



JUDICIAL COUNCIL
OF CALIFORNIA

ADVISORY COMMITTEE ON PROVIDING
ACCESS AND FAIRNESS

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ADVISORY COMMITTEE ON PROVIDING ACCESS AND FAIRNESS

MINUTES OF OPEN MEETING

November 24, 2014
10:00 a.m. to 4:00 p.m.
San Francisco, CA

**Advisory Body
Members Present:**

Hon. Kathleen O'Leary, Co-chair, Hon. Laurie Zelon, Co-chair, Hon. Sue Alexander, Ms. Cherri Allison, Hon. Craig Arthur, Hon. Diana Becton, Ms. Deni Butler, Ms. Nancy Eberhardt, Hon. Ana España, Ms. Ana Maria Garcia, Hon. Barry Goode, Ms. Tammy Grimm, Hon. Maria Hernandez, Hon. Teri Jackson, Hon. Victoria Kolakowski, Hon. Lia Martin, Hon. William Murray, Jr., Ms. Raquelle Myers, Ms. Julie Paik, Ms. Melanie Snider, Mr. Bruce Soublet, Hon. Bobbi Tillmon, Ms. Kimberly Tucker, Hon. Vanessa Vallarta, Hon. Erica Yew, and Hon. Daniel Zeidler

**Advisory Body
Members Absent:**

Ms. Sheila Conlon-Mentkowski and Ms. Leigh Parsons

Others Present:

Ms.Carolynn Bernabe, Mr. Rod Cathcart, Ms. Deborah Chase, Mr. Curtis Child, Ms. Christine Cleary, Ms. Bonnie Hough, Hon. Mark Juhas, Ms. Linda McCulloh, Ms. Diane Nunn, Ms. Julia Weber, and Ms. Kyanna Williams

OPEN MEETING

Call to Order and Roll Call

The chairs called the meeting to order at 10:00 a.m., and took roll call.

Approval of Minutes

No minutes to approve.

PUBLIC COMMENT

In Person Comments:

Ms. Connie Valentine – California Protective Parents Association

Written Comments:

Ms. Connie Valentine – California Protective Parents Association
Submitted written comments regarding the treatment of family law cases involving minor victims of incest and violence.

Mr. Donald Parks – Accessible Technology Services

Submitted written comments regarding the accessibility of court websites for persons with visual impairments.

DISCUSSION AND ACTION ITEMS (ITEMS 1–9)

Item 1: Member Introductions

Action: *No action on this Item.*

Item 2: Cochair Overview of Committee

Overview of the purpose of advisory committees and how they operate within the Judicial Council; discussion of the committee's charge; description of the annual agenda process and how the committee submits its annual agenda to the Judicial Council's Executive and Planning Committee; discussion of reductions in Judicial Council resources in recent years; overview of committee goals for the year including the goal of increasing collaboration with other committees and entities as a means of increasing efficiency and avoiding duplication of work; request that members complete the survey for the Chief Justice's Commission on the Future of California's Court System.

Action: *No action on this Item.*

Item 3: Economic Access/Assess the Impact that Fines and Fees have on Access to the Court

Committee members discussed the following topics: The need for court reporters, particularly in family law cases; the Legislative Analyst's Office's recommendations on restructuring the court-ordered debt collection process; fines and fees; the impact of reduced court staffing, court congestion and case continuances; potential cost-savings; the impact of court closures on litigants and jurors (increased travel time, more time away from work, child-care needs); and scheduling an educational session for committee members to learn more about the branch's overall budget.

Action: *The committee agreed to schedule a session focused on the branch budget.*

Item 4: Review Court Processes Affecting Self-Represented Litigants Discussion

Committee members received an overview of the work of the former Task Force on Self-Represented Litigants and the completion of the report, *Task Force on Self-Represented Litigants: Final Report on Implementation of the Judicial Council Statewide Action Plan for Serving Self-Represented Litigants* which is now posted on the courts website at <http://www.courts.ca.gov/documents/jc-20141028-itemP.pdf>. Committee members discussed the following topics: The role of self-help centers and the services they provide; the impact of budget reductions on self-help centers (decreased services for certain case types and increased waiting times); using technological advancements such as text-message notification systems and smart –phone accessible services; self-help center funding and the impact that reduced filing fees have had on self-help center services; the success of One Day Divorce programs in the Sacramento and San Diego County courts; the self-represented litigant services that libraries

increasingly provide and improving court partnerships with public and law libraries; scheduling an educational session for committee members to learn more about the branch's overall budget.

Action: *The committee will consider these topics as part of the branch budget discussion.*

Item 5: Gender Fairness/ Women of Color in the Courts Focus Groups Discussion – Assess Feedback

Committee members received an update on the working group's progress under the former advisory committee. The update included discussion of the following topics: Several focus groups were held from 2009-2011, often connected to existing conferences and meetings such as those held by the California Judges Association and the California Women Lawyers Association; topics relating to the intersection of race, age, and gender were raised during the focus groups; and consideration of whether a focus group should be held in Fresno to achieve the goal of hosting focus groups in all major regions of the state.

Action: *Staff will work with the subcommittee to identify ways of sharing information from the groups while maintaining participant confidentiality.*

Item 6: Discussion of Other Potential Committee Projects

Committee members provided updates on the following projects and tasks which originated with either the former Access and Fairness Advisory Committee or the former Task Force on Self-Represented Litigants, both of which ultimately merged to create the current Advisory Committee on Providing Access and Fairness:

- 1) *Make Recommendations to CJER for Curriculum Development:* As part of its responsibilities, the committee is charged with providing educational recommendations to the Center for Judicial Education and Research (CJER) governing committee. Discussion of the CJER curriculum development process. In 2015 CJER will begin its curriculum development process for 2016-2018.
- 2) *Assess the Access and Fairness Implications of Court Technology:* Court technology areas the committee should remain aware of are e-filing solutions, fees for accessing online court databases, and the roll-out of new case management systems.
- 3) *Assess Strategies for Reducing Disproportionality in Juvenile Dependency and Delinquency Proceedings:* Committee members received an update on the Chief's Keeping Kids in School and Out of Court initiative (KKISOC). Judge Maria Hernandez is a member of the Committee as well as a member of the KKISOC steering committee. Committee members expressed interest in continuing to learn more about the KKISOC initiative and the scope of its work to avoid duplication of effort.

- 4) *Review and Make Recommendations for Updating the “Effective Practices for Court Self-Help Centers” Catalog:* Committee members received an overview of the catalog *Effective Practices for Court Self-Help Centers* which the Committee can periodically review and make recommendations for updating.
- 5) *Provide Input on Benchcards on LGBT issues in Family Law:* Committee members received an update regarding this project which the former Access and Fairness Advisory Committee provided input on. Staff will seek additional input on the bench cards from current Committee members before seeking input from the Family and Juvenile Law Advisory Committee.
- 6) *Provide Input on Benchcard on Transgender Litigant issues:* Committee members received an update regarding this project which originated from the former Access and Fairness Advisory Committee. Staff will seek input from the Transgender Law Center before bringing this item back to the current Committee for additional feedback and approval.
- 7) *Encourage Attorney Pro Bono Work - Update the Judicial Officer Pro Bono Toolkit:* Committee members received an update regarding the Judicial Council’s Pro Bono Toolkit which provides resources to aid judicial officers in encouraging attorney pro bono service. Staff updated the toolkit in celebration of National Pro Bono Week and will continue to update the toolkit as necessary.
- 8) *Diversity in Court-Appointed Counsel - Disseminate the Court-Appointed Counsel Outreach Brochures to a Broad Range of Attorneys:* Committee members received an update regarding the Court Appointed Counsel brochures, which are nearly complete and will be ready for posting after staff makes a few additional changes. Committee members can then assist by helping to publicize the new brochures.
- 9) *Pilot Mentoring Program for Trial Court Staff – Conduct Outreach and Disseminate the Program Toolkit:* Committee members received an overview of the Pilot Mentoring Program for Trial Court Staff. This project originated out of a working group of the former Access and Fairness Advisory Committee and led the creation of a toolkit titled, *Trial Courts: A Model Mentoring Program for Court Staff in California’s Superior Courts*, which is now available on Serranus. Judge Diana Becton chaired that working group and is also a current member of the Committee. Judge Becton would like to present the new toolkit to the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee. Judge Becton would like to work with Solano Superior Court Chief Executive Officer Brian Taylor on this presentation as the Solano Court was part of the pilot program and Mr. Taylor was a member of that former working group.
- 10) *Make Recommendations for Implementing the Judicial Diversity Summit Report Recommendations:* Committee members received an overview of the Judicial Diversity Summit Report recommendations. In January, 2015 Justice Zelon will seek input on the recommendations from both the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee.

- 11) *Make Recommendations for Improving Language Access in the Courts:* Committee members received an overview of the work of the Judicial Council's Joint Working Group for California's Language Access Plan (LAP). Justice Zelon is cochair of the Committee as well as a member of LAP. Justice Zelon will provide updates on LAP's work to the Committee as necessary.
- 12) *Re-publish Revised ADA Informational Materials:* Committee members received an update regarding two publications relating to California Rule of Court 1.100 which addresses disability accommodations under the Americans with Disabilities Act. The former Access and Fairness Advisory Committee provided recommendations for updating the publications.
- 13) *Provide Input to the Statewide Court and Legal Services Forum:* Committee members received an update regarding the Chief Justice's upcoming Court/Legal Services Forum. The forum is designed to provide an opportunity to discuss solutions to funding problems in the courts and in legal services programs and the impact of those problems on low-income and self-represented court-users. Justice O'Leary and Justice Zelon are cochairs of the Committee as well as members of the Court/Legal Services Forum planning committee. Justices O'Leary and Zelon will provide updates to Committee members regarding the Court/Legal Services Forum as necessary.

Action: No action on these Items.

Item 7: Working Group Meetings and Reports from the Working Groups

The Committee's three working groups met to discuss their working group projects, discuss next steps, and select leaders for the groups before reporting back to the full committee on their discussions.

Working Group Reports:

- *Economic Access:* Consider who else is working on economic access issues to avoid duplication of effort and staff resources; consider effective ways of collaborating with the State Bar of California's Access to Justice Commission which has a similar working group addressing economic access issues; once the state budget is released, an educational session on the role of court fines and fees in the judicial branch budget would be very helpful.
Working Group Lead: Judge Barry Goode.
- *Review Court Processes Affecting Self-Represented Litigants:* Statewide best practices for case-flow management, including: early resolution, time- standards, calendaring and judgment calendaring, settlement conferences, and best uses of technology in these efforts; creating answer packets and/or smart forms for statewide use in civil litigation, particularly in cases where there are a high number of self-represented litigants; improving the use of court technology, particularly with respect to ADA access and potentially creating standards or best practices for accessible computer technology.
Working Group Lead: Judge Craig Arthur.

- *Gender Fairness/Women of Color in the Courts Focus Group*: Will review and determine the best use of the focus group information moving forward; would like to conduct focus groups in San Diego and Fresno to complete the goal of having focus groups in California's major regions; anticipate needing one year to complete this work; the trial court mentorship program originated out of the focus groups and this working group would need about six months to complete the work of rolling out the mentor program toolkit, which includes making a presentation in January to the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee.
Working Group Leads: Judge Diana Becton and Ms. Kelly Myers.

Action: *Subcommittees met and will meet periodically as determined by each group.*

Item 8: Discussion of Committee Priorities

Committee members discussed: the goal of bringing to completion the various projects that were on the final annual agendas for the former advisory committee and former taskforce; focusing on having the three working groups focus on their respective projects and having the working groups report back to the full committee on their progress and proposals that the full committee will ultimately have to make determinations on; the committee will continue to address as a full committee and individual members can let the lead staff and/or the cochairs know if they are particularly interested in contributing to any of these specific projects.

Action: *No action on this Item.*

Item 9: Updates/Reminders from Cochairs

Full committee meetings will generally be held the second Wednesday of the month; working group leads are to contact lead staff Ms. Kyanna Williams for assistance with coordinating their working group calls; general housekeeping reminders were also made.

Action: *No action on this Item.*

A D J O U R N M E N T

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

Approved by the advisory body on January 14, 2015.