

The Judicial Council of California is the constitutionally created policymaking body of the California courts. The council meets at least six times a year for business meetings that are open to the public and videocast live via the California Courts website. What follows is a formatted and unedited transcript of the last meeting. The official record of each meeting, the meeting minutes, are usually approved by the council at the next business meeting. Much more information about this meeting, the work of the Judicial Council, and the role of the state court system is available on the California Courts website at www.courts.ca.gov. Please stand by for real-time captions.

>> Good morning, everyone. Welcome to the first and my first as chair public business meeting of the new year for the Judicial Council of California for Friday, January 20, 2023. This meeting is now in session. Based on the published agenda, we plan to adjourn later this afternoon at approximately 12:10 p.m. During the premeeting technical checks for the live webcast, we have confirmed the attendance of a quorum of Judicial Council members. As we enter a new calendar year, council leadership and staff invested months, weeks, hours, days, minutes in our budget advocacy for Governor Newsom's 2023–24 State Budget proposal. I truly appreciate all the efforts of my predecessor, retired Chief Justice Tani Cantil-Sakauye, and retired Administrative Director Martin Hoshino, to inform the administration about the policy, advocacy, and fiscal priorities of the judicial branch. I appreciate the many briefings I had as Chief Justice–elect from the Judicial Council internal chairs, Justices Slough and Fujisaki and Judges Anderson, Brodie, and Rubin, and the ongoing support of Acting Administrative Director Millicent Tidwell and her executive team, Rob, John, and Shelly and their professional staff. Our advocacy efforts continue. And they continue to be focused on the number one Judicial Council branch goal of access, fairness, and diversity. And as I recently stated, I appreciate Governor Newsom's continued support in his budget proposal for the critical programs and services provided by the judicial branch to advance access to justice for all Californians. And I look forward to working with all of you, the Governor's administration, and the Legislature and the next—in the next few months as the budget moves through the May Revise to the final enacted State Budget. I am also appreciative of the support of council members, branch and core leadership, and our justice system partners for our budget advocacy priorities and objectives. Millicent will discuss the budget proposal in more detail during her Acting Administrative Director's report later this morning. Our first regular business agenda item will be public comment, and I will turn it over to Judge Anderson.

>> Thank you, Chief. This is the opportunity for the public to comment on general matters of administration or a specific agenda item. The council does welcome public comment and encourages written comment. Today we do not have any in person public comment, but we did receive three written comments. That concludes public comment for this morning. Thank you, Chief.

>> Thank you, Judge Anderson. Next on our agenda is my Chief Justice report to the council that generally summarizes engagement, ongoing outreach activities and actions on behalf of the judicial branch since the last regular business meeting, which was in December of 2022. But

because this is my first Judicial Council business meeting as your chair, I will also report on some engagements from the end of last year when I was Chief Justice–elect. I think this is important and would like to highlight these engagements because it demonstrates the smooth and orderly transition of leadership within the judicial branch and the council that I believe benefits the courts and the people of California. Following the election, I met with assembly speaker Anthony Rendon and was honored to be invited to administer the oath of office for the speaker and for the members of the California State Assembly. I look forward to working with the Legislature as we continue to address important policy issues for our state and the judiciary. Apart from sharing her valuable insights and experience, former Chief Justice Cantil-Sakauye participated in a ceremonial passing of the gavel to me as the incoming Chief and chair of the Judicial Council, and as I understand it, it’s the actual gavel used in the Supreme Court. Her support and the support of council members and staff have made my transition to my new leadership roles as easy as possible, is how I would put it. I wouldn’t say easy, but as easy as possible. I am also pleased to continue the former Chief’s Civic Learning Initiative and the work of the Power of Democracy Steering Committee, ably led by Administrative Presiding Justice Judith McConnell since 2013. I have participated in their Judges in the Classroom program. I was interviewed remotely about being a Supreme Court justice by student members of press friends, which is a volunteer nonprofit that works with elementary school students in high-need areas in Los Angeles to improve their writing and communication skills. I was glad to be able to join some of our civic partners at the 2022 Civic Learning Summit, sponsored by Californians for Civic Learning. And I appreciated Secretary of State Shirley Weber delivering the opening address for the summit. After meeting with students from Civic Learning Award of Excellence honorees from Tarpey Elementary and the champion of civics Joel Snyder, I provided closing remarks for the summit. At the invitation of now–Presiding Judge Samantha Jessner, I provided virtual remarks for the Los Angeles Superior Court’s Supervising Judges Conference, and I also continued the tradition of meeting in chambers with participants of the Judicial Council New Judge Orientation Program. It was clear to me from that visit that the future of the judiciary is in excellent hands. I continued the practice of participating in events that were organized by our justice system partners and practitioners in the legal profession. I joined the San Diego County Bar Association Appellate Practice Section for their Appellate Bench-Bar reception to celebrate milestones for members of the bench, including myself and now-retired Justices Cynthia Aaron and Judith Haller, as well as Justice Martin Buchanan. For the Association of Business Trial Lawyers Los Angeles Section, I participated in an evening with the newest associate justice of the California Supreme Court. Also in Los Angeles, former Supreme Court Justice Carlos Moreno introduced me to say a few remarks at the Italian American Lawyers Association Supreme Court Night. Governor Newsom’s Deputy Judicial Appointments Secretary Gonzalo Martinez also attended, and the association also presented their annual scholarship award. I was pleased to be recognized by the Asian Pacific American Bar Association of Los Angeles, along with Ninth Circuit judges, Lucy Koh and Holly Thomas and U.S District Court Judge Sunshine Sykes as recent trailblazers in the law for 2022 for our respective firsts. On January 2, 2023, I was honored and humbled to be sworn into office by Governor Gavin Newsom as the 29th Chief Justice of California and the first Latina and third woman to hold the office in our state’s history. At the same ceremony, my new Supreme Court colleague, Justice Kelly Evans, was sworn in by Governor Newsom, and we are thrilled to have

her join our court. In between the morning and afternoon sessions of my first oral arguments as Chief Justice, I had the pleasure of swearing Governor Newsom into office at his inauguration ceremony in Sacramento on January 6th. The court's January oral arguments were a hybrid, with four justices on the bench in San Francisco and three justices participating remotely, once again proving that remote technology can be used successfully even at the high court level to accomplish the people's business. As Chief Justice of California, I also chaired my first Commission on Judicial Appointments public hearing, where my commission panel colleagues, Attorney General Rob Bonta and Administrative Presiding Justice Mary Greenwood, we all confirmed Justice Daniel Bromberg as an associate justice of the Sixth District Court of Appeal in San Jose. I continued the outreach with professional associations, attending the American Academy of Matrimonial Lawyers, Southern California's chapter, in Newport Beach, where I received the Family Law Person of the Year, the chapter's highest honor. Last night I had the opportunity to attend the Alameda-Contra Costa Trial Lawyers' Association Judge's Night Gala in Oakland, where I gave some brief remarks. Wearing my chair of the Judicial Council hat, I met with Justice Slough from our Executive and Planning Committee meeting, Millicent, and her staff to review the 2022 Judicial Council nominations process. I would like to remind everyone and everyone listening, nominations are now open and I encourage judicial officers and court administrators to nominate and/or consider being candidates for the vacancies on the council. We are very fortunate to have such a rich and diverse talent pool in the judicial branch to draw from. There are 19 presiding judges who are beginning their first or new terms of service, 13 new trial court and 2 appellate court executive officers who were appointed in 2022. Finally, I want to once again say that I look forward to working with and for you, to supporting and being supported by you, and engaging with our sister branches of government and justice system partners as we deliver fair, equal, and accessible justice to all Californians in the communities that we serve. This concludes my report to the council. Thank you. Now we will hear from Millicent Tidwell, our Acting Administrative Director, with her report to the council. Millicent?

>> Thank you, Chief Justice Guerrero. Today's meeting is a first in several ways. It's the first council meeting of 2023, it's your first time chairing the proceedings—we are so excited to have you leading the judicial branch as our Chief Justice—it's also my first time sitting next to you as Acting Administrative Director, and I am honored to have the opportunity to serve you and the Judicial Council and the branch in this role. Thank you. The regular report is in your written materials as always. It summarizes several key areas staff have been working on to support the council's mission in the short time since the December meeting. It includes summaries of actions taken in meetings of 13 advisory bodies as well as an overview of eight education programs and training resources. So, I want to mention a couple of items from the report. The first is budget. On January 10, the Governor released his proposed spending plan for the 2023–24 fiscal year that begins July 1, 2023. As we regularly do, we distributed a memo focusing on the proposal as it relates to the judicial branch to all judges, justices, court administrators, and employees, and we also convened statewide conference calls with branch leadership to review the proposed budget and answer any questions. Also, as we regularly do, we met with the Legislative Analyst's Office to review the 23–24 proposal for the branch and answer any of their questions. I appreciate the participation of council members Judge

Merrifield, Rebecca Fleming, Shawn Landry in capacities as chair and vice-chairs of the council's Presiding Judges and Court Executives Advisory Committees, respectively. The Governor's budget includes \$297 billion and maintains priorities in the areas of homelessness, housing supply, education, increasing health care access, and fighting climate change. Declines in General Fund revenues and a rise in inflationary pressures have led to a projected \$22.5 billion shortfall for next year. As such, the budget also proposes modest reductions throughout state government to address the foreclosed deficits: \$7.4 billion is slated for some funding delays; another \$5.7 billion in reductions and pullbacks; \$4.3 billion in fund shifts; and another \$3.9 billion to trigger reductions in May Revise, if needed. The Governor is not utilizing the rainy-day fund of \$22.4 billion at this point. So, the budget reductions for the judicial branch are limited to a \$49.5 million pullback of past-year unspent facility maintenance funds and a \$20 million reduction to the Court-Appointed Special Advocate Program in '23-'24 and '24-'25. In terms of increases, the proposal includes a net increase of \$510 million in key funding to protect our core branch operations. This includes \$74.1 million to address inflationary cost increases for the trial courts. It also includes \$109.3 million to backfill declining fines and fee revenues for courts for trial court operations. And we also have some continuing support for courthouse construction and facility modifications including, \$89.5 million to ensure solvency of our facility and construction funds going forward. Also included are some additional resources to implement some new laws that will improve court access and case resolution for California. We are grateful that the Governor continues to prioritize the judiciary's critical role in providing access to justice. I will caution, as always, that the Governor's budget is a proposal, and it is a proposal that is now before the Legislature for full vetting. So, with Chief Justice Guerrero and our team, we look forward to working with the administration and the Legislature to maintain the positive budget momentum for the judiciary so that California's third branch of government can continue to effectively fulfill its public service responsibilities. The written report that you have in your materials also references several projects, completion, or project milestones for courts and Judicial Council. These include the Superior Court of Mono County becoming the 19th court to successfully deploy the human resources payroll service system. We welcome them into the fold. Also, continued statewide expansion of My Citations, which is the ability-to-pay determinations tool for court users and judicial officers to the Superior Courts of Sierra and Trinity Counties. So, they join 16 other courts already using the software. We welcome them as well. Completion of facilities services of 19 real estate projects, with 195 in process, for everything from release renewals for court facilities to facility permits and leases. And the human resources expansion of diversity recruitment efforts by making the services of the professional diversity network available to the branch. The professional diversity network works with many government groups and has exclusive partnerships with the NAACP, the national urban league, women in technology, and many more to expand the diversity of the recruitment pool for our branch. This is another example of the council's ongoing commitment to the goal of achieving and advancing diversity, equity, and inclusion for the branch. To add to the list of good work that's getting done, we also included in your written report a link to the annual year-in-review, which is a recap of how the council and courts around the state worked during 2022 to restore, maintain, and even expand access to justice during the continuing pandemic. It really sums up

the outstanding public service commitment of all of those working within the branch. So, moving on from my written report, I want to briefly reference the reports and recommendations that you are being asked to consider on today's consent agenda. In addition to approval of the December council meeting minutes, there are six reports and recommendations on consent that were developed and vetted by three advisory bodies and several council offices. So, these reports and associated recommendations address technology funding allocations, year-end funding adjustments, form changes, and an annual mandated report to the Legislature on bias mitigation and pretrial processing. A number of other legislative reports are included under the informational section of the agenda. They represent the roughly 30 reports the council annually submits to the Legislature, which we believe is a clear reflection of the accountability, transparency, and ongoing collaboration that exists between our two branches of government. Finally, I want to provide a quick update on weather events that have impacted court operations. As we all know, and as many of you have unfortunately experienced up close, California has been hit with severe weather during the past month. The Facilities Services team dealt with 45 Priority One service work orders for courts, meaning requests that require immediate action to return the facility to normal operations or where a condition exists that will become critical if not corrected immediately. Those included a broken water main from a downed tree in the San Francisco northern branch court that resulted in a flooding parking lot, water leaks that affected two courtrooms in the clerk's office and several training and conference rooms in the Sacramento juvenile court, and at the Solano Hall of Justice, in Fairfield, staff monitored tides from an adjacent canal for potential flooding including in and off hours. Flood barriers were installed twice when there was a potential for flooding. Fortunately, the water never got high enough to flood the courthouse. I will note on that that over the past five years, the Judicial Council has received approximately \$293 million in deferred-maintenance funding. Those funds were put to good use by replacing roofs at several courthouses previous to these big storms and substantially reducing water intrusion from our buildings. I appreciate the ongoing responsiveness of the council's facility staff and all of those in the courts who acted so quickly to protect the court facilities and keep our courthouses safe and accessible. That concludes my report for this meeting. Thank you, Chief, and members.

>> Thank you, Millicent. I wanted to extend a personal thank you to Millicent. It's a pleasure to be by your side as you're presenting your first report as Acting Administrative Director, recognizing all of the work that you put into it.

>> Thank you.

>> Next, we have a hybrid reporting with a presentation from one of our internal committee members and five committee written reports that are posted on our California Courts website. Judge Marla Anderson, committee member with the Judicial Council Executive and Planning Committee.

>> Thank you, Chief. I'm giving this report on behalf of Justice Slough, chair of the Executive and Planning Committee. The committee chair's full written report is posted online; however, I

would like to highlight an item in the report. One of E&P's most important duties is to solicit and review nominations for Judicial Council membership and develop recommendations to the Chief Justice for appointment. This year's nomination process for Judicial Council membership began last Friday, January the 13th and it will close on February the 24th. During this cycle, the nominations being accepted are for the following vacancies: three superior court judge vacancies (voting positions), one commissioner position (a nonvoting position), and two court administrator positions (also a nonvoting position). When the committee solicits nominations, the committee seeks out members committed to working collaboratively as well as possessing a statewide perspective—a perspective that takes into consideration the benefit of all the public and a perspective not beholden to any one particular interest group. The committee is also committed to diversity because this brings about empathy, critical thinking, and open mindedness. So, we hope and encourage all of those interested to go ahead and apply. Thank you and that concludes my report, Chief.

>> Thank you very much, Judge Anderson. Now we have our consent agenda. There are eight items on the agenda. As always, we appreciate the many hours of work that were put in by committee members and staff to bring these recommendations and reports before us for consideration. I would like to remind you, any councilmember may request that an item be moved from the consent to the discussion agenda for further review and consideration. Council members having had an opportunity to review the items, I will entertain at this point a motion to move approval of the consent agenda.

>> Rosenberg moves approval the consent agenda.

>> Thank you, Judge Rosenberg.

>> Second, Hopp.

>> Thank you.

>> Let me clarify. As a nonvoting member of the council, I cannot vote on this but I can make motions and second motions.

>> Thank you, Judge Rosenberg, and thank you for your rules on parliamentary procedure.

>> You are following them beautifully.

>> All those in favor say aye. Any noes? Any abstentions? The consent agenda is approved. We now have five discussion agenda items for today's business meeting. Our first item is the Judicial Council 2023 legislative priorities with Judge Marla Anderson presenting.

>> Again, good morning, Chief, and good morning, everybody. With me today is Cory Jaspersen, director of Governmental Affairs. I would like to thank him for his tireless work that

he has done over the last legislative session as well as the staff, and also thank the Legislation Committee members for all of their work and their willingness to pop up and have meetings for things of importance, and for the agenda item, the recommendations of the Legislation Committee for council to adopt legislative priorities for the 2023 legislative session. As you know, each year, the council adopts legislative priorities for the upcoming legislative year to further key council objectives. The Legislation Committee recommends a similar approach to last year and that similar approach focuses on implementing efficiencies in the courts, continued investment in the judicial branch, as well as expanding remote access to the courts. Our recommendation as you will see on the screen for the council to adopt the priorities, and we will be asking for you to do so, and that is to advocate for stable and reliable funding to address annual cost increases and plan for the future. Also advocate for sufficient resources to improve physical access as well as expand access by increasing remote access to the courts. And continue to implement innovations in programs and services as well. Also, the recommendation is to continue to seek an adequate number of judicial officers in counties with the greatest need as well as promote the availability of verbatim records of court proceedings by working collaboratively to address court reporter shortages and exploring innovations in technology. Also, we look to seek legislative authorization for the disposition of any of our unused courthouses as well as support legislation to improve judicial branch operational efficiencies and the ability to conduct proceedings using remote technology to expand safe and reliable access to justice and to continue to delegate authority to the Legislation Committee to represent positions on proposed legislation, administrative rules or regulations, and proposals by other bodies or agencies. And those are our legislative priorities that the Legislation Committee is recommending that the council approve. Just a few dates so that you will keep up: the 2023–2024 regular session began in the Legislature on December the 5th and reconvened on January the 4th. And the last day for bills to be introduced, which the Legislature is now working on, and that is on February the 17th of '23. Then our last slide shows you the process of the advocacy with the Legislature with respect to those concerns of the judicial branch. Oftentimes concepts come through local court leadership. It may come from a subject-matter advisory committee. Those are vetted, reports are given. Then it moves up to the Trial Court Presiding Judges Advisory Committee as well as the Court Executives Advisory Committee Joint Legislative Subcommittee. They will also do their vetting with respect to impact on the courts and all of that vetting that is done by advisory bodies as well as court leadership then comes up to the Legislation Committee. Legislation Committee then vets it all. We get our meetings and discuss it and say what should we be doing on behalf of the council, and then we do give our positions and reach out to the Legislature. And, so, our request is that the council go ahead and adopt the suggested priorities. Any questions?

>> Having no questions, Chief, that concludes the report.

>> Thank you so much, Judge Anderson and Mr. Jasperson, for your presentation. We appreciate all of the efforts that you put in. It's a difficult task, I'm learning, and you do it so well and with such grace. Thank you for that. I will entertain a motion to move approval of this item and the recommendations.

>> Judge Moorman moves approval.

>> Thank you, Judge Moorman.

>> I will second, Nelson.

>> Thank you, Ms. Nelson.

>> First, all in favor aye.

>> Aye.

>> Any noes? Any abstentions? The item is approved.

>> Thank you, Chief. Thank you, everyone.

>> Next, we will have a presentation regarding the judicial branch technology strategic plan for 2023 through 2026. Judge Kyle Brodie, the chair, will be presenting, and we also have a hybrid, miss Michelle Duarte, chief information officer for the Superior Court of Santa Cruz County appearing remotely, and Mr. Jason Galkin, court executive officer for Superior Court of Nevada County. Welcome.

>> Thank you, Chief. Thank you, members of the council for your attention to our updated strategic plan for technology, which we are going to present today, and it being a technology-related item, we have a hybrid presentation to give you. My copresenters will be appearing remotely. So, just as a brief overview, our technology work is governed by two main documents, our strategic plan for technology, which is a four-year document that sets forth the broad goals that we aspire to adopt and follow as a branch as we implement technology for the service of the public. There is the tactical plan for technology that is a two-year document being updated as we speak, which has a little more of a granular approach, specific projects that courts are working on—that we as a branch are working on—and our plan for moving those projects forward. The strategic plan is a broader statement of intent and, as I said, it's updated every four years. We are at the start of that next four-year cycle now. Today we will talk about the work stream members who participated in updating this plan, general technology governance model, we'll take a look at the tools that we use for making these documents work, we will talk about the key updates to this particular strategic plan, and then at the end we will ask the council to approve the 2023–2026 strategic plan, and we will leave time for questions as well. If you take a look at the work stream members, the work stream model is one that we use for a lot of our technology-related work. We gather as many voices, as many perspectives, as we can as we go through the process of updating our governance documents. This is a model that we've adopted for a lot of technology projects. It's a strength of where we are as a branch. You can take a look at the people who participated and their role that they play in the court

system. You will see it's a terrifically diverse group. We have people from appellate courts, large courts, smaller courts, and occupying a different variety of roles. We have judges, CEOs, CIOs, a research attorney working on this and everyone really pulled their weight and added a valuable perspective to the overall process—really made the end document just that much better than it otherwise would have been. And, briefly, many of you have seen this slide or a version of it before. This is the governance model that we follow. From the top down, we have the overall judicial branch strategic plan, which sets forth the goals for the branch as a whole. Under that, we have our technology strategic plan that talks about the technology piece and how that fits into the branch's overall goals. Under that sits individual technology initiatives as reflected in the tactical plan for technology and then even more granular than that, the Information Technology Advisory Committee publishes its annual agenda and that's a very specific suite of projects that they work through. They do a lot of terrific work and that's where a lot of the action is, if you will because they are really doing the work on the ground making sure that our technology projects are going to be effective, that they are going to further the mission of our branch. One of the key tools that we've developed as a technology community is this document. Again, many of you have seen this previously. It's the California Courts Connected framework. And this was established since the last strategic plan. What became clear to those working on court technology is we didn't necessarily have one coherent document that reflected where we wanted to be. We almost had a sort of intuitive sense of a lot of this, but what are the digital services that we believe courts in a perfect world should be able to offer. And how do we get there, right? What are the—what are the core technology systems that we need and then there is that digital ecosystem, which I will leave to the side for a bit. [whispering] The technologists in the room can talk a lot more about this than I can. But it's that important middle layer that translates into what the public sees, what our justice partner sees, and that's that box of public and partner services. You will see it's not a complete list, but it gives a broad snapshot of where we want to be. There's 58 counties. Courts have different degrees of—kind of technological maturity if you will and resources. Not all of these services are as easy to provide as others. But the goal is for Californians to be able to have a version of these services wherever they go. This is in our experience what the public expects and I think they have a right to expect it. Our job is to get to that level of service. We as the work stream in developing the updated strategic plan, we considered this California Court's Connected framework. Also, courts have been doing an inventory of their own technological systems and reporting back on where they sit in this. It's a great way for us to measure progress and to report back so that when we are asked, well, what courts are offering (I don't know, payments remotely, that they can do online instead of going in person), we are able to actually provide better answers. It's a process but you can definitely see year over year the progress that has been made. So, I will turn it over to Mr. Galkin. He is going to talk to us about a few of the key updates in this current iteration of our strategic plan for technology. Mr. Galkin, take it away.

>> Thank you, Judge Brodie. So, the focus of the update was primary to refine the goals and content in the preexisting strategic plan. The workstream sought feedback from a variety of stakeholders. After reviewing the branch business drivers, research by members, and presentations by industry leaders, subteams analyzed the goals for updates and addition. From

that analysis, the workstream determined that a new goal to promote equal access to digital services should be added to reflect the current business environment. Additionally, the measures for success components were for ITAC to consider for inclusion in the tactical plan for technology. After the initial draft was completed, the plan went out for public comment. Thank you for comments. Those were incorporated where appropriate into the final plan. Here you can see a preview of the five goals covered by the strategic plan. We will take a deeper dive into each one with the new goal, goal number two, Equal Access to Digital Services. Next slide. Goal number one focuses on the operational efficiencies in providing consistent, reliable digital services through a foundational set of technologies intended to serve courts, justice partners, and the public, and Judge Brodie can [indiscernible]. Goal number 2 is our new goal, as mentioned. The equal digital access component was removed from what was previously goal number one to emphasize and address the digital divide and stress the importance for equal digital access. This goal is intended to promote equal access and provides the context of how new services solutions will be designed and delivered while emphasizing the diverse needs of all court users. [Indiscernible] to continue on with the rest.

>> Before—thank you for that, sir. And Ms. Duarte will talk about the next three goals. I wanted to pause for a bit here to emphasize that this new goal of promoting equal access to digital services, some of this is a pandemic-driven learning experience, if you will. Not exclusively that, but when courts all of a sudden had to implement a lot of remote services that had been in pilot projects or, well, we think this will kind of work, we're pretty sure, we have to test it a little more, all of a sudden that safe, gradual, careful rollout of projects kind of went away. All of a sudden it was like, well, you know what, I think this is ready. Let's turn it on. And I think—I mean, you don't want to say how bad can it go but given where our world was, you know, we had the tools, even if they don't work, they might work and they pretty much did, but what we appreciated, I think, as a judicial branch, and it highlighted this equality of access piece, which we all new was lurking out there, it became much more—I think much more plain, much more real, much more vivid. It really became a lived experience as we started doing more and more remote work and the importance of making sure that digital services really are accessible regardless of, for example, rather, someone's technological experience. Not everyone has that same level, obviously, right? We all don't in this room. And, you know, the services are only as good as people are able to use them. That became a real important addition to the plan. Anyway, Ms. Duarte, did you want to talk about the next three goals. I think she is muted. As with all technology.

>> Ironic.

>> I know. Not the first time, you know, or the last.

>> This should work now. Can you hear me?

>> Yes, we can. Thank you.

>> I apologize for that. Unexpected. Thank you again, Judge Brodie. The new goal three expanded the community to be more inclusive, recognizing that judicial officers, court executives, attorneys, and justice partners could be part of the community. Community allows courts to further leverage technological innovations and educational opportunities throughout the branch and develop effective strategies and solutions. Additionally, overall branch maturity is enhanced when it's aligned with the California Court's Connected framework and courts adopt common solutions that create operational efficiencies and meet the evolving needs of the public and justice partners. Next slide, please. This goal was updated to reflect the current climate where bad actors regularly intersect with business and personal online activities. This was also updated to ensure alignment with the Judicial Council, improve security framework and the branch's new Information Security Office. The Information Security Outreach Program was established to assist courts in the advancement and strengthening of their local information security programs. The program also helps courts ensure that the proper controls, safeguards, and practices are in place to protect the confidentiality, integrity, and availability of data. Next slide, please. Goal 5, in terms of today's environment and particularly the need to modernize rules to reflect today's court customers' needs, this rule was strengthened to show the importance of advocacy to make certain that court operations and the delivery of services using technology could be improved to allow for electronic and online services when appropriate. Next slide, and I will hand back to Judge Brodie.

>> Thank you so much. Just to say a few things, some of these goals, they are really—I don't see them changing. The need to make sure that the rules of court, the statutes align where the technology is. The technology moves much faster than the rules and legislative process ever could, right? It's always this game of catch up. And, you know, IT security and infrastructure, that, too, is always going to be a challenge that we face as long as—as long as there are bad actors out there, we will always have to be in sort of an arms race to defend ourselves against them. We've made terrific strides in that regard. But—and I will say when we started this process, I didn't frankly anticipate a lot of changes because I thought, aren't we still wanting the same things that we did four years ago when Justice Slough, as the chair of the Technology Committee, updated the strategic plan. And I think the experience of the workstream—and I really do want to say that I want to thank everybody that participated in this and also the staff who worked on it (terrific levels of support in making it happen)—but what we all learned was that we have matured a bit ourselves as a judicial branch and we continue to do so and we continue to reflect on where we are and take kind of a brutally honest look at our successes but also our opportunities for improvement and it's how we get better. So, it was really a rewarding process to be involved in this. I think this document really speaks well to where we are as a judicial branch. It speaks well of our ability to govern our technology projects and to stay focused on our public service mission, our access to justice mission. It's an important document. It's one that we actively refer to as new technology initiatives get proposed. We see how it aligns with these documents. And if it's not real clear, then maybe the proposal is not quite ready to move forward. Even if it seems like it might be a neat idea, it has to match what we are doing. Happy to answer any questions anyone has about this strategic plan or anything else technology related, I suppose. And thank you, Chief, thank you for your time.

>> Thank you, are there any questions for Judge Brodie or other presenters.

>> I don't have any questions but a comment if I may.

>> Yes. I would agree with you, Judge Brodie. It's extremely comprehensive and detailed in addressing what you just said—where we are today—but also emphasizing how we need to proceed in light of the learnings that we have gained through the most recent experiences and I think it is going to pave a very positive road for us in going forward. Bravo to you and the members who worked on this. It's a great piece of work and will help guide us in the future. So, thank you.[captioners transitioning]

>> THANK YOU. I would like to echo Mr. Yamasaki's comments. Thank you to all the presenters: Judge Brodie, Mr. Galkin, and Ms. Duarte. What I appreciated reading through the materials was the note that your committee is future focused. I think that, Judge Brodie, you put it well in the written materials and your cover letter also when you indicated that new needs will emerge, new challenges will arise, but there will also be new visions and opportunities from our new community members. So, thank you. We have lived through these shared experiences, and we look forward to what the future may bring. So, thank you all.

>> Thank you. So, yeah, so with that, I guess my request of the council would be to approve the updated *Strategic Plan for Technology 2023–2026*.

>> And I will entertain a motion to move approval and a second.

>> If Yamasaki moves approval of the proposal as submitted.

>> Conklin, second.

>> Thank you. Thank you. Mr. Yamasaki moves, Judge Conklin seconds. All those in favor, say aye.

>> Any noes?

>> Chief, if I may make one additional comment? Justice Slough is hovering around in the room even though she's not here. She's in my head, and I just want to observe, I think the report's fantastic, I think the comments from everybody today is fantastic, and I think it coincides well with the report to the Legislature we just delivered from the 367.9 workgroup that was developed through the council and our colleagues and stakeholders throughout the state, and I hope the report of that committee informed your work , and I think we're moving in a parallel and forward-looking fashion, and I just, I think she wanted me to say that.

>> I'm sure when she watches, she'll be appreciative of that. Any abstentions? And if not, this item passes and is approved. Thank you.

>> Thank you, Chief.

>> Thank you. Our third item is related to a report to the Legislature regarding trial court operational metrics year one report. For this presentation, we welcome Judge Joyce Hinrichs, chair of the Judicial Council Data Analytics Advisory Committee, and Ms. Leah Rose-Goodwin, Judicial Council Business Management Services.

>> Thank you, Chief, and councilmembers. I am Joyce Hinrichs, and I am a judge up in Humboldt County. I didn't make it down to see you today, so hopefully the presentation goes well. I want to echo the comments that Judge Brodie and his committee made earlier. It interfaces directly with what we're doing. I am the chair of the Data Analytics Advisory Committee. This report is a requirement of the 2022 Budget Act. The Judicial Council must annually report to the Legislature on the operations of each trial court, including the following metrics: time to disposition and case clearance rates by case type, backlogs by case type, court hours of operation including public counter hours, staff vacancy rates by classification, fund balance detail from the prior fiscal year, and the calculated funding level of each court, the percentage of funding actually provided to each court, and the funding level of each trial court as measured by the Judicial Council approved Workload Formula. The discussion around trial court operations and metrics really originated during the pandemic, when the branch was able to use data and analytics to better understand the impacts of the pandemic on court operations and the public. Since then, the conversation has evolved to take a broader perspective, focusing on ways courts can better serve the public and increase access to justice. The Data Analytics Advisory Committee has been charged with overseeing this report and will continue discussions about these metrics and other ways to use data to improve service delivery and enhance operations. We're a new committee, formed just this fall. The Data Analytics Advisory Committee is just getting started. Investments in the form of budget change proposals have helped build up our data analytics technology infrastructure, as was just talked about, and filled key positions in the Judicial Council. Our committee's looking ahead to other areas where we might need additional resources to support this work. As chair of the Data Analytics Committee, I'm proud to guide this committee's efforts to use data to better understand and manage court operations, provide transparency, and optimize service to the public. This report is informational, with no council action required. We'll be finalizing the report for submissions by February 1st. This includes our report, Chief, and I'd be happy to take any questions.

>> Thank you. Are there any questions?

>> Thank you. This is Rebecca Fleming. I don't have a question, but a comment. I just wanted to thank Judge Hinrichs and Leah and her team and everybody involved at the courts in the collection of this data. It's so important for our evolution and movement into a more

sophisticated way of doing business, and so I just want to say congratulations on bringing this together, and I think it really is going to set a benchmark for us moving forward.

>> Thank you. Are there any other comments? Thank you so much for your presentation here today. At this time, I will entertain a motion to move approval and a second.

>> Landry makes a motion.

>> [Inaudible], second.

>> Thank you. We have a motion and a second. Is there any discussion? If not, all in favor, say aye, please.

>> Aye.

>> Any noes? Any abstentions? Thank you. The item is approved. And our final action item on the discussion agenda is the Trial Court Budget Community Assistance, Recovery, and Empowerment Act allocation methodology. Oh, I'm sorry, I'm out of order. I'm jumping ahead. It is the Allocations and Reimbursements to Trial Courts, Firearm Relinquishment Grant Program for 2022–23 through 2024–25. We're joined for this item by Judge Stephanie Hulse, cochair, Judicial Council Family and Juvenile Law Advisory Committee; Judge Jonathan Conklin, chair, Judicial Council Trial Court Budget Advisory Committee (TCBAC, as I understand it); and Ms. Frances Ho, Center for Families, Judicial Council Children & the Courts. Welcome.

>> Good morning, Chief and others. Thank you very much. I'll start the presentation of this item. This recommendation is for approval of the allocation and distribution of \$18.5 million to seven trial courts for new or expanded firearms relinquishment programs for fiscal years 22–23, 24–25. It also asks to delegate authority to the Family and Juvenile Law Advisory Committee, fondly known as FamJuv, to reallocate and distribute any unspent funds from that initial amount for the funding of these grant awards to any of the awarded courts based upon specified criteria. So, any leftover money that rollover will be redistributed with their authority. The recommendation is based on parameters that were in the Budget Act and were primarily developed by the Family Law Juvenile Law Advisory Committee and then reviewed by the Trial Court Budget Advisory Committee (TCBAC), and then JBBC. So, these recommendations have been fully vetted through TCBAC, and then with Judge Rubin through JBBC, as well. I'm going to now turn the presentation over to Judge Hulse, who is with us remotely. We appreciate her work, and the Juvenile Law Justice Advisory Committee, also, Frances Ho at my side here, the attorney for Families, Children & the Courts. I met with them briefly yesterday, and candidly, they're the workhorses in this presentation, and I'm going to turn it over to them to put present that work. Judge?

>> Thank you, Judge Conklin, and I would like to start by acknowledging Frances Ho, because she really is the workhorse with regard to this proposal as well as the working group that vetted the applications. I'd just like to start by giving an overview of AB 178. AB 178 does provide new one-time funding that allocates \$40 million to the judicial branch to partner with law enforcement agencies to address firearms relinquishment compliance. AB 178 does require the Judicial Council to provide at least \$36 of this \$40 million to courts to work directly with law enforcement partners to ensure the safe and consistent removal of firearms from persons who are prohibited from possessing them. This funding must be used by June the 30th of 2025, and priority must be given to courts that focus on firearms relinquishment for domestic violence restraining orders, gun violence restraining orders, or relinquishment pursuant to other types of civil court orders. The priority is also to be given to those courts that have a higher number of domestic violence or gun violence restraining orders per capita, and also, of course, to pay attention and prioritize diversity, both in court size and geography when allocating the funding. The courts that receive funding are required, then, to provide at least 30 percent of the funding that they receive to one or more local law enforcement partners so that those partners can perform the duties that the courts cannot perform, for example, retrieving the actual firearms. The funding did become available at the end of July of 2022, so council staff and the Family and Juvenile Law Advisory Committee did work quickly to develop an application and review process, and in September of 2022, all of the superior courts were invited to apply for the funding, and eight courts applied. One court did withdraw during the review process, so that leaves seven applicant courts. Those courts are Modoc, Los Angeles, San Diego, San Francisco, San Mateo, Santa Clara, and Ventura. And at this time, I would like to turn the chair over to Frances Ho so that she can talk a little bit more about the specific proposals of each of the courts and talk a little bit more about the specific review process. Thank you.

>> Thank you so much, Judge Hulse. Thank you, Chief Justice, members of the council, for this opportunity to talk about this new program that I think is really exciting. I'm just going to give you a highlight of the review process and some of our proposed awardees. So, a key component of our review process was to really put together a group that—I'm sorry, there's a little bit of feedback. That represented diverse perspectives. So, we had members from three advisory committees, the Family and Juvenile Law Advisory Committee, the Civil and Small Claims Advisory Committee, and the Criminal Law Advisory Committee. Members included judicial officers, a court administrator, a self-help center manager, and two domestic violence advocates. And it was this group that was tasked with reviewing and discussing thoroughly each application. Their recommendations were reviewed and discussed by the Family and Juvenile Law Advisory Committee, unanimously approved, and, as Judge Conklin mentioned, approved by TCBCAC (the Trial Court Budget Advisory Committee), and then the Judicial Branch Budget Committee. Some highlights of our proposed grantees: they all met the eligibility criteria established under AB 178. They all allocated at least 30 percent of their proposed budget to law enforcement, at least one or more law enforcement agencies. They all actually sought to prioritize firearm compliance in civil cases. Four of the proposed grantees actually seek to expand an existing firearms relinquishment program in their community. Three would partner with the District Attorney's Office as their law enforcement partner agency, so

they would have DA investigators essentially perform the same functions as a police officer or a deputy sheriff to enforce relinquishment orders. Two of the programs have a technology component, which was really exciting for our reviewers. The Los Angeles superior court seeks to pilot an electronic notification system that would alert law enforcement immediately of firearms noncompliance in domestic violence restraining order proceedings, and the San Mateo superior court seeks to pilot a chatbot program that would respond to questions about how to properly relinquish firearms. So, the person prohibited would be able to get information about how to follow their court orders. Activities that the grant would cover include court staff time for compliance review hearings; of course, court staff time to coordinate, manage the grant, and also to coordinate with law enforcement and other justice partners; expanding restraining order assistance in court self-help centers; and also, of course, law enforcement's time to enforce those relinquishment orders, which can include investigation, serving court orders, telling the prohibited person how they can properly relinquish their firearms, and removing them if necessary. So, with that, I'm going to turn it back over to Judge Hulseley, who is going to summarize the recommendations of the Family and Juvenile Law Advisory Committee and next steps.

>> Thank you, Frances. Again, as chair of the Juvenile and Family Law Advisory Committee, it has been a tremendous honor to work with Frances and other members of council staff who have made this rather quick turnaround possible. So, in short, if the council does approve the recommended awards to the seven applicant courts, that will leave \$17.5 million still available to reach that number of \$36 million. So, on January the 10th of this year, the superior courts were again notified of a second invitation to apply for these remaining funds. Just to let you know, and anybody else who may be listening know from other courts who may be interested, the deadline for cycle two is February the 17th, and the recommendations for funding for cycle two will be before this council at the May meeting. So today, we do have two recommendations for your consideration, and the first one of those is to approve the allocation and distribution of \$18.5 million to the seven trial courts to fund new and/or expanded firearms relinquishment programs for fiscal years 2022–2023 through 2024–2025. Also, we are asking for this council to delegate authority to the Family and Juvenile Law Advisory Committee to reallocate and distribute any unspent funding from this allocation to the seven grantees, to any of the awarded courts based on the same criteria established during the applicant period. So, in other words, if any of the seven courts are unable to spend the funds that have been allocated, we are asking that those funds may be redistributed to any of the seven applicant courts. And with that, we will open it up to any questions that you may have.

>> Thank you. Do council members have any questions for Judge Conklin, Judge Hulseley, or Miss Ho? There do not appear to be any questions, but I would like to thank our presenters, and the materials, I thought, were particularly of interest. The differences in different programs that were adopted by the seven applicants, I think, highlights the importance of having our local courts come up with their own ideas that will then hopefully serve to improve the operations of courts throughout the state. And so, I thank you, in particular, in particular, because it helps to

protect the victims of domestic violence, which is obviously of critical importance. So, thank you for your work on this.

>> Thank you, Chief.

>> I will now entertain a motion and a second to move approval.

>> I, I move approval of the two recommendations, Hopp.

>> Thank you, Judge Hopp. I heard—and then—well, we have two now. Judge Anderson and Judge Brazile. Thank you. Are there—I'm not sure if that's allowed, but I don't want to slight one of you.

>> You got to pick one.

>> Okay, right, right now, I have Judge Hopp, who moved approval, and I first heard Judge Anderson's second. Any, any discussion? All those in favor, say aye.

>> Aye.

>> Any noes? Any abstentions? Thank you. The item is approved. Now, our final discussion item on the agenda for today's meeting is a Trial Court Budget Community Assistance, Recovery, and Empowerment Act allocation methodology. This is action item and report number 23-052. The presenters for this portion of the agenda are Judge Conklin (again, welcome); Judge Gerald Johnston, Superior Court of Orange County; Ms. Charlene Depner, Judicial Council Center for Families, Children & the courts. Welcome.

>> Good morning, Chief Justice, and members of the Judicial Council. I am Charlene Depner, director of the Center for Families, Children & the Courts, and we've been assigned the duty of assisting the courts in the implementation of the CARE Act. This is a new civil proceeding. It is attempting to create a path to wellness for people who are untreated, schizophrenia—have untreated schizophrenia or other psychotic disorders. The idea is to create an upstream, early intervention that would avoid the hospitalization, incarceration, homelessness that could consequently occur if there's no intervention. The act authorizes specific individuals, adults, to petition the court for determination that the person subject to the petition is eligible to participate in the CARE Act and, if so, to initiate the CARE Act process. I'm joined today by Judge Jonathan Conklin, who is going to tell us about the, the allocation of funding for the initial courts, and also by Judge Gerald Johnston, who is a member of the planning team—thank you—who is a member of the planning team in the court of the County of Orange. And he's going to tell us what their approach is, and, and how it's grounded in their work in mental health. Judge Conklin?

>> So, I'll touch upon briefly perhaps one of the less exciting aspects of this, and that's the allocation methodology. It's an initial allocation, but as I'll explain, we're looking forward to significant allocations in the future that are going to support this very, very important program. So, the initial allocation methodology approved by TCBAC and again through JBBC and Judge Rubin, that was approved unanimously, is to distribute \$2.8 million to the seven cohort courts that make up the first group of the implementing CARE Act courts for the current fiscal year. It's also to approve, asking to approve the TCBAC to perform a reconciliation of the CARE Act spending reports and core projections, and then, perhaps most importantly, to direct TCBAC to develop an allocation methodology for the funds that we look forward to receiving in the future for subsequent years. The seven initial cohort courts that are involved with this initial \$2.8 million are Glenn, Orange, Riverside, San Diego, San Francisco, Stanislaus, and Tuolumne superior courts. You have attachment one that explains the four allocation methodologies that we discussed. As I'm sure you're all familiar with, TCBAC's general rule is to develop a variety of allocation methodologies, to vet those methodologies, and then to make an ultimate recommendation, which we did here. The first option was based on county population. The second option was based upon total case filings. The third, 2022–2023 council approved workload formula that I think you're all familiar with by now. And the fourth is to utilize that same workload allocation, but also to utilize a floor. So again, to remind you all, the floor is for those very smallest courts that generally need a significant amount of funding for them to perform their necessary work. Those small courts. The allocation methodology that was approved and is presented today for council consideration is option four, that employs the workload formula and the \$98,000 base for allowing those smaller courts adequate funding. It, it came to us with a recommendation of \$49,000, and after discussion, the option was to double that for those smallest courts. It's a very insignificant impact for the remaining courts in the allocation methodology, but on the other hand, a very significant impact for those two small courts. It was determined that that \$48,000 was just not sufficient to allow them to perform the work they needed to perform, and by doubling it, we're hopeful that they'll be able to accomplish that task. And I'll turn it over back to Ms. Depner for reference to Judge Johnston.

>> I've been asked to say a few words about what we're doing in this process before you hear from somebody who's living it. Our team is, is really trying very hard to assist the courts in whatever their needs are, and the act was signed on September 14th of 2022, and two days later, we sent out a memorandum from Judge Cousins explaining the procedural steps in the CARE Act, and the following week, we started meeting with the CARE Act Cohort 1 courts. And our first objective was to improve communication and to have channels of communication, and then leading into connection and relationship building in the local environment. So, we have had regular contact, weekly contact, with HHS, with behavioral health, and with the Department of Health Care Services. And so together, we try to create a common approach and a common message that, that will assist the courts. And so, we meet at least monthly with court teams, and, and field questions, and look up things, and try to find out things that they need to know to support that. We've created a platform for each of the cohort courts to get information. It has all the news, all the latest things we're putting out, as well as a space on the platform for them to share information within their court as they could develop their plan. But then also,

there's a space to connect with the other cohort courts so that they can share things, and they post a number of things that they're developing, like flowcharts and other things that are assisting their development. And the, the communication platform will, ultimately, be available to every court that's participating. Right now, we're just trying it out and seeing what's working and trying to meet the needs. We also participated with our partners in a convening of all of the cohort courts and all their local partners. And that was a real breakthrough in terms of building relationships, making sure that everybody had a connection to the people in their county, but also to just generate ideas and talk to the other cohort courts. So, it's a lot of communication, all day long: people in different groups talking to the steering committee in their county and getting an idea of the task in front of them. And also, while we were doing that, some of our staff was working with the Probate and Mental Health Advisory Committee to probably break a record for designing the Rules of Court and the forms for implementation that are now out for comment, and that comment period ends on the 27th of January. So, we're on track to continue to get this to the council in May. We also do a lot of training and technical assistance. We're developing a roster of things that people would like to know, like a glossary of terms, and just anything to assist them. And so, we are starting, we have another webinar on the 30th to really talk about, like, square one, what's the court's responsibility, how can we assist you. And also, we are always working on funding—past, present, and current—and we're regular communicators with our Budget Services, our fabulous Budget Services Office. So that's just a, just a little bit of a taste of what we're doing, and so now, I think we should turn it over to Judge Johnston to tell us what it's like at your end.

>> Thank you very much. Chief, members of the council, thank you for giving me this opportunity to talk to you today about what it's like at ground level trying to create a program that hasn't existed before. I really have to go back to 2014, actually, to give you the full perspective as to what we're doing, and that's because in 2014, Orange County was one of the first large counties, actually the first one, to start a similar program called Assisted Outpatient Treatment, or AOT, under Laura's Law. This is a program that's a little bit more narrow in scope in terms of who can participate, but the structure that we set up for that is actually going to inform the way the CARE Court is going to roll out. So, I wanted to just give you a brief history as to how that program has proceeded over the last nine years. We assembled a group of the key stakeholders—our health-care agency, public defender, county council, and the court—and we worked together to structure a program that was based not on compulsion, but on encouragement. Although Laura's Law does have some teeth, we never used it. We created a program where we engaged with people, brought them along at the level that they could reasonably progress, never punished, only encouraged, praised, and we had a high level of connection in the community. We had teams that went out and found them wherever they were, and we just kept on encouraging. Now, the reason that was important is the population that we're trying to target is one that was pretty mobile. They can be hard to find. They will not come to court, and they do not trust authority. What we learned through our program was that continuing contact actually builds trust. Sometimes it took us one to two years to get through to the people that we were most interested in really engaging with, and we've had some wonderful success stories. In the last nine years, we have officially enrolled 205 people in the AOT

program. However, the real success is that 12 times that number, 2,450, actually accepted voluntary services when we connected them with medication, with counseling, with housing: all the things to help them to function more effectively in the community. So, the outcome for us was improved conditions for the clients, reduced cost to society. We lowered incarceration rates for the people that we tracked, 40 to 50 percent, and the same for involuntary hospitalizations. So, I wanted to tell you about what our experience has been, because it really is going to inform the way we are going to structure our approach to the CARE Court. Now, what excites us about the CARE Court is we can reach a lot more people than we ever could in the past. We have a much more expansive list of people who can make referrals, and, and the general population that we should be able to reach is much larger than the more restrictive definitions under Laura's Law. Again, we're going to use the same collaborative approach, at least in Orange County. Not—all seven cohorts, obviously, are going to develop their own particular approach. What works for us may not be proper for some of the other ones, but I would say that a lot of the communication that we've had does suggest that the approach of encouragement rather than compulsion is going to be adopted throughout. I also just have to say, Ms. Depner and her team have been so helpful to us. You know, to get seven counties to create something that hasn't existed before really needs somebody to create an effective communication and support network, and we've certainly gotten that. So, one other thing that, at least in our county, we're going to do, is in order to make the population we're trying to serve a little bit more comfortable, we're keeping it out of the criminal courts. We're going to site our program within probate, so it's going to be purely civil. One other thing that we've learned is that this population does not like to come to court. So, one of the practices that we've adopted, and we will do as well with the CARE Courts, is we go find them. We find neutral territory where they're willing to come talk to us. We try to have a really direct level of engagement, where the judge is sitting at a table across from the client and really talking to that person about what he needs, what he wants, and what the goals would be for participation in the program. It's worked very well. We are also in contact with Senator Umberg's office because there are some modifications that we'd like to see to the legislation to allow us to more effectively implement the program, and I think we're probably going to do pretty well in terms of some of the suggestions that we've made. In summary, this is a really exciting program. We're doing something that desperately needs to be done. We're being given the tools to make it happen. There's a level of excitement in the courts about making this happen, and finally, on a personal note, I intended to retire recently, because I am qualified for that, but I'm so engaged with this program that I've made a promise that I won't leave until we have reached the point where we know that we're ready to implement. Thank you very much for listening to my comments.

>> Thank you.

>> What if it takes five years?

>> My, my wife will have a problem with that.

>> So, Chief, with that, we'd ask the committee to consider and approve the three recommendations set forth in pages 1 and 2 of our report. Thank you, Chief.

>> Thank you, Judge Conklin, thank you, Judge Johnston, thank you, Ms. Depner. Are there any questions for our presenters?

>> Yes.

>> I just have a comment. I'm very excited about this, as someone who has represented quite a number of individuals with significant mental health problems, having appeared in Veterans Treatment Court, and seen the benefits of a, a more—a less punitive way of dealing with offenders, and seeing how much that changes their outlook, their perspective, gets them on the right track. I think that this can save lives, and, additionally, I think it inures to public safety because you're actually addressing the roots of the problems, and, and I just, I'm so excited to see this going forward, and I commend your efforts, and I'm excited to see how it rolls out. So, thank you very much.

>> Thank you, Ms. Hill, and Judge Rosenberg?

>> Thank you, Chief. I did have one question. This is a great start. I certainly agree with the baseline, or floor, that you've established of \$98,000 for the two very small courts. But I'm looking at the next smallest—thank you. Should know better. The next smallest court on your list is, looks like Stanislaus. They have over 20 judges in Stanislaus. The two smallest courts have each two judges. So should the number be adjusted for the next smallest court, Stanislaus? The remaining courts are pretty big, and so the funds supplied to them are certainly going to be adequate.

>> So, we considered that, and I think that's a definite next step. This is just for the seven cohorts, and we tried to make the first adjustment for the two smallest. We felt it was probably most appropriate at that point to consider further adjustments at our next determination of allocation methodology. It's a great suggestion, but we just, we kind of thought the best first step was those two smallest courts, but, but definitely keep that in mind as we move forward with further allocations.

>> So that's definitely on your radar.

>> I would say yes. And I don't know if Ms. Fleming wanted to add anything to that.

>> I would just add that I think always, for one thing, I think the staff always comes forward with a number of options so that we're able to take a really good look at what's fair to all the courts, and making sure that there is a safety net of baseline operations. I think they've done a really, really good job here at establishing that. We constantly do want to take a look to make sure that those baselines, when they need to be adjusted for inflation or anything else, are

addressed, but I think they've done a great job here, and it does look like we have put that safety net in place for those smallest courts. So very well done.

>> Thank you. Yeah, my only concern is the two smallest courts each have two judges, and then the next smallest has close to 25 judges, and yet the next smallest is only getting, essentially, twice as much funding as the two smallest. So—but it's on your plate, and you'll make the right decision.

>> You bet. And with anything else that we've seen when we develop those methodologies, you know, anytime you make a movement for one, it impacts them all. So, the thought was those two smallest courts, by adjusting from 49 to 98, had very minimal impact on the remaining. Any further adjustments, I think, are going to start to have larger impacts. But definitely something that we're addressing. And thank you for bringing it up it.

>> Thank you. I believe, Judge Armendariz, you had a question or comment?

>> More of a comment. I understand that Los Angeles County has been added to the first cohort, making it eight counties, and I was very pleased to see our presiding judge, the new Presiding Judge Jessner lend her support and make sure that it's going to be a successful program in L.A. County, and I know L.A. County has a reputation for being innovative. We have our share of that vulnerable community, so I'm looking forward to making sure it's successful in L.A. County.

>> Thank you. Judge Rubin?

>> Thank you. This is a very exciting program. Following along on the comments by Ms. Fleming and the question by Judge Rosenberg, I was wondering if, Judge Conklin, if you or Ms. Depner could explain a little bit about how the four options, what about option four was considered the best recommendation of the four that were out there.

>> Is essentially, option three modified, with adding in those dollars for the two smallest courts. So again, it's our recognition of the two small courts, if we hadn't modified it for that floor amount, they'd be getting money to them, though any money is useful, it really can't help them accomplish their task. I don't know if Ms. Depner wanted to add anything, but that's why we, we doubled the 49 in the 98 for those two smallest courts, because they were of the, as we discussed it, they thought that 98 would really allow them to do the work, at least the initial work they need to do. So that's, that's what drove us to the determination of four over three. Three over the remaining ones is just the workload allocation methodology that's been so useful and successful for us in the past, versus pure population or pure, pure population. Thank you.

>> Thank you, Judge Rubin. Justice Fujisaki.

>> First off, just, thank you to TCBAC for your report and the recommendations and all the work that went into it, and thank you, Judge Johnston, for sharing all the innovations and successes that you're having in Orange County. And as the Rules Committee chair, I just wanted to reiterate what Ms. Depner said about the ITC, the invitation to comment, on the 11 proposed rules and 11 proposed forms that are out for comment to implement the CARE Court legislation. And it's, it's very important that we, that the Probate and Mental Health Advisory Committee get all the constructive input it can, and again, the closing date for comments is January 27th, so I would encourage Orange County and, and others to provide whatever constructive comments and concerns that you might have about what's out there. Thank you.

>> Thank you. I also wanted to add a comment, not a question. A few comments, actually. First, it's, we were commenting that it's judges like Judge Johnston that will ensure that this program is successful, so thank you for your dedication to it. I also applaud the Governor and the Legislature for addressing this issue, which is of utmost importance to all Californians. As we have alluded to here, many CARE participants would likely end up in the court system at some point, whether through the civil courts or criminal courts, and I appreciate the efforts to intervene through the CARE program. This is clearly a large undertaking, as we have heard, and I want to especially thank the Cohort 1 courts for their commitment to this effort. I also am heartened, and I know others are, too, from your sentiments, to hear of all the hard work to date at both the local and state level, and while we recognize that there are challenges that you've encountered, and will encounter—I know there are many—supporting the courts as the CARE program is rolled out over the course of the coming months and years will continue to be a top priority for the Judicial Council. So, thank you. And I will, at this point, entertain a motion to move approval of this item and the recommendations.

>> Fujisaki, so moved.

>> Justice Fujisaki.

>> Fleming second.

>> And we have a second by Ms. Fleming. Is there any discussion? Hearing none, all those in favor, say aye.

>> Aye.

>> Any noes? Any abstentions? Thank you. The item is approved. And that does conclude our January 2023 Judicial Council business meeting. The meeting is adjourning a little early because we did allot time for public comment today. Today, we didn't have any, but we all recognize that providing the opportunity for public comment is important to carry out the business of the public. Our next regularly scheduled business meeting will be on March 23rd and 24th in Sacramento. Thank you. The meeting is adjourned, and safe travels. Thank you.

>> [Event concluded]