



# JUDICIAL COUNCIL OF CALIFORNIA

ADVISORY COMMITTEE ON PROVIDING  
ACCESS AND FAIRNESS

[www.courts.ca.gov/accessfairnesscomm.htm](http://www.courts.ca.gov/accessfairnesscomm.htm)  
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## ADVISORY COMMITTEE ON PROVIDING ACCESS AND FAIRNESS

### MINUTES OF OPEN MEETING

June 1, 2016

10:00 a.m. – 4:00 p.m.

Judicial Council of California, San Francisco

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**Advisory Body****Members Present:**

*Hon. Kathleen O'Leary, Co-chair, Hon. Laurie Zelon, Co-chair, Hon. Sue Alexander, Hon. Craig Arthur, Hon. Diana Becton, Nancy Eberhardt (via phone), Hon. Ana España, Ms. Ana Maria Garcia, Hon. Maria Hernandez, Hon. Victoria Kolakowski, Hon. Lia Martin, Hon. James Mize, Hon. William Murray, Jr., Ms. Leigh Parsons, Ms. Carol Ross-Burnett, Ms. Melanie Snider, Mr. Bruce Souplet, Hon. Bobbi Tillmon, Ms. Kimberly Tucker, Hon. Vanessa Vallarta, Hon. Erica Yew, and Ms. Rheeah Yoo*

**Advisory Body****Members Absent:****Others Present:**

*Ms. Cherri Allison, Ms. Deni Butler, Hon. Ginger E. Garrett, Ms. Tammy Grimm, Hon. Teri Jackson, Ms. Julie Paik, Hon. Juan Ulloa, Ms. Linda McCulloh, Ms. Frances Ho, Ms. Gabrielle Selden, Ms. Diana Glick, Ms. Kimberly DaSilva, Ms. Amy Bacharach, and Ms. Kyanna Williams*

**Others Present by****Phone:**

*Hon. Mark Juhas and Ms. Tracy Kenney*

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**OPEN MEETING**

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**Call to Order and Roll Call**

The chair called the meeting to order at 10:15 a.m. and took roll call.

**Approval of Minutes**

The committee approved the March 9, 2016 meeting minutes.

**Public Comments**

No members of the public attended. No written public comments received as of 10:00 a.m. Tuesday, May 31, 2016 for this meeting.

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**DISCUSSION AND POSSIBLE ACTION ITEMS**

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**Item 1****Updates from Internal Liaisons**

- Justice Kathleen O'Leary – Provided an update on collaborations with chairs from the Advisory Committee on Providing Access and Fairness, the Criminal Law Advisory Committee and the Traffic Advisory Committee. The Chairs are engaging in ongoing discussions regarding how to improve access and fairness for self-represented litigants in traffic court.

- Judge James Mize – Provided an update on the work of the Information Technology Advisory Committee.
- Commissioner Sue Alexander – Provided an update on the work of the Judicial Branch Access Ethics and Fairness Curriculum Development Committee.
- Judge Lia Martin – Provided an update on the work of the Criminal Law Advisory Committee.
- Justice Kathleen O’Leary – Provided an update on the work of the Futures Commission.

## **Item 2**

### **Chair’s Update**

- Language Access Implementation Taskforce: Justice Zelon provided an update on her work with the Language Access Implementation Taskforce, including the Video Remote Interpretation Pilot Project.
- Upcoming Presentation to the Judicial Council regarding Economic Access: Justice Zelon and Justice O’Leary briefly described their educational presentation to the Judicial Council, scheduled for June 23, 2016. The presentation will address PAF’s overall work, strategies for fully implementing the Judicial Council’s Economic Access Protocol, PAF’s plans to address the mental health recommendations that E&P and RUPRO forwarded to the committee, as well as plans for addressing 100% Access to Civil Legal Services.

## **Item 3**

### **Group Discussion: Futures Commission’s draft proposal to merge juvenile dependency and delinquency courts**

The Futures Commission’s Family and Juvenile Working Group (Working Group) requested feedback on a proposal to consolidate juvenile dependency and delinquency cases under one unified juvenile court. Tracy Kenney, staff to the Working Group provided an overview of the proposal. She explained that the working group is particularly concerned about issues of disproportionately in juvenile cases, where African American and Latino youth are statistically more likely to be involved in delinquency and dependency cases and likely to have worse outcomes. Because of PAF’s interest in issues of access and fairness within the courts, PAF was invited to provide feedback on this draft proposal.

PAF members discussed the Working Group’s proposal. PAF members supported the working group’s proposal overall but had a number of suggestions the working group should consider when moving forward with the proposal. PAF Cochairs asked Kyanna Williams to draft a memo to the Working Group that expressed PAF’s overall support of the proposal while outlining recommendations that PAF members voiced during the discussion.

## **Item 4**

### **Mental Health Implementation Taskforce items referred to committee**

Before it sunset on December 31, 2015, the Judicial Council’s Mental Health Issues Implementation Taskforce wrote a final report outlining recommendations related to mental health and the judicial branch. Chairs of the Executive and Planning (E&P) and Rules and Programs (RUPRO) committees referred eight recommendations to the PAF for consideration.

Amy Bacharach, staff with the Judicial Council’s Center for Families, Children and the Courts, provided background information and answered committee member questions about the recommendations. PAF members then had a general discussion of challenges that individuals, families and courts have related to mental health.

## **Item 5**

### **Group Discussion on “What is 100% Access?”**

Justice O’Leary led a discussion regarding the Conference of Chief Justice’s Resolution on 100% Access to Civil Legal Services. She then explained that committee members would be break into small working groups to have facilitated brainstorming sessions regarding different aspects of 100% Access. The

breakout session were: Engaging Communities of Color; 100% Access for Persons with Disabilities; Persons with Limited English Proficiency; Making Services More User-Friendly; and The Role of Technology in 100% Access. Members were also given the option of breaking into unfacilitated small group discussions about other aspects of 100% access of their choice. Because the breakout sessions were for brainstorming purposes, they were not subject to the Open Meetings Rule.

*(Note: After the breakout sessions, PAF reconvened as a full committee and resumed its Open portion of the meeting. Because of a schedule conflict, Judge Juhas' presentation was postponed until after the breakout sessions.)*

#### **Item 6**

##### **Process Simplification**

Judge Juhas, Chair of the State Bar Access to Justice Commission and Cochair of the Judicial Council's Family and Juvenile Law Committee, called in to PAF's meeting to lead a brief discussion about the concept of "process simplification." Judge Juhas explained that he thinks one of the most important things about 100% Access to Civil Legal Services is the need to simplify court processes and keep costs down. Judge Juhas explained that he had been in discussions with PAF Cochairs about having PAF review family court processes and make recommendations for simplifying those processes. Judge Juhas indicated that the Family and Juvenile Law Committee would be open and receptive to PAF's input in these areas. Judge Juhas anticipated that, in order to keep workloads manageable, work on process simplification would most likely being sometime *after* California applies for the *Justice for All* grant.

#### **Item 7**

##### **Report back from breakout sessions**

PAF members reported back on their breakout sessions. Session facilitators provided brief summaries of the major topics discussed during the breakout sessions. Kyanna Williams advised PAF members that she would collect the facilitator notes, compile them, and then distribute them in one document to PAF members at a later date.

#### **Item 7**

##### **Member Discussion of Issues of Access, Fairness, and Diversity**

Law Libraries: PAF member Ms. Kimberly Tucker is Director of the Sonoma County Law Library. Ms. Tucker provided an overview of some of the financial challenges that law libraries, throughout the state, are struggling to overcome. Ms. Tucker explained that law libraries are dependent on filing fees which have dropped dramatically in recent years, and that some law libraries are struggling to keep their doors open. Ms. Tucker explained that although law libraries have traditionally been used primarily by attorneys, that has gradually shifted, and law libraries now serve many more self-represented litigants that attorneys. Ms. Tucker asked PAF members to remember law libraries in the important work ahead on 100% Access to Civil Legal Services.

Mediation with Victims of Domestic Violence: Judge James Mize, ITAC's liaison to PAF, said that in some circumstances victims of domestic violence do not get the quality of mediation they need because the process isn't safe or secure. He says one solution being used by the Sacramento County Superior is to hold mediation sessions using Skype-like technology so that the victim and perpetrator are not in the same room and do not see or hear each other.

#### **Item 8**

##### **Closing/Final Logistics**

- PAF's next annual in-person meeting will take place around February or March, 2017.
- PAF's next monthly committee call is scheduled for Wednesday, July 13, 2016 from 12:15 p.m. to 1:15 p.m.

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## **I. ADJOURNMENT**

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There being no further business, the meeting was adjourned at 3:50pm.

Approved by the advisory body on July 13, 2016.