STATUS**

Mr. Curt Child, Director of the Office of Governmental Affairs, provided a legislative update. He has met with Senator Noreen Evans and budget staff in both houses. Senator Evans is displeased that general funds are not available for CCMS deployment. They were interested in knowing more about the due diligence process. He has been met with healthy skepticism, but no real criticism. They expect complete transparency throughout the process. He offered to keep them and the Bureau of State Audit (BSA) informed of the due diligence process.

*APPROVED BY THE COMMITTEE ON DECEMBER 7, 2011*

## **Executive and Planning Committee**

**August 12, 2011**

**1:00–2:30 p.m.**

**Conference Call**

**Members Participating:** Justice Douglas P. Miller; Judges Stephen H. Baker, Kevin A. Enright, Kenneth K. So, and David S. Wesley; Mr. Frederick K. Ohlrich and Mr. James N. Penrod

**Member Absent:** Mr. Alan Carlson

**Other Judicial Council Member Participating:** Judge Sharon J. Waters

**AOC Members Participating:** Mr. Peter Allen, Ms. Deborah C. Brown, Ms. Nancy Carlisle, Mr. James Carroll, Mr. Kenneth L. Kann, Ms. Susan McMullan, Mr. Ronald G. Overholt, Ms. Mary R. Roberts, Ms. Nancy E. Spero, and Mr. William C. Vickrey

### Minutes

The committee reviewed and approved E&P minutes of the July 15, 2011, meeting and actions taken via e-mail on July 19 and July 21, 2011.

### Circulating Order 11-03

The committee reviewed and recommended to the Judicial Council that it approve by circulating order the following recognition of retiring Administrative Director of the Courts:

- Renaming the Judicial Council's Distinguished Service Award for Judicial Administration as the William C. Vickrey Award for Leadership in Judicial Administration;
- Naming the Judicial Council Conference Center which contains the Malcolm M. Lucas Board Room, on the third floor of the Ronald M. George State Office Complex, at 455 Golden Gate Avenue, San Francisco, in his honor, as the William C. Vickrey Judicial Council Conference Center; and
- The presentation of a Judicial Council resolution to Mr. Vickrey.

### June 23 Judicial Council Working Draft Recommendations Meeting

The committee reviewed a June 23 working draft of recommendations from Judicial Council members on roles, responsibilities, and process in the following areas of council functions: oversight of the AOC, branch planning/communication/outreach, council meetings, and advisory groups. The committee considered short-, mid-, and long-term recommendations to the council in each area for enhancing governance procedures, expanding public participation in council proceedings, and opening council meetings. The E&P chair will report to the council and the public at the August 25, 2011, educational "issues" meeting on council initiatives in these areas. The committee recommends that the Judicial Council adopt these practices and approve the following:

## **Judicial Council Oversight of the AOC**

1. The Judicial Council requests its Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E Committee) :
  - To undertake an analysis of the AOC budget by line item;

- To report to the council regarding AOC's current consultants and construction projects involving significant amounts of money; and
- To formulate a work plan and report to the Judicial Council, if possible at the October 2011 meeting, regarding its plan.

E&P will guide the A&E Committee in defining "significant" in connection with the second bullet. AOC is requested to include these elements in its development of a rule of court for the A&E committee.

2. The Judicial Council requests that the Chief Justice appoint council members to act as liaisons to AOC divisions. E&P will oversee the development of recommendations to the Chief Justice for these appointments and clarify the purpose of these liaison assignments and the charge to the appointees. This liaison function may provide the basis for an educational topic at a future open Judicial Council meeting.
3. The Judicial Council looks forward to receiving information and recommendations from its Strategic Evaluation Committee (SEC) which is conducting an in-depth review of the AOC and its organizational structure to promote transparency, accountability, and efficiency in providing services to the courts.

## Branch Planning/Communication/Outreach

1. The Judicial Council, in June 2011, initiated the development of the next three-year operational plan for the judicial branch, slated for Judicial Council adoption in December 2012. Over the next 18 months, E&P, through services provided by the AOC, will actively seek the input of branch leaders in shaping and developing the next three year branch operational plan. E& P is committed to the development of an operational plan that reflects the fiscal times the branch faces and provides a roadmap for providing access to justice.
2. The Judicial Council requests the Trial Court Presiding Judges Advisory Committee to formalize a communications effort on behalf of the Judicial Council and the judicial branch with local bar associations concerning statewide judicial administration and the issues facing the branch. E&P will oversee development of this effort through the annual agenda process of the Trial Court Presiding Judges Advisory Committee.
3. The Judicial Council requests AOC staff to support council member efforts to inform the judicial branch, branch partners, and the public of issues that come before the council. Specific initiatives will include an open-meeting policy for educational meetings, more effective use of branch communication channels to the courts, council member participation in court site visits and at regional meetings, and enhanced media relations.
4. The Judicial Council requests AOC staff to support council member efforts in the Judicial Council's communication with the legislative and executive branches regarding branch issues.

## Judicial Council Meetings

1. In order to make the council meetings more open and accessible, the Chief Justice has waived certain requirements in Rule 10.6(d) for requests to speak at council meetings. Speakers will be welcome to speak not only on items on the agenda, but also generally on matters affecting judicial administration. E&P has allocated a longer period of time at the beginning of the August 2011 meeting for general comments and before the presentation of each discussion agenda item. E&P has directed staff to accept requests to speak up to 2 days before the meeting.
2. E&P has set on the council agenda an open educational session, for Thursday, afternoon, August 25, and is planning open educational sessions for future issues meetings.
4. E&P, in its agenda setting, is allocating more time for council discussion to allow the council members greater opportunity for deliberation and consequently increased transparency of council decisionmaking.

5. E&P is taking charge of council meeting agenda setting and is directing that specific matters be placed on agendas and brought to the council, both informational matters and matters for decisions.
6. E&P has asked AOC staff to investigate methods for conducting council meetings by telephone or video, so long as the meetings remain open and accessible to the public.
7. E&P and AOC staff are making efforts to improve the timeliness of the delivery of meeting materials to the council members and to the public.
8. The 2012 Judicial Council meeting dates are being announced. Meetings in 2012 will be held during 8 months: January, February, April, June, July, August, October, and December. Having these more frequent meetings will allow E&P to set more open educational topics on agendas, as well as the ability to schedule sufficient time for the presentation and discussion of significant and consequential council decisions.
9. This budget year, the Judicial Council will not be able to convene in locations other than its home base, in order to keep expenses to an absolute minimum. When there is a more flexibility in the council's meeting budget, the members have expressed their interest in convening in at least one other location each year, similar to the Supreme Court outreach visits.

## Judicial Council Advisory Groups

1. The Judicial Council will review the structure and organization of its advisory groups, including its advisory committees and task forces, and their subcommittees and advisory groups. E&P may set this as a topic for an open educational Judicial Council meeting.

*Approved by the committee on August 22, 2011*

**Executive and Planning Committee**  
**August 18, 2011**  
**4:00–4:50 p.m.**  
**Conference Call**

**Members Participating:** Justice Douglas P. Miller; Judges Stephen H. Baker, Kevin A. Enright, Kenneth K. So, and David S. Wesley; Mr. Alan Carlson, Mr. Frederick K. Ohlrich, and Mr. James N. Penrod

**Member Absent:** None

**AOC Members Participating:** Ms. Deborah C. Brown, Ms. Marcia Carlton, Mr. Steven Chang, Mr. Curtis L. Child, Ms. Keri Collins, Ms. Susan McMullan, Mr. Ronald G. Overholt, Ms. Mary M. Roberts, Ms. Nancy E. Spero, Mr. Colin Simpson, Mr. Zlatko Theodorovic, Mr. Todd Torr, Mr. William C. Vickrey

Minutes

The committee reviewed and approved E&P minutes of its email action on August 2, 2011, and its meeting on August 5, 2011.

Agenda Setting for the August 26, 2011, Judicial Council Business Meeting

The committee further set the agenda for the August 26, 2011, meeting.

*Approved by the committee on October 3, 2011*



**Judicial Council of California  
Executive and Planning Committee  
August 22, 2011  
Proposal Circulated by E-mail on August 22, 2011**

**Members Voting:** Justice Douglas P. Miller; Judges Kevin A. Enright, Kenneth K. So, and David S. Wesley; and Mr. Alan Carlson, Mr. Frederick K. Ohlrich, and Mr. James N. Penrod

**Members Absent:** Judge Stephen H. Baker

**Staff Participating:** Ms. Nancy E. Spero

Minutes

The committee reviewed and approved minutes of the E&P Committee meeting on August 12, 2011.

Agenda Setting for the August 25 & 26, 2011, Judicial Council Business Meeting

The committee reviewed and approved, with 1 nay and 1 abstention, a discussion agenda item submitted for Judicial Council consideration on August 26, 2011.

*Approved by the committee on September 2, 2011*

**Judicial Council of California  
Executive and Planning Committee  
August 31, 2011  
Proposal Circulated by E-mail on August 29, 2011**

**Members Voting:** Justice Douglas P. Miller; Judges Stephen H. Baker, Kenneth K. So, and David S. Wesley; and Mr. Alan Carlson, Mr. Frederick K. Ohlrich, and Mr. James N. Penrod

**Member Not Voting:** Judge Kevin A. Enright

**Staff Participating:** Ms. Nancy E. Spero

Retirement Resolutions

The committee reviewed and approved, on behalf of the Judicial Council under California Rules of Court, Rule 10.11(a), resolutions honoring five retiring members of the judicial branch: Hon. John A. Kronstadt, Hon. Michael J. Naughton, CEO Jan Hamilton, Hon. David C. Velasquez and Hon. Kazuharu Makino.

*Approved by the committee on September 2, 2011*

**Judicial Council of California  
Executive and Planning Committee  
October 6, 2011, 3:30–5:00 p.m.  
Conference Call**

**Members Participating:** Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, Sharon J. Waters, and David S. Wesley; and Ms. Edith R. Matthai, Mr. Frederick K. Ohlrich and Mr. David Yamasaki

**Members Absent:** Judge Kenneth K. So

**AOC Members Participating:** Mr. Peter Allen, Ms. Deborah C. Brown, Ms. Nancy Carlisle, Mr. James Carroll, Ms. Roma Cheadle, Mr. Chad Finke, Ms. Cristina Foti, Ms. Donna S. Hershkowitz, Mr. John Judnick, Ms. Susan McMullan, Mr. Ronald G. Overholt, Ms. Christine Patton, Ms. Mary M. Roberts, Ms. Nancy E. Spero, and Mr. Zlatko Theodorovic

Clarification of the Judicial Council Decision on September 9

The committee reviewed the record of the Judicial Council September 9, 2011, decision on the request for emergency funding by the Superior Court of San Francisco County to confirm the action taken by the council with respect to when the court would report back on the use of the funds. The record reflects that the court will submit a written report to the Judicial Council 6 months after receipt of the funding.

Review of E&P 2011 Governance Initiatives

The committee reviewed the status of projects approved by E&P at its August 12, 2011, meeting, assigned further priorities, and provided staff with additional direction.

- (1) The committee determined a high priority for the new Court Facilities Working Group would be to make recommendations to the council, through its Executive and Planning Committee, regarding appropriate council oversight of AOC facilities construction contracts. The council is interested in being advised what the council's oversight role is, what the AOC's role is, what information the council needs to fulfill its oversight responsibility, what matters are material, and what practices the working group recommends to improve the financial accountability associated with these contracts. The council is interested in being advised what the working group recommends the council's role to be.
- (2) The committee determined a high priority for the Trial Court Facilities Modifications Working Group would be to make recommendations to the council, through its Executive and Planning Committee, regarding appropriate council oversight of AOC facilities modifications and maintenance contracts. The council is interested in being advised what the council's oversight role is, what the AOC's role is, what information the council needs to fulfill its oversight responsibility, what matters are material, and what practices

the working group recommends to improve the financial accountability associated with these contracts. The council is interested in being advised what the working group recommends the council's role to be.

- (3) The committee determined a high priority for the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch (A&E) is to make recommendations to the council, through its Executive and Planning Committee, regarding appropriate council oversight of AOC contracts which are not addressed by the Court Facilities Working Group and the Trial Court Facilities Modification Working Group. The council is interested in being advised what the council's oversight role is, what the AOC's role is, what information the council needs to fulfill its oversight responsibility, what matters are material, and what practices the A&E recommends to improve the financial accountability associated with these contracts.
- (4) The committee directed the Interim Administrative Director to advise it of a date by which the committee can review the advisory groups that advise the Administrative Director. The committee requested information on the charge, mission, status, and costs of these advisory groups.
- (5) The committee directed the Interim Administrative Director to advise it of a date by which the committee can review the council delegations of authority to the Administrative Director and the status of those delegations.
- (6) The committee approved the program description for "Judicial Council Member Liaisons to Trial Courts." The committee directed staff to proceed with program implementation.
- (7) The committee determined it would conduct a preliminary review of the 2008 Judicial Council Governance Policies during the December 2011 to January 2012 timeframe, and asked staff to prepare for and support that effort.
- (8) The committee directed staff to publicize in future branch communications the central e-mail box addresses for the "Judicial Council" and the "Executive and Planning Committee" to provide a convenient means for the submission of comments on council business.
- (9) The E&P chair and vice chair will develop with staff a way for the committee to be briefed about the council's advisory committees and task forces.

In addition, there was discussion of Judicial Council members having a greater presence at future New Judge Orientations and the development of a course on judicial civics to be delivered at the B.E. Witkin Judicial College.

**Judicial Council of California  
Executive and Planning Committee  
October 17, 2011, 9:00–10:00 a.m.  
Conference Call**

**Members Participating:** Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, and David S. Wesley; and Mr. Frederick K. Ohlrich and Mr. David Yamasaki.

**Members Absent:** Judges Kenneth K. So and Sharon J. Waters; and Mrs. Edith R. Matthai.

**AOC Members Participating:** Ms. Heather Anderson, Ms. Deborah C. Brown, Ms. Nancy Carlisle, Mr. James Carroll, Mr. Steven Chang, Ms. Lora Collier Chan, Mr. Curtis L. Child, Ms. Audrey Fancy, Ms. Claudia Fernandes, Ms. Cristina Foti, Ms. Lynn Holton, Ms. Bonnie Hough, Mr. John Judnick, Ms. Althea Lowe-Thomas, Mr. Mark A. Moore, Ms. Susan McMullan, Mr. Ronald G. Overholt, Ms. Mary M. Roberts, Mr. Colin Simpson, Mr. Zlatko Theodorovic, and Ms. Julia Weber.

Minutes

The committee reviewed and approved the minutes of an e-mail action taken by the committee on September 16, 2011, and the minutes of the October 3 and 5, 2011, committee meetings.

Court-Appointed Special Advocate (CASA) Grant Funding Allocations for Fiscal Year 2011-2012

The committee reviewed and referred AOC staff's recommendation on the CASA grant funding levels for fiscal year 2011–2012 to the Judicial Council consent agenda for approval by the council on October 28, 2011.

Agenda Setting for the October 27 & 28, 2011, Judicial Council Meetings

The committee reviewed reports and continued to set the agenda for the council's next educational and business meetings.

*Approved by the committee on November 21, 2011*

**Judicial Council of California**  
**Executive and Planning Committee**  
**October 20, 2011, 4:00–4:30 p.m.**  
**Conference Call**

**Members Participating:** Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, Kenneth K. So, Sharon J. Waters, and David S. Wesley; and Ms. Edith R. Matthai, Mr. Frederick K. Ohlrich, and Mr. David Yamasaki.

**AOC Members Participating:** Mr. Peter Allen, Ms. Deborah C. Brown, Ms. Nancy Carlisle, Mr. James Carroll, Mr. Curtis L. Child, Mr. Cathal Conneely, Mr. Chad Finke, Ms. Cristina Foti, Mr. Mark A. Moore, Mr. Ronald G. Overholt, Ms. Christine Patton, Ms. Mary M. Roberts, Ms. Nancy Spero, and Mr. Zlatko Theodorovic

Agenda Setting for the October 27 & 28, 2011, Judicial Council Meetings

The committee reviewed agendas for the Judicial Council educational and business meetings in October, as well as the closed session.

*Approved by the committee on November 21, 2011*

**Judicial Council of California  
Executive and Planning Committee  
October 21, 2011  
Proposal Circulated by E-mail on October 20, 2011**

**Members Voting:** Justice Douglas P. Miller; and Judges Stephen H. Baker, David Rosenberg, Kenneth K. So, and David S. Wesley; Mr. Frederick K. Ohlrich, and Mr. David Yamasaki

**Members Not Voting:** Judge Sharon J. Waters and Ms. Edith R. Matthai

**Staff Participating:** Ms. Nancy E. Spero

Agenda Setting for the October 27 & 28, 2011, Judicial Council Meetings

The committee reviewed and approved for posting and distribution to the Judicial Council a report on California Court Case Management System (CCMS): Deployment Alternatives.

*Approved by the committee on November 21, 2011*

**Judicial Council of California  
Executive and Planning Committee  
October 24, 2011, 12:00–12:30 p.m.  
Conference Call**

**Members Participating:** Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, Kenneth K. So, and David S. Wesley; and Ms. Edith R. Matthai, Mr. Frederick K. Ohlrich, and Mr. David Yamasaki.

**AOC Members Participating:** Ms. Deborah C. Brown, Ms. Nancy Carlisle, Ms. Roma Cheadle, Ms. Cristina Foti, and Ms. Nancy E. Spero.

**Members Absent:** Judge Sharon J. Waters.

**Retirement Resolution**

The committee reviewed and approved, on behalf of the Judicial Council, a retirement resolution honoring Hon. Wendy Clark Duffy.

**California Interagency Council on Veterans**

The committee reviewed nominations and determined its recommendation to the Chief Justice for her appointment of a judicial branch representative to serve on the California Interagency Council on Veterans.

*Approved by the committee on November 21, 2011*



**Judicial Council of California**  
**Executive and Planning Committee**  
**October 28, 2011**  
**Proposal Circulated by E-mail on October 28, 2011**

**Members Voting:** Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, Kenneth K. So, and David S. Wesley; and Ms. Edith R. Matthai, Mr. Frederick K. Ohlrich, and Mr. David Yamasaki.

**Member Not Voting:** Judge Sharon J. Waters

**Staff Participating:** Ms. Nancy E. Spero

Additional Nominations for the California Interagency Council on Veterans

On review of further information, the committee determined not to alter its previous recommendation to the Chief Justice regarding her appointment of a judicial branch representative to serve on the California Interagency Council on Veterans.

*Approved by the committee on November 21, 2011*

**Judicial Council of California**  
**Executive and Planning Committee**  
**November 1, 2011**  
**Proposal Circulated by E-mail on November 1, 2011**

**Members Voting:** Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, Kenneth K. So, Sharon J. Waters, and David S. Wesley; and Mr. Frederick K. Ohlrich, and Mr. David Yamasaki.

**Members Not Voting:** Judge Stephen H. Baker and Ms. Edith R. Matthai.

**Staff Participating:** Ms. Nancy E. Spero.

Out of Cycle Nominations for Vacancy on the Traffic Advisory Committee for 2011

The committee reviewed recommendations from the Chair of the Traffic Advisory Committee on the nominations for an out of cycle vacancy on that committee. The committee formulated its recommendation to the Chief Justice for her appointment of a new member to the committee.

*Approved by the committee on November 21, 2011*

**Executive and Planning Committee**  
**November 21, 2011**  
**12:00–1:00 p.m.**  
**Conference Call**

**Members Participating:** Justice Douglas P. Miller; Judges Stephen H. Baker, David Rosenberg, Kenneth K. So, and Sharon J. Waters; Ms. Edith R. Matthai, Mr. Frederick K. Ohlrich, and Mr. David H. Yamasaki

**Member Absent:** Judge David S. Wesley

**AOC Members Participating:** Mr. Peter Allen, Ms. Heather Anderson, Ms. Deborah Brown, Mr. Arturo Castro, Mr. Steven Chang, Ms. Deborah Chase, Mr. Curtis L. Child, Ms. Chris Cleary, Mr. Bob Fleshman, Ms. Cristina Foti, Mr. Bruce Greenlee, Ms. Donna Hershkowitz, Ms. Lynn Holton, Ms. Bonnie Hough, Mr. John Judnick, Ms. Althea Lowe-Thomas, Mr. Bob Lowney, Mr. Dag MacLeod, Ms. Susan McMullan, Mr. Douglas C. Miller, Ms. Diane Nunn, Mr. Patrick O'Donnell, Mr. Ronald G. Overholt, Ms. Jody Patel, Ms. Christine Patton, Mr. Daniel Pone, Ms. Mary Roberts, Ms. Anne Ronan, Ms. Leah Rose-Goodwin, Mr. David Smith, Ms. Nancy E. Spero, Mr. Courtney Tucker, and Mr. Zlatko Theodorovic

Minutes

The committee reviewed and approved the E&P meeting minutes for October 6, 17, 20, 21, and 24, 2011, and the e-mail actions of October 21, and 28, and November 1, 2011.

Approval of Retirement Resolutions

The committee reviewed and approved, on behalf of the Judicial Council, under Rule 10.11(a), four retirement resolutions, honoring the service of: Hon. Edward F. Brodie, Hon. Michael M. Dest, Hon. H. James Ellis, and Hon. Margaret A. Powers.

Conversion of Subordinate Judicial Officer Position

The committee reviewed and approved recommendations by the Administrative Office of the Courts to convert two vacant subordinate judicial officer positions, one in the Superior Court of Los Angeles County and the other in the Superior Court of Sacramento County.

Agenda Setting

The committee set the agenda for the Judicial Council educational and business meetings on December 12 and 13, 2011. An additional agenda setting meeting will occur on December 1.

Out-of-cycle Nominations to Criminal Law Advisory Committee

The committee reviewed and formulated its recommendations to the Chief Justice for out-of-cycle positions on the Criminal Law Advisory Committee.

Judicial Council Liaisons to AOC Divisions

The committee approved a program for Judicial Council Liaisons to AOC divisions according to the written proposal.

Judicial Council Liaisons to Advisory Committee and Task Force Program

This matter was deferred to the December 1, 2011, E&P meeting.

Judicial Council Vacancy

The committee reviewed and approved a process for filling Judge Burt Pines' upcoming vacancy on the Judicial Council. Judge Pines had announced his retirement effective January 1, 2012, a few weeks previously.

*Approved by the committee on 12/1/11*