



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION
AND LIAISON COMMITTEE

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POLICY COORDINATION AND LIAISON COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

October 28, 2014

1:00-2:30 PM

Judicial Council Conference Center

455 Golden Gate Avenue, Third Floor, Sequoia Room

San Francisco, CA 94102

Advisory Body Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair; Hon. Daniel J. Buckley; Hon. David E. Gunn; Hon. Brian L. McCabe; Hon. Gary Nadler; Mr. Mark G. Bonino; Mr. James P. Fox; Ms. Mary Beth Todd

Advisory Body Hon. James E. Herman
Members Absent:

Others Present: Justice Marvin R. Baxter, Member of the Judicial Council; Hon. Joan P. Weber, Member of the Judicial Council; Mr. Martin Hoshino; Ms. Jody Patel; Mr. Arturo Castro; Ms. Susan McMullan; Kimberly DaSilva; Eve Hershcopf; and Adrienne Toomey; **Committee staff:** Mr. Cory Jaspersen; Ms. Laura Speed; Mr. Daniel Pone; Ms. Sharon Reilly; Mr. Alan Herzfeld; Ms. Andi Liebenbaum; Ms. Dia Poole; and Ms. Yvette Casillas-Sarcos

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 1:03 PM, and took roll call.

CONSENT ACTION ITEM

Item 1

PROPOSAL FOR JUDICIAL COUNCIL-SPONSORED LEGISLATION

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

Sets forth concise council policy guidelines regarding court-related legislative proposals.

Action: Approved for submission to the Judicial Council

DISCUSSION AND ACTION ITEMS

Item 1

PROPOSALS FOR JUDICIAL COUNCIL-SPONSORED LEGISLATION

a) Appeals of the Imposition or Calculation of Fines and Fees—Criminal Procedure

Prohibits 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.

Action: Recommend Judicial Council sponsorship

b) Evidentiary Objections in Summary Judgment Proceedings

Provides that in deciding a motion for summary judgment, the court need rule only on objections to evidence that are material to the disposition of the summary judgment motion and that objections not ruled on are preserved on appeal.

Action: Recommend Judicial Council sponsorship

c) Judicial Council Legislative Priorities: 2015

Cory Jasperson led a discussion of potential items for the 2015 legislative priorities. The recommendations included: 1) Advocate for a robust reinvestment in our justice system to avoid further reductions and to preserve access to justice for all Californians, including a method to provide stable and reliable funding, including growth funding; 2) Advocate to secure new judgeships and ratify the authority of the council to convert vacant subordinate judicial officer positions to judgeships in eligible courts; and 3) Advocate for legislation to expand access to interpreters. These legislative priorities support the Chief Justice's Access 3D framework for increased access to the courts and the Three-year Blueprint for a Fully Functioning Judicial Branch (Blueprint).

Action: Approved for submission to the Judicial Council

d) Monetary Sanctions—Criminal and Civil Procedure

Expressly include jurors in the category of persons subject to sanctions for violating a lawful court order under that section.

Action: Recommend Judicial Council sponsorship

e) Parole Holds—Criminal Justice Realignment

Provides 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.

Action: Recommend Judicial Council sponsorship

f) Recalling Sentences—Criminal Justice Realignment

Applies existing court authority to recall felony prison sentences to sentences now served in county jail under section 1170(h).

Action: Recommend Judicial Council sponsorship

g) Sentencing Report Deadlines

Requires 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.

Action: Recommend Judicial Council sponsorship

h) State Court Facilities Construction Fund Report

Changes 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.

Action: Recommend Judicial Council sponsorship

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 1:30 PM.

C L O S E D S E S S I O N (C A L . R U L E S O F C O U R T , R U L E S 1 0 . 7 5 (C) (1) A N D 1 0 . 7 5 (D))

The meeting was called to order at 12:30 p.m. and adjourned at 1:02 p.m.

Approved by the advisory body on January 15, 2015.