

Title	Judicial Branch Travel Expense Reimbursement Policy (adopt rule 10.106 of the California Rules of Court)
Summary	<p>Assembly Bill 1248 (Ch. 738, Stats. 2007) requires the Judicial Council to adopt fiscally responsible travel reimbursement policies, procedures, and rates for the judicial branch after receiving comment from the courts, court employee organizations, and other interested groups.</p> <p>The proposed rule defines the applicability of the Judicial Branch Travel Expense Reimbursement Policy and delegates to the Administrative Director of the Courts the authority to amend the policy.</p>
Source	AOC Finance Division
Staff	<p>Pat Haggerty, (415) 865-7922, <i>pat.haggerty@jud.ca.gov</i></p> <p>Bob Fleshman, (415) 865- 7531, <i>bob.fleshman@jud.ca.gov</i></p>
Discussion	<p>The proposed rule serves two functions. First, it defines the applicability of the policy. Second, it delegates to the Administrative Director of the Courts the authority to amend the policy.</p> <p>AB 1248 does not specify the judicial branch entities to which the policy should apply. To avoid any ambiguity, the proposed rule lists all judicial branch entities to which the policy applies. In addition, the proposed rule clarifies that the policy will apply to a broad scope of judicial branch personnel—judicial officers, judicial officers sitting by assignment, officers, employees, as well as members of the Judicial Council, task forces, working groups, commissions, or other similar bodies.</p> <p>The proposed rule delegates to the Administrative Director of the Courts the authority to amend the policy. Because the policy concerns administrative matters, it is appropriate for the Administrative Director to be given authority to amend the policy rather than requiring the Judicial Council to review and approve every change to the policy. The delegation of authority provides that amendments must be fiscally responsible, provide for appropriate accountability, and comply generally with the policy initially adopted by the Judicial Council.</p>

Rule 10.106 of the California Rules of Court would be amended, effective July 1, 2008, to read:

1 **Rule 10.106 Judicial Branch Travel Expense Reimbursement Policy**

2
3 **(a) Adoption**

4
5 The Judicial Council must adopt a fiscally responsible Judicial Branch
6 Travel Expense Reimbursement Policy, under Government Code section
7 68506.5, that provides appropriate accountability for the use of public
8 resources.

9
10 **(b) Applicability**

11
12 The Judicial Branch Travel Expense Reimbursement Policy applies to
13 official state business travel by judicial officers, judicial officers sitting by
14 assignment, and officers, employees, retired annuitants, and members of the
15 Supreme Court, the Courts of Appeal, superior courts, the Judicial Council,
16 the Administrative Office of the Courts, the Habeas Corpus Resource Center,
17 the Commission on Judicial Performance, and task forces, working groups,
18 commissions or similar bodies appointed by the Chief Justice, the Judicial
19 Council, or the Administrative Director of the Courts.

20
21 **(c) Amendments**

22
23 The Judicial Council delegates to the Administrative Director of the Courts,
24 pursuant to article VI, section 6(c) of the California Constitution and other
25 applicable law, the authority to amend the Judicial Branch Travel Expense
26 Reimbursement Policy. The amendments must be fiscally responsible,
27 provide for appropriate accountability, and be consistent with the policy
28 initially adopted by the Judicial Council.

Item W08-03 Response Form

Title: Judicial Branch Travel Expense Reimbursement Policy (adopt rule 10.106 of the California Rules of Court)

- Agree** with proposed changes
- Agree** with proposed changes **if modified**
- Do not agree** with proposed changes

Comments: _____

Name: _____ **Title:** _____

Organization: _____

- Commenting on behalf of an organization**

Address: _____

City, State, Zip: _____

Please **write** or **fax** or [respond using the Internet](#) to:

Address: Ms. Camilla Kieliger,
Judicial Council, 455 Golden Gate Avenue,
San Francisco, CA 94102

Fax: (415) 865-7664 **Attention:** Camilla Kieliger

Internet: <http://www.courtinfo.ca.gov/invitationstocomment/commentform.htm>

DEADLINE FOR COMMENT: 5:00 p.m., Friday, January 25, 2008
--

Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

*Circulation for comment does not imply endorsement by the Judicial Council or the Rules and Projects Committee.
All comments will become part of the public record of the council's action.*