



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 11, 2015

Title	Agenda Item Type
Judicial Council: 2016 Legislative Priorities	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	December 11 2015
Recommended by	Date of Report
Policy Coordination and Liaison Committee Hon. Kenneth K. So, Chair	October 29, 2015
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Executive Summary

Each year, the Judicial Council authorizes sponsorship of legislation to further key council objectives and establish priorities for the upcoming legislative year. For the 2016 legislative year, the Policy Coordination and Liaison Committee (PCLC) recommends an approach that follows the Chief Justice's Access 3D framework: (1) advocate for investment in our justice system to preserve access to justice for all Californians, including a method to provide stable and reliable funding; (2) advocate to secure new judgeships for communities most in need, and ratify the authority of the council to convert vacant subordinate judicial officer positions to judgeships in eligible courts; (3) advocate for a three-branch solution to ensure the fairness and efficiency of California's penalty assessment structure; (4) continue to sponsor legislation to improve judicial branch operational efficiencies, including cost savings and cost recovery measures; and (5) delegate to PCLC the authority to take positions or provide comments on behalf of the Judicial Council on proposed legislation, administrative rules, or regulations, after evaluating input from council advisory bodies and council staff, and any other input received from the courts, provided that the input is consistent with the council's established policies and precedents.

Recommendation

The PCLC recommends that the Judicial Council consider the following as legislative priorities in 2016:

1. Advocate budget stability for the judicial branch to include (a) sufficient fund balances to allow courts to manage cash flow challenges; (b) a method for stable and reliable funding for courts to address annual cost increases in baseline operations and plan for the future; and (c) sufficient additional resources to allow courts to improve physical access to the courts by keeping courts open, to expand access by increasing the ability of court users to conduct branch business online, and to restore programs and services that were reduced or eliminated in the past few years. This includes seeking the extension of sunset dates on increased fees implemented in the fiscal year (FY) 2012–2013 budget:
 - \$15 or \$20 fee for various services, to be distributed to the Trial Court Trust Fund (Sargent Shriver project), expiring on July 1, 2017 (Gov. Code, § 68085.1); and
 - \$40 probate fee enacted in 2013, expiring on January 1, 2019 (Gov. Code, § 70662).
2. Seek additional judgeships and subordinate judicial officer conversions.
 - a. Work with the administration and Legislature to address the concerns raised in the Governor’s veto message of the judgeship bill (Sen. Bill 229 [Roth]).
 - b. Secure funding for critically needed judgeships. Seek funding for 12 of the remaining 50 unfunded judgeships, assigned to the courts with the greatest need based on the most recently approved Judicial Needs Assessment. (See alternatives in the Comments section, below.)
 - c. Secure funding for two additional justices in the Court of Appeal, Fourth Appellate District, Division Two (Riverside/San Bernardino). Seek funding for one additional justice in FY 2016–2017 and the second additional justice in FY 2017–2018.
 - d. Advocate, as is done each year, for legislative ratification of the Judicial Council’s authority to convert 16 subordinate judicial officer (SJO) positions in eligible courts to judgeships, and sponsor legislation for legislative ratification of the council’s authority to convert up to 10 additional SJO positions to judgeships if the conversion will result in an additional judge sitting in a family or juvenile law assignment that was previously presided over by an SJO.
3. Advocate for a three-branch solution to ensure the fairness and efficiency of California’s penalty assessment structure. The issue of state penalty assessments is a complex matter that requires the attention of all three branches of government to implement long-term solutions.

4. Continue to sponsor legislation to improve judicial branch operational efficiencies, including continued sponsorship of the following cost savings and cost recovery measures:
 - **Sentencing Report Deadlines (Assem. Bill 1214 [Achadjian]).** Amends 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.
 - **Peremptory challenges (Sen. Bill 213 [Block]).** Simplifies and reduces peremptory challenges in criminal misdemeanor cases. Would reduce and standardize the number of challenges at five for all misdemeanors, plus two challenges per side when two or more defendants are jointly tried.
 - **Retention of court records: driving offenses (Assem. Bill 897 [Gonzalez]).** Would correct drafting errors in the rules governing retention of court files regarding certain misdemeanor traffic offenses.
 - **Annual Court Facilities Construction Fund Report.** Amend Government Code section 70371.8 to allow the annual report on the Immediate and Critical Needs Account of the State Court Facilities Construction Fund to be submitted to the Legislature by November 1 rather than March 1 each year so that actual revenue/expenditure figures can be included rather than projection estimates.
 - **Trial by written declaration.** Eliminates the trial de novo option when the defendant in a Vehicle Code violation has not prevailed on his or her trial by written declaration.
 - **Monetary sanctions against jurors.** Amend Code of Civil Procedure section 177.5 to add jurors to the list of persons subject to sanctions.

5. Delegate to PCLC the additional authority to take positions or provide comments on behalf of the Judicial Council on proposed legislation, administrative rules, or regulations, after evaluating input from council advisory bodies and council staff, and any other input received from the courts, provided that the input is consistent with the council's established policies and precedents.

Previous Council Action

The council has taken a variety of actions over the past years related to the above recommendations. Recent key actions in these areas follow:

Budget. In 2009 and 2010, the council adopted—as a key legislative priority for the following year—advocating to secure sufficient funding for the judicial branch to allow the courts to meet their constitutional and statutory obligations, and provide appropriate and necessary services to the public. In December 2011, the council adopted as a key legislative priority for 2012 advocating against further budget reductions and for sufficient resources to allow courts to be in a position to reopen closed courts and restore critical staff, programs, and services that were reduced or eliminated in the past several years. A key legislative priority adopted for 2012 also

included advocating for a combination of solutions to provide funding restorations for a portion of the funding eliminated from the branch budget since 2008. The combination of solutions included restoring the general fund, implementing cost savings and efficiencies through legislation, identifying new revenues, and using existing revenues to restore services to the public and keep courts open.

In 2013, the council adopted a key legislative priority of advocating to achieve budget stability for the judicial branch, including advocating against further budget reductions and for sufficient resources to allow courts to be in a position to reopen closed courthouses; restore court facility construction and maintenance projects; and restore critical staff, programs, and services that were reduced or eliminated in the past four years. In both 2014 and 2015, the council included similar priorities to advocate budget stability for the judicial branch, including advocating for (1) sufficient fund balances allowing courts to manage cash flow challenges; (2) a method for stable and reliable funding for courts to address annual cost increases in baseline operations; and (3) sufficient additional resources to allow courts to improve physical access to the courts by keeping courts open, to expand access by increasing the ability of court users to conduct branch business online, and to restore programs and services that were reduced or eliminated in the past few years.

Senate Bill 1021 (Stats. 2012, ch. 41)—Public safety. In FY 2012–2013, temporary fee increases were approved by the Legislature to help address some of the fiscal issues faced by the courts.

Judgeships and SJO conversions

SB 56 (Dunn; Stats. 2006, ch. 390)	The Judicial Council sponsored SB 56 (Dunn; Stats. 2006, ch. 390), which authorized the first 50 of the 150 critically needed judgeships. Full funding was provided in the 2007 Budget Act, and judges were appointed to each of the judgeships created by SB 56.
AB 159 (Jones; Stats. 2007, ch. 722)	The council secured the second set of 50 new judgeships of the 150 critically needed judgeships. However, funding was initially delayed based on a “federal stimulus trigger” and has still not been provided.
SB 1150 (Corbett, 2008)	In 2008, the council sponsored SB 1150 (Corbett) to authorize the third set of new judgeships. Held in Senate Appropriations Committee.
SB 377 (Corbett, 2009)	In 2009, the council sponsored SB 1150 (Corbett) to authorize the third set of new judgeships. Held in Senate Appropriations Committee.
AB 1405 (Feuer, 2011/2012)	In both 2011 and 2012, the council sponsored AB 1405 to establish the third set of 50 judgeships. Held in committee and later amended to a new subject area.
SB 1190 (Jackson, 2014)	In 2014, the council sponsored SB 1190 (Jackson), which sought to secure funding for the second set of 50 new judgeships approved in 2007 but not yet funded and to authorize a third set of

	50 new judgeships. This bill also would have authorized the two additional justices in Division Two of the Fourth Appellate District. The bill was held in the Senate Appropriations Committee.
SB 229 (Roth, 2015)	The Judicial Council sponsored SB 229 (Roth) which would have appropriated \$5 million for the funding of 12 of the 50 previously authorized judgeships. Unfortunately, Governor Brown vetoed the bill.

With regard to subordinate judicial officer conversions, existing law allows the Judicial Council to convert a total of 162 subordinate judicial officer positions, upon vacancy, to judgeships. The statute caps the number that may be converted each year at 16 and requires the council to seek legislative ratification to exercise its authority to convert positions in any given year. For the past five years, that legislative ratification took the form of language included in the annual budget act. In total, 117 SJO positions have been converted, leaving only 45 of the total 162 positions that remain to be converted.

Additionally, legislation enacted in 2010 (Assem. Bill 2763; Stats. 2010, ch. 690) expedites conversions by authorizing up to 10 additional conversions per year, if the conversion results in a judge being assigned to a family or juvenile law assignment previously presided over by an SJO. Each year since 2011, the Judicial Council has sponsored legislation to secure legislative ratification of these additional SJO conversions: SB 405 (Stats. 2011, ch. 705), Assembly Bill 1403 (Stats. 2013, ch. 510), and AB 2745 (Stats. 2014, ch. 311). In 2015, the council sponsored SB 1519 (Stats. 2015, ch. 416), which again provided the ratification for the conversion of an additional 10 SJOs.

State Penalty Assessments. In June, the council unanimously adopted a new rule¹ that directs courts to allow people who have traffic tickets to appear for arraignment and trial without deposit of bail, unless certain specified exceptions apply. The rule also states that courts must notify traffic defendants of this option in any instructions or other materials provided by the court to the public.

Efficiencies. In 2012, the council approved sponsorship of 17 proposals for trial court operational efficiencies, cost savings, and new revenue measures. An additional 6 efficiency proposals were approved for sponsorship in the first quarter of 2013. A handful of the efficiency proposals have been approved by the Legislature. However, the remaining efficiency proposals are more substantial and, consequently, more controversial and have continuously been rejected by the Legislature. *See attachment 1 for the full list of the efficiency proposals adopted and rejected by the Legislature.*

¹ Cal. Rules of Court, rule 4.105 http://www.courts.ca.gov/documents/2015-07-08_2015-06-08_mtg_rule-4_105.pdf

Delegation of Authority. California Rules of Court 10.12(a)² authorizes PCLC to act for the council by:

1. Taking a position on behalf of the council on pending legislative bills, after evaluating input from the council advisory bodies and the Administrative Office of the Courts [Judicial Council], and any other input received from the courts, provided that the position is consistent with the council's established policies and precedents;
2. Making recommendations to the council on all proposals for council-sponsored legislation and on an annual legislative agenda after evaluating input from council advisory bodies and the Administrative Office of the Courts, and any other input received from the courts; and
3. Representing the council's position before the Legislature and other bodies or agencies and acting as liaison with other governmental entities, the bar, the media, the judiciary, and the public regarding council-sponsored legislation, pending legislative bills, and the council's legislative positions and agendas.

Rationale for Recommendation

The mission of the Judicial Council includes providing leadership for improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice. Among the guiding principles underlying this mission is a commitment to meet the needs of the public, which includes investment in our justice system to avoid further reductions and to preserve access to justice, which Californians expect and deserve. Further, the Chief Justice has proposed a framework to increase public access to the courts. Her vision, entitled Access 3D, combines strategies from the courts—actions that will ensure greater public access—with a reasonable reliance on reinvested funds to the judicial branch. Access 3D is a multidimensional approach to ensuring that Californians have access to the justice system they demand and deserve. The three dimensions of access are:

- Improved physical access, by keeping courts open and operating during hours that benefit the public;
- Increased remote access, by increasing the ability of court users to conduct branch business online; and
- Enhanced equal access, by serving people of all languages, abilities, and needs, reflecting California's diversity.

Budget

State General Fund support for the judicial branch has been reduced significantly, from a high of 56 percent of the total branch budget in FY 2008–2009, to just 40 percent in the current year (FY 2015–2016). Over this same period, to prevent debilitating impacts on public access to justice, user fees and fines were increased; local court fund balances were swept; and statewide

² http://www.courts.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_12

project funds, as well as \$1.7 billion in courthouse construction funds, were diverted to court operations or to the General Fund. The council has spent considerable time over the past several years addressing the impacts of budget cuts on the branch, redirecting resources to provide much needed support to trial court operations, advocating for new revenues and other permanent solutions, and looking inward at cost savings and efficiencies that could be implemented to allow the courts to serve the public effectively with fewer resources.

Given that the courts are not fully funded, despite increases over the last two fiscal years, it is necessary to seek an extension on the temporary fee increases. See table 1 below for actual and projected revenues from the SB 1021 fees.

Table 1: Actual and Projected Revenues from SB 1021 Fees

Description	FY 2012–13 Actual	FY 2013–14 Actual	FY 2014–15 Actual	2015–2016 (10R for Governor's Jan. Budget) Projected
\$40 increase to first paper filing fees for unlimited civil cases where the amount in dispute is more than \$25K (GC 70602.6)	\$12,185,260	\$12,655,226	\$11,890,458	\$11,919,231
\$40 increase to various probate and family law fees (GC 70602.6)	\$7,629,479	\$7,718,618	\$7,744,597	\$7,722,665
\$20 increase to various motion fees (GC 70617, GC 70657, GC 70677)	\$7,641,569	\$7,332,651	\$7,192,278	\$6,982,622
\$450 increase to the complex case fee (GC 70616)	\$11,253,455	\$11,830,217	\$9,181,206	\$8,507,693
Total	\$38,709,763	\$39,536,712	\$36,008,539	\$35,132,812
The above fee increases were extended for an additional three years as part of the 2015–2016 budget. The new sunset date is July 1, 2018. The fees expiring after 2015 (see below) were not included in the 2015–2016 budget.				
Fees That Will Sunset on 7/1/17 or 1/1/19				
Description	FY 2012–13 Actual	FY 2013–14 Actual	FY 2014–15 Actual	2015–2016 (10R for Governor's Jan. Budget) Projected
July 1, 2017 sunset—Sargent Shriver Project				
\$10 increase to GC 70626(a)—miscellaneous postjudgment fee	\$8,655,059	\$8,692,493	\$7,960,241	\$7,443,656
\$10 increase to GC 70626(b)—miscellaneous postjudgment fee	\$253,422	\$315,743	\$378,008	\$480,073
January 1, 2019 sunset				
New \$40 probate fee (GC 70662)—effective 1/1/14	n/a	\$57,740	\$121,442	\$121,442
Total	\$8,908,480	\$9,065,976	\$8,456,691	\$8,045,171

Judgeships and SJO conversions

To be most effective in securing funding for new judgeships, it is recommended that the council commit to working with the administration and Legislature to address the concerns raised in the Governor's veto message³ of the judgeship bill (Sen. Bill 229 [Roth]) and to advocate for

³ "I am aware that the need for judges in many courts is acute—Riverside and San Bernardino are two clear examples. However, before funding any new positions, I intend to work with the Judicial Council to develop a more

funding of new judgeships, and ratify the authority of the council to convert vacant subordinate judicial officer positions to judgeships in eligible courts.

State penalty assessments

The issue of state penalty assessments is a complex matter that requires the attention of all three branches of government to implement a long-term solution.

In May of this year, Senator Kevin de León, President pro Tempore of the Senate, sent a letter to Martin Hoshino requesting assistance in addressing this issue. In addition, Senator de León introduced SB 404,⁴ which states the “intent of the Legislature to enact legislation to provide a durable solution to address the issues of equity and efficacy of penalty assessments associated with criminal and traffic base fines.”

Senate Bill 404 is a two-year bill and can be acted on by the Legislature in January. A traffic amnesty program was also enacted as part of the 2015–2016 Budget.⁵ An 18-month traffic and nontraffic infraction violation amnesty program that discounts delinquent court-ordered debt and restores suspended driver’s licenses for qualified participants commenced October 1, 2015, and continues through March 31, 2017. The program provides discounts of 50 percent and 80 percent to qualifying debtors, as specified. The council and staff also worked diligently with the Legislature and the counties to adopt the guidelines for the traffic amnesty program.

Senate Bill 405 (Hertzberg; Stats. 2015, ch. 385) provides that the ability of a defendant to post bail or to pay a fine or civil assessment is not a prerequisite to filing a request that the court vacate the assessment. It provides that the imposition or collection of bail or a civil assessment does not preclude a defendant from scheduling a court hearing on the underlying charge. The bill also made some technical changes to the traffic amnesty program.

All three branches of government took action to address the issue of state penalty assessments. However, a long-term solution has not been implemented. This issue needs to be addressed to ensure the fairness and efficiency of the penalty assessment structure. Commitment from each branch is necessary to address this complex matter in order to find a workable long-term solution.

Efficiencies and continued sponsorship

In April 2012, to address the budget crisis faced by the branch, the Judicial Council approved for sponsorship 17 legislative proposals for trial court operational efficiencies, cost recovery, and new revenue. An additional six efficiency proposals were approved for sponsorship in April 2013. Several noncontroversial and relatively minor measures were successful as the

systemwide approach to balance the workload and the distribution of judgeships around the state.”
http://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=201520160SB229

⁴ http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB404

⁵ SB 85 (Stats. 2015, ch. 26): http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB85

following efficiency measures were enacted into law. In addition, other efficiencies have been approved by the Judicial Council as sponsored legislative proposals each year.

Delegation

The council has already delegated to PCLC the authority to act on already introduced legislation. However, often administrative bodies or commissions ask for comments on legislative proposals not yet in the formal legislative process or on proposed rules and regulations that may affect the branch. Requests for comment or feedback come in from both state and federal agencies. PCLC is in the appropriate position to analyze and take positions on these actions. The process for taking a position on pending legislation or a proposed regulation would be the same as for a bill: staff would work with the advisory bodies for feedback on a recommended position and then bring the bill to PCLC for a final determination. Delegating this authority will allow PCLC to be nimble in responding to these proposals and also ensure that the council position is presented in a timely manner.

Comments, Alternatives Considered, and Policy Implications

The council has consistently sponsored legislation in recent years to secure the most critically needed judgeships. In December 2011, the council authorized continued sponsorship of AB 1405 (Committee on Judiciary) to establish the third set of 50 new judgeships. In 2012, however, the council chose not to sponsor legislation seeking the additional judgeships and instead chose to focus on other more urgent budgetary concerns for 2013.

For 2016, there are multiple options in pursuing funding for the second set of 50 judgeships:

- Seek funding for 12 of the remaining 50 unfunded judgeships, assigned to the courts with the greatest need based on the most recently approved Judicial Needs Assessment. This mirrors the actions taken by the Legislature during budget negotiations for FY 2015–2016 and what was provided for in SB 229 (Roth).
- Consider not pursuing funding for this year. The lack of judicial resources, however, is continuing to significantly impair the ability to deliver justice, and failure to move forward will only further deny access to justice for Californians.
- Continue recent requests and pursue funding for the 50 judgeships already authorized. This is the highest-cost option and has not been successful with the Legislature or the Governor.
- Request funding over multiple years.
 - Request the funding of new judgeships over two years, with 25 judgeships being funded each year.
 - Request the funding over three years, with 10 the first year, 15 the second year, and 25 the third year. This is the recommended option.
 - Request the funding over five years, with 10 judgeships funded each year.

Table 2: Cost of New Judgeships

	Year 1	Year 2	Year 3	Year 4	Year 5	Ongoing
	(in thousands)					
50 Judgeships	\$ 65,420	\$ 65,837	\$ 65,837	\$ 65,837	\$ 65,837	\$ 65,837
12 Judgeships ⁶	7,874	7,734	7,734	7,734	7,734	7,734
2-Year Phase-In 25/25	32,710	65,128	65,837	65,837	65,837	65,837
3-Year Phase-In 10/15/25	13,084	32,593	65,128	65,837	65,837	65,837
5-Year Phase-In 10/10/10/10/10	13,084	26,051	39,018	51,986	64,953	65,837

Initial costs in year one may vary depending on the amount of time it takes to fill each new judgeship position. Additionally, one-time costs are an estimate and may vary from court to court.

Implementation Requirements, Costs, and Operational Impacts

There will be staff costs as Governmental Affairs staff works with the Legislature on legislation for these proposals. However, if the proposals are approved and signed into statute, it is expected there would be a cost savings for the branch.

Relevant Strategic Plan Goals and Operational Plan Objectives

The recommendations support many of the council’s strategic plan goals, including Goal I, Access, Fairness, and Diversity, by seeking to secure funding to provide access to the courts for all Californians; Goal II, Independence and Accountability, by seeking to secure sufficient judicial branch resources to ensure accessible, safe, efficient, and effective services to the public; and Goal IV, Quality of Justice and Service to the Public, by seeking funding to continue critical programs to meet the needs of court users.

Attachment

1. Attachment A: *Efficiency and Cost-Recovery Proposals*

⁶ The cost of the 12 judgeships includes funding for 3.0 FTE and .42 FTE for interpreters; the funding under the other phase in formulas includes the 8.87 FTE.

Efficiency and Cost-Recovery Proposals

Approved by the Legislature

Senate Bill 75 (Stats. 2013, ch. 31). This Courts Trailer Bill of the Budget Act of 2013 approved the following efficiency proposals:

- Increases the statutory fee from \$10 to \$15 for a clerk mailing service of a claim and order on a defendant in small claims actions;
- Prohibits the Franchise Tax Board (FTB) and the State Controller from conditioning submission of court-ordered debt to the Tax Intercept Program on the court or county providing the defendant's social security number, while still allowing the social security number to be released if the FTB believes it would be necessary to provide accurate information;
- Increases the fee from \$20 to \$50 for exemplification of a record or other paper on file with the court; and
- Modifies the process for evaluating the ability of a parent or guardian to reimburse the court for the cost of court-appointed counsel in dependency matters.

Assembly Bill 619 (Stats. 2013, ch. 452). This court facilities bill revises the formula for assessing interest and penalties for delinquent payments to the State Court Facilities Construction Fund to conform to the existing statute governing interest and penalties for late payments to the Trial Court Trust Fund by using the Local Agency Investment Fund rate.

Assembly Bill 648 (Stats. 2013, ch. 454). This bill on court reporter fee cleanup clarifies language from the prior year that created a new \$30 fee for court reporters in civil proceedings lasting one hour or less.

Assembly Bill 1004 (Stats. 2013, ch. 460). This bill on electronic signatures on arrest warrants allows magistrates' signatures on arrest warrants to be in the form of digital signatures.

Assembly Bill 1293 (Stats. 2013, ch. 382). This bill establishes a new \$40 probate fee for filing a request for special notice in certain proceedings.

Assembly Bill 1352 (Stats. 2013, ch. 274). This court records retention bill streamlines court records retention provisions.

Senate Bill 378 (Stats. 2013, ch. 150). This bill provides that an electronically digitized copy of an official record of conviction is admissible to prove a prior criminal act.

Rejected by the Legislature in 2013 and 2014

Administrative assessment for maintaining records of convictions under the Vehicle Code: Clarifies that courts are required to impose the \$10 administrative assessment for each conviction of a violation of the Vehicle Code, not just upon a "subsequent" violation.

Audits: Defers 2011 required audit until trial courts and the Judicial Council receive specified funding to cover the cost of the audits.

Bail bond reinstatement: Authorizes courts to charge a \$65 administrative fee to reinstate a bail bond after it has been revoked.

Collections: Allows courts to retain and distribute collections rather than transferring collected funds to county treasuries with distribution instructions.

Court costs for deferred entry of judgment: Clarifies that the court can recoup its costs in processing a request or application for diversion or DEJ.

Court reporter requirement in nonmandated case types: Repeals multiple Government Code sections to eliminate the unfunded mandate that the enumerated courts (Trinity, Modoc, Merced, Kern, Nevada, El Dorado, Butte, Tehama, Lake, Tuolumne, Monterey, Solano, San Luis Obispo, and Mendocino) use court reporters in specified nonmandated case types.

Destruction of records relating to possession or transportation of marijuana: Eliminates the requirement that courts destroy infraction records relating to possession or transportation of marijuana.

File search fee for commercial purposes: Allows courts to charge a \$10 fee to commercial enterprises, except media outlets that use the information for media purposes, for any file, name, or information search request.

Marijuana possession infractions: Amends Penal Code section 1000(a) to exclude marijuana possession, per Health and Safety Code section 11357(b), from eligibility for deferred entry of judgment.

Notice of mediation: Amends Family Code section 3176 to eliminate the requirement for service by certified, return-receipt, postage-prepaid mail for notice of mediation and clarifies that the court is responsible for sending the notice.

Notice of subsequent DUI: Repeals Vehicle Code section 23622(c) to eliminate the court's responsibility to provide notification of a subsequent DUI to courts that previously convicted the defendant of a DUI.

Penalty Assessments: Revises and redirects the \$7 penalty assessment from court construction funds to the State Court Facilities Trust Fund.

Preliminary hearing transcripts: Clarifies that preliminary hearing transcripts must be produced only when a defendant is held to answer the charge of homicide.