



# JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION  
AND LIAISON COMMITTEE

[www.courts.ca.gov/pclc.htm](http://www.courts.ca.gov/pclc.htm)  
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## POLICY COORDINATION AND LIAISON COMMITTEE

### OPEN MEETING WITH CLOSED SESSION AGENDA

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.75(c)(1))

OPEN PORTION OF THIS MEETING IS BEING RECORDED

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**Date:** October 28, 2014  
**Time:** 1:00–2:30 PM  
**Location:** Judicial Council Conference Center  
455 Golden Gate Avenue, Third Floor, Sequoia Room  
San Francisco, CA 94102  
**Public Call-in Number:** 1-877-820-7831 Passcode: 7394322 (Listen Only)

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Meeting materials for open portion of the meeting will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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#### I. CALL TO ORDER AND ROLL CALL

#### II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

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##### **Public Comment**

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least half hour prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

##### **Written Comment**

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments

should be e-mailed to [pclc@jud.ca.gov](mailto:pclc@jud.ca.gov) or mailed or delivered to 770 L Street, Suite 1240, Sacramento, California 95814 attention: Yvette Casillas-Sarcos. Only written comments received by 1:00 PM on October 27, 2014, will be provided to advisory body members prior to the start of the meeting.

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### III. CONSENT ACTION ITEM

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#### Item 1

##### PROPOSAL FOR JUDICIAL COUNCIL-SPONSORED LEGISLATION

#### a) **Judicial Council Legislative Policy Summary (Action Required)**

Recommends the Judicial Council adopt the updated Legislative Policy Summary reflecting actions through the 2014 legislative year.

Presenter: Mr. Cory T. Jasperson

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### IV. DISCUSSION AND POSSIBLE ACTION ITEMS

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#### Item 1

##### PROPOSALS FOR JUDICIAL COUNCIL-SPONSORED LEGISLATION

#### a) **Appeals of the Imposition or Calculation of Fines and Fees—Criminal Procedure (Action Required)**

Recommends legislation to add section 1237.2 and amend section 1237 to include new section 1237.2 of the Penal Code to prohibit appeals in felony cases based solely on the grounds of an error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs unless the defendant first presents the claim to the trial court.

Presenter: Mr. Arturo Castro and Ms. Sharon Reilly

#### b) **Evidentiary Objections in Summary Judgment Proceedings (Action Required)**

Recommends legislation to amend Code of Civil Procedure section 437c to provide that in deciding a motion for summary judgment, the court need rule only on objections to evidence that is material to the disposition of the summary judgment motion and that objections not ruled on are preserved on appeal.

Presenter: Ms. Susan R. McMullan, Ms. Heather Anderson and Mr. Daniel Pone

#### c) **Judicial Council Legislative Priorities: 2015 (Action Required)**

Recommends legislative priorities for 2015.

Presenter: Mr. Cory T. Jasperson

#### d) **Monetary Sanctions—Criminal and Civil Procedure (Action Required)**

Recommends legislation to amend Code of Civil Procedure section 177.5 to expressly include jurors in the category of persons subject to sanctions for violating a lawful court order under that section.

Presenter: Mr. Arturo Castro and Ms. Sharon Reilly

**e) Parole Holds—Criminal Justice Realignment (Action Required)**

Recommends legislation to amend Penal Code sections 1203.2(a), 3000.08(c), 3056(a), and 3455(b) and (c) to provide courts with discretion to order the release of supervised persons from custody, unless otherwise serving a period of flash incarceration, regardless of whether a petition has been filed or a parole hold has been issued.

Presenter: Ms. Eve Hershcopf and Ms. Sharon Reilly

**f) Recalling Sentences—Criminal Justice Realignment (Action Required)**

Recommends legislation to amend Penal Code section 1170(d)(1) to apply existing court authority to recall felony prison sentences to sentences now served in county jail under section 1170(h).

Presenter: Mr. Arturo Castro and Ms. Sharon Reilly

**g) Sentencing Report Deadlines (Action Required)**

Recommends legislation to amend Penal Code section 1203 to require courts to find good cause before continuing a sentencing hearing for failure by the probation department to provide a sentencing report by the required deadlines.

Presenter: Ms. Kimberly DaSilva and Ms. Sharon Reilly

**h) State Court Facilities Construction Fund Report (Action Required)**

Recommends legislation to amend Government Code section 70371.8 to change the Judicial Council's annual report due date from March 1 to November 1 to the Joint Legislative Budget Committee and the Chairs of the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget on the status of each project established by the State Public Works Board to be funded by the Immediate and Critical Needs Account of the State court Facilities Construction Fund.

Presenter: Ms. Laura Speed

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**V. ADJOURNMENT**

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**Adjourn to Closed Session**

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**VI. CLOSED SESSION (CAL. RULES OF COURT, RULES 10.75(C)(1) AND 10.75(D))**

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**Item 1**

**Approval of Minutes**

Approve minutes of the August 28, 2014, Policy Coordination and Liaison Committee closed meeting.

**Item 2**

**H.R. 5178 (Paulsen) – The Crime Victim Restitution and Court Fee Intercept Act (Action Required)**

Allows for the interception of federal tax refunds for unpaid court debt and victim restitution.

**Item 3**

**a) Trial Court Unification: Publication of Legal Notice (Action Required)**

Revises the statutes governing publication of legal notice.

**Item 4**

**New Member Orientation.**

**Adjourn Closed Session**