

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 audiocast live via the California Courts website. What follows is captured live captioning, formatted and unedited, of the last meeting. The official record of each meeting, the meeting minutes, is 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](http://www.courts.ca.gov).

>> Please stand by for real time captions.

>>Good morning all, and welcome. This is the second day of our meeting. Our Friday, June 24 meeting is now in session. We want to welcome our New Judge Orientation faculty and participants who are here. We are very fortunate in California to have a very robust educational program for our judges and court staff, and particularly in the areas of judicial ethics and orienting new judges to their roles and responsibilities on the bench. The 2016-18 education plan for the Judicial Branch is in fact on our discussion agenda item today. But before we begin our agenda, I had the pleasure of meeting with the faculty and the participants of the current New Judge Orientation program in my chambers yesterday. They have joined us here this morning as part of their week of orientation for the opening sections of our business meeting. I'm sure the current council members around this table will impress and inspire them to be future council members. I would first like to acknowledge our New Judge Orientation faculty. These are our experienced judges who volunteer their time, while their caseload continues, to come here and volunteer their expertise to teach. I invite them to stand and be recognized. Because many of us know them, please hold your applause until I have addressed and announced all of them. We have Judge Barry Baskin, the Superior Court of Contra Costa County --

>> [Indiscernible -- low volume]

>>Oh -- very good. It is just like faculty to be helpful. That is Judge James Dabney from Superior Court of Los Angeles County, Judge Cindy Dobler Davis, Superior Court of San Diego County, and Assistant Presiding Judge Jill Fannin, Superior Court of Contra Costa County. We could not have New Judges Orientation without the Judicial Council staff and without your personal attendance to the week of teaching the new judges. Among the participants and future council members, please reserve your applause until I have introduced all 14 judicial officers. Please stand and be recognized. Judge Michelle Ahnn, Los Angeles County Superior Court, Commissioner Alicia Bianco, Los Angeles County Superior Court, Judge Carlos Cabrera, San Bernardino County Superior Court, Commissioner Erin Childs, Fresno County Superior Court, Commissioner Timothy Covello, San Luis Obispo County Superior Court, Judge Steven Freccero, Marin County Superior Court, Commissioner Belinda Handy, Riverside County Superior Court, Commissioner Tamiza Hockenhull, Alameda County Superior Court, Judge Thomas Long, Los Angeles County Superior Court, Judge James Mangione, San Diego County Superior Court, Judge Kimberly Parker, Santa Clara County Superior Court, Judge John Soldati, San Joaquin County Superior Court, Judge Theresa Traber, Los Angeles County Superior Court,

Judge Joshua Wayser, Los Angeles County Superior Court. I want to point out that in all of your counties, members from your bench and from your professional staff have served admirably and with distinction on the Judicial Council, bringing the experience of your courts to statewide administrations. Thank you for being here and we look forward to seeing you. Welcome.

>> [Applause]

>> As we continue the beginning of our business session, I want to say that we are all anticipating that Governor Brown will sign the 2016-17 state budget. We don't think it will be today, because of the Brexit news, but we think it will be next week. I am proud to say that this council was able to actively contribute to those negotiations and to the evolution of the judicial branch budget portion of the state budget. It is a balanced budget. It is on time. It addresses many diverse state needs and concerns, including many of ours. Many around this council table and listening and reading online today have tirelessly advocated all year for new investment in the branch. As with this budget, we have achieved for the fourth year in a row, new investments in the judicial branch for the benefit of the people of California. We have calculated the numbers. This means that over the last four years, we have received as a branch approximately \$620 million. Of this \$620 million, approximately \$455 million has been ongoing. That means in our base budget, continued to be received. I think that in the last four years, we can say much of our effort has been noticed and rewarded. I thank you for your work that really trickles down to your local communities and to the public. I think the new investment is also a testament to the way this Judicial Council was constituted, with representatives from all over the court, all over the state and with the Legislature and the State Bar. I think it also proves that the more united we are about our budget and our needs as a branch, the more we are seen and the less we are ignored. I am proud to read some quotes from the conference budget committee meeting. Quote, the Judicial Council has worked very hard over the last few years to reformulate the way that it deploys its resources throughout the state. It has made great progress on that issue. The fundamental issue that we face with respect to court is that they are, throughout the state, grossly underfunded. It is a very complicated issue that needs to be addressed to the benefit of all the counties in the state of California. I want to attribute this comment to our Judicial Council member who is here today, Assembly Member Bloom on the conference committee.

>> I know that Martin will provide a memo with more information on the budget. Before we get there, our first item of business is the approval of our minutes from February 25-26 and our April 15 Judicial Council meeting. I hope you have had an opportunity to review those minutes. I await a motion and a second.

>> Approval.

>> Second.

>> No hands raised. All in approval of approving these minutes, please say aye.

>>Aye.

>> Minutes pass.

>> Next is my regular report to the council summarizing some of my engagements and outreach activities on behalf of the branch since our last meeting, which seems so long ago in April. Following the lead of the Legislature, and benefiting from the experiences and knowledge gained by Judicial Council staff supporting us, the Supreme Court of California began live webcasting our oral argument calendar in early May. I want to say, the Supreme Court justices were excited to do this -- we did it immediately. It has been smooth thus far. We are not yet broadcasting in Los Angeles due to the age of the cameras. The May and June live webcast received -- viewing the California Supreme Court -- yielded over 7,000 live views and positive responses from the public, media and the justice system partners. That beat our 122 that can actually fit in our courtroom that we've never seen full at any one argument. It is another remote access technology tool, part of the 3D Access vision, that increases statewide access to our proceedings and helps the public understand our judicial institutions and demonstrates our transparency, reflects the work of the courts, the attorneys, the law, and the advocacy.

>> The live webcast and real-time captions, I am proud to say, is in English and Spanish. These are now all available archived, if you care to go back and watch one of our arguments and portions thereof. The webcasts are also providing educational opportunities to attorneys and law school students as they study the work and process of the high court. We look forward to continuing that and doing more of it and starting it in Los Angeles. I want to thank the people who are responsible for that who made that work. I thank Frank McGuire, our Supreme Court administrator and clerk and member of council. I thank Jorge Navarrete, who also assisted. I thank the Judicial Council team, Millicent Tidwell, who just made it happen. We wanted this to happen, and she made it happen. Thank you for making it. It was a promise I made in my state of the judiciary speech, one I was worried about, and she made it happen.

>> Access was also the theme in the state of Maine, where I was honored to receive the 2016 Distinguished Judicial Service Award from the Goldfarb Center for Public Affairs and Civic Engagement at Colby College. The challenges of equal access, funding, and the unrepresented were themes that were discussed that evening among all the states. It included a panel discussion on Women in Law: Obstacles and Opportunities. In Anaheim, I participated in the Women's Empowerment Conference hosted by California Women Lead, along with Fiona Ma from the State Board of Equalization, University of California Regent Charlene Zettel, Assemblywoman Kristin Olsen, and Betty Yee, California State Controller. It was moderated by Mona Pasquil, who is Governor Brown's appointments secretary. She quizzed me on a variety of topics from leadership, diversity, civic engagement, and public service. Former Judicial Council member and distinguished service award winner Tressa Kentner, affiliated with Justice Marsha Slough, also facilitated a question-and-answer for Justice Slough and I for the League of Women Voters of the Claremont Area. That league is also actively engaged in the Power of Democracy Civic Learning initiative by the judicial branch. We talked about the convener role that judicial officers

across the country can play in local and statewide civic engagement and education initiatives. Pretrial justice reform initiatives were the main topic for three days at the Conference of Chief Justices and Conference of State Court Administrators reform summit in Santa Fe. With Martin's involvement with the National Task Force on Fines, Fees and Bail Practices, and my role as board liaison on the criminal justice conference, it enables us to share and receive best practices. As you know, pretrial reform is prevalent in the United States and we see some jurisdictions that are doing incredible work and have completely eliminated cash bail. And we are seeing different work in progress of moving toward different models for pretrial reform. With Judge Buckley, Justice Rivera and I representing California, we participated in a new National Center for State Courts and PBS listening tour program called Courting Justice. It was hosted by Tavis Smiley that aired this week. We have been viewing it with some trepidation, but it was a good experience overall.

>> [Laughter]

>> It was a two-day PBS program. We are the first state to kick it off. We wanted to start it in California and try to engage other states to bring their judicial officers to have a town hall meeting with members of the public to have question and answers, and the questions were unscripted from the audience. They were unscripted from the host as well. Chief Judge Eric Washington, from the D.C. Court of Appeals, and Judge Jimmie Edwards from St. Louis, Missouri, were the other panelists, with an audience drawn from the Los Angeles social justice, faith, business, bar and court communities. Judge Washington and Tavis Smiley and I are on an advisory board of a national initiative called Community Engagement in the State Courts. It is a joint project of the Conference of Chief Justices, the National Center for State Courts, the State Justice Institute and the National Consortium on Racial and Ethnic Fairness. In truth, it really sprang up after the Missouri issues came about.

>> This week's broadcast was the first in a series of regional town hall meetings. I also want to say that in Los Angeles during our oral argument calendar, I attended along with my colleagues, including Justice Chin, the 62nd annual Beverly Hills Bar Association annual Supreme Court luncheon. Again, with Chief Judge Washington out of D.C., I participated in a panel discussion called Race and the Courts at Loyola's Law School for Journalists with Eric Miller, moderated by Priscilla Ocen. The audience was journalists from across the country, from the New York Times, the Wall Street Journal, from diverse areas, Buzzfeed, across API. I would say that it was an unexpected session. You never know what will come out of the questions when the journalists are asking you in a free forum about race and the courts. I want to say that an important point is our Judicial Council member, Donna Melby, when she was the national ABOTA president, came up with the idea for Loyola's Law School for Journalists. What a tremendous civic tool that is when journalists get this certificate and come away with a greater understanding of the third branch. Finally, in Sacramento, I was privileged to participate alongside Governor Brown, Attorney General Harris, Senator Kathleen Galgiani and California Peace Officer Memorial Foundation Executive Director Wayne Quint, Jr., in the 40th Annual Peace Officer Memorial Service honoring those who made the ultimate sacrifice in the line of duty. That concludes my

report. Now, we will hear from Mr. Martin Hoshino regarding the Administrative Director's report.

>> My written report is provided in your materials. As is custom, I would like to highlight a couple of those items. First, given the time of the year and the season, I would like to talk a little bit about the budget in terms of its status and its contents for the judicial branch for this upcoming fiscal year. We expect the budget to be signed soon, as the Chief said. There are a number of trailer bills that we were learning about last night that perhaps still need to be acted upon before they can say that we actually have a complete state budget, both in terms of its math and the enabling legislation that goes with it. You have previously been given some broader detail about the May revise itself and some of the other statewide calls that we make. We will of course provide the specifics of this particular budget when we know that the budget is in fact signed and complete. We will provide that information to you, both in terms of the numbers and its appropriations and anything in the language that connects to and directs with our operations and responsibilities. In terms of the broad numbers, it's a \$3.6 billion budget for the branch. It has \$135 million in new funding, with almost 90% of that going to our trial court operations. The continued augmentation in the face of all the other challenges that the state faces is a welcome support. I wanted to highlight some of those items. I describe this as expected new funding. We see no reason why it would not be here. The budget is not finalized. We thought it would be by the time we had met. The new funding expected to help courts meet its ongoing obligations, there's \$20 million for baseline operations. There is a continued recognition of Proposition 47, so there is a second installment of dollars of approximately \$21.4 million. There is a technology investment for the first time. I think we would characterize it as a meaningful investment in the branch in a while. It is \$24.3 million over three years to help us assist the transition from some of our old statewide case management systems to some of the newer, more organically grown case management systems, and help some of our courts transition from those systems to a new version. I think Justice Slough will talk more about this in her remarks. We have some additional security investments. There is some deferred maintenance for our facilities dollars that are in there. There is a new state-level trial court reserve formula. Folks may remember there was a formula that required the Judicial Council to withhold 2% of the total budget of the trial court operations at the beginning of each fiscal year. We no longer have to do that with the change of this budget. That money will go to the trial courts immediately at the beginning of the year. There is a new \$10 million to establish a new state reserve formula. I think after a number of years, three or four, folks had concluded that it was difficult to manage that existing or prior formula. So we get the opportunity to develop what might be a new relief formula going forward that hopefully will be more workable. We anticipate new funding for an expansion of language access in civil proceedings as well as legal aid for low income Californians. As well as local and statewide court innovations in the form of a grant program to provide greater access to court services. To be fair and balanced, those are the positive highlights. I wanted to accentuate them. There is a disappointment or two in this budget for us. We would have liked to see a greater augmentation of the trial court baseline operation dollars. We also had our hopes up for an increase in what is referred to as our dependency funding. We thought we were doing quite well during the course of the budget process. We had been seeking over \$22 million. This was a BCP

that was rated quite highly in the upper tier priorities for the council last fall. It was not in the Governor's January proposal or the May revise. The Legislature was able to get those dollars in on their side. However, in the final negotiations, the dependency dollars, which were \$22 million plus another \$7 million to help ease the allocation in a new formulaic way, did evaporate. We do not expect that to be in the budget. I spent some time on it because there is an agenda item later on that connects somewhat with this particular budget item that you will be entertaining a little bit later in the business meeting today. I want to continue to focus on the positive aspects of the budget. This is the fourth consecutive year of investments of new dollars into the branch to the tune of the \$600 million-plus that the Chief described, as well as the \$455 million ongoing. In doing so, it is important to pause and take a second and appreciate the folks, and publicly acknowledge the folks that have been leading this process for the branch. A lot of leadership from our trial courts and our court executives. The specifics to name, Judge Bryan McCabe, Judge Barton from San Diego, the CEOs Rick Feldstein and Jake Chatters. They were just tremendous, not just in coming to Sacramento to personally participate in the hearing processes, but also there is a lot of information that needs to flow back and forth at the capitol and from the capitol, and come up from the trial court operations. They really spearheaded the effort that no matter what the query or question is, there is not a delay, there is an earnest effort to try to get that information to people. It is a lot of work. They have to be on call 24/7 during that period of time. Each and every time they came through. In addition to the individuals, there are the specific courts that have spent some time on our version of the Hill. L.A. County Superior Court, Contra Costa County, Fresno County, Riverside County, San Diego County, and even the Third District Court of Appeal. I may have left some folks out and I apologize for doing that, but there was a fair amount of participation with a lot of good harmony this year. I think it contributes to underscore the Chief's comments. It helps us advocate. The Bench-Bar Coalition, the cochairs, the family and juvenile advocate partners that are out there that worked so hard with us, especially on the dependency efforts -- they were tremendous. Even closer to home, I have to give a shout-out to some of our staff. The council's Finance and Governmental Affairs, really working hard, being on the ground, starting the blog and the blow-by-blow of what is happening. We needed to know if we needed to make a phone call to the leadership to say, What does that mean, or what do you think about that, and get the information back into it. It is almost like the real-time nature of the budget is playing out like it is in so much of the facets of our lives in the digital age. Most importantly, and not just because she happens to be my boss, but the Chief Justice deserves a lot of thanks here. Her voice on behalf of the courts and the public is really listened to and respected in the capitol. It makes a big difference to have her carve out the time to go and advocate for certain items and place of the priorities for the branch so that the audience and the Legislature hears it first and foremost from her voice. We are very appreciative to you, Chief, for your efforts. I will now turn your attention back to the written report. As it relates to some of the essential work that so many of our members of the branch volunteer their time and expertise for, the volunteers are the lifeblood of the council and its work. There were 15 committees as well as numerous subcommittees and working groups that convened. Since April, they convened either in person or by WebEx or conference calls. You can track the scope of the myriad of their activities in your report. I also want to talk a little bit about the criminal justice reforms. Elevated continuing interest in this area nationally, as well as in California, our staff has

been invited and have already participated in some meetings with several constitutional officers that are interested in the areas of the fines and the fee formulas for California, as well as the pretrial program and any alternatives. The Chief Justice mentioned that California was participating in the western region conference of both the Chief Justices, as well as my peers, the state court administrators. We are now in the process of developing something for the Chief to consider in terms of what the next steps might be related to pretrial detention. That is only one part of our work. Throughout the state, through our recidivism reduction fund program, California has already begun some proactive work in this area throughout the branch. Just in the past several weeks, there has been a number of site visits as we continue to support the implementation of these programs. The judges and the court staff of El Dorado, Fresno and Orange Counties have been meeting with us, as well as local criminal justice partners, to discuss some of their pretrial programs, their data collection, the administration of the grants that they have, and the program is about to enter its third year in some of these places. It is helping to remind of the perspective and approaches and what some alternatives might be for California. The last comment I have for you is kind of a thing from administrators to administrators, but I have to do it. It is the fiscal year-end closeout. It is not something that makes the highlights, which is why I am bringing it up to the highlight level. There is a council team of people here that spent a lot of time working on the budget. Our folks have really worked hard on this task. I have been part of this and other sections of state government. This is no exception. To provide the coordination and the training and the assistance for folks that are dealing with the procedural accounting, things that have to occur to balance the general ledgers and the things that go on with the fiscal liaison. It is a \$3.6 billion proposition. It is no small task. To do it on time is amazing. For those folks who ever have any issues balancing checkbooks or 401(k)s or getting their tax stuff in order in April, multiply that by a factor of something that gets you close to \$3.6 billion and it is really a big deal. It really tends to be invisible to all of us. It tends to go unnoticed. I want us to give a big thank you to the folks out there that provide the full accounting for the use of public funds in what is the largest court system in the country. I thank them very much on your behalf. That concludes my remarks.

>> Speaking of going unnoticed, I want to point out that this is Martin's second budget for the judicial branch. I know it is a far cry from what the corrections budget is, but I will have to say how much we have tremendously benefited from having Martin in the capital. Just the ability to know what is going on when we are in trouble, the information he receives, the trust he has garnered, has made the last two budgets so much more understandable and less -- it is still a fight, but it is a fight where we are well armed. I am grateful for your work here and the blow by blow, and the late night calls. It is incredibly helpful. Thank you. Next, we will hear from Executive and Planning, Justice Miller.

>> My full report will be posted online. I did want to highlight one aspect of what the Executive and Planning has been doing since we last met. That is reviewing hundreds and hundreds and hundreds of nominations for advisory committees. One of the tasks of the Executive and Planning Committee under our rules of court is to recommend candidates to the Chief Justice for appointment to the Judicial Council and its advisory bodies. In reality, the council is much a

grassroots organization. The Judicial Council relies on the knowledge and service of approximately 600 justices, judges, commissioners, referees, court professionals, attorneys and justice system partners, all to volunteer to serve on the council, its internal and advisory committees, its task force and working groups. All with the support and resources and expertise of our able Judicial Council staff. These advisory bodies keep the council aware of the issues and concerns confronting the judicial branch, as well as appropriate solutions and responses. The council has advisory groups looking at issues such as jury instructions, family law, collaborative justice, court facilities, technology and anything related to the judicial branch. This year, we have been recruiting for 128 vacancies on 22 advisory bodies. We reviewed 515 applications. We spent hours and hours and hours reviewing and meeting together to review and make recommendations, always keeping in mind the Chief's emphasis on ensuring diversity and experience, gender, ethnic background and geography. Next month, we will forward our recommendations to the Chief Justice and candidates will be notified by her in August. If I could just take a minute of personal congratulations, I want to thank all of the members of E&P. They spent countless hours. We spent countless hours yesterday and this morning going over those. They did an excellent job. Donna Melby, Justice Humes, Judge Nadler, Judge Anderson, Frank Maguire, and others. That concludes my report.

>> Next, we will hear from Policy and Coordination Committee, Judge Kenneth So.

>> The policy committee has met seven times since our last Judicial Council meeting. We have taken positions on behalf of the council on 20 pieces of legislation. I won't bore you with all of those positions, but I would like to highlight a few. We have supported S.B. 1158 regarding trusts, A.B. 2244 regarding electronic filing, and A.B. 2367 relating to DUI sobriety programs. We have also taken a supporting position on A.B. 2765, which would extend the time limitations for petitioning for relief under Prop. 47 to reduce those charges. That is to head off a deluge of those petitions. Additionally, as many of you know and many of you have participated in, we have voted to approve a sponsorship of a legislative proposal that would require allocation of vacant judgeships from courts with less judicial workloads to courts with a greater judicial workload need. We did not take that action lightly. We know that in our discussions with the Governor's office that if we are going to expect funding for judgeships in the Inland Empire and San Bernardino and Riverside, he has indicated to us that we need to do this reallocation. That bill will be heard in a Senate committee. Judge McCabe will be testifying next week on it. Additionally, we are watching and waiting for the governor to sign the trailer bill dealing with the reduction of peremptory challenges. We anticipate that will occur next week. I would like to thank the CJA, Judge Eric Taylor, Judge Joan Weber for their vigorous advocacy, in addition to our court sponsored legislation.

>> Next, we will hear from Rules and Projects Committee, Justice Douglas Miller.

>> Good morning ladies and gentlemen. This will be very short. This is something of a quiet season for rules and projects. The Rules and Projects Committee has met once since April 2015. We met on May 18 by telephone to consider two proposals that had circulated for public



comment. The Rules and Projects Committee recommends these proposals, which are items 16-088 dealing with revision of the civil jury instructions and verdict forms and 16-095 dealing with court records sampling and destruction, which are on our consent calendar this morning. We are scheduled to meet on August 3 again by phone conference to consider rules related to traffic matters. That concludes the rules and projects report. Thank you.

>> Next we will hear from the Technology Committee, Justice Marsha Slough.

>> I am glad it was a short report for you because in contrast it has been a really heated time for us. I will take up your extra time. I will be reporting on the activities of Judicial Council Technology Committee since our last meeting. JCTC has had three meetings, two by teleconference and one in-person meeting. Our subgroup continues to work with the Sustain Justice Edition courts on the work that they are doing for hopeful new and modern case management systems for them, as well as for a new hosting model that is on today's agenda. We have also had reports from the Information Technology Advisory Committee, also known as ITAC. They have met and reported to us on their progress on e-filing work stream, next-generation hosting and self-represented litigant work streams. Those work streams are meeting regularly. I want to circle back to a comment that Martin referenced this morning related to the item in the budget this year for funding for V3 case management system replacement. Last August, this council approved a placeholder for this budget change proposal. The BCP was submitted to the Department of Finance early this year. The project truly was a collaborative effort between those V3 courts, which are Orange County, Sacramento, San Diego and Ventura. They worked so well with Judicial Council and with Judicial Council staff to prepare the budget change proposal, which was approved and is hopefully going to be in the budget that will hopefully be signed very soon. I have to circle back and say that I truly believe it was a success. This is the first significant funding coming to the branch for technology in years. I believe the success comes from a simple thing that you started a few years ago. You tasked Judge Herman with convening a Technology Planning Task Force. I was honored to be part of that task force as were many of the folks around this table today. The result of that task force is the Court Technology Governance and Strategic Plan. I have said that if you have trouble sleeping, read it. It will help. If you read this plan, and I know you have, what you will begin to see is the life of this plan taking form. I think that the V3 funding project is the very first success arising out of that good, hard work. I want to thank you, Chief, for your vision in convening that group. I thank the Judicial Council for approving the plan, and we are working diligently to bring this plan to life. Many have worked very hard. They have brought this plan to life. Chief, it is not a book sitting on a shelf catching the dust. Thank you for your leadership. We are hopeful to continue the momentum from the case management system budget change proposal. Work continues with the Sustain Justice Edition courts. A request for proposal for new modernized case management systems for that group was issued, 20 vendors attended the pre-proposal conference, and 3 vendors submitted responses by the June 13 deadline. Evaluations and selections of the potential vendors occurred earlier this week. The seats are meeting weekly to work on their budget change proposal for case management system replacement for fiscal year 2017-18, being the target year for funding. Rick Feldstein is very actively engaged -- thank you for that -- I noticed taking up a

lot of your time for those courts. This ties in to the governance and strategic plan for our goal for digital courts. On June 17, the Information Technology Advisory Committee met. Their work streams continue to do work on very specific projects as referenced. They managed the e-file request for proposal, next-generation hosting and data exchanges. The disaster recovery work stream has held its orientation and the video remote interpreting pilot project work stream, I'm pleased to say, has started recruiting for members. We have had great response to that thanks to the leadership from the justices. These work streams continue working diligently, inclusively and collaboratively as designed by the work stream model. Many of us questioned how well that model would work and it is proving to be a great success. Justice Cuéllar has collaborated with me on a message in May to all of the presiding judges and information technology officers to request participation in the video remote interpreting pilot project. A work stream follow-up letter was sent out just last week, responding to some questions and extending the deadline. We have received a robust response for participation. In addition, related to A.B. 2244 which is the court e-filing bill presented, the author accepted input from a subset of our group as well as members and those amendments were included and presented in the bill, which went before the Senate. At the May 9 meeting, we received updates on the V3 progress. We received updates on the video remote interpreting pilot project. We took action items on those on the Place court hosting consortium project, which is on today's agenda as well. At the June 13 meeting, the JCTC received an update on the activities. We gave final approval for the e-filing work stream deliverables, which I think you will hear more about today. Yesterday, the committee received a report on the work completed to date on the June 2014 Judicial Council-approved security framework. The security framework work streams final deliverables were approved by this body at the December 15 meeting. Michael Durr, JC IT office, presented in the report which includes a discussion on the need for IT security protocols. A review of the work completed today as well as next steps will continue. Finally, at yesterday's meeting, we completed an evaluation and ranking process of potential technology BCPs to present to this body at a future meeting. I look forward for us continuing to work diligently together. I want to thank Judicial Council staff for the great support that is given to me. We are progressing in a very positive way to date with our work and I anticipate we will continue in the future. Thank you very much. That concludes my report.

>> Let me say that I thank all the chairs and all of the members of the internal committees as well as all of the advisory committee members. As you can see, hearing these proposals and meetings, the policy that directs the branch is really built from the ground up. It does involve input from all courts, large, small, medium, extra small. The judicial branch is really made up of collaboration. All of these meetings are reflections of that. That is what moves our policy. What moves our policy is deliberation. It is the lifeblood of how we operate in terms of building policy, being inclusive and addressing our issues. Many people are to thank for the work that is done here in the committees and the presentations. That should not go unnoticed. At this time, it is our opportunity for Judicial Council members to report on their liaison activities. I turn this over to Justice Miller.

>> This is the time in our meeting where we have liaison reports from different Judicial Council members about the visits that they make to the county superior courts that they have been assigned for liaison. They are important. We ask you, keeping in nature how important they are that you also consider preparing written reports so that we can attach them to the materials and archive them so that they are available for review in that regard. We encourage you to provide us with an oral report of five minutes.

>> [Laughter] Or less.

>> I am asking you to honor that today. First, we will hear from Justice Hull.

>> I will mention that on April 26, I visited the Nevada County Superior Court. The main courthouse is in Nevada City. For those of you who are not aware of it, Nevada City is approximately 60 miles northeast of Sacramento. The court has a two-courtroom branch. A court in Truckee and the main courthouse in Nevada City that was built in 1864 and remodeled in the 1900s. Through no fault of the courts, it is something of a hodgepodge of space that has come into being through that construction history. It has been used for a number of county purposes over the years. There have been discussions about a new courthouse in the recent past but those discussions have been put on hold. The court has six judges and one commissioner. The commissioner of that is in Nevada City three days a week and in Truckee two days week. The court shares that commissioner position with Sierra County. The court currently has 59.2 regular staff members and 11.8 vacancies. The impact of budget cuts has resulted in a significant backlog in all operations, departments, and accounting and records management. The problems the court faces are three -- funding, of course. The funding the court receives continues to create financial instability. There are three main reasons. First of all, the ongoing reduction in filings, especially in the higher value case types. Implementation of the amnesty program, which has caused a 47% reduction in the civil assessment revenue -- this equates to a 3.7% reduction in total funding for the court. Their cash flow problems continue to be a problem, which is a direct result of the 1% fund balance restrictions. Secondly, security. The most significant problems here, all three of the public clerks' counters are open. It is a point of risk for the court staff. Entrance screening to the Truckee branch are limited to the court space on the first floor, leaving the second-floor courtroom and all offices exposed. I will have more on that in a moment. Thirdly, access to justice. The county law library has experienced a significant and steady decline in funding since 2006. The lawyer referral service -- as a cost-cutting measure, the court reduced all self-help services from 40 hours a week to 30 hours a week in 2014. Turning to the Truckee branch, as noted earlier during my visit to Nevada City, the court executive officer noted that this is a county owned facility. I do have some photos that might help out. I am going to stay within my five minutes. This is a picture of one of the entrances to the Truckee branch court. This is a photo from inside that particular entrance. This is a photo of the screening that is available into the court and the bailiff in the screening facilities. This is the entrance to that court and the inside of that courtroom. This is the clerk's desk, which is without security. This is the other entrance to the court facility. Inside the entrance on the left, the stairway that goes up to the second level is unsecured. We have Commissioner Trent at the top of those stairs to show us

around. The courtroom is on the left. She hears dependency, family law, and delinquency matters. On the right is the county behavioral health office. You will notice that that office is secure for behavioral health. It is secure in its main office. This is the doorway to her courtroom. There is a screening device there which is unused because there are no personnel to maintain that device. This is inside that courtroom. The desk is where the clerk sits. Her back is to that entrance. She cannot possibly monitor the court and monitor who is coming in behind her. This is the entrance to where the prisoners are held. The window is on the right. Those are the judges' chambers windows. This is his office looking back out. This is the attorney visitation room, which is also the lockup for in-custody prisoners. The jury room. The court would like to resolve these concerns of the security screening at the main entrance because there is none to the courtroom on the second floor. The security windows of the clerk's desk and also better response from law enforcement, which they say has turned out to be estimated to be between 15 minutes in the case of an emergency. After I visited the branch court, I was able to arrange a visit by Judicial Council staff specifically [name indiscernible] to visit Truckee to talk to the county and to consider the costs and options regarding the clerks counter and other security measures. As of this week on Monday, I have been updated on that. The county has refused the request to put screening equipment in place that would screen all persons coming into the building. The county is not willing to make any of their customers using county services to go through screening. The county is considering other options. It will require that the courts pay for all costs. Others are continuing to work and have a visit coming up today to see what other progress they can make on this issue. Although the response thus far from the county is disappointing, the court and the Judicial Council staff will continue to try to find ways to make the Truckee court a safe facility. Last year, I found the court to be well managed. They are coping with difficulties they have been presented with in an efficient and innovative manner. I think the Nevada County Superior Court deserves the council's congratulations.

>> [Laughter]

>> Next, we will hear from Judge Feng.

>> On March 18, 2016, I had the privilege of visiting Amador County Superior Court. I met with their presiding judge and others. I would be remiss to not congratulate Barbara Cochran and thank her for her years of service to San Francisco and the Amador County Superior Court. Amador County is located 45 miles southeast of Sacramento. It is in the gold country. It is the fifth smallest county in California. It is the second smallest in area. The population is close to 39,000. The county seat is Jackson. I will go through the slides in a few minutes. Let me go over the report since my time is limited. The Amador County court was housed in this wonderful Art Deco building from 1939 to 2007. The building was renovated in 1939 and dedicated as a new courthouse on June 29, 1940. The court was relocated to its present location and the move was due to asbestos and noncompliance with ADA. The present courthouse is renovated ranch-style courthouse. That was previously a State Farm insurance office site. The rebuild was by the county. It has three courtrooms and there are holding cells. There is a jury assembly room, a child care center, and clerks offices and windows. The courtrooms seat 96 people. We have a

very unique design regarding the jury box they added a few years ago. The court is concerned because there is a high school that is located across from the court. They do hear criminal cases and family law cases daily and they believe that because the emotions can run high, it can make - it may pose a problem regarding safety. The judicial officers chambers' window base and open parking lot, which they indicate is quite precarious for them. I was told during my visit in March that the council is installing Kevlar screens and bulletproof windows for the judges' chambers. Half of the security cameras in the court work. The other half do not. Judge Hermanson, Judge Day and Commissioner Sexton hear every single type of case from civil to criminal to dependency to juvenile. They are very thankful for the visiting judges that do get assigned there. It helps them out tremendously. Effective November 24, 2014, because of the budget constraints, the clerks' hours are Monday through Thursday 9:30 to 2:30. On Fridays they are closed. If there is increased funding, they can restore some hours and serve the public. The court has approximately 26 authorized full-time employees, exclusive of the CEO. That is down 33% in fiscal year 2011-12. That was at 38%. The total filings for fiscal year 2014-15 was 8,252 and is criminal filings for 2014-15, the total was 1,427. The numbers I have are 1,270 filings, 392 for felonies, 870 misdemeanors, and from fiscal year 2014-15, that is down around 13%. The misdemeanors went down by 6% as far as Prop. 47 matters. Since its inception in 2014, the court has 110 resentencing and 96 reclassifications, for a total of 205 cases. Mill Creek State Prison located in the county just added a new housing complex, which increased its population by 1,700 inmates. The prison originally housed 3,500 inmates. The new addition is an increase of a lot. The court anticipates more. The total revenue was approximately \$2.5 million. The expenditures are little over \$2.4 million with a surplus of close to \$97,000. For the fiscal year 2015-16, total revenue was \$2.6 million. Total expenditures were the same. There's a surplus of \$70,000. WAFM it has been hard for this court. The court believes that with 1% balance, it prevents them from upgrading their technological needs. The court has a system that is on Windows XP, which is no longer being maintained. The desktop operating system released over 13 years ago is now not supported and includes the discontinued browser version of Internet Explorer 8. The court is required to use alternative browsers to access sites that are not Internet Explorer compatible. The CMS is a client/server application by Justice Solutions. The data is hosted by Oracle. Fiscal concerns prevent the court from moving to another system such as Tyler. I was told that the storage issue was important to the court. As for the closed files, when the county rebuilt this courthouse, they did not include storage for closed files. What the court does is they are renting space. The space was previously cost-shared with a court but now Calaveras has withdrawn from the arrangement. The space is approximately \$790 per month, and Amador pays to Calaveras County annually. It is 300 square feet. Records are in eight-foot-high shelving units. They are in the process of trying to find cheaper space in Jackson. The long-term plan is to move away from paper and digitize and it is hard for them because they do not have the funds to do so. The precarious situation if Calaveras County decides to sell the building, they don't know what to do with the storage for the closed files. As far as veterans court, the court is in the process of establishing one. There is a large veterans community at Mather Air Force Base. They have scheduled meetings with veteran services organizations like Victory Village, which is a nonprofit organization that provides support for veterans regarding homeless prevention, mental health and substance abuse. They have a great relationship with the D.A.s, the P.D.s and the county. I would

like to acknowledge Ms. Gardella and Judge Hermanson. We are extremely grateful to them for hosting my visit. Let me go through the slides real quick. This is the renovated former State Farm building. This is a picture of myself and Ms. Gardella, Judge Hermanson and others. I forget who the last person is. I think it is the commissioner. That is the security entrance when you first enter the courtroom. These are the hallways in the courtroom. This is the jury assembly room, the childcare center, which is right next to the jury assembly room. The clerks office and the windows serving the public. This is behind the scenes at the clerks' office. This is where the storage of some of the files are. This is a department in one of the large courtrooms. This is the small court department. This is the jury box that they put into the small court. I am wondering how attorneys would present everything to the jurors. I guess it works for them. It is quite unique. I have never seen anything like that. I don't know if Court Facilities have ever seen this. This is quite innovative. That concludes my report. Thank you, Chief.

>> Thank you. This is the time where we conduct public comment with regards to general administration. We have eight speakers today. Each of you have three minutes. As you prepare for your general administration public comment, please member that it is general judicial administration. We are not an adjudicatory body. We can't rule on your individual case. We can't even review your individual case. Please refrain from talking about your individual case or the facts. Limit your comments to general judicial administration. What I would like to do is call a name who would come forward, and then call a second name who would come to just behind the podium. Our first public speaker is Catherine Campbell Raffia. If Roberta Fitzpatrick could be prepared behind her.

>> Good morning. You have three minutes. I will give you a warning with one minute left.

>> Catherine Campbell Raffia from Santa Clara County. I am here once again to speak to you about the condoning of child abuse in family courts. This includes sexual abuse, physical, emotional abuse to children. If you are uncomfortable about this, I ask you to just picture yourself as the child. You told the truth to professionals, CPS, your protective parents, and then you are forced to live with your abuser full-time. This is the reality of the majority of children who report abuse by a parent in California. They learn they are on their own. Money matters more than the truth. They deserve to be abused. They are not worthy of help. Those with more power and prestige can do what they like to them. If no help comes, they may repeat what they learned. This is happening right now in our family courts. I want you to look at all of the cases. I am here because abuse culture is alive and well in our California courts for families. Why is this happening? It could be happening for a number of reasons. One of the main reasons it happens is because it is allowed to happen. The family courts minimize, invalidate and dismiss facts about abuse. It is true that the cottage industry that supports the courts is doing this as well. The CJP turns away 90% of the complaints. Women's and children's civil rights in Family Court are being violated and the U.N. has now recognized this. Families are being bankrupted, protective parents are being minimized, charged with being delusional, out to hurt abusive parents or even vexatious. The children of abuse suffer, and the states pay out billions of care for adults who never received the help as a child.

>> One minute.

>> Here today, we only speak a broad terms. When an abuse matter is heard in an individual case and exposed to the public, people take notice and change happens. This has not happened in family court. Can you imagine what would have happened in the Stanford sexual assault case if there was no jury? You don't have to imagine, you just have to go to Family Court. Sexual abusers act like the victims, argued their lives have been ruined, and they are given full to partial custody of their children who may have abused. It is time to end this culture that allows abuse to prevail and continue. Change must happen now. Abuse is abuse, rape is rape. We do not have to let our children's abusers manipulate our system and we do not meet our Family Court to invalidate or dismiss or belittle their crimes. It is time for all of us to think of the victims and it is time to do what is right and just.

>> Time. Thank you.

>> I was right on. Thank you.

>> Next is Roberta Fitzpatrick. If I could have Danielle Barcena next. Good morning. You may proceed.

>> Chief Justice and members of the council, I am Roberta Fitzpatrick from San Jose. Thank you once again for this opportunity to express my concerns about your policies that affect Family Court. Recently, there was horrifying news that a two-year-old boy from Nebraska, visiting Disney World with his parents, was snatched by an alligator, even though his attentive father tried to save him. There were no signs to warn people unfamiliar with the danger from the ubiquitous alligators. The corporate giant of the Disney Company, with many lawyers, did not have the common sense to realize that folks from out-of-state needed prominent warnings about alligators. Disney rather quickly reevaluated its safety policies and changed its warning signs. Perhaps you are wondering what relevance that catastrophic event has to policies in Family Court. Your policies endanger innocent children and innocent protective parents. They enable abusers and murderers to have access to their victims -- innocent and powerless children such as nine-year-old Matthew Fernandez, murdered with an ax by his father, after a judge refused to listen to his mother's concern. Or, my great-niece, sent to live a life of sexual abuse before she was murdered, even though the judge was informed. The father had invited a known pedophile into his home who had already abused her.

>> One minute.

>> Instead of giving judges license to disregard abuse, you need to examine and improve your policies of law. I reviewed each of your biographies on the Judicial Council website. Only one advisory member appeared to have a working knowledge of family law. Perhaps you are as

ignorant of your policies in family law as I was of the warning signs at Disney World. But it is your job to create just policies that protect the lives of the innocent. Thank you.

>> Thank you. Danielle Barcena. Connie Valentine next.

>> Good morning. Thank you for hearing me today. My name is Danielle Barcena. I'm a member of the public, and I just want to say that I appreciate having this opportunity to listen to the public. It is nice to have a face for all of you and for you to see the public as well. My confidence in the judiciary's ability to handle sexual violence cases with integrity has been diminished. I am hoping that together we can change that by improving the quality of justice when it comes to sexual violence. I think it is important because the Centers for Disease Control considers sexual violence to be a public health issue with long-term social, psychological and physical effects, such as posttraumatic stress disorder, suicide and cervical cancer. They find that immediate psychological consequences include shock, denial, fear and shame or guilt. The 2014 National Crimes Victimization Survey found that approximately 33% of rape and sexual assault claims are reported to police. Rule 410 of the California Rules of Court lays out objectives in sentencing that says that sentences should protect society and deter criminals and deter criminal conduct. When only 32% of the victims find the courage to report their attack, and when judges weigh the needs of a convicted sex offender more heavily than the needs of a victim, we demonstrate to criminals that we excuse their crime and we refuse to protect victims' public health and we are failing to protect our society. I worry that victims will not bring their cases to criminal trial out of the fear that it will be too much shame and guilt here.

>> One minute.

>> They will be read a demise in a court where the California judicial code of ethics prevents a judge from engaging in a sexual harassment but does not expect the same of its lawyers. The sentences for a convicted sexual assault criminal are often shorter than the actual trial itself. I am requesting that you create a work group or task force or subcommittee regarding sexual violence. I think that will help with other people who seem to find sexual violence to be a problem overall. I thank you for your time.

>> Thank you.

>> Connie Valentine and Ralph Kanz could be next.

>> I am Connie Valentine. I am from the California Protective Parents Association. I want to thank you for working to ensure uniformity in family courts to the extent possible. We understand that recommendations are being made to have confidential mediation uniformly offered at the first tier for litigants who cannot come to a decision on their own. This is very helpful as long as the domestic violence rules of court are adhered to, and victims are interviewed separate from their perpetrators. If there is no agreement, the recommendation for a second tier of presentation of critical information to the courts, regarding criminal records and



evidence, is likewise helpful, provided the information is presented uniformly, statewide and adheres to the Family Code, particularly section 3118, which establishes a clear protocol on how to present the evidence. Children are included in the definition of domestic violence in Family Code sections 6203 and 6211. They must be treated with the same protections and safety measures as adults. We are concerned about the group of third tier recommendations which includes a recommendation by staff members to the judicial officer. Judicial officers may like a prepackaged de facto judicial decision provided in the form of a recommendation by a mediator. On the other hand, litigants expect their day in court. They don't expect a sham hearing in which the judge has already received the answer. Recommendations can prejudice people, including judges. We taxpayers pay huge salaries to our elected officials and we expect them to hear testimony impartially, to assess the credibility of witnesses, and to follow the laws in making safe decisions for children.

>> One minute.

>> We do not like having to pay for Star Chamber proceedings that make a mockery of Family Court judicial process. It would be unimaginable for a jury to receive a recommendation for a criminal court case outcome. We expect the same high level of ethical due process in Family Court. We would like you to please consider rejecting recommendation number 3 on these three tiers. Thank you.

>> Thank you. Ralph Kanz and Jamie Gay.

>> Good morning. Welcome.

>> Good morning. My name is Ralph Kanz. I am from Oakland. Yesterday I was observing your afternoon session here and watching on the access-to-justice issue. I want to point out one of the striking things about dealing with self-represented litigants is none of these groups that get together to discuss self-represented litigants have any self-represented litigants working with them. I don't think members of the court truly understand what self-represented litigants go through in our court system. Our court system is clearly biased against self-represented litigants. Where does that bias come from? A lot of it is unintended bias. Things like, oh, June 2, the Alameda County Bar Association had a little social get-together and invited all of the judges to meet with the local judges. Self-represented litigants don't get invited to that event. Members of the bar can attend for free. If you want to attend as a member of the public, you have to pay \$30. Then you can get some ex parte communication with the judge that otherwise you would not get. Basically, members of the bar get those kind of connections all the time. There is going to be an event in this building next month that does the exact same thing. As members of the bar meet with judges it creates a connection between judges and lawyers that self-represented litigants don't get the opportunity to have. That creates a bias in the court. It is an unintended bias. It is not something that anyone sets out to make, it is human nature. When you spend time with someone and you have had social time with them, you are going to give them the benefit of the doubt.

>> One minute.

>> When that self-represented litigant can't show their State Bar number and the judge is wondering, well, how I accept the legal arguments of a self-represented litigant, even if they are right, against some big law firm who could be misrepresenting the law and facts and not telling the truth? The judge rules for the law firm because they have the connection. We also, as we all know, if that case gets appealed, who will be defending the judge's decision? It will be the big law firm, if you rule for the law firm. If you rule for the self-represented litigant, in essence, that self-represented litigant will be representing that judge on the appeal. It is time to change that whole system. It is not right. It is not fair. We need to fix it. Thank you.

>> Next we will hear from Jamie Grey. If Kathleen Russell could approach next. Morning and welcome.

>> My name is Jamie Gay. I am from Humboldt County, California. I am a mother to five children. I am here today because there is a lot of injustice in the system that I have experienced in the last two and a half years. It started when my 12-year-old daughter came home with an alleged molest by her father. My husband and I took the protocol of taking her to a therapist, which mandated further process of paperwork to CWS, who never called me. They never got involved. They never took the process any further than the initial filing. This was brought up with the D.A. here in Santa Clara County. The reporting of the molest and physical assault were never investigated. I was awarded a DVRO for 2.5 years. It was never heard. It was dismissed and muddled into a family law custody dispute. This was not a custody dispute. These are three girls that have a voice and that can be heard. What happened was, the DVRO was just dismissed. It became a parental alienation syndrome case. It was said hundreds of times through our trial. I appeared in court over 50 to 60 times -- all we did was take our daughter to a therapist. Our marriage with the girl's father was dissolved in six. This happened with the counsel that was appointed -- I don't think she was even qualified. She had never even spoken to my daughters except briefly. They -- I also have a great concern for certain court-appointed evaluators to process the 3118. We were assigned someone here from the Bay Area that has reported in the public media, she has reunified children to abusers. She was assigned and selected by the abuser and paid in full. Her recommendation was to reunify the girls. I lost full custody of three girls. I have been their primary caregiver their entire lives. All I did was listen to my daughter and take her to a therapist. There are no checks and balances here. I would like to see implemented in the system judges to receive some DV background.

>> Time.

>> I'm a victim of domestic violence.

>> Thank you.

>> We have Kathleen Russell next. Stacy Hart please approach next.

>> Good morning.

>> Good morning. Chief Justice, members of the council, Santa Clara County Superior Court Judge Aaron Persky ignited a national media firestorm earlier this month when he meted out a horrifyingly lenient sentence to convicted student rapist Brock Turner. The fallout from this case has shown a glaring, national media spotlight on the ongoing judicial accountability crisis in California and on the inept Commission on Judicial Performance which, by its own accounting, disciplines judges in response to less than 2% of litigant complaints. For a body that was created in large part to protect the public, this rate is an absolute embarrassment and is indicative of the deeply cronyistic culture that permeates the California judiciary. You scratch my back and I will scratch yours. We have been talking for weeks about national reporters and producers who want to understand what is going on with the judicial branch here in California. Numerous state legislatures are crafting multiple approaches to ensure that crime victims like Turner's rape survivor never have to repeat her re-traumatization by a California court system that minimizes rapes and sexual assaults. We have seen how family court judges up and down the state, especially Judges Beverly Wood and Verna Adams --

>> I am going to ask you not to refer to specific cases.

>> Two family court judges in Marin County mishandled the growing number of child and marital rape and child sexual abuse, and domestic violence cases by routinely forcing children into unsupervised contact with their identified abusive parent. Given our first-hand experience watching family court judges trafficking young children to their abusers for 10 years, we were not the least bit surprised to see Judge Aaron Persky go easy in sentencing Brock Turner for his crimes. This egregious decision has awakened a sleeping giant in the legislature. We could not be happier. The Persky decision is just the tip of the iceberg when it comes to exposing the dozens of California judges who just don't get it or don't seem to care when it comes to the trauma they are creating by forcing child sexual assault survivors into ongoing contact with their rapists. For the first time in the 10 years that we have been observing the California court and pushing for needed reform, we are reading daily news stories about the minutia of our states judicial elections. The fact that judges' names like Persky don't appear on the ballot in the 92% of judicial elections in our states that are uncontested.

>> Time. Thank you.

>> Thank you.

>> Stacy Hart and next, Elizabeth Johnson. Good morning and welcome.

>> Good morning. I am from Placer County, California. My concern is with everyone else. As Kathleen Russell stated, and Connie Valentine, there is so much corruption in the court. There

are rules that are not covered. You all have the ability to change this. Please do so. Absolute power corrupts absolutely. Thank you.

>> Thank you.

>> Elizabeth Johnson. Good morning. Welcome.

>> Good morning everyone. Good morning to all of you who are brave enough to be here and to listen to all of us. There is a famous theologian out there, Dietrich Bonhoeffer. I think we all need to listen to what he had to say. The test of a morality of a society is what it does for its children. I think everyone of us knows that there may be something missing in what we are doing for our children. We aren't doing. In our court society today, we are leaving out what needs to be done for the child. We are looking at what needs to be done for the adults. We need to go ahead and bring in the actual experts and make sure they are well-qualified, make sure they are an actual third party, that they are perhaps LCSWs that can come in, work with the children, have absolutely no connection to anyone else, report back, have judges who are qualified in dealing with this actual issue -- and that would mean molest, the actual sexual assault, regular physical assault -- and have them be able to deal with the issue as well as minor's counsel or GAL, whatever your court happens to call that. We have different courts calling them different things. We also need to look at having DAs prosecute. This is not going to be left up to the parents. That is how we are bringing in mothers and fathers who end up in family court over these issues. This is not the issue. A child comes home with these things taking place.

>> One minute.

>> It does not need to be a parents issue. That needs to be prosecuted. We need to look at it differently, turn it upside down. The Little Prince -- something we grew up with, all grown up here, we were once children -- few of them remember it. I think we all need to start remembering it. Thank you.

>> Thank you. Lastly, Eve Sutton. Good morning and welcome. Please remember that you have three minutes. This is general judicial administration.

>> My name is Eve Sutton. I am a curriculum designer who got involved in the foreclosure and eviction crisis because I was writing curriculum for high school and college students. When my home was sold illegally, July 2, last year, it became very clear to me that a lot of the work that we had done over the last 10 years as a country was not really being implemented in our courts. We have strong foreclosure laws for the nonjudicial programs in California. Those laws are not being followed anymore. That is why we have a foreclosure crisis. Those of you who have heard me speak before remember that I talked about that the last couple of meetings. Now, I would like to bring it home because I realize many judges don't even understand the importance of looking at the documents that are used to counterfeit a foreclosure. I am going to provide you with a couple of mine, just because I don't mind if you look at my personal information. I am not

asking you to work on my particular case -- I have judges in San Mateo County working on my case. I want you to understand how easy it is to spot a fraudulent document or at least to smell a rat. This document is supposedly an assignment of deed of trust long after the fund closed. The fund was supposed to close in September 2006. This is an assignment in May of 2009. I will provide in the front at the desk there a couple more examples of fraudulent documents, along with a lovely document you can find online from O. Max Gardner. He is a well-respected expert in the area of detecting document fraud. He has a list of 60-something symptoms of a fraudulent document. Imagine bringing your car for repair and by the time you come back with your estimate slip to get it, it turns out someone else has fraudulently taken your car for the small price of that repair.

>> One minute.

>> Now, you bring the case to court and the judge says the fake document that the thief used looks good enough for me. Somebody had to pay the bill and they paid the bill. He gets your car. We don't have that many cases in California of car theft, theft from a dry cleaner, or theft from shoe repair. We have thousands and thousands of cases still of home theft with the fraudulent documents. I will provide the materials in the front. I hope you get a copy of those. I hope you just take a quick look at it to understand what a rat looks like so you will know how to find it in court. Thank you.

>> Thanks you. That concludes public comment.

>> We will now take a 15-minute break and return at 10:15 AM. Thank you. We stand in recess.

>> [Captioners transitioning]

>> [The session is currently on a 15-minute recess and will reconvene at 10:15 a.m.]

>> Welcome back. This meeting is now in session and we have on the agenda of the consent agenda -- it has 11 items as you can see. They include a wide range of activities by our advisory committees, including revisions to the Judicial Branch Contracting Manual, civil jury instructions, reports to the Legislature on court interpreter expenditures, courthouse construction funds, judicial branch court audit reports, recommendations regarding probate, probation collections, children's waiting room, operating costs, workers' compensation program, court records and a nonvoting Judicial Council position. As you can tell from the consent items when you read about them, that they give you a brief history of prior Judicial Council action, prior legislative action that triggers some of these reports were some of our required activities. Every advisory committee has worked hard on fleshing and vetting these proposals out. We thank all of them for that work and at this time I ask you to please review and I await a motion to move the agenda and a second, please.

>> So moved.

>> Thank you Justice Chin. Second by Judge Taylor and Judge Brodie? Who was the second?

>> [Laughter]

>> I am sorry. Pat Kelly.

>> Mr. Kelly.

>> Thank you, Judge Lyons.

>> Thank you for my -- I consider multiple seconds enthusiasm.

>> [Laughter]

>> We will begin our discussion agenda with action items and the first is language access. I am sorry -- consent. Thank you. I am reminded to call a vote on the consent. Notwithstanding the enthusiasm.

>> [Vote Being Called]

>> Thank you. Now we will discuss on our discussion agenda, language access, this is the the translation and educational products development plan for remaining materials and video remote interpreting pilot project. And I am pleased to welcome my colleague and Justice Chin's colleague, Justice Mariano-Florentino Cuellar, who is our chair of the Judicial Council Language Access Plan Implementation Task Force and Justice Terence Bruiniers, chair of the access plan implementation task force Technology Solutions Subcommittee.

>> Good morning. Douglas Denton with the Judicial Council Court Operations Services.

>> Thank you, Douglas.

>> Thank you. It is an honor to be here and I appreciate the chance to brief you and I want to recognize the members from all of the state and are terrific staff these momentous days may be remembered in the future for some very dramatic things happening in the world and I will put them in order of importance. The Warriors lost, and I want to ensure you that the language access test which is undeterred and fortunately the story with language access is better than that with the Warriors. I will request approval today in the course of my report for several new translation and education products that we think are available, ready to be made available statewide, and they are going to be useful. After my presentation, Justice Bruiniers will present the video interpreting pilot project which, as many of you know, has been under some discussion for some time and it was included in the plan that we are working to implement. Our focus remains on getting California courts to lead the country on language access. We are engaged in

an effort to do that in three steps. First, to get a plan of action, and that is a strategic action plan that the council approved over year ago. Second, we implement. That is what we are doing. We are going in phases. We are largely done with phase 1 and beginning to work on phase 2, and finally we monitor and evaluate to make sure that this is all working and this is a process that has already begun. The examples of the work that has been completed include the language access program monitoring database, the toolkit that I have discussed earlier, model notice regarding free language access services and coming this year, 2016, what is left of it, model complaint form and procedures, we expect and Web guidance material and coming next year, we will focus on matters like the bilingual staff protocols, training materials, guidelines and best practices. If the council approves our request today, we will have completed even more of our phase 1 projects. The overarching goal of the Strategic Plan for Language Access and the task force remains consistent. It is not only to develop these products but really to encourage a culture where language access is considered a core part of access to justice. Our task force recognizes the work underway across the state, and just to highlight several examples that I can mention, the Los Angeles Superior Court has developed Gina, and online avatar which I assure you will be better than Siri with traffic court services, translated into six languages which helps 4,000 customers a week handling traffic citations online. Gina is able to help court users in the following languages: English, Armenian, Chinese, Korean, Spanish and Vietnamese. Looking further afield, several courts including San Diego, San Mateo and San Bernardino, just to name a few, have enthusiastically praised the language access plan and have announced their plans to provide court interpreters and all civil case types. This shows a tremendous commitment to realize the goals of the language access planned and the branch goals for providing qualified court interpreters to court users and all courtroom proceedings by 2017-2018. Each of our four subcommittees represents where the heart of the work gets done for our task force is. For funding and monitoring, the key focus has been the \$7 million increase in FY 2016-27 proposed budget funds. For education, this new training and education materials related to interpreters, including step that we will talk about today. Translation, priority on translating material such as the statewide protocol -- as well as developing plans for translating more. Including the statewide protocol for translation of documents and the action plan designed to prioritize what should be translated by the branch. In technology, the justice will speak with you shortly about that the RFP pilot projects which has been the subject of deliberation and a major accomplishment is the concept for an RFP that we will be presenting today. Although much of this is rightly concerned with interpreters, the plan also plays of the importance of translation, which brings us to some of the subjects today. A case in point of how the plan talks about translation is LAP recommendation number 36, addressing the need of the branch for translation protocol that will deal with matters such as translator qualifications, a strategy for prior to raising this translation of certain documents into languages and other matters that will deal with the day to day translation needs of the trial courts. Something we hear repeatedly about is the need for accurate and effective translation services. The need arises regardless of medium and it might involve written materials, spoken materials, video materials, recordings, audio recordings. The goal should be to ensure that documents commonly accessible to the public are available to LEP users in their native languages where possible, which is why today we are asking for your approval of the following products that we think will move us in this direction. First a translation protocol which

cover standards and procedures, and then a translation action plan which is a translation strategy that applies across the branch. We talk about the protocol first. What it does is take the policy recommendations contained in the language access plan and makes them accessible and straightforward. It contains requirements for translator qualifications and we take that seriously, and recommended translation oversight procedures that will ensure quality control. As envisioned by the LAP, in recommendation 36 for example, the protocol is predicated on a simple assumption. The Judicial Council will establish a standing Translation Advisory Committee for oversight and policy direction. For now, we have the task force and the task force translation signage and 12 subcommittee led by Justice Zelon and José Barilla can serve in that role. We can include all kinds of things in this plan but the most important things that we want to include are the materials that will be useful to trial courts day to day. Then we have a need for translation action plan which is more -- this is a strategy document for the branch. It prioritizes different documents produced by the Judicial Council and the courts for translation. It recommends that we begin by translating informational documents and outgoing orders. In addition, the document makes recommendations on alternative formats for multilingual documents such as audio and video. Because our success also depends on education, let me talk briefly about an education-related set of products that we have as well. LAP recommendations 50, 51, and 50 address the need for education and training of judicial officers, court administrators and court staff regarding language access policies and procedures and I put this up so that you know that we have more than one recommendation addressing this. To help address these recommendations on training, we are recommending that court staff and judicial officers receive appropriate training on language access policies and procedures, and education for the branch is essential to ensure both access and procedural fairness for LEP court users, but training on language access helps avoid confusion and it is more efficient and it increases the prospects for the public being satisfied. Here is how we plan to move ahead with your support. We include a bench card on working with court interpreters, a bench guide outline, and a training curriculum outline for judicial officers and court staff and we ask for it -- approval of all of this. The bench card includes information consistent with the language access plan on the appointment of an interpreter and addresses waiver of interpreter, the provisional qualification process and restrictions on the use of noncertified nonregistered interpreters, among other topics. If these products are approved by the council, we expect to disseminate them to the relevant committees and faculty teams so that they can incorporate the materials into their curricula and courses given throughout the branch as soon as possible. The documents will be posted in our language access toolkit for ease of accessibility. Anyone following this language access issue knows that we still have a whole bunch of work before us and needs for more qualified interpreters across the state. We must ensure civil expansion does not in any way weaken language access in other kinds of cases. We have a set of other challenges involving translation and outreach in the community. That is why we are also presenting a development plan for remaining materials that reflects the whole scope of this strategic action plan. This development plan identifies the medium in which the materials will be developed -- audio, video, region, signage -- and proposes an estimated time frame of the development that we do not -- we hope it will not be too optimistic. It will assist the branch with identification of priorities and form the basis for future funding request, which is



why we also ask you to approve this development plan. With that, I thank you and I am happy to answer questions.

>> Jake Chatters.

>> Thank you, justice. First, for maintaining the focus on an area that, while we all think we do well, it is always good to have a reminder that we can do better and endeavor to do so every day that we come to work for our community. As an administrator, I get to ask some of the technical questions to make sure that we understand, so I apologize in advance for asking the administered questions, but a couple of clarifications on the translation protocol. Is it intended that it is only related to the Judicial Council-approved forms and information materials? Or is that going to extend to the local -- to the extent there are local forms -- and informational materials and in the protocol itself it mentions it that should adopt a similar translation protocol, so I am trying to make a clarification. Does this automatically apply to local courts where only if the local courts adopt a protocol?

>> Here is my read on it. I think that our real core focus is on the Judicial Council forms and we realize they are different local needs and the speed at which the local forms can be translated might be varied by county so I think somewhere between aspirational and a sense that it really is a core component of it and ultimately what we would like to do is to work with local court, monitor how this is going, and I expect that some local courts will be able to translate the local forms almost as quickly but we understand that there may be variations.

>> And a second one related to the staff education component so there is a fairly -- it is an extensive outline of staff education and materials, but one part that was not clear, if I think that it says in the materials that in terms of vetting, that the judicial bench guide and that initial training went through by the judges but the staff site had not been reviewed by the court staff, and management CEOs, and so is what is here today a request to adopt the concept that we want to have the training request we are going to work on the contents? Or is there a request to adopt the outline itself? Concerned that it has been reviewed.

>> It is the request to adopt of the whole outline and I will tell you why that makes sense. The outline is really a working document, a starting point and ultimately we hope it will be used in the curricula materials. But we do not expect that the outline will be set in stone and will preclude further developments, as we get further reactions to the curriculum. What I do think counts in favor of the outline even taken into account the points you make is that we do have court staff in our task force and we did consult with them to some extent. We also try to do the outreach that we do when I travel to local courts. I meet with staff as well and carry back to the court ideas so that we can take it into account and that helped us flag some of the common questions coming from staff. I would note that we already have a product that to some extent includes that sort of feedback that I can see it being refined in the future as well.

>> Thank you.

>> Yes. Rick Feldstein.

>> Just to clarify, so more or less what I'm hearing is that, as you say, particularly the staff training outline is not set in stone and it is kind of a work in progress.

>> Yeah.

>> So I would assume that in essence what the council would be adopting is almost a best practice recommendation. And that there will be, as you say, implementation and monitoring and evaluation, kind of along those same lines. The courts will have an opportunity to implement, try them out, provide feedback to hopefully through CEAC, which we would be happy to try to funnel some specific suggestions and recommendations are to you and then modify it at training and perhaps even the protocol to let you know how it is working in 58 courts all the way from Alpine to Los Angeles. Is that correct?

>> That is precisely my understand, and the reason it is important is because I see this as continuous improvement and the truth is it is always a little bit of chicken and egg where you can see how something can be refined but we need a starting point. So your best practice is formulation captures the intent precisely because there is an official -- we want to put on this that reflects that it this point in time this is the best we can do given the level of knowledge we have, the feedback we have got in and to the extent that there are some tweaks, for example, and local courts, they say, well, this is what the training says. There are local conditions that you have to take into account and we recognize that. If that level of feedback leads us to the conclusion and the subcommittee to the conclusion that it needs to be revised, we would come back.

>> Thank you. Judge Feng.

>> Just a suggestion regarding Chinese. I think recently we saw the traffic video and my concern that I raised before is that there is only one -- there is no written portion in the video, I was told, regarding Chinese. It is Mandarin, but unfortunately Chinese has many dialects and Cantonese is a primary dialect also, especially with people from Hong Kong, and in Los Angeles you have got pockets of communities from Taiwan and from China, and also from Hong Kong and from the southern part of China. My concern is that, if you have audio and video, and the audio and video is limited to Mandarin, then people who do not speak that dialect is at a disadvantage. My suggestion is, what ties in the entire country, as far as language and dialects, is the written language. So if I go to China and I speak three dialects of Chinese but I do not speak a certain dialect, I would write down what I need to do. For example, if I need to find the police, and if I need to find the restroom, and I do not speak that city's dialect, I can read it. So my suggestion is, if it is audio or video, there should be -- I am not suggesting, justice, that you have people speaking Mandarin and Cantonese and this dialect and that. What I am suggesting is that if you have a person speaking Mandarin, for example, in a traffic video that L.A. is implementing. If you have a person speaking Chinese and he or she speaks Mandarin, that is fine, as long as in the

bottom of the caption it has the Chinese characters. Then everyone can read it. That is number one. It is not like Korean. It is not like Japanese where it is -- there is a uniform language. China is full of different dialects, but what ties in the entire country is to the ability to know what is going on is the written language. That is why you have got one paper by different dialects.

>> That is my suggestion. Thank you. And this is an example of the process of continuous improvement so we can do something about that.

>> Thank you. Judge Brodie.

>> One question I have involved a statement in our report that refers to -- it says there will be costs associated with obtaining professional translations. Surely the case. Has there been any sort of initial estimate of what those costs might be? Are we too early in the process to wrap our arms around that?

>> We are fairly early in the process but we think that, because there will be additional translation, it is something we want to keep an eye on and learn something from. Doug, do we have anything?

>> We have done some estimated costs with translation of additional Judicial Council forms. That will be part of a future budget change proposal request to the legislature. We are going to set up a master contract with a translator so the courts can contract with an approved vendor for translation, but I think that is a good point. I think we can probably do a good job, and a better job with estimating translation cost to help the courts. But the protocol and action plan is designed to help the courts with prioritization and look at areas where they first may need to do translation, but we are trying as much as we can to share resources on the language access toolkit. So we do not have to repeat translation across the state.

>> We expect we will know more after the second.

>> Thank you.

>> Thank you.

>> Thank you, justice, I want to say that your presentation is exciting because when the language access plan first started, it was comprehensive, as you know, and now to see it being implemented is truly, I think, gratifying for all of us and thank you for your hard work on this.

>> Thank you. It is a team effort and, justice, before I have you speak, we are going to have a public comment and I will turn it over to Doug Miller for the public comment.

>> I apologize to the presenters and to Judge Conklin because I forgot that we had public comment on this and, Judge Conklin, you were up. Three minutes. Thank you.

>> Thank you very much, Chief, counsel. I will keep my comments brief. I am a judge in Fresno County and my name is Jon Conklin and I am a member of the Language Access Plan Implementation Task Force. I do not speak by, for, or on behalf of the task force when I make these comments. I make these comments as a judge in Fresno County was familiar with the use of video remote interpreting. These comments earned specific response to the letter you received yesterday from CFI and the comment in that letter that the VRI is being promoted as a solution based on a cooperated and unfounded claims of success in Fresno. So I am here to corroborate those claims -- and to provide foundation of those claims. We have been using VRI in Fresno now for over a year. And it has proven to be very successful in our court and admittedly, it is used on a small scale because as this program is, it is in its foundational stages. We are using it to the betterment of our clients and its success of access to justice. Further, we have been very candid about our plan from my perspective. I was presiding judge during the time that the plan was mainly ruled out, and we have invited folks to participate and go hands-on with the plan, and some folks have taken us up on that. And we encourage those members who have doubts about VRI and its success to come to Fresno and try it. We do not purport that ours is the only and we do not purport that ours is the best, but it is a viable use of VRI. I would also note that CFI itself has agreed in Region 3 to the use of VRI within a set of guidelines. And of course we are cooperating in those guidelines. So simply put, I believe from our hands-on perspective in Fresno that VRI is a very effective tool and, please, we do not need to say that it should be used as a substitute --

>> One minute.

>> -- for interpreters. It is an enhancement of their services. We do not intend to take VRI and use VRI to eliminate the use of interpreters. That would never happen. It is simply used in those rare circumstances where we cannot timely obtain an interpreter as we did last week and the dialect and in a misdemeanor case that was resolved in one session with the use of VRI. Rather than continuing the matter out to obtain an interpreter from long-distance. Thank you very much for your time.

>> Thank you. That concludes public comment on this item, Chief.

>> Thank you. Thank you, Justice Bruiniers.

>> Thank you. Good morning, Chief, members of the council. I think that we are all acutely aware that interpreting resources are limited and scarce in many cases and difficult to obtain in certain languages or dialects. As we expand or attempted to expand the use of interpreting services across the branch and in all case types, we have to find ways to best deliver those services most efficiently. So to really be able to achieve the goal of providing interpreters in all case types, we have to look at technology solutions for delivery of those limited services. The VRI project is jointly sponsored by the Information Technology Advisory Committee, ITAC, which I chair and by the Technology Solutions Subcommittee of the Language Access

Implementation Task Force which I also chair on the subcommittee. The VRI project does align with branch goals. It does align with the Chief Justice's 3-D plan. It is an element specifically included in the judicial branch tactical plan for technology, adopted by this council. And in the Strategic Plan for Language Access adopted by the council. I would also note that the Department of Justice in this letter to the chief specialist -- specifically asked for us to look at technology solutions for the delivery of services and mentioned the use of VRI. As you have heard from Judge Conklin, this is technology that is already in use in limited circumstances in California courts. It has been in use for over seven years in the Florida courts extensively and also in some more limited projects in New York and Arizona. I would just comment that I have had the opportunity on at least two occasions to see demonstrations of the Florida system and to speak with the interpreters that actually utilize that system and the feedback that I have received is a little different than we have heard from in the comments from CFI. The interpreters that I have talked to that actively use the system in Florida are more than satisfied with the use of that system in practice in those courts. There is also a current pilot project underway, jointly, with the national Center for State Courts and the Conference of State Court Administrators for delivery of interpreting services remotely. We have also done the American Sign Language, AFL, pilot project in this state using video services and again, despite some critiques I think that the courts that actually utilize the equipment had a very positive results and very good results. The VRI a project that we are proposing will focus on spoken language and again, the focus of this is on a no cost basis to the courts that would be implementing it and in other words we would propose to issue a request for proposal asking the vendors to provide us the equipment for evaluation and courtroom settings for up to six months, hopefully, in multiple courtrooms depending upon the response that we get and hopefully with multiple types of equipment that we can use for comparison and evaluation. I want to reiterate a point I made in the presentations to the council before. This project is not intended to remove interpreters from California courtrooms. There seems to be an assumption that this is a hidden agenda to do so. It is not. The use of interpreters in the courtroom setting remains critically important. We are trying to provide a way to deliver those services where the personal presence is not critical, is not essential, and their preference for in person interpreting remains. I would also point out that this pilot project is certainly not intended to prevent any court from proceeding on its own as Fresno has done so far to deploy remote interpreting, so long as the LEP court users may meaningfully and fully participate in the proceedings. Again, the purpose of the VRI pilot project is to allow us to leverage the scarce resources that we have in appropriate cases to allow the use of limited interpreter resources across additional case types, to provide broader access to languages other than Spanish, to allow the courts to share resources that they have where appropriate and certainly to reduce delays and minimize travel experiences. You heard Judge Conklin cite a specific example where a unique language resource would not have otherwise been readily available to them and where the proceeding was concluded in one session as opposed to multiple sessions. There are additional benefits from VRI. Certainly convenience for court use in terms of reduced number of court appearances, expanding the number of languages that we can provide, and providing better ability for court interpreters to manage their time and to reduce the travel delays that we frequently encounter. It also allows the interpreters to cover multiple assignments in a short period of time. Again, you have the executive summary of the LEP committee -- VRI pilot

project before you and this is a no cost to the court proposal and it allows us to implement technical standards that we are adopting from the national Center for State Courts project. It will lead us validate the program guidelines that are already in the language access plan. And to pre-approve acceptable vendors for projects that the local courts may wish to initiate. We intended to be able to put together, to leverage purchase agreements as a result of this pilot project, which will allow courts to acquire the equipment that best suits their needs. We intend to work with California certified and registered interpreters employed by or contracting with the courts. In other words, we are not going outside the court system to provide the interpreting services. We intend to collect and analyze the data, to be able to determine the best practices, to find the case types best suited to this type of technology, and to address and remedy any due process concerns as we move forward with the project. We intend to be able to quantify the costs for implementation and support, to find which solutions are the most cost-effective, determine the best practices, and go back to the council with recommendations for implementation of those practices and, again, identify cost-effective solutions that can be readily implemented by the courts and I would, again, comment that the solution that Fresno has been able to put together is a remarkable display of ingenuity and innovation and what they have been able to do -- at comparatively low cost. So I suspect that what we will find at the end of this project is that there may be different levels of technology that are more appropriate for particular case types or uses, but we do not expect that we are going to find one solution that will fit all, but I would hope to find multiple solutions that will fit the needs of courts of various sizes across the state. At this time, we would ask for your approval to move forward with the RFP that we have already developed for the VRI pilot project, and I'm happy to take any questions.

>> Thank you. Yes, Judge Lyons.

>> Thank you, justice. I have a question with regards to the pilot. Can you give us any more specifics as to the plans, for example, where will it be? Is there a particular type of case or location that you will have in the pilot? I think that the pilot is very important and it will determine whether or not we will go with that particular technology or equipment.

>> As Justice Slough mentioned, we have had a gratifying responses and we probably had about 10 or 12 courts that have indicated interest in participating. We may be limited by the fact that we only have a collective bargaining agreement covering VRI in Region 3. We do have courts within Region 3 that have volunteered to act as pilot courts. So ideally we would have at least two courts, one large, one smaller court, to work together on the project. We have not made a final selection of the court yet, but we need a court that has at least a robust infrastructure that can support high-bandwidth video. While we are going to be looking to the vendors who support the equipment primarily, there needs to be at least some IT infrastructure that can be used locally to support the project. We may not be limited eventually to Region 3. But at the moment, that is the only region where we have an agreement that would allow us to do that.

>> One more question if I may. The interpreters that will be in the pilot, will they be certified registered? Prequalified?

>> Certified and registered interpreters only in the pilot project.

>> Thank you.

>> Judge Feng.

>> Wouldn't that depend on the language? Because certain dialects -- you are not going to get a certification.

>> That is always a possibility.

>> It is more of a probability if you do Chinese.

>> It really depends upon the courtroom settings. We cannot know what languages we would be asked to provide services for, simply because we are planning on putting this equipment into the courtrooms in real-world settings, so it really depends upon the demands that the courts find in that particular courtroom and for those particular cases, so we cannot plan for a particular dialect or a language in the project, but we certainly, in selecting courts, are going to be looking at the demands in the pilot courts that we can expect.

>> As far as courtrooms, I presume that the project would be depending on what -- whatever court you select as the pilot court. Most likely it should be an arraignment court, I think, to start with. Am I right? Because that is where everything starts.

>> Not necessarily. Again, in terms of the actual implementation in the court, the first thing we are going to look at is what can the courtroom support in terms of technology, what particular technology are we trying to implement? And to see what use cases are appropriate. Again, we are operating under the program guidelines of the language access plan. In terms of which courtrooms we actually install the equipment in, that is going to be in consultation with the pilot court to find out where their needs are.

>> But before you select the pilot court, it is my suggestion to get the presiding judge or the CEO to give you an estimate as to what languages -- what translations does that court use? For example, a percentage of Spanish. Vietnamese. Chinese. Different dialects. That you can basically say, okay, this is a pilot court that we can use because there is enough diversity as far as languages that we can try the VRI in.

>> We are asking for that information from the volunteer courts.

>> Thank you. Justice Slough and then Mark Bonino.

>> Just to kind of echo some of the comments and to address your comments, Judge Feng, I think that those are really appropriate points that you raise. And I think that all of those are part and parcel as to what Justice Cuellar, Justice Bruiniers and the folks on the work stream who are working towards getting their community together so that they can begin to develop this pilot project. We have got to get the work stream together first, so that they can begin to look at the courtrooms, the cases, the case types, the language types, the hearing types, so they can gather that data, assess that data, and design something with the input from the CIOs, the CEOs, the PJs, the trial courts, of all sizes, so the point that you raise are very important and I assure you that those points are being considered by Justice Cuellar and all of those that are working very diligently on all of this. As a pilot project, it cannot address every single thing, but critical to this is that it is not one-size-fits-all for everybody and I think that the path that they are on is a very productive and appropriate path for all of us and I look forward to seeing the end result and thank you, Justice Bruiniers and Justice Cuellar.

>> I would point out as well that on the work stream and we are -- we have had a number of volunteers for that work stream as well. We anticipate having our interpreters, including CFI interpreters, participate on that work stream. We consider them an essential component of the work stream. Along with CEOs and judges.

>> Thank you. Mark?

>> Thank you. This is a very important program but just one question -- the pilot program is going to be very important because that is going to be the proof of the pudding in many ways. Where is Region 3?

>> [Laughter]

>> Region 3 is probably the largest geographic region by far. It has courts like Sacramento, Madera, Fresno. Kind of the Central Valley and kind of the Northeast tier of the state.

>> Thank you. For the next we will hear from Judge Brodie and then Judge Stout.

>> Just tying in with Justice Slough who commented that the one-size-fits-all is not necessarily going to work. We are exploring many options. Does the pilot project anticipate having different iterations of this technology in different courts? And then at the end, we come back and see how these various options work? Or at this point, are we kind of having everyone wear the same size and see how it fits everybody?

>> We are soliciting as many vendors as possible. We do not know yet what response we will get and I am reasonably confident that there are at least two or three vendors who are actively interested because they have expressed interest over time. We may get more. The equipment has to meet the minimum qualifications that have been established so that is the threshold qualification requirement. Beyond that, it is simply a question of what can we support? What can



we deploy? So ideally, we would have minimally at least two different types of equipment, and actually we have three because we have the Fresno solution that we also intend to evaluate as part of the project. To have that equipment in different courtrooms, different case types, different use types, so that we actually have a hands-on basis to evaluate and compare those solutions. As I said, I think that we may find that there are differing levels of technology that are appropriate to different case types and uses. Until we actually get the equipment set up in a courtroom and we have judges using it and evaluating it, it is hard to say what will be the best solutions.

>> Thank you. Judge Stout.

>> I just wanted to express my excitement at the prospect, the VRI pilot projects. Many of us in the small rural courts are seeing an incredible increase in the need for interpreter service and notwithstanding our best efforts to coordinate our calendars to meet those needs, we have, as Judge Conklin aptly said, the unexpected, unforeseen cases that appear that need immediate interpreter services. In Inyo, for example, we are often bringing interpreters each way four or five hours away, from Bakersfield or Los Angeles, at tremendous cost and sometimes just to come up for one matter. And again, I think that reiterated from the small courts, rural courts' perspective, this has tremendous potential.

>> Thank you. Justice Miller.

>> I will make a motion to approve the task force recommendations with regard to the translation and educational products and then also that we adopt the pilot project as recommended.

>> I will second. Second through Justice Chin and second through Judge Lyons. These are items A1 through 4, page 2 of the item on your agenda. All in favor.

>> [Vote Being Called]

>> The matter carries unanimously. Thank you for your work. As you can see, we are all anticipating your result in a report back and I am especially pleased that this also reaches not only remote access and 3-D access but also equal access under the recognition of California's strength and diversity. Thank you very much. Justice Bruiniers, I invite you to remain in your seat for the next item. Judicial branch administration, trial court electronic filing. Approval of electronic filing standards and of policies on electronic filing managers. This is also an action item. And we are going to have several presenters. We welcome Mr. Snorri Ogata, a project manager, Judicial Council Information Technology Advisory Committee, on the e-filing work stream. We also welcome Judge Sheila Hanson, executive cosponsor, Judicial Council, Information Technology Advisory Committee e-filing work stream, Mr. Rob Oyung, executive co-sponsor, Judicial Council Information Technology Advisory Committee e-filing work stream. Thank you. Welcome.

>> Good morning, again, to everyone.

>> Thank you.

>> Before I hand this over to the presenters, I would like to note that a little over a year ago, we probably had six or seven courts in this state that were actively using some form of e-filing. Over the last few months, we have had courts deploying updated modern case management systems. Today it is a moving number. We have at least a couple dozen courts now that have some form of e-filing. And we will have certainly probably two thirds of our courts will have some form of e-filing capability over the course of the next year as the courts actually start to use the capabilities of the new case management systems. As e-filing rapidly deploys across the state, we find that I think Snorrie referred to it as the e-filing ecosystem. That e-filing ecosystem is rapidly evolving in the state. If we do not take action and move forward on defining that ecosystem, it is going to be defined for us. So the e-filing work stream has done remarkable work in the past year and I think it is a real testament to the effectiveness of the work stream concept that we have been using on these projects. It is a perfect example of how we can effectively leverage resources and talent across the branch to achieve something that very few courts, if any, could achieve individually, so the work stream here has done a remarkable job, as you will see from the presentation this morning. I would really like to thank Judge Hansen, Snorrie and Rob, all members of the work stream here for the work that they have done, and as I think you will see, it is a remarkable product.

>> Good morning. It is my pleasure to present at the recommendations of our work stream in the trial courts and I want to make sure that it is clear that this is trial court electronic filing. Our charge was threefold. It was to explore e-filing alternatives for the California trial courts and to make a recommendation on implementation approaches that would be optimal for California and then eventually develop an implementation solution that could be rolled out across the state. The work stream itself met for over an eight-month period and consisted of a mixture of judges, court administrators, court operational personnel, CIOs, and GCC legal staff. It was a very engaging and collaborative effort that ran for that eight-month period. The little chart that was handed out to you -- I apologize for the eye chart. Believe it or not, the little tiny box in the middle under the EFSP with five icons is part of a broader picture that has about 37 moving parts on it --

>> [Laughter]

>> -- so we have tried to distill this information out to you at a level that makes sense and is accessible at 2,000 feet, there are four primary actors involved in e-filing. I think everyone understands the filer in the court that exists in the paper world. In between there are two new companies that emerge. For one is called an electronic filing service provider and the other is the EFM. So the EFSP is analogous to the court attorney service or the courier whose role in the process is to get the documents and the check, the money that accompanies the filing and from the filer brought it down to the courthouse and presented for consideration. The filing manager is the electronic equivalent of building a counter environment so it creates a place for those

electronically submitted documents of corresponding data and payment information to be presented to a court clerk for evaluation and ultimately accept or rejection. Upon acceptance, the filings will move and the data will move into the court case management system and the documents will move into the court document management system and that completes the flow of e-filing. As we surveyed our options, we quickly focused on three alternatives. The one that we ultimately went with and is presented the recommendations around is the statewide vendor solution. This is a solution that has been adopted most recently in the states of Texas, Indiana, and Maryland and Massachusetts. The second alternative being considered was a JCC controlled centralized developed and operated e-filing solution. This was -- an example of states that have gone this route are Colorado and Missouri. The third alternative that we explored was effectively the status quo model. Today's model is largely at the discretion of the individual trial court to decide if and how they will go about doing this. Last month of May last year, we invited Texas and Colorado AOC personnel to share their experiences with us on e-filing in the state so that we could glean lessons learned and we asked Orange County to come and present their alternative so we could better understand the impact of e-filing on the trial courts. There were definitely many pros and cons to each option, but over a period of several months to work stream ultimately decided that a vendor provided solution would be the best approach, ensuring that there was a consistent user experience across the counties and it would ease the burden on local trial courts. So we have three or broad policy recommendations that we are bringing forward to you. The first one -- I apologize -- it is the most technical and arcane so this is establishing the National Information Exchange Model and ECF, which stands for electronic court filing, to adopt these joint technical standards as the foundation for California, which currently has a e-filing technical specification that was deemed our standard that was adopted 10 years ago and it is outdated. It was revolutionary at the time, but the rest of the nation and the technology vendors, both court site and technical vendors, have all adopted this framework and so it seems like an obvious one for California to adopt as well. And the second policy -- broad policy recommendations is retaining the participation rights with the individual trial courts so as we certify the trial courts early on to barriers to adopting e-filing, it became very clear that success or failure of an e-filing environment will largely come down to not only the courts' technical capabilities but also their broad operational readiness for implementing e-filing. And so any sort of program where we came in and said that all 58 trial courts have to use this particular solution for this particular day would be met with challenges and frustrations and it would not be successful in many courts. The third one, and this was the most exciting for me personally. When we started the e-filing work stream, I thought I knew exactly where the movie was going to end, and this had a great plot twist that was unanticipated. So courts by and large -- in fact, all of the courts, all of the statewide implementations have elected to go with a single e-filing manager to broker and view the foundation of their e-filing ecosystem. And what we saw as we examined that was that it led to an anti-competitive environment. In some instances, the e-filing manager was also the state's largest case management system of vendor and it started to create a controlled, almost monopolistic environment that we did not think was in the best interest of our constituents. When we examined the share size of California it was apparent that there was going to be sufficient market share in the environment to be attractive for multiple e-filing managers, and so that is probably the most controversial of all the recommendations that we are bringing forward because

it is inconsistent with any other state and we will be the first ones planning to do this. We also have a series of high-level functional requirements. When we ultimately issue an RFP, it will consist of hundreds and hundreds of requirements, but we wanted to highlight the requirements that we thought were of the greatest interest to the branch because they impacted the way that e-filing would fundamentally work. The first one is that e-filing must support all case types. Historically the community typically focuses their activities around civil. It is easy to monetize and it works entirely -- not only in the attorney-based world and there were -- used to working with a fee-based structure but for it to be really beneficial to the trial court, we need e-filing on all litigation types. The second recommendation was that the e-filing manager would be required to integrate their e-filing solution set into the four core case management vendors. Three vendors were part of a statewide master services agreement that resulted in about 30 of our trial courts most recently adopting case management systems, and this would be Tyler Odyssey, Thomson Reuters, and Justice Systems. The fourth case management vendor that we are recommending the e-filing managers integrate into is Journal Technologies, also known as Sustain. Between these four case management vendors, over 40 of the trial courts have committed to -- have either signed a contract to or are directionally going to one of these vendors -- it is clear that these will be the foundational vendors to the courts going forward. As we examined -- because there are also 18 courts that are undecided and we do not know where they are going, we are asking that the RFP directs the vendors to explain how they would approach integration with a nonstandard case management systems. Not necessarily as a free component to it, but we want them to articulate if there are any costs in doing so and then ultimately recognizing that a freestanding delivery option would be an alternative that we would want to explore as well, so at 50,000 feet is of the left boxes look exactly the same for the filers interacting with the court through a Web browser and uploading documents, but what is not happening is that the integration is not going directly into the court case management system. Operational staff will have to do the data entry but it might be an appropriate bridging strategy for some courts, and additional high-level recommendations include integration with Judicial Council-approved financial gateway vendors. So the Judicial Council has negotiated favorable credit card rates because of the size and volume that we do. The e-filing vendor community cannot always negotiate as favorable trade so we want to retain the authority to direct those vendors to use the vendors with the EFM vendors to use the financial gateway vendors that the branch chooses, if it is advantageous to the filer and ultimately reducing the costs that they incur. Another key point is the acceptance of multiple electronic payment types. Clearly credit card is the payment method of choice and the digital economy -- it does create some challenges as 2% to 3% of every dollar spent results in money going to the financial intermediaries. E-checks and ECF payments, two alternative examples, our ways were the cause can be further reduced on the filer. The next recommendation is that the e-filing management vendors must provide a zero cost e-filing option for indigent and government filers. These are the two largest blocs of filers -- the majority of transactions in the court system. If you do not have a filing solution that is accessible for free, these parties, the courts will not receive the benefit that they are seeking. Additional requirements include clearly disclosing all costs and services of the e-filing service provider community. This is a little bit of a point of contention that is running in some of the practices in several trial courts, where additional fees are being charged in the filing ecosystem that do not seem appropriate so we want to drive a

level of full transparency in this environment. The court is also a filer, generator of documents, so we want to make it clear that the e-filing management vendors must provide a free solution for the courts to electronically CERT documents that they generate in a case. We also want the EFSP to integrate with all statewide EFMs and all participating counties and this is subtle and it has two primary benefits. The first benefit was targeted at protecting the small courts, so if you go talk to the e-filing service provider community, just like you would with a traditional attorney service firms, they are interested in doing business in the largest counties. It is easy to monetize the investments they make and it is less attractive for them to work in the smaller counties. So we wanted to ensure that it was an all or nothing proposition. If you are going to do e-filing in the state of California and participate in this ecosystem, then you have to participate fully in all of the courts and the counties that are acting or engaging in this. The second thing that it does is it provides a method for an attorney in San Francisco who also files in Alameda and San Joaquin counties, who have three different case management systems, from not having to go to the hassle of choosing multiple e-filing service providers depending on which county they are filing into. That should be transparent to them. The ESPN partnership with the EFM can bridge that gap. Our last recommendation is to approve -- it is to direct ITAC to manage the vendor selection for a statewide trial court e-filing solution. We have a work stream that is anticipating this activity and it is already starting to work on the requirements, but I think that we need your formal blessing so that we can make it official that we are seeking an RFP on behalf of the state. And that ends my presentation. Any questions?

>> Thank you for introducing a whole new vocabulary.

>> [Laughter]

>> And an acronym that we are all eager to adopt. I assure you that we are.

>> [Laughter]

>> Thank you, Justice Chin.

>> Thank you for all of your work and Robert, thank you for all of your work. It is an incredible accomplishment. I realize that you have a work stream for disaster recovery. And you may not be able to answer this question, but I have a concern. If we go down this road of letting every county do what they want to do, within certain boundaries, are they also going to have that authority for disaster recovery and security so that we have 58 different scenarios? Because if the computer system goes down, I do not want the courts to stop doing business.

>> I am not on the --

>> [Laughter]

>> I can address that. In terms of disaster recovery, as well as security, the intent of those work streams is not necessarily to dictate a particular process or a set of requirements. Excuse me. But rather to establish a set of frameworks that the trial courts can adopt and leverage best practices in order to ensure that their infrastructures and environments are both safe and reliable and resilient. So the goals of both the security work stream, which has completed, and the disaster recovery and, as well, the future hosting work stream, is to provide those frameworks so that there is more standardization across the state, but as well to allow the individual courts their flexibility to address their local business needs while meeting a minimum set of requirements, or minimum standards, to make sure that their environment is secure and reliable.

>> I cannot add to that that a requirement of the e-filing management community will be for them to disclose what their disaster steps are so we know that there will be redundancy in that environment as well.

>> Thank you. Judge Buckley.

>> I would move that we accept and adopt the recommendations which are found on page 2 of the report.

>> Second by Judge Nadler. And I think another second, Judge Lyons, thank you.

>> [Vote Being Called]

>> The matter carries unanimously. Thank you. And I would like to say thank you to Judge Hansen because I know with your representation on this committee and cochairing it, you have made it understandable to bench officers. I clearly appreciate that translation. Thank you very much.

>> Thank you.

>> Appreciate it.

>> Next item. We have public comment. Before I invite the presenters to the table, I turn it over to Justice Miller.

>> This is the item on juvenile dependency. We have four individuals here that have public comment and, again, for each of you, it is three minutes, and it is to relate specifically to this agenda item. First is Sarah Kaber. If you would come forward, and then if I could have Javier Barraza. Come up behind the gates so you are ready. Good morning, and welcome, and you have three minutes, but I will give you a warning when there is one minute left.

>> [Laughter]

>> Good morning. My name is Sarah Kaber and I one of the four full-time attorneys in Humboldt County who are parents in the system. With the current status of the state budget, the options presented before you are even more important recently in Humboldt County we have more than 800 clients. The present chart that you have indicates that we only have 500 clients. I don't understand this and I do not understand how the numbers are this wrong. Our caseloads are steadily and rapidly increasing. We are each operating with caseloads in excess of 200 clients but the chart would only be paying us for 124. In a small county, a difference of this size is tremendous and devastating. We need a fifth full-time attorney in Humboldt County. However, with the proposed budget cuts, we would only operate with three full-time attorneys. The county is also a remote county. The nearest neighboring county seat is almost 2 hours away from us. We are all sole practitioners and this means that out of our contracted pay, a third of that is going to our taxes including self-employment taxes. And then out of our own pockets, we are paying office rent, malpractice insurance, health insurance, our office supplies. We are not receiving any benefits, let alone the benefits that our county counsel counterparts are receiving. We already are not receiving sufficient funds to allow us to employ support staff. What this means is that in addition to our legal duties of representing clients, filing court papers, and attending court hearings, we also have to do all of the administrative duties. This takes more time away from us representing our clients and doing what we need to do in our legal work that we simply are left to be sending for ourselves.

>> One minute.

>> If these cuts go through with the incorrect data and incomplete information, it is just not my workload and quality of life that is going to suffer but most importantly it is that of my clients that is going to suffer. How do I choose which client is more deserving of the limited time that I'm going to have left available? The options before you are what allow the small and remote counties like Humboldt County the opportunity to survive for yet another year while the working group takes the time and tries to figure out how to get accurate data and information. Adopting all of the options and recommendations before you allows the working group and the council staff to do their job while it would still allow us in Humboldt County to do ours. Thank you for your time.

>> Thank you.

>> I will give you a warning at one minute left.

>> Good morning. My name is Javier and I have been practicing law in Humboldt County for two years and prior to that I worked for six years representing children in Los Angeles County. Each county had their issues. Given the amount of money coming in, they had a safety net, even when caseloads were high. Here is what I mean. In a large county with local law schools to draw from, supply and demand works very differently. The number of applicants surpasses available positions. Large counties can quickly fill openings with newly minted lawyers eager to take an entry-level position that includes ample support staff, experienced supervisors, and free in-house,

on-the-job training. However, if just one of us in Humboldt County were to spontaneously leave, we would lose 25% of our trained and experienced workforce. In fact, one of us is strongly considering not renewing his contract when our contracts expire next week. Here is what replacing that one person looks like. Small counties require attorneys highly experienced in dependency who are able to handle sensitive cases independently and competently. It is difficult enough to recruit such attorneys and even judges to remote Humboldt County. An opening came up two years ago, Humboldt County reached out to 200 attorneys, and I was the only one who responded. Caseloads are ballooning so that we need a fifth attorney. Not only do we not have the funds, we are looking at cuts over the next two years since we cannot put a novice out there and expect quality representation for families because there is no money for supervision and we are losing our funds for mentoring and training.

>> One minute.

>> I handle more trials in Humboldt County than I have in an entire year. They have no desire to train on-the-job and it should not have to. My worry is that further cuts now will make it much harder to keep and recruit replacement attorneys to Humboldt County. Please adopt all of the recommendations before you, so that we can continue to do our jobs until we solve the crisis we are in.

>> Thank you.

>>> I'm here on behalf of Los Angeles, Sacramento and Placer County, where I have served as the executive director for 8 years and been involved with the organization first as a staff attorney for 25 years. I again come with a somewhat unique perspective but I might surprise you a little bit today. The proposal with regard to the small counties doesn't affect any of the counties that I work in in terms of giving us more money. It actually will result in small cuts but cuts in two of my counties. Los Angeles County will receive a half cut if the proposal is adopted today. I don't have a strong opinion about the various options and the various proposals and haven't analyzed them like the workgroup has. I want you to continue to look at it for all of the state. I understand that for a large county my problems are different than the ones Javier now faces in Humboldt than he faced when he worked for me in Los Angeles. But I put the needs of all of our children and all of our families ahead of the needs of the individual counties that I represent and understand that Los Angeles bears the brunt of a freezing of the small counties but I understand that that might be necessary in order to preserve the quality of representation in those very, very small counties. I just would really encourage each of you to continue with the same approach that you have taken every single time this issue has been before you. I've been here many, many times talking about that. We have to look at the whole state. You have a unique situation that you need to solve today.

>> 1 minute.



>> And so with the focus on ensuring that all litigants have access I do not oppose what has been presented today. I was struck, every time I'm here, I hear the pro se litigants who come before you in public comment and it's heartbreaking. I was struck today by how similar many of their situations are to the family dependency court. I'll leave you with this, why are there no dependency parents here, month after month or meeting after meeting, is because they have lawyers. Those pro se litigants don't. It's the lawyers who help the litigants understand what is happening to them and help them make sense of their situation and get through our very complicated court systems. I think it speaks to the need.

>> Thank you. Lastly John Passalacqua. I apologize if I didn't say that correctly.

>> That's okay. I'm the executive director of Dependency Legal Services. We are a nonprofit that represents parents and children in 8 northern California counties. I previously managed the firm in Sacramento that represented all parents. There's some things I'd like you to take into consideration from the perspective that I have. Large firms have a number of ways to capture tremendous savings. The compensation being offered under the current reallocation plan in some counties will provide \$150,000 between salary and overhead to some officials. However, those firms are going to start their attorneys off at \$50,000 to \$55,000. They all hire a senior attorney to mentor new attorneys, to train them. They can have one secretary represent attorneys. That's not possible in small firms. There's not that financial flexibility. That cost savings is not there. In these small counties we have three or four counsel. It's hard to be mentored by someone who is opposing you on a daily basis. That's not a recipe for confidence. The other thing is large firms save a lot of money on group discounts, insurance, phone lines, supplies, cost sharing of office space, that the small firms do not have the benefit of. It turns out to be a lot more money they're able to capture. The other thing that I would ask you to consider, and there was some discussion on this from one of the Humboldt attorneys, is when we look at the salaries for Humboldt, \$60,000 plus \$30,000, it sounds like a lot of money, but you take your self-employment taxes, your car insurance, your office insurance, your health insurance if you're lucky enough to afford health insurance. Forget about retirement. There's no retirement here. What's left over is about \$48,000. If that still sounds good to you, please remember that out of that \$48,000 the attorneys have to deduct their ancillary fees. So when there's cost for expert witnesses, bonding assessments, psychological evaluations, if there's a baby that's injured and needs to get a medical expert, that's another \$10,000. Attorneys are looking at a \$38,000 salary. That's hardly reasonable for the work that they're doing. The problem with that is, why should anyone care about that. Because people are not going to sign contracts to go into that for that amount of money.

>> Time.

>> I think what Mr. Will will tell you is the holy grail is getting people under contract to rein in the cost and predict their budget.

>> Time. Thank you. Thank you very much. That concludes the public comment, Chief.

>> Thank you. We invite to the presentation table Judge Mark Cope, Court-Appointed Counsel Funding Allocation Methodology Joint Subcommittee and a member of the Trial Court Budget Advisory Committee. We welcome back Judge Jerilyn Borack, Court-Appointed Counsel Funding Allocation Methodology Joint Subcommittee and cochair of the Judicial Council Family and Juvenile Law Advisory Committee, Judge Conklin, Fresno, presiding. Thank you.

>> Good morning Chief Justice and members of the Judicial Council. On behalf of the Trial Court Budget Advisory Committee and Family and Juvenile Law Advisory Committee on court appointed dependency counsel workload and funding methodology, and that's a mouthful in and of itself, we've been before you I think that this is the third time. So we should be familiar faces. We started our work in just a brief background. We started our work, our first meeting I believe was in approximately August of last year. We were assigned to look at the entire methodology of how dependency attorneys are funded in the state of California. We presented an interim report in February because the results of our analysis and investigation indicated that instead of just a few of our courts being underfunded, all of our courts were being underfunded and it was important to recognize that in terms of the budget. We presented our final report in April of this year and at that point in time the Judicial Council approved 9 of our 10 recommendations. The council requested another review recognizing of course that our smaller courts in the state of California needed to be investigated further. We were given between April 15 and today's date, not a very long period of time again, to do some further analysis. So we come before you. We have done the best that we can in the short time that you have given us to present to you information. You recognized in adopting one of our recommendations in April that further investigation is needed and referred the matter to the Family and Juvenile Law Advisory Committee to do further analysis regarding the funding methodology, especially attorney workload, and then you asked us to focus on the small courts. So we did that in the last 60 days. We presented a report to you. We met many of the comments that you have heard today and that you got in the letters that were submitted to you. It was the comments that we heard from our focus groups. We do not believe that those comments are either exaggerated or apocryphal. We have taken them into consideration when making a recommendation to our respective committees, and that recommendation was to recognize that there are options that the Judicial Council can adopt that would perhaps solve some of the problems of the small courts on a temporary basis while this investigation continues to go on, and we can refine the data and refine our analysis and refine our recommendations and the basis for those recommendations and also to establish some pilot programs which will help to inform that analysis further. Because of the short time period our subcommittee did not have sufficient time to really analyze all four of these recommendations so instead recommended that the Judicial Council be presented all these options. That was the recommendation that we made as a subcommittee to our respective advisory committees on behalf of the Family and Juvenile Law Advisory Committee that recommendation to present all of the options to the Judicial Council for the Judicial Council for the Judicial Council's recommendation was adopted unanimously. I will allow Judge Cope to speak on that.

>> I don't have much to add to what was said. The council referred the one item, item number 7 of the recommendation from April, back to the subcommittee and said give us some more options. So what the subcommittee presented to the respective options is, these are the options. There's two. One of them has four parts and the other was without any controversy at all. As to the first, the presentations of the alternatives, the budget committee's vote was that the subcommittee should stick with the prior recommendation and not present any other alternatives. Fair enough.

>> I'm John Conklin. I want to thank you for the work that you do on the joint subcommittee and briefly explain to you the trial court and judge advisory committee vote that came back. A request was sent out to all members of the committee to consider the options and they came back in two different groups, so to speak. To summarize to the final conclusion, it was that the committee, your group, has already approved the methodology to be utilized and that's the methodology that should be used. Candidly this is a difficult issue, obviously, when you consider the interests involved. We're dealing with children. Not that any other court's interests are any less compelling, but obviously from what we heard today in public comment these are exceptionally compelling. From the Trial Court Budget Advisory Committee's perspective and I don't mean this to sound cold and callous but we have a little amount of funds to make recommendations and that strains the discussion. The committee felt and I reached out to committee members after they came back and sent the clear message that the option has been provided to the council and it was we have to be true to the formula. This is the formula that was used and the dollars aren't getting any better and therefore the recommendation from the Trial Court Budget Advisory Committee was not to forward any recommendations to this committee. They came back 1D, option 7, the one that was originally submitted. Everyone agrees recommendation number 2 should be adopted.

>> Thank you.

>> So, Chief, if I may ask for some indulgence here. I have a number of technical questions. I think it will be helpful in making a motion. One question that I have, and it may be appropriate for Don, but in the item 1B -- I'm sorry, 1C, suspending the reallocation process for 29 courts in the state, it outlines on page 40 of the PDF, which is the second to last page if you have your printed materials, and I would note for the first time we depart away from our historic designation of courts into clusters 1, 2, 3 and 4. It does not include courts in those categories. My question is, how did that decision come to what the cap was on the number of petitions?

>> In the last report, the report that came before the committee in April, the subcommittee had already gone through a list of all courts and not their cluster type or number of judges or other matters but their child welfare caseload and asked that we make some reasonable breaks at the child welfare caseload. So the courts that you see in front of you that we're calling small courts all fit into a kind of natural caseload breakout at 400 child welfare cases. I didn't actually break them out or present the data by petition, I presented by child welfare caseload. It wasn't driven by a great deal of statistical analysis and there wasn't a lot of discussion then about whether we

should use the clusters or not. They looked at that, and later as we did the second court we tried to line that up a little bit with what the clusters are. Child welfare caseload seems to float independent of the other ways of categorizing courts.

>> Looking at page 40, the chart that shows the breakdown of groups 1 through 5, I do notice that group 4, every court listed in group 4, which are smaller courts, would receive an increase if we continued and did not suspend the model. Those courts would not receive a reduction, they would get an increase. In group 5, looking at that detail, they have a lower caseload or child welfare number than do a number of other courts that are not included and continue to receive less funding. So those would be frozen at their current funding level. Perpetuating what we have had for quite some time and trying to address the funding, I would offer as a general discussion item for groups 1, 2, and 3, I have an alternative that may address the public comments to Humboldt and Mendocino, but that's a different one. There's courts with a higher caseload but receive less funding than those listed in group number 5. That would be a concern that I think we need to address statewide. A second question I have is what happens if this is currently \$880,000-ish, might be different if we exclude groups 4 and 5, how does that apply? The way the formula would work is some percentages based on your historic funding and some based on workload funding, if these 29 courts -- or if it's a slightly reduced number -- are removed, how is that proportion of need going to be calculated? Are those courts going to be removed and then everyone's percentage is recalculated that would impact those giving up money and those receiving money to some degree equally, it depends on how it works out, or will the percentages stay the same as if the courts were included? Does that make sense?

>> That makes sense. It's when at the point of bringing you this chart what our thinking was only looking at funding slated to be reallocated there's \$7.2 million statewide, \$880,000 in this list of courts, freezing the \$880,000 so that there would be no reallocations among courts slated for a decrease would lower the amount of funding available to be reallocated and there would be \$6.2 million to reallocate. That reallocation would be done according to the needs of the courts. See, we didn't think as far as you, Jake. According to the needs of the courts, as we are currently planning to do it. I'm sure there would be some adjustments if we recalculate for those courts that are getting suspended. I'm not sure it would be a great deal but it would probably be measurable. I think that our thinking if the plan was for suspension, this option if we were directed to do that by the council, then a method to do it would be to go back to the Trial Court Budget Advisory Committee for a discussion.

>> Justice Hull.

>> Thank you, Chief. I'd like to make a couple observations and thank members of the subcommittee and Trial Court Budget Advisory Committee. It seems to me that the effort that's been made began last August but the recent effort, the recent marching orders if you will, saying that we had an expectation for additional funding for dependency counsel because any of us feel like we can expect the outcome of budget negotiations but at least we had a hope, it seems to me that for the reasons that have been stated here and for the reason that the legislature has chosen to

not add the dependency counsel funding anyway, that changed the landscape of our decision here today and the decision matrix, if you will, that's necessary for a proper resolution of all of these issues. These are substantial issues. They're substantial for the large courts, the small courts and all the courts in between. They are substantial from the reasons we heard from public commenters today. It's my view that perhaps these developments need to be factored in to the proper action that the council should take. I would suggest that we step back and carefully consider where we want to go now, especially in light of the legislature's decision and how we need to get there. So, Chief, under those circumstances I'd make a procedural motion to table this matter for future consideration.

>> So just to remind you all, a motion to table under Rosenberg's rules of parliamentary procedure does not call for a -- it doesn't provide for a debate on the procedural question and it means that the motion before us, this recommendation, is tabled. When it's without a date it will come back when it's ready or can be tabled to a date certain. However, there's no debate or question or comment or observation on the motion itself, a motion to table is a strong parliamentary tool. It requires a second, however.

>> Chief, based on the budget issues raised by Justice Hull, to give us an opportunity to think further ahead as you outlined, Jake, I would offer a second.

>> There's a second.

>> Can I just ask a question, a point of order?

>> No. At this point -- there's a second on the table. It is a procedural vote. It's no discussion, and a point of order sort of sounds like a sneaky question.

>> Okay. Okay.

>> That's exactly what it is.

>> It is a motion to table. We vote on it up or down. It doesn't mean that after this is -- after we act on it we might have some agenda questions.

>> Perfect. Okay.

>> So, this is a motion to table. I described it. You can't ask more questions than that. It is in your book. At this time, because it's an unusual motion and requires a majority vote, I'm going to do a roll call vote.

>> It's the members present.

>> Correct. The members present. So Martin, call the roll.

>> I'm going to clarify one thing. One of our members we thought was on the phone, Judge Anderson, have we confirmed if she is or is not on the phone? She's not on the phone. Okay. Justice Chin?

>> Yes.

>> Judge Back?

>> Yes.

>> Bloom?

>> Yes

>> Mr. Bonino?

>> Yes.

>> Brodie?

>> Yes.

>> Buckley?

>> Yes

>> Judge Feng?

>> Yes.

>> Justice Hull?

>> Yes.

>> Justice Humes?

>> No.

>> Mr. Kelly?

>> Yes.

>> Judge Lyons?

>> Yes.

>> Melby?

>> Yes.

>> Justice Miller?

>> Yes

>> Judge Nadler?

>> Yes.

>> Pole?

>> Yes.

>> Judge Stout?

>> No.

>> The motion is approved.

>> The motion is carried by majority and votes are noted on the record. The motion is tabled. Council will not be acting on it today. Justice Miller, did you wish to be heard?

>> I don't even --

>> [Laughter]

>> I wish to be heard but I don't know what to say. All I would like to say is I would like it to come back in July to consult with whomever they think is necessary in the process that you're going to do with the entire budget here, and meet here in the next couple of weeks and bring back either some thoughts or recommendations or what we should do with this. Should we decide it in July or should we decide it in August? That's all I was going to say. I don't know how to accomplish that.

>> Justice Hull wants to be heard.

>> Yeah. As to Justice Miller's comment, as I understand the motion, and I made the motion to table this for future consideration, we can give it future consideration whenever our presenters in the committees indicate to us that they are ready to present, whether it's July or August or later, so we can make an appropriate decision on these very important issues.

>> Do I take that then that your motion presumes that it's back in Trial Court Budget Advisory Committee's lap for them to come back to us and put it on the calendar when it's ready?

>> Yeah, I think that regular procedure will have to be considered. It will have to be followed, I'm sorry.

>> Can you tell us when you think might be a reasonable time to take into these considerations that have been voiced?

>> Our next calendar meeting is July 7. We'll act with all due speed -- rather difficult given requirements of posting -- to take any action prior to the July 7 meeting. I'm also -- I'm not sure how far we can go with clarification but there's the joint subcommittee as well. Was there any suggestion for them to take it and go back?

>> My comment was that it be assigned to you and you consult with whoever you think is appropriate, being the subcommittee. I'm not saying it should come back at the July council meeting, but at least you can report back to us when you think it would come back and give us some advice about what we do at that July meeting when we make our appropriations.

>> Understood.

>> That was my comment.

>> Thank you. Justice Slough.

>> Sorry, Chief. I didn't mean to interrupt you.

>> No, that's fine.

>> I don't see a concern with coming back. I don't want your committee, Judge Conklin, to be rushed. There needs to be notice. August, if that would give you the time you need, allows for further evaluation and consideration and gathering of information that will be important to come up with the appropriate recommendations.

>> And that fits exactly with what I was saying. It's yours.

>> Judge Buckley.



>> Well, maybe to address an elephant in the room, the status quo right now is that a year ago we made a decision to have a four-year reallocation formula applied. Since nothing has changed, we've got offices, lawyers throughout the state, planning their attorney numbers, their budgets, with an understanding that in this coming fiscal year they're going to get an adjustment based on that reallocation. I understand the struggles doing this in two months, let alone one month, if we're going to change that approach in any way, we really have to do it as soon as possible. The ultimate purpose of this, the children, need these decisions to be made so the law firms can do what they have to do.

>> Judge So?

>> I would echo that. It's hard to decide whether or not you're going to keep practices in some of these small counties unless you know if you're going to get some money, and what that number is. I would kind of like to translate if I could what I think some of the sentiment is. I think the council would like options which would, in a little bit more detail, set forth the dollar amount that actually is going to result if there's a carve-out for some of these smaller caseload counties. And how that dollar amount reflects or would result in how much other counties receive as well. To be completely transparent, I think everybody needs to know that. That is what I would hope would come back, and I understand it's a very difficult task to do it this quickly. There must be some way to present those kinds of options.

>> Judge Stout and then Justice Humes.

>> I think, following up on Judge So's point, that the recommendation was to buy time to implement the other recommendations for the small and remote courts to come up with the actual numbers that obviously we all need. My concern also along the lines of Judge Buckley, is it's not just the attorneys who we are leaving in limbo, but courts. Now, with the fiscal year starting, we have to budget on that methodology, we can't assume there will be any additional money from adjustments to the methodology for the small, rural courts, so we have to judge on the assumption that money isn't there. I don't know when the disbursements would come. Again, from a budgeting point of view and the effects of that -- the motion to table is passed, so I stop at that point, but time is of the essence.

>> Thank you. Judge Humes?

>> When do the disbursements get disbursed normally? Is there going to be a delay?

>> I think they begin August 1, right?

>> The answer is, because the council in July annually meets, my understanding, to do the actual allocations, yeah, that, it's probably accurate that you're looking at August because there's always a meeting every July, and my understanding is the history -- and recall from last year and I know it's set up for this year -- there will be presentations on the actual allocations, so the

appropriation will happen. It's getting that in the state budget and then having the allocations made by the council. People are still planning, however. You're betting that that's how that is going to roll based on information. So it's a mix of two things. You don't necessarily have to have the money in your hand but you know that it's coming, but you prepare for what you expect is on your way if you're an operator out there implementing these things.

>> So let me ask, in July it sounds like, as described by Judge Conklin, this formula matter for small courts overall can't be otherwise addressed given our public notice meeting issues. However, would you be able to in July, knowing that time is of the essence, give us a date when it would come back to council?

>> I think that's a reasonable request. At our July 7 meeting we would be able to discuss a timeline to get back to the council with the ultimate recommendation.

>> Thank you. Knowing that time is of the essence on this also, council can always call a phone meeting or emergency meeting to have this discussed because of what has been represented here, and the budget issue came as a surprise to us all and too many issues are at stake. Jake raised some matters that need to be addressed. We'll hear back at this on July 7. We know that time is of the essence on this allocation.

>> So the next meeting is July 27?

>> Yes.

>> Thank you.

>> Thank you.

>> Next item is trial court allocation from the Trial Court Trust Fund and Improvement and Modernization Fund. We welcome -- well, thank you for still being here, Judge Conklin, Colin Simpson and Steven Chang.

>> Thank you. These are the individuals who are most familiar with the numbers. The recommendation of the Trial Court Budget Advisory Committee is set forth in the executive summary. The money approved to the Trial Court Trust Fund and \$64,458 to the TCTF.

>> Thank you.

>> Good morning, or good afternoon rather. Although the report covers the issues adequately, I would like to give context for recommendations 1 and 2 and hopefully the members will find it helpful. In terms of recommendation number 1, it's related to the Trial Court Budget Advisory Committee's recommendation for allocations for next fiscal year from the Trial Court Trust Fund, TCTF. Wanted to point out that it's for specific programs outlined in A and B on pages 6

and 7. They are not for trial courts based allocation. That would be taken up at the next council meeting in July. Hopefully in all likelihood we will have a state budget in place. The recommended levels of allocation is essentially status quo. Given the last council item on agenda, if the \$153 million on Attachment B, row 29, column E, the Trial Court Budget Advisory Committee is recommending \$117.7 million for court appointed dependency counsel. At the time in May when they adopted this document there was hope that they'd approve more. We know the budget deal was not to include any funding, now we know it's \$114.7 what we expect the budget to appropriate for 2016-17. Going on the recommendation number for the modernization fund, it too is largely proposing the status quo level of allocations. However, like previous years, they're not recommending additional cuts. The council has had to make difficult decisions. There's two reasons why that's not going to have to be the case for 2016-17. The reason is at the time the trial court budget committee assumed based on the judgment's proposal is there would be additional money for the staff for the Phoenix program. As we know the legislature also adopted that same proposal. That's going to be included in the budget. That's great news. The other reason is because the trial court judgment advisory committee is recommending that in order to fully roll out and replace local area networks, wide area networks to all trial courts in fiscal year 2016-17 before the life expires to lease, such that the staff will be able to do that. They are working with the Department of General Services to work out the lease and or finance and specific details. Currently it will be a three-year financing term that will cost a million over a three-year period. The allocation that will be needed for that is going to be about \$17 million. If we wanted to purchase all the equipment it would cost \$28 million and require an \$8 to \$10 million reduction to all the programs. That's not being recommended, but allocating \$17, \$18 million for the financing lease of that equipment.

>> So the request of the Trial Court Budget Advisory Committee is that you approve 1A through C2, 3, 4 and 5A through D. I have one additional comment related to the items that I'd like to make.

>> Thank you, Judge Conklin.

>> So move.

>> Seconded by?

>> Patrick Kelly.

>> Not seeing any hands raised. All in favor of the recommendations, say aye.

>> Aye.

>> Any opposition? Motion carries.

>> I would like to say this is Mr. Chang's last meeting. As a newly minted chair of this committee, a business major who had a hard time struggling through accounting, Mr. Chang and his expertise have been more than appreciated by myself and our committee. To say he's been instrumental would be an understatement, but it's all that comes today. I wish him the best on his next career. I think the court that's getting him is extremely lucky and this council is at a loss for his moving on.

>> Thank you.

>> [Applause]

>> We agree. Thank you.

>> At this time we are scheduled for a recess. I would actually, because the next two items are action items and because we may be losing folks, I'd prefer to forge ahead, and since you're sitting there and not moving, Judge Conklin, I assume you're in agreement.

>> I am.

>> This is funds held on behalf of the trial courts action item.

>> With me is Mr. Simpson, equally as valuable to the council. I think he's staying with us. I will summarize. Council previously approved a procedure for exceeding the 1% fund balance cap and in summary this is a tool that allows courts to ask for funds above and beyond their 1% fund balance to be held in the Trial Court Trust Fund for ongoing obligations. There was a procedure approved by this council and that procedure has already been implemented for 13 courts that have made requests, 13 requests from 11 trial courts. The report is before you. We heard a subcommittee meeting to consider each of these requests. They were approved after separate consideration of each item. We were careful not to rubber stamp, so to speak, the requests but the requests were generally all related to ongoing funds used for implementation of case management systems and other existing contractual obligations. This is a very useful tool to those courts to allow them to both maintain funds and plan for those obligations. Therefore, it's the question of the Trial Court Budget Advisory Committee that the recommendations set forth in recommendations 1 through 14 be approved. I don't know if Mr. Simpson had any additional comments to make or if there were questions.

>> Thank you.

>> I'll make just a couple of quick comments. If you refer to combined page 12, this provides you with a quick summary of the request. It is then followed on pages 13 through, I believe it's 70. So it's a long report. But the 13 requests are listed on pages 13 through 70. So it's a long report. But the requests are listed there totaling about \$6.9 million. As Judge Conklin noted, many of them are related to the delayed implementation of case management systems. In a

couple of instances it's delayed implementation of other technologies and in one instance the delayed lease facility improves. You can see the requests C1 through C13 and I can go through the page numbers but I don't think that's necessary.

>> We have additional questions that we plan to take action on concurrent with the July 7 meeting to act.

>> Thank you. I think that the recommendations are specific and indicate to what courts these items are allocated and designated. I will entertain a motion unless you have further presentation.

>> Move.

>> Moved by Buckley. Is there a second?

>> Second.

>> Seconded by Patrick Kelly.

>> Any questions?

>> I just have a question.

>> Yes, please.

>> When the requests come in do they get a thumbs-up or down?

>> They're vetted. We have gone through one procedure already and it was more of a thumbs-up, thumbs-down after questions. So there was no -- right. Yeah, they are. -- We participate. Each county is given the opportunity to speak at the meeting. In this county I believe the majority of the counties were present on the line to take any questions to the applications and give us the information that we needed to make the decision. There were a few questions just for clarification. So it is not a thumbs-up, thumbs-down but a rather routine vote.

>> Okay.

>> I would add it's also the first round. Is that fair to characterize it? It was just recently adopted in April. We'll see how it goes in the future.

>> Working well so far, but that's an appropriate procedure.

>> Thank you. Not seeing any further questions on it, all in favor please say aye.

>> Aye.

>> Any opposition? Motion carries -- I'm sorry. You're abstaining?

>> Yes.

>> It carries.

>> I'm done.

>> We have one more item that requires action. It's the judicial branch education 2016-18 plan. We welcome Judge Theodore Weathers, chair of the governing committee for the Center for Judicial Education and Research, and Dr. Diane Cowdrey. Welcome.

>> Good afternoon, Chief. Ladies and gentlemen, I'm pleased to be here to present the governing committee's 2016-2018 education plan for your consideration and approval. As most of you are aware, the governing committee creates an operational plan which is the education plan that we're presenting today. This education plan is based on assessment of judicial branch needs in areas such as juvenile, criminal, probate, family, appellate, access, access and fairness. The members consisting of nearly 150 justices, judges, subordinate judicial officers, court administrators and staff make recommendations about the education that should be provided to the members of the judicial branch, including the judicial officers, appellate clerk/administrators, trial court management and staff. The membership rosters of the curriculum committee can be found at Attachment C in the report. They make recommendations about the manner in which it should be delivered, which is live, in person, video, webinars, online courses or publications. The governing committee assesses the recommendations. The governing committee uses a cost-benefit analysis that was implemented a few years ago at the direction of the Judicial Council to evaluate whether the governing committee is in agreement with the recommendations of curriculum committees for high cost programs and whether the effectiveness outweighs the high cost. The governing committee is responsible for creating an education plan to deliver education for its audiences that fits within existing funding, staffing and faculty resources. This year the governing committee agreed that cuts to the education plan that were made in the previous fiscal year should be restored. It recommended that programs will increase in probate, family law and juvenile delinquency. However, given the increased costs of hotel space, the greater number of new judges and judicial officers appointed and the increased programming recommended above, we determined it would not be possible to deliver the proposed 2016-2018 funding plan with the funding we expect to receive. Funding comes from the INF fund and through the appellate courts through the office of Appellate Court Services. As a result of the limitations, the governing committee therefore eliminated a number of recommended programs from the education plan that it now submits to the Judicial Council. We further reduced the maximum number of participants that could be accommodated because the governing committee provided it to experienced judges. Unfortunately, reducing the education offerings in the plan was not enough to close the financial gap. Therefore, the governing committee recommends a program cost reimbursement of \$50 a day, excluding New Judge Orientation and primary assignment or Rule

Ten courses, the mandatory required education courses. The reimbursement will be for the benefit of the participants that covers lodging, meals, faculty costs and so forth. The governing committee remains committed to ensuring that some experienced judge education, which has been identified as a need, can still be delivered while continuing to protect new judge education. The judiciary, including members of the curriculum committee and the faculty committee, has a commitment to high quality judicial education. For example, in the first example of 2016 we had 1,247 participants in webinars in statewide, regional and local programs from 37 different courts; 92% of those who evaluated the programs agreed or strongly agreed that they were satisfied with the experience and 93% of the evaluators agreed or strongly agreed that the faculty was effective. We continue to exceed in the depth of experience as well as these administrators and officers for the good of all Californians. At this time I'd like to turn it over to Dr. Cowdrey.

>> Thank you, Judge Weathers. Just a couple comments. As you just heard, we are considering this adoption of a program reimbursement cost. Before we took this to the committee, I took a quick poll to see if any other states did that because it's always hard to be the first one to have any kind of fee reimbursement. I got 15 responses. Most of them have a cost reimbursement or program fee. We are not the first state to do that. I wanted to note because that this is going to be an operational cost for the courts, typically we take this to the Trial Court Presiding Judges Advisory Committee as well as CEAC to let them know this is what the governing committee is recommending, and to get any responses from them. They probably had the same feeling that we do as staff in the governing committee that this is not ideal, but it was the lesser of the two evils. The greater problem would be to not offer the program. We are able for advanced funding but there has to be cost abate.

>> Judge McKay.

>> Thank you. Just wanted to know for the presiding judges when we discuss this, there were some concerns and grumbling, no money, kicking the can down the street because that's the only form of entertainment that we can enjoy, that kind of feeling, but the begrudging at the end is we need these programs. They are quality programs and if that's what we need to do, we're going to do it. I think that's a fair summary of what the presiding judges ending up coming up with. I'll let my colleague address that.

>> I think we mirrored the response closely.

>> Thank you. Judge Wachob.

>> There's never been a question about the excellence of the judicial education that's provided. There used to be a question about whether or not the programs were provided with a cost benefit analysis. Now we see on the report on a routine basis that that practice, that perspective is adopted, and it's a struggle for what your committee goes through. We get that. I think it needs to be appreciated that it's been taken to heart and appreciated.

>>> Thank --

>> Thank you.

>> Thank you.

>> Justice Humes. I want to express my thanks for your willingness to think outside the box. This is an idea that the time has come. I think it sends the right message. It may turn out to not work, or get rid of it in the future, and that would be wonderful, but I think it was great. You did think outside the box, so thank you. Thank you.

>> At this time then -- oh, yes, Judge Lyons.

>> The \$50 that would be required on a daily basis for experienced courses, was it considered to be a lower amount because currently my understanding, and correct me if I'm wrong, is that for experienced judges courses currently there's no reimbursement for the transportation cost. So it would be in addition in the transportation cost, for example. Next we're having a course and it would cost each judge your other flight and other transportation-related costs. It could be up to \$400. So it's really a transportation cost depending where you're coming from, \$400 plus \$50 a day; is that correct?

>> That's correct. We looked at different amounts, \$25 a day, \$100 a day. The \$50 led us to cover the programming that the committee wanted to do and it would be too large, like the \$100 a day would be. Again, when I looked at the states, \$50 a day was less.

>> Is that to be observed by the local court?

>> That would be a local court decision. I assume that the court would primarily pay for it but it's going to be --

>> Up to the court?

>> Yeah.

>> Where the judge will pay it or the court?

>> I wouldn't dictate how that would happen.

>> The only other thing I just want to say about this plan that's really long but I just want to say one other thing. One of the things that CJER does do is it says local education, but we also do programming when we're requested to come to court, judicial education or court staff education. For the court staff education, we've been doing a lot more of that this year. We went and did 13



different programs in courts around California. It's our staff that do the training. We have wonderful staff that are experienced in leadership training or computer skills, business or writing skills. That relieves the court of having to come to a statewide program. Where we will do it at a local court if there's enough participation. I just wanted to highlight that we do that as well. We never put a number to it because we don't know the number of requests that we will get.

>> There's been an emphasis over the past year, particularly from our court administrator members of the governing committee, to address court staff education and address a need in that area.

>> Judge Nadler?

>> I'll move to adopt the plans.

>> Second.

>> Seconded by Donna Melby. I don't see hands raised for further discussion. All in favor?

>> Aye.

>> Any opposition? Anything else? The plan carries. Thank you for your careful consideration.

>> Thank you, Chief.

>> We conclude today's meeting as we often do with the remembrance of our colleagues, judicial colleagues recently deceased. Judge Kenneth Black, Los Angeles County Superior Court, Judge Robert Bostick, Alameda County Superior Court, Judge Terrill Cox, Santa Barbara County Municipal Court, Justice Shirley Hufstelder, Court of Appeal, Second Appellate District, Judge Arthur Koelle, Orange County Municipal Court, Judge Robert Macomber, Riverside County Superior Court, Judge George McDonald, Alameda County Superior Court, Justice Richard Mosk, Court of Appeal, Second Appellate District, Judge Don Turner of San Bernardino County Superior Court, Judge Gerald Underwood of Stanislaus County Superior Court, Judge Robert Van Auken, Tulare County Superior Court, Judge Harry Woolpert, San Luis Obispo County Superior Court. All were retired from the bench and we all know them for their service to the court and to the cause of justice. We now adjourn. The next regularly scheduled meeting is July 29.

>> The lunchroom is available to go.

>> [Event concluded]