



# NEWS RELEASE

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## Judicial Council Takes Action on Trial Court Audit Reports

San Francisco—At a public meeting today, the Judicial Council considered and accepted 10 audit reports concerning the financial practices and operations of the Superior Courts of Colusa, Lassen, Merced, Plumas, San Mateo (two reports), San Francisco, Santa Cruz, Shasta, and Tehama Counties.

Audits are regularly performed in state courts to ensure financial transparency and accountability in the judicial branch.

Under a new policy adopted last year, all audit reports accepted by the Judicial Council are posted on the California Courts website to facilitate access by the public. Acceptance and publication of audit reports are designed to provide the courts with information to minimize financial, compliance, and operational risk. The reports are now available online at <http://www.courts.ca.gov/12050.htm>.

The presentation on audit reports was made by the council's Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch, chaired by Administrative Presiding Justice William McGuinness, of the Court of Appeal, First Appellate District (San Francisco). Effective July 1, 2011, the new chair will be Associate Justice Richard Huffman, of the Court of Appeal, Fourth Appellate District, Division One (San Diego).

### OTHER ACTIONS

**ADR Programs:** By an 11-7 vote, the council allocated funding from the current fiscal year to help 10 superior courts that requested funding for their alternate dispute resolution (ADR) programs. As a result of the council's action, the trial courts in these counties will be able to continue their civil mediation and settlement programs through December 31, 2011: Inyo, Lake, Los Angeles, Monterey, San Diego, San Francisco, San Luis Obispo, Santa Clara, Solano, and Sonoma Counties. The courts had been funded for such programs in previous years.

The council approved funds of \$282,634 for civil mediation and settlement programs in those courts and \$25,300 to produce a video to encourage and help self-represented litigants participate in court-connected mediation programs for civil harassment cases throughout the state. The funding is part of current fiscal year 2010–2011 funds already approved by the Judicial Council for ADR purposes.

ADR programs benefit the courts and public by reducing motions, hearings, and trial rates, and litigant costs while increasing litigant satisfaction with the courts. While members voiced support for civil mediation and settlement programs, some were concerned about the branch's ability to continue funding these programs in the current fiscal climate. If the funding was not approved by the council, it would have reverted back to the Judicial Administration Efficiency and Modernization Fund and could not have been used in future years without additional appropriation authority from the Legislature.

**Trial Court Costs Increases:** Approved a recommendation by the Trial Court Budget Working Group to allocate \$17,862 million to address current fiscal year cost increases in trial court employee retirement, retiree health, and health benefits. The funds will be allocated to court on a pro rata basis.

**Telephone Appearances:** Approved amendments to the California Rules of Court to establish a uniform telephone appearance fee, a late fee, and a cancellation fee to be charged by vendors and courts for parties and their attorneys to appear by telephone at court hearings, conferences, and proceedings in civil cases. The amendments are required by Senate Bill 857, the 2010 judicial branch-related budget trailer bill.

**Trial Court Security:** Approved an annual report to the Legislature by the Working Group on Court Security that contains a summary of the trial courts' locally-negotiated security plans. The report is required by Government Code section 69925.

**Civil Jury Instructions:** Approved additions and revisions to the *Judicial Council of California Civil Jury Instructions (CACI)*. These changes will keep CACI current with statutory and case authority.

**Uniform Bail and Penalty Schedules:** Approved revisions to the Uniform Bail and Penalty Schedules that will become effective July 1, 2011. The proposed revisions bring the schedules into conformance with recent legislation that extends the sunset date from July 1, 2011, to July 1, 2013, for the court security fee of \$40 per conviction in criminal cases, including traffic infraction cases.

**Criminal Fines and Fees:** The Judicial Council Court-Ordered Debt Task Force presented an interim report to the council of Legislature, as required by Penal Code Section 1463.02,

on its efforts to evaluate and explore means to streamline the existing structure for imposing and distributing criminal and traffic fines and fees in California. The report does not require council approval.

Chaired by Chief Justice Tani Cantil-Sakauye, the Judicial Council is the policymaking body of state courts. The agenda and reports for today's public business meeting are on the California Courts website at <http://www.courts.ca.gov/policyadmin-jc.htm> .

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*The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and ensures leadership and excellence in court administration.*