

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

>> Please stand by for real-time captions.

>> Please stay tuned, the meeting will begin shortly.

>> We begin our public session. I believe we are on the air. Our doors are open for the public to begin in person. Good morning. This is the business meeting for the Judicial Council of California for Friday, July 15, 2022. We plan to adjourn at approximately 12:45 p.m. During our pre-meeting technical checks for this webcast, the staff has confirmed the attendance and participation of our Judicial Council members. Before we begin with our regular agenda and our regular remarks to council based on outreach since our last meeting, I have to comment on three other matters. It is a little bit lengthy, so I indulge your patience and ask you to sit back and hear this report about three matters and my regular report to council. For our incoming members in the audience, I just want to advise you that I normally do not talk this long at the beginning of meetings, so fear not. This will be an unusual experience. I want to comment on three matters. First, our historic judicial branch budget for this year. I also want to announce a new program today that will support the resolution of criminal and civil cases in backlog, and I also want to thank departing members and recognize incoming council members. So, the budget first. In 2011 in my first judicial branch budget statement as Chief Justice of California and chair of the council, I used the words, quote, devastating and crippling, in response to the budget cuts and reduction caused by the ongoing Great Recession and the impacts on our ability to provide justice. This year I welcomed, quote, an unprecedented investment in our judicial branch and I thanked the Governor and Legislature for a historic budget that will benefit all Californians who depend on the justice system. What a difference the years make. This achievement is the result of over a decade of focus and perseverance to secure adequate, stable, and sustainable funding for the courts and the people that we serve. From a three-year blueprint, remember for a fully functioning budget announced on the steps of the Third District and to now data-driven decision-making. I am going to speak over this, because it is my nature. So, transparent, ongoing advocacy and information sharing, to fostering critical support from our justice system partners and stakeholders and Legislature. From multiyear budget solutions and budget planning, to now clearly defined and metrics-supported budget asks with our sister branches of government. From years of hard work and dedication, as you know for yourselves, and numerous career public servants, chairs, members, and staff, advisory committee chairs, members, and staff, court leadership and staff, justice system partners and the public, through comments and input on our proposals that all circulate for public comment. And of course, from the contributions of individuals who brought compassion and passion to translating our vision

and our goals and our policies into the operations of the courts that serve all. These are people like, you know, like Martin Hoshino and his team. And our indispensable staff. There is the old adage that a picture is worth a thousand words. You saw a preview of the picture on the screen and the slideshows what we have collectively, together, achieved on judicial branch budgets over the last decade. So I will ask the tech folks to put up the two pictures of California. The color schemes of California, if we can get those up.

>> [Laughter]

>> Don't I know it. There we go. So I show you this. We often refer to it as the heat map. In this image, easy to ascertain, green is good. Green is funding and the other shades of red, brown, and yellow are not good. So in 2012-13, trial courts were funded at a mere 55% of workload need. In other words, needing 45% service and resources. So for the first time now, trial court statewide average funding will exceed 92% of the estimated workload need and that is the green picture of California for all 58 trial courts now. Better able, fully able to use resources to provide justice, under our new funding method and the funds the Governor and the Legislature have so generously supplied to us for sustainable funding. This year's budget for fiscal year budget is the largest ongoing, and ongoing is the key, ongoing budget in judicial branch history. With \$1.2 billion in new ongoing funding. Many of you have been here for one-time funding, funding that may last two or three years, for the life of a program or a pilot, but we have a commitment of \$1.2 billion in ongoing funding that builds our base budget, that permits us to plan for the future. The budget addresses core, structural funding issues, including trial court workload, the equity, operational cost increases, and of course, civil assessments, which is on our agenda and we will hear more about later. This also includes additional funding for branchwide technology that we have so greatly relied on in the past 2-1/2 years, but also it is modernization for data governance. New judgeships. Dependency counsel. Legal aid programs. And additional facilities, maintenance and modifications, and new courthouse construction. If you look at this list along with a list of the prior years, you can see that when Judicial Council seeks a sustainable budget, we ask for all. We ask for all voices, not just a few voices, but all voices and all need in the judiciary. But as it should in good government, these critical, ongoing investments from our sister branches of government, with increased accountability and that is a reporting to the Legislature on various court operational budget metrics. Martin will have more information and insight to share on the budget during his Administrative Director's report this morning. That ends my talk now about budget.

>>I would like to shift now to another concept and this is a new program. As you may know, the judicial branch has the Temporary Assigned Judges Program and because of the ongoing impacts of the COVID-19 pandemic, the sort of medium or longtail effect of the pandemic virus, in December 2020 I launched a criminal readiness conference program, at that time to fast-track the resolution of criminal cases and to make retired judges available to this program to support those efforts. Now, in December 2020 we did not have any idea of how long the pandemic would last and many of us thought it is just a few months around the corner and we will get back to normal business. No one really knew and we are still in that place where we are

affected by the pandemic. But from the very beginning of the pandemic, the judicial branch, courts, council, have taken appropriate steps to do both. Protect the health and safety of all users, staff, and the public and also to flatten the curve and stem the spread of the virus so we were not super spreaders or responsible for spreading a virus that has still been unable for us to understand fully. From the Judicial Council's temporary emergency rules of court, you remember those. You remember those weekends. You remember those calls. You remember the great advice, looking over the words and impact of those temporary rules, to our statewide orders, to advisories, and to my emergency orders. You know that we have implemented numerous measures to mitigate the impact of the pandemic and to adjust to the quickly changing situation at the state and local level and to still provide access to justice to the fullest extent that we could with our resources. And when prudent, as you know, we have also ended measures, as we recently did, with the remaining temporary emergency rules of court that expired on June 30. Or when necessary, we worked to extend effective measures, as with remote technology and proceedings. As we continue to respond to the pandemic and delays and backlogs in criminal cases, I am adding another tool to our ever-evolving pandemic playbook. And this is a new backlog assistance program and this program expands on the effective criminal readiness conference program and will provide flexibility to the courts for using temporary assigned judges to ease backlog in both civil, now, and criminal cases. This new pending program will lift the service restrictions on the Temporary Assigned Judges Program and the new program will streamline the process for requesting assignments. By lifting the restrictions and limitations previously imposed, it will expand the pool of temporary assigned judges to help courts address the backlogs and I hope all courts use this new program to address backlog, which we know exists in civil and in criminal.

>>Turning now to the third matter I want to discuss before my report and it is to our council membership. The July council business meeting has historically been a time of transition for council members. It is the last meeting for some Judicial Council meeting members and the next meeting is when we welcome, officially, the new members named to the Judicial Council. We do, at this time as you know in our transitions, we are orienting new members to their new roles and responsibilities. We are welcoming colleagues back to council on extended terms and we are acknowledging and bidding farewell to some of our colleagues whose terms have come to an end. We thank them all for this tremendous public service, dedication to the rule of law, and enhancing access to justice for Californians. Really, as you know, what amounts to a volunteer, second, unpaid job, with unlimited hours. But we are indeed very fortunate in California to have such a knowledgeable, dedicated, and willing and talented pool of practitioners and professional staff to draw upon to serve the council and better improve the justice branch and advance our key goals. Always that includes equal access, fairness, and diversity. When I became chair in 2011, I served with 31 members. None of those members are currently in the council, except we welcome Justice Baxter, retired, who is here in the audience for different reasons, who served as Judicial Council vice-chair for 15 years under Chief Justice Ron George, and I had the benefit also of Justice Baxter's wise counsel for the years before he retired. It is wonderful to see you, Justice Baxter, and we are plowing ahead. Please --

>> [Applause]

>> When I went through my first membership transition as the new Chief Justice and chair of council, which was later in 2011, I was joined then by Judge David Rosenberg, Judge David Rubin, and Mr. David Yamasaki -- affectionately known as the three Davids. But being called David at the time was rather confusing. During the 12 years since then as a council, we have been through many membership transitions and we have faced adversity in challenging times, from the Great Recession, advances in technology, social and racial justice issues, and of course the pandemic. But I believe it is the balance and mix of experience and knowledge combined with new and fresh ideas from members, from the public, that has enabled the council to continue to advance the cause of justice in trying times. First I would like to acknowledge the service and contributions of our five departing council members. First, starting with president of the California Judges Association, Judge Rupert Byrdsong, completing his one-year term as president and council member. Court executive officer, Mr. Kevin Harrigan, for his three-year term. Judge Dalila Lyons for her two, three-year terms to council. Mr. Maxwell Pritt as a representative lawyer from the California State Bar. And last but not least, Presiding Judge Theodore C. Zayner, completing his term representing the Judicial Council Presiding Judges Advisory Committee.

>> [Applause]

>> Next, we also will continue to see three council members reappointed to new terms. Judge Todd Bottke, Judge David Rubin --.

>> [Applause]

>> And Justice Marsha Slough, who is also not able to be present. We thank you all for your wisdom and hope you are not strangers to council or policy. That you know we always have an open door and value your ideas. We are also adding to our talent pool today with five new, incoming council members. In two cases, double-dipping into that talent pool. As I said they will take up their duties in September, but I would like to welcome them here, today, and join us as they are part of this orientation for new council members. Please stand when I call your name. Judge Lucy Armendariz from Los Angeles. Judge Judith Dulcich from Kern.

>> [Applause]

>> Presiding Judge Kimberly Merrifield of Butte, the incoming chair of the Judicial Council --

>> [Applause]

>> Presiding Judges Advisory Committee. We welcome back Judge David Rosenberg from Yolo, rejoining us, the incoming president of the California Judges Association and special note, who promulgated our parliamentary procedure some years back. And again, last but not least, we welcome back court executive officer Mr. David Yamasaki from Orange, coming to serve again.

>> [Applause]

>> The 1926 ballot measure that created this council by vote of the people describes us as a, quote, sort of a board of directors. We have a duty of seeing that justice is being properly administered and being responsible that the machinery of the courts is moving smoothly. Those are the three matters I wanted to comment on before I begin my Chief Justice's report. As you know, my report is the report to council since our last meeting on behalf of outreach for council and the work we do. I will summarize that report. First I would like to say it is communication, cooperation, and collaboration with our justice system partners and stakeholders, which is a critical part of not only our budget advocacy efforts, but also of our efforts to develop policy and improve access to justice. So during this reporting period, we had eight of these regular liaison meetings with the following organizations, the Consumer Attorneys of California, the California District Attorneys Association, California Defense Counsel, California Lawyers Association, Chief Probation Officers of California, California State Sheriffs' Association, California Judges Association, and the California Public Defenders Association and California Attorneys for Criminal Justice. In representing the Judicial Council at these liaison stakeholder meetings, I am generally joined by Judge Marla Anderson as chair of our Legislation Committee, and some of our Governmental Affairs staff, Kate, Sharon, or Mark. During these liaison meetings, we met with 66 representatives from these organizations. Budget is always first on the agenda, but we also share information, discuss issues of mutual interest and concern. We talk about what is happening in the Legislature, and how we can help each other, and we talk about issues that range from collaborative justice, pretrial reform, court security, remote proceedings, and also any difficulties they may be having in accessing particular courts. I was also very pleased to welcome five classes of new judges and commissioners participating in our new judicial officer orientation program. It is a weeklong program, as you recall, probably, and it includes a visit to my chambers. I met with 59 new judicial officers from 18 trial courts around the state and of course, their experienced and distinguished faculty. The faculty is, as you know, judicial officers, 20 of them, drawn from 10 trial courts across the state. New Judge Orientation is a one-week-long program for judges and commissioners to benefit from the practical experience and knowledge of others, and apart from a tour of the Supreme Court and a visit in my chambers, they also receive a presentation on the work of the Judicial Council. There was also good news for the appellate courts, with new, talented justices joining the bench or already on the bench but assuming new roles as presiding justices. I chaired four hearings of the three-person Commission on Judicial Appointments, along with my commission colleagues, Attorney General Rob Bonta and the senior presiding justice of the Court of Appeal, for Supreme Court nominations. As you know, the commission unanimously confirmed Justice Patricia Guerrero as the first Latina associate justice of the California Supreme Court. I also had the pleasure of attending Governor Newsom's swearing-in ceremony for Justice Guerrero, Justice Maria Stratton, as presiding justice of the Second District Court of Appeal, Division Eight. Mr. Martin Buchanan as associate justice, Fourth District Court of Appeal, Division One, and Justice Joanne Motoike, associate justice of the Fourth District Court of Appeal, District Three, Santa Ana. You also know we have an upcoming August 3 COJA hearing for two judges named to the Court of Appeal, including our Judicial Council

member Judge Stacy Boulware Eurie's commission hearing. Also during a series of meetings, Justice Slough, Martin, Millicent, Laura, and I reviewed nominations for 198 vacancies on 32 Judicial Council advisory boards, including appointments for chairs, vice-chairs, and cochairs. This is a huge, no exaggeration, tremendous vetting process that is conducted by the internal chairs and vice-chairs who do all of the vetting for the candidates who apply to our 32 advisory bodies and we are immensely grateful and dependent on those volunteers who choose to take on a second job to support the judicial branch. Martin and I also attended the annual Judicial Council staff service awards, where we celebrated 119 service award recipients, including Ms. Denise Friday from the Judicial Council Budget, who has 35 years of service to the Judicial Council. Our staff are regularly acknowledged during our meetings for the vital analysis and support they provide to the council, to our advisory committees, to the trial courts, to the Courts of Appeal and Supreme Court, so we cheer to our hard-working and successful Judicial Council staff, because you make us all look good and you always prepare us well. On a personal note, I want to recognize one recent and one impending retirement, people whom I and you have had the pleasure of working with on Judicial Council. First, Ms. Roma Cheadle, from Judicial Council and Trial Court Leadership, who helped organize and run our meetings and who sat to my left and prepared our volumes of materials, kept us on time. She has retired from the Judicial Council. We were able to do a remote sendoff to Roma to give her our respect, admiration, and affection. Second, as you may know, Mr. Peter Allen, who could not be here today, from our Public Affairs office, who heads that office. He helps us among many things, gets the news out, advises us, and briefs us on issues and responses. He is also retiring early next week. We have immense gratitude to both of you, as well. Another important category of my regular outreach involves meetings with the bar associations. Our lawyers, that group of folks from which we draw our judicial officers and to play a vital role in advising us on what is needed in the court system. They also offer mentoring and development opportunities for lawyers, not only for the next generation of jurists, but also the next generation of lawyers. I was a panelist at the third annual Bay Area Women Lawyers retreat in Napa, an event coordinated by seven bar associations. The topic was women judicial leaders talk about the role of women in the legal profession, moderated by attorney Doris Chang. My co-panelists were Presiding Justice Terry Jackson from the First District, Presiding Judge Kim Merrifield, Butte County, who is here in the audience and is the incoming chair for the Trial Court Presiding Judges Advisory Committee, and Judge Linda Colfax, cochair of the LGBT Judges Association. We enjoyed each other's company. We discussed and laughed about lessons learned, how to navigate challenges, and how we can support each other in our leadership roles. I recorded the opening and closing remarks for the Sacramento Valley chapter of ABOTA. They put on a webinar entitled Lack of Diversity Can Cost Your Law Firm Money. Justice Laurie Earl from the Third District and Judicial Appointments Secretary Luis Cespedes were among those who provided videos to promote, remotely, the importance of diversity and inclusion in our profession. I joined the Queen's Bench Bar Association to celebrate their centennial in San Francisco. They offer mentoring and scholarships to students and new lawyers. Over the past two years, 68% of new judges appointed or elected in the Bay Area are women. Executive Director and General Counsel Yolanda Jackson invited me to speak at the 150th Anniversary Celebration of the Bar Association of San Francisco. It is one of the oldest

corporations in San Francisco and in 1916 they started legal aid, the first legal aid society west of the Mississippi. I provided opening remarks and participated in a Q&A with Sacramento County Assistant Public Defender Jesse Morris for the Unity Bar Summit at UC Davis School of Law. Governor Newsom provided a video for that event and also I had my remarks related to civics and access to justice. I participated in PAGA, the Philippine American Bar Association's 35th annual awards gala in Marina del Rey with hundreds and hundreds of people. Founded more than 40 years ago, it is the largest local association of Filipino American lawyers in the United States. Lastly, with our local bar associations I provided tips and guidance for Riverside County Bar Association's appellate law section on Preparing Your Case Before the California Supreme Court. At the national level, I participated in the United Nations North American Judicial Forum on Environmental Rights and Defenders, in New York, looking at rights-based approaches to environmental issues and covering causes of action, jurisdiction, remedies, and environmental human rights defenders. The participants at the U.N. included president and CEO of the National Judicial College, Chief Justice of the Ohio Supreme Court Maureen O'Connor, Justice G. Helen Whitener of the Washington State Supreme Court, and Justice Robert Torres of the Supreme Court of Guam. Justice Torres from Guam also moderated a discussion on pretrial reform in Napa. Judge Byrdsong also attended, and we discussed legislative action and ballot measures. I also provided closing remarks for the National Judicial College's event called Democracy's Last Line of Defense symposium in Chicago. It is a symposium on why and how to preserve the rule of law and independent and impartial judiciaries. California participants included Dean Erwin Chemerinsky of UC Berkeley of School of Law, Dean Emerita Elizabeth Parker, UOP McGeorge School of Law, and I was introduced by California attorney Roman Silberfeld. I was honored to receive an award from the Women in California Politics Foundation. In 1918, four women were elected to serve in the California Legislature -- state assembly -- Grace Doris, Esto Broughton, Anna Saylor, and Elizabeth Hughes. Over the next 50 years in California, only 10 other women would serve in the state Legislature. Although I could not attend in person, but sent an acceptance video with attorney Mia Yamamoto accepting the award on my behalf, from the California Women's Law Center, the Pursuit of Justice Award. They were the first law center in California dedicated solely to addressing the legal needs of women and girls. And finally, in Monterey I joined hundreds of students and teachers from Everett Alvarez and North Salinas high schools to celebrate Law Day. During the questions and answers, students asked about my journey to become Chief, challenges along the way, particularly as the first woman and person of color. Thank you for your indulgence. This concludes my report to the Judicial Council and I turn this over to Administrative Director Martin Hoshino.

>> Thank you, Chief. Remarkable. While you were out --

>> [Laughter]

>> Members, I want to actually tease out some of the details. She was always present and working through some of these things. My regular written report, which you have become accustomed to, is in your materials. It summarizes the activities and actions taken by the 25 or

so advisory committees and bodies that have met since the March 11 meeting last and also the 40 plus education bodies resources that were made available to the judicial officers, court professionals, and judicial partners. I also want to talk about budget a little bit. Perhaps not in the great detail that people might expect, but before doing that I want to draw your attention in my remarks to a couple of important elements, starting with a period of what I would describe as transitions. So, we all know that the number of emergency measures that the Judicial Council took during the height of the pandemic and certainly the earlier stages and as it developed, have expired, in terms of what was remaining on June 30. So I pass that along to remind you all, to remind the public, and to remind our justice partners and people, who this is important and relevant to. Because it really marks, in July, the end of June and beginning of July, it marks us shifting in terms of a new phase of managing our way through the COVID-19 pandemic into either a new normal or a new abnormal, as some people are describing it. I think words matter and it helps shape us into what is a new era of operating. A reminder, those were all temporary. They began in March 2020. The remaining 5 of 13 rules did in fact sunset on June 30. We were able to secure some legislation that allows the continuation, both prior to June 30, as well as just before June 30, in the area of criminal remote proceedings. That information went out to our courts, as well as to our justice partners. And then the workgroup appointed to look at civil remote proceedings, which was a prior piece of legislation and a prior emergency rule that was codified began its work and will be reporting to the Legislature on the progress that we made there and any adjustments or amendments in those practices. That report is due in January 2023. Also as a reminder, the state's unlawful detainer limitations put in place by the Legislature and Governor ended on July 1, and in doing so, certain landlord notification and evidentiary requirements to bring unlawful detainer action and for a court to issue summons and judgment in such cases no longer apply. I want to share some data we are seeing related to this area of unlawful detainers and evictions, which has been pressing and significant issue that the state, including us, have been managing. It has been showing a slow, but steady upward trend in unlawful detainer and eviction filings. It is not yet near the pre-pandemic levels, but we are starting to see it rise. We expect it will continue. And I don't share this to create alarms for anybody, but it just seems as though it is steadily rising into what may be a level of normalcy. And to not alarm folks, what was believed to be, I think the state and everybody doing their level best to manage and prevent a, quote, tsunami of mass evictions. The data at least that we see today would suggest that there is not a tsunami. There is not a giant wave occurring. It is a steady, measurable, manageable -- if people want to draw conclusions from that data, they certainly can, but it starts to at least infer that some of the actions and policies and decisions made by the three branches and other levels of government seem to have been working at least for the present time as we work through that. I am sure there will be more interest and attention to that subject and we will keep not just you all, the public, but also policymakers advised, because we have been sharing this information with folks throughout the state on what is occurring and it is obviously an area of high interest. An additional item related to this transition is of course the actual emergency order requests, individually from courts. So separate and apart from the large, statewide policy actions that you all had taken and now rescinded and changed and kept things going. We had individual requests that courts could make for whatever the local operating conditions that they were experiencing, with respect to

the pandemic. Right now, the total of requests that came for emergency release submitted by the courts to the Chief Justice since the beginning of the pandemic is now 753. We were at one point at a high of 53 orders in place in March 2020, in terms of 53 courts operating. That number of course, that now are operating in some form of modified operation, behind the emergency order, now stands at four. I think it continues to show how we are continuing to manage and transition and find our way through the pandemic and how folks are adapting and collaborating and managing their operations while recognizing that COVID variants and infections are still impacting communities across the state and impacting it in various ways that are unique, sometimes, to those particular communities. I want to underscore next some of what I am calling the three Cs, which is the emphasis returning this year given the collaboration and communication, we have been making a real effort to restart and re-engage and maybe double down on that to maintain access to justice for court users, especially with external circumstances that are beyond our control and the control of our partners and stakeholders and actually threaten that access. In the Chief's report, she mentioned the annual liaison meetings that we have, those certainly were amplified in respect to pandemic impact and again, those transition into the new way of doing things and we will continue those efforts. But in addition to just those liaison meetings, the report, the written report that I shared with you, includes a number of examples of many meetings and the many discussions and planning sessions that you all, Judicial Council members and advisory committees and court leaders even outside of the council are participating in, and other areas of government with legal professionals and community partners, as collectively we have a common goal of finding our way through these improvements, these changes, and finding new solutions, perhaps, even new problems that the justice system is experiencing. All organized around that we seek to create equity in the service and access to justice and court services in our system. Next, I want to amplify something that occurred. It is our first inaugural data analytics summit and I know it may be a little on the wonky side, but it is another example of the positive collaboration that occurs. It did happen in June. The Judicial Council's Office of Court Research convened this event and we actually had attendance of over 200 court leaders and court research professionals. Their goal was to come together and focus on judicial branch initiatives that build statewide community around data management and analytics and strategies for these particular programs, so that we can leverage decisions. Not just leverage data for decisions for our own decision-making, but also share that with policymakers that are interested in the functioning of a healthy judicial branch. This heightened focus on branchwide data has had a lot of support. We hope these efforts will continue and we are here to ensure and maximize how courts use the public resources that we are all receiving, including the historic level of funding that you are being asked to allocate today. In terms of the consent agenda, there are 11 reports and recommendations for your consideration, 7 of which address funding allocations. That is in addition to the action items that will be listed in the discussion section of the agenda that you are about to embark on. The last piece of course is the budget. It is hard to add more about it than the Chief has already done so I think it would be unnecessary and maybe even cruel to unpack \$1.2 billion in great detail for you all as well as for the public, so I will not do that. There is sufficient written information that is out there in great detail of the many, many elements and components to them. I think what I will simply say is it is the most holistic in terms of a budget that I think we have seen in

a while, in terms of how all of the actual individual components and pieces fit together. All organized around this principle of everything we do, which is equal access to justice and the court services. The best illustration that I might provide for this is receiving the last batch of 23 authorized, but not yet funded, judges. They are now funded, so we actually have judicial officers to go with all of the operational increases that you see in the system. So it created, really, a package to be able to make advances on behalf of the residents of California. In addition to those 23, I note that the Governor has appointed 45 new judicial appointments since March. So you see the system moving in concert and together in order to get to this healthier and higher functioning in place. One way to describe the trial court funding levels in addition to the way the Chief described them and in written materials is to realize that trial court funding levels since 2013 have increased 71% on average, which is a quite remarkable amount in terms of the average, but again, it is an average. When you all make your allocations decisions in the name of equity, where those fall in terms of court needs is you have courts in that same period of time whose fundings level -- at the low end of the spectrum, about a 20% increase since 2013. Then you have courts as high as 151%, in terms of their level of funding increase, getting to the average of 71. I think that illustrates again how the appropriation of funds come from the state, but how you all wisely allocate again, and organize around equity and funding to create a level system throughout the entire state of California, which is exactly what I think is called upon for the council. I just wanted to share that with you all in terms of the perspective of the numbers, rather than unpack all of the details. The budget also doubles up with us on the modernization practices, as well as, again, in this theme of transition. Makes investments to continue to draw upon the lessons, the workability of things that we have learned through the pandemic itself, in terms of our operations. And so we intend to, I think, to continue to operate and advocated that space as we learn and find our way through. I suspect there will be new funding proposals and adjustments related to that as we work through this. I used to think it was just going to be a year or two, but it actually will be more than that as we persist and make our way through that, so we wanted to at least create the level of awareness on that now. One way also to look at the budget, stepping back for a moment, looking at the holistic and how it fits together and understanding the Chief's efforts in the assigned judges program and everything we do. Watching the council literally pull out all the stops to make sure we are catching up over the impacts of the pandemic, in terms of delays and backlogs. You step back and you might actually like to look at this package in terms of totality, is really in terms of access to justice delayed relief package. So all of the efforts occurring branchwide as well as with legislative partners and the administration, seems to be really concerted. I have not seen this kind of coalescence in quite a long time in my career and it is very, very inspiring and very admirable and I hope that we will be able to rise, continue, frankly, to rise to the challenges that are presented and work our way through that. So with that, Chief Justice, members of the council, I will conclude my remarks for this particular meeting. Thank you.

>> Thank you, Martin. And I can't stress enough how grateful we are to you and your team for being able to translate the work of the court, the needs of the court, and the data, into a message that can be easily understood and accepted to the public and to the Department of Finance and the Governor's Office and the Legislature, and sustaining that message for us being able to

have this kind of budget. I would be remiss if we did not thank Assembly Member Bloom who is here today from Legislature, as well as Senator Umberg, today, as well. In addition to the support of the budget and also our policies, you have carried important bills for us and continue to do so and you always seek the input of council. And with your lawyer background you bring that pragmatic expertise and we are thankful for the work you do for us on top of the work that I know you do so deeply at the Legislature, so thank you very much, Assembly Member Bloom and Senator Umberg. Next on our agenda is our Judicial Council committee report that is hybrid. Some are online and some will be presented live, so I welcome our presenters, Judge Marla Anderson, who chairs our Legislation Committee and then next, Judge David Rubin, who chairs our Judicial Branch Budget Committee.

>> Thank you, Chief, and good morning everyone. I will provide this brief update of the activities of the Legislation Committee. The Legislature adjourned for summer recess on July 1 and will reconvene on August 1. Key deadlines are August 12, the last day for fiscal committees to meet and record bills, and August 31, the last day for the Legislature to pass bills. And during the 2021-22 legislative session, Governmental Affairs have provided technical drafting assistance on approximately 212 bills and are currently tracking 924 bills. The Legislation Committee has taken formal position on 65 bills and the Legislation Committee takes positions on behalf of the council. However, in doing so the committee relies on the input and feedback provided by subject matter experts, advisory committees, court leadership, as well as staff. The committee has met three times since the last Judicial Council meeting. However, I have had the opportunity to meet via telephone or Zoom, with some of the authors of the bills and I thank you, Senator Umberg, as well as Assembly Member Bloom, for your dialogue when we do have those meetings and your willingness to be open. Just a brief highlight of some of the top bills that we are tracking, so you know what some of the pending bills are coming down in the civil area. This is authored by Assembly Member Bloom, AB 2313, providing for training for judges and resources for courts adjudicating water cases. We have a committee bill, AB 2962, and that involves free public access to online civil court records. Also in the civil area, SB 848 extends the sunset for civil remote proceedings and that extension would go through January 1, 2026. And the family probate mental health area, there is a AB 421, that is cleanup legislation from 2021 and that relates to petitions to change sex and gender identifications on vital records. We also have AB 1663, that involves assisted decision-making as an alternative to probate conservatorships and self-help conservatorship programs. Another highlight is SB 616 and that specifies the number of hours and frequency of training for judicial officers and court-connected personnel who work in cases that may include charges of domestic violence and child sexual abuse. And SB 1338, author Umberg, and that is the Community Assistance Recovery and Empowerment Act, focused on assisting individuals living with untreated mental health and substance abuse challenges and specifies procedures in noncriminal proceedings. Also there is AB 1703 that requires courts to update the records in response respect to all cannabis convictions that have been dismissed, redesignated, or sealed. And we have AB 1981, which increases juror reimbursement for mileage to cover both travel to and from a jury service, as well as provides prospective jurors with access to public transportation. And we have AB 2167, requires a court to consider alternatives to incarceration. We are also

tracking AB 2799 that addresses creative expression through Evidence Codes and then we have provided substantial technical assistance on that matter. And another one we are also tracking, there are quite a few. I indicated we have positions on 65, but these are the highlights we are currently tracking. SB 1421 establishes homeless and mental health court and transitioning home grant programs, as well as SB 731 expands automatic arrest record and conviction relief, which expands to other felony offenses. And SB 1084 that provides for authorizing the courts to grant a petition finding of extraordinary circumstances for placement outside the county of domicile after certain events have occurred. And coming to the end, we have, with respect to mental health, AB 1630, and that will shift the burden of proof to the prosecution to provide a finding of competence to stand trial when a court-appointed or licensed psychiatrist or psychologist indicates that the defendant is incompetent to stand trial. Finally, SB 1233 changes the eligibility criteria for pretrial diversion to include a diagnosis of mental health disorder, instead of a court finding. So these are just a highlight of some of the legislation. I tried to cut it down as much as I possibly could, but also wanted to let you know that there is quite a bit out there. The Legislature has been working and I anticipate the legislation committee will meet several times between now and the end of session and to also address some of the last-minute changes and amendments to bills and I will keep you informed regarding the progress of council-sponsored legislation, as well as all of the other bills that are of interest to the judicial branch at our next meeting.

>> Thank you, Judge Anderson. On behalf of all of us, thank you for keeping track and giving us all an update. All of these bills are important for our daily work. Thank you. Judge Rubin.

>> Thank you, Chief, and good morning. And good morning, council members. It is July, the beginning of our fiscal year and it is a pleasure to talk to you this morning about what is happening with the Judicial Branch Budget Committee. For those of you new to the council or listening in for the first time, the Budget Committee was established in September 2016. The Budget Committee administers the \$10 million judicial branch emergency fund. We coordinate the judicial branch budget change proposal process that comes every July and is on the schedule for today. We will talk more about that then. We work with the Trial Court Budget Advisory Committee on items it forwards to us for review and presentation to the council and then any other budget tasks assigned to us by the council. The Branch Budget Committee approaches its work from a branchwide perspective for the fair allocation of limited resources, to reflect the branch's statewide interests and values. Today, as you notice from our agenda, we will get a feel for the different types of issues that the Budget Committee handles. I will be asking the council, I think the last item for the day, to act on the 23-24 budget change proposals. There is a civil assessment policy and civil assessment backfill allocation items as well. These different items suggest the breadth of the issues that the committee handles. Before I go on, though, on behalf of the Budget Committee, let me turn to some thank-yous. First of all, I think we all owe a debt of gratitude to the Chief and to Mr. Hoshino for their efforts working with our sister branches and Governor for this historic budget. I should also thank members Bloom and Umberg as well for their support. This budget, as we heard, is historic. None of us could have anticipated 10 years ago where we are today, but with the Chief and Mr. Hoshino's steady and

studied perseverance and patience, the 2022-23 budget investment in our branch is amazing for the people we serve. The committee also wants to recognize the hard work -- for their contributions to this effort. They are standouts in what they do. They have great insight, intelligence, and experience in this area and on behalf of the Budget Committee we want to thank them and call them out as well. Also, while they were doing that, they were supporting the Budget Committee and as you might imagine, we, at times, can be a handful. But their support of us never flagged, so thank you. So congratulations to everyone, including the other stakeholders and branch members who helped make the 22-23 budget a reality. Turning now to some business items, since the last council meeting, the Budget Committee met three times, acting on multiple items. First of all, you will see the results of this effort. We acted on the 23-24 budget change concepts received from various committees and entities and people within the branch. These were developed into budget change proposals that we will talk about later this morning. We discussed the civil assessment policy change that is before you also this morning. The civil assessment allocation methodology, we will discuss later, as well. And we reviewed a variety of recommendations from the Trial Court Budget Advisory Committee, all of which are on your agenda later today. I wanted to just take a moment to say this is our second year working. Having the Trial Court Budget Advisory Committee within our family, our orbit, and I just wanted to thank the hard work of that committee and the chair and vice chair, Judge Conklin and Ms. Fleming, for all their hard work and effort. Having them work together with us the way they have for the past couple of years has been outstanding for the branch. It's much more efficient, the communication is much better, and I think the product we are bringing to the council has been enhanced, so I want to thank you for that. I want to close by thanking the Budget Services staff who do so much to support the Trial Court Budget Advisory Committee and Judicial Branch Budget Committee and committee members and I want to thank the committee members of both. Chief, that concludes my report.

>> Thank you, Judge Rubin, and I extend my thanks to you and your committee as well as Judge Conklin and Ms. Fleming. This is important, challenging work. Lots of voices, lots of detail and formulas. Thank you for taking it in that respect. Also I indicated this is a hybrid presentation. The other internal chair reports are online and I encourage you to take a look if you have not already. Next on our agenda we have the consent agenda. There are 11 items. I say this primarily for the information of our incoming members who are here today. As I said in my opening remarks, we spent approximately six scheduled hours to fill 198 vacancies that occur in our 32 advisory committees. These are just vacancies, two on one committee, three on another, seven on a different. But we had six hours and I had a Federal Express package to my home that delivered a movers box of black binders as well as electronics for applicants of our advisory committees. So, our advisory committees are also a huge part, the part, of making up our consent agenda, which is on for every single Judicial Council meeting. The consent agenda items are very important. They deal with financing, allocations, reports, changes in forms and rules for our public, and they also reflect hours and hours and hours of work by our advisory committees that have also resulted in public comment and proposals brought up to council and also, through the rules, also being taken through the Rules Committee that is chaired by Justice Carin T. Fujisaki, not present today. We realize how much work and volunteerism went into

creating these critical pieces and all are important. It is just they're not on the discussion agenda because they have received primarily unanimous approval in the subject matter expert advisory committees. So they are here today. At any time, any Judicial Council member may request that a consent agenda item be removed from that list and placed on the discussion agenda just for clarification or addition or comment. So at this point, our Judicial Council members are very familiar with the consent agenda. We have 11 items and I ask for a motion to move the consent agenda with a second, please.

>> So moved.

>> Thank you Judge Feng.

>> Second.

>> Thank you, Justice Corrigan. Also, whenever there is a move, first or second, and sometimes friendly amendments thereafter, it never chills the conversation until I call for the vote. So if there are no further comments on the consent agenda, I ask for the vote. All in favor of approving the consent agenda, please say aye.

>> Aye.

>> Are there any noes or abstentions? The consent agenda items are approved.

>> Next we move to our discussion agenda, six action items, very significant after the budget has been signed. I invite our presenters to the podium and to the desk for the first item. The first item 22-116, allocations and distributions to trial courts, distribution for fees for civil courts by video. I jokingly referred to this as the Judge Conklin and Rebecca Fleming show because they have most of these items on, and I welcome you and thank you ahead of time for this arduous work.

>> Good morning, Chief and members. Thank you for allowing us the time to present this morning. Along with Rebecca via the Judicial Branch Budget Committee, we are asking you today to consider and ultimately approve various funding allocations that have already been discussed. The reports that will be presented today will be concise. We will try. However these recommendations are more than significant and reflective, as we've already heard, of those efforts and accomplishments of Mr. Hoshino and including the Funding Methodology Subcommittee and TCBAC itself. I am sure that every chair of every subcommittee feels their membership are the most hard-working of any subcommittee. I share that opinion of mine. Not of my efforts but of the members. These folks are remarkable and comprised of CEOs and PJs throughout the state and that knowledge is reflective today in these recommendations. We also thank Judge Rubin and the Judicial Branch Budget Committee for their assistance along the way and important advice to us. So we start today with first recommendation related to civil remote appearance fees. This recommendation is related to remote appearance fees. I think we are all familiar now with how important these remote hearings have become to the court, but

they come with a cost. Under Government Code section 7630 the court collects these fees and the recommendation today is how to distribute those fees. These fees previously were deposited at the Trial Court Trust Fund and distributed to all trial courts through the Workload Formula method. Because these fees are to offset fees, dollar for dollar, related to the services, it is recommended that that is how they be redistributed. Dollar to dollar back to the trial courts retroactive to January 1, 2022. That is a rather technical step but we are also recommending that the dollar for dollar allocation back to the trial courts be excluded from the revenue stream and Workload Formula funding model for consistency in allowing the courts to offset the costs. The recommendation was presented to the Trial Court Budget Advisory Committee and unanimously approved as well. We are present for questions.

>> Thank you, Judge Conklin, and if there aren't questions or observations and moving to the second does not chill that conversation necessarily. I invite a motion to move and a second.

>> This is Judge Brodie and I move to approve the recommendation regarding the distribution of the appearance fees.

>> Thank you, Judge Brodie.

>> Nelson will second.

>> Thank you, Ms. Nelson is a second and there are two recommendations in your documents. Without seeing any further hands raised on this matter, all in favor of approving these recommendations, please say aye. Any noes or abstentions? The recommendations are approved, thank you. Following the next item on the matter of the agenda of the trial court budget, allocations from the Trial Court Trust Fund and trial court allocations for 22-23.

>> Thank you, Chief and members. These next will come from the Trial Court Trust Fund, Improvement and Modernization Fund. Those are the main funding sources to the trial courts. The first recommendation related to TCTF is rather astonishing in numbers but critically important to our day-to-day operations. The recommendation is that out of the 22-23 annual trial court allocation request now at \$2.9 billion, which includes \$84.2 million in new inflationary funding, \$100 million in new equity funding, \$31.2 million in new funding for the 23 judgeships that Mr. Hoshino mentioned, and pretrial funding, to highlight a few of the areas of the total \$2.9 billion. It incorporates funding from the Trial Court Trust Fund, General Fund, and State Court Facilities Trust Fund. These new funding itself include recommended methodologies that a previously percolated their way through TCBAC, JBBC into the council and previously approved. That is through each of these to the council. In short, and just a little more detail on these numbers, the inflationary funding was provided to each court at 3.8% increase to the last Workload Formula allocation. The equity funding was used to bring an additional 22 courts and was reflective of that green map we showed. When we started off as the Chief just read the hot map and the green map, and now all green thanks to this. Those 22 courts below the statewide funding average up to the statewide funding level. The new judgeship funding will be allocated for the Workload Formula methodology which now

represents a statewide funding level that is 92.2%, as we've heard, with the lowest funded court remarkably at 90.7%. These funding levels include application of the recommended civil assessment backfill methodology, which will be included in a separate presentation for this council by Judge Rubin. Details of the funding recommendations themselves are outlined in the report and associated with the attachments and with these recommendations and projected revenue that Trial Court Trust Fund will end 22-23 with a fund balance of \$98.2 million, of which approximately \$67.1 million is unrestricted. Once again, Ms. Fleming and I stand present for any questions.

>> Thank you, Judge Conklin. We appreciate the detailed work of working through these recommendations and allocations pursuant to previously approved workload formulas that frankly were brought to us by your group as well as many others in order to help us guide the allocations and distribution of these funds. Again, having had a chance to look at this, read that and absorb it, I would entertain comments, a motion to move and a second.

>> Thank you, Judge Stacy Boulware Eurie and second, thank you, Judge Theodore Zayner. No other hands raised. All in favor of approving items 1 through 4 under 22-044, please say aye. Any noes or abstentions? All recommendations are therefore proved. Thank you for this presentation. We next move to another action item. That is trial court budget, State Trial Court Improvement and Modernization, IMF fund, allocations for 22-23.

>> Thank you, Chief. This is the trifecta and the third of TCBAC recommendations and then we will step aside for Judge Rubin. This recommendation is the annual State Trial Court Improvement and Modernization or, as we refer to it, as IMF, and I won't make my Mission Impossible joke anymore, for 22-23, in the amount of \$45.4 million. Details of this funding recommendation are outlined in your report and associated attachments outlining Judicial Council office and program recommendations. With these recommendations for IMF and projected revenues, IMF will end, remarkably, with a fund balance of \$16.5 million, of which approximately \$13.9 million will be unrestricted. Likewise, this concludes this presentation and we stand by for questions.

>> Thank you, Judge Conklin. I know that the presentation -- the time for your presentation belies the complication of your presentation. But I appreciate your and Ms. Fleming's work and your advisory committee work and recommendations. Also for this, recommendations 1 through 11 open for entertaining recommendation to move and second.

>> So moved.

>> Thank you, Justice Hill.

>> Thank you, Judge Byrdsong. All in favor of approving these 11 recommendations, please say aye.

>> Aye.

>> Any noes or abstentions? All 11 unanimously approved. Thank you, Judge Conklin and thank you, Ms. Fleming. I hope you can enjoy part of your summer now.

>> Thank you, Chief. I'd just like to make a brief comment, we usually talk from the top down as far as the work done and that is extremely important, but sometimes those folks way down in the weeds, Brandi and Frank, and others, we need to recognize that without them my reports or our reports would not only not be understandable but impossible. I just want to take a moment and thank them. Thank you, Chief.

[Applause]

>> Next on our agenda is another action item and this is the collections, outdated policy on civil assessments, and with Judge Conklin we welcome Judge David Rubin.

>> Thank you and good morning again, ladies and gentlemen and good morning, Chief. Thank you for this opportunity to speak to all of you about rescinding our 2005 enhanced civil assessment policy. That policy is now 17 years old and as you can see there is a hyperlink in the report and you can actually go back and look at the report, which included provisions related to criteria for how and when to impose or modify civil assessments. It has several other features. However, when the Judicial Branch Budget Committee considered the Judicial Council and branch efforts in the past year, the Budget Committee in reviewing the policy felt it is and we feel it is outdated. Therefore the Judicial Branch Budget Committee recommends to this council that the 2005 civil assessment policy be rescinded effective July 21, 2022, and any documents that relate to that policy be revised to reflect that or rescinded as needed. The details our recommendations are presented in your materials I think on page 1 and that concludes this presentation. I'm happy to answer any questions that anybody has.

>> Thank you, Judge Rubin. I also appreciate actually the opportunity to revisit old policy, past policy, and to self-assess, and where it is necessary to eliminate or close down programs. I appreciate your work on this and for rescinding a Judicial Council policy from 2005. I entertain a motion and second.

>> So moved, Chief.

>> Second.

>> Thank you, Judge Lyons. All in favor of approving the recommendation to rescind the 2005 policy as described in your materials, please say aye. Any noes or abstentions? Approval unanimous, thank you. Next is the trial court budget agenda item 22-127, an action item which is the civil assessment backfill allocation methodology. Judge Rubin.

>> Thank you and good morning again to Chief and the council members. Judge Conklin and I are pleased to present the Budget Committee's recommendations for the civil assessment

backfill allocation methodology. Given the subject matter and hard work put into this recommendation by the Trial Court Budget Advisory Committee, including the Funding Methodology Subcommittee, Judge Conklin is joining me today and if there are questions about the Trial Court Budget Committee level, he can answer any questions you may have. As we heard today, part of the historic 22-23 branch budget signed last month includes \$110 million in civil assessment backfill in 22-23 and \$100 million ongoing in the outgoing years. This money is intended to supplant the civil assessment revenue flow which is part of the branch for many years. As you can see from our report, the judicial branch budget report, multiple options were considered in trying to figure out how best to distribute this appropriation while at the same time adhering closely to our branch values of equity, increased court access, and better services for the public. So to do this actually both the Budget Committee and TCBAC approached the task very similarly. First of all, discussions were open to the public because transparency we felt is key in assuring the branch family and the public that they will have confidence in our allocation decision outcome. Second, we wanted a decision that would for methodology recommendation that would minimize physical volatility for the trial courts and for the branch. Finally, we hope to give trial courts time to just what the recommendation to be so they could watch it evolve in real time. We were talking about different policies at different points. Each committee looked at several options that are outlined in your report and I will summarize them very briefly for you. We focused largely at the end on three, and all of which were tied back to the Workload Formula that was established or modified in 2017. The three were, we could distribute the money based on the Workload Formula. We could distribute the money based on each court's proportional or pro rata workload calculated need. We could distribute the money based on each court's current proportional pro rata workload allocation. In evaluating these options, that's not speaking for TCBAC, but we had a lot of communication and they attended the meeting as well, each committee discussed which policy appeared to best achieve our branch goals. Neither committee focused on which court or any specific court got how much or which court was going to be losing money or gaining money. We did not want to do that. We wanted a pure policy, equity approach. We felt if our process aimed at fairness, equity, and access to the public of our branch, our outcome would be sound. I think when you look at our report we achieved that today in our recommendation. In the end both committees felt that distributing this money using the Workload Formula best aligned with our branch principles concerning fairness and access. The recommendation also offered a more straightforward and consistent approach supported by prior funding approaches that we had used in the past. We also felt it was the one that best minimized funding volatility. For their work on this I wanted to thank Judge Conklin, Ms. Fleming and TCBAC members and of course is we've been ranking all morning, the Budget Services staff for outstanding work on what is really a complicated, difficult issue. That concludes my presentation. Judge Conklin and I are happy to answer any questions that you, Chief, or anyone has for us.

>> Thank you, Judge Rubin. I also want to make an observation that the different alternatives considered and the history are so important to how we arrived here for a number of reasons. It also reflects the considered approach and a certain amount of self-assessment that we have and are willing to reconsider our views after circumstances change, and also reflects the input of all

the courts that were affected or could be affected by this action. I know those are not easy conversations or short conversations to have, so I thank you for those efforts. There are now five recommendations in front of you. Absent any comment or hands raised? Judge Hopp?

>> I anticipated you just a little bit, I'm afraid. Chief, I'm pleased to move we adopt the five recommendations.

>> Second.

>> Thank you, I appreciate that, Judge Hopp, and I appreciate that, Judge Zayner. Particularly I know, Judge Hopp, this has been historically a discussion we've had at the council and Judge Zayner, because you're chair of the Trial Court Budget Advisory Committee. All approving say aye. Any noes or abstentions? All five recommendations are approved. Thank you.

>> Turning to the next item on the agenda, these are BCPs, budget change proposals for the 23-24 budget, looking ahead and including requests from the Supreme Court, Court of Appeal, BCPs from the judicial branch facilities program, Habeas Corpus Resource Center that is now under the Supreme Court and Judicial Council. We welcome a person that needs little introduction, Zlatko Theodorovic. Welcome.

>> Thank you. Thank you for having us here. We have some new members and I think some new people listening in. I think there's something about all of us being together. It feels new. I want to take a moment to give a little context to the budget change proposal process. You may advance. There we go. We are showing you the rule 10.15 that talks about the responsibility of the Judicial Branch Budget Committee for budget change proposals. For those new to the council or listening for the first time, let me talk a little bit about what a budget change proposal is. The budget change proposal is literally a document or concept that is a document requesting increased funding or new funding for a particular spending priority. So budget change proposal as you can see from the slide is known in short as a BCP. The Judicial Branch Budget Committee starts this process in October of the year before we are actually going to propose them to the council. Between October and March of the year we are going to propose it to the council, we are gathering budget change concepts so ideas from any branch, any judge, any person can propose what they think will be an important spending increase or spending priority increase. They come to us in March. That is the Budget Committee in March. And in March we start our evaluation process talking with subject matter experts in making sure the proposal has been seen by the appropriate advisory committee that it would affect. Evaluating those and then we work with those groups and then we discuss them among ourselves. This is all open and transparent conversations and all open to the public. They can listen in and we start making decisions about what budget change concepts can be joined together into a larger one, which concepts need to be pulled apart into separate concepts, which are just not – they are all important but maybe some we feel would be less successful this budget year and maybe hold them for another budget year. We are doing all of that between March and this meeting in July. The budget change proposals or BCPs are due to the Department of Finance in September, early September of each year. We come to you in July, which is our last meeting before that,

before they are due to give you our work product, what we have come up with. So if you are doing the math, in 90 days we will start the 2024-25 budget season for us, so put your thinking caps on and give us some great ideas. Here we go. Next slide. When we put together a package of budget change proposals to bring to the council, we want these BCPs to reflect our branch values. Typically we are looking for BCPs which will enhance access to justice in some way for the public. We want to make sure that we are helping the vulnerable populations in California. We want this to represent some of the best input from the advisory bodies that propose these, which is why this is an interactive process with the advisory bodies until we make our decision that we bring to the council. Next slide. You have the BCPs in front of you and I will not go through each one. I think we started with 20-something, and I think we have it down to a package of 11 in front of you today. But to give you a theme or kind of what we were striving to do, but what we wanted to do was to build upon the historic 22-23 branch budget that the Chief and Martin -- I'm sorry, the Chief and Mr. Hoshino worked so hard and diligently to negotiate for us and thank you to Assembly Member Bloom and Senator Umberg for their efforts as well. We wanted to focus on some key areas, namely automatic inflationary adjustments for trial courts and self-help centers to really help access for so many people in our communities. Also facilities and new courthouses. It's important we provide safe and secure spaces for the public to come to interact with us, also for employees and people that work with us to be in safe and secure spaces. I don't think it's ever been more clear than when we started the pandemic. All of a sudden we basically had to turn our air filtration systems up. Obviously the way we design buildings and the way we interact is important. We emphasize that in the package you have before you. Next slide. What we did starting a couple years ago and I call this a Justice Hill innovation, we stopped prioritizing the 1 through 11. We are giving a package of what we thought were -- they were all important. Everything we saw was important but we picked out the ones that were the most important given the limited resources the state obviously has. We also think it reflects better the actual process of negotiating with the Department of Finance, Legislature. That is about needing some flexibility for the Chief and Administrative Director to work with budget change proposals. So we give you the last, kind of the ones that made the cut, and then we will allow them to negotiate as they see fit. That is as opportunities allow. So our recommendation is to approve the package of 11 BCPs that we have for you for submission to the Department of Finance. As always, we reserve to the Administrative Director the ability to make technical adjustments as needed. We can answer any questions that you have about the process or if you have a specific question about a specific BCP. I am getting glazed looks. It is an exciting process and it works well.

>> Judge Moorman.

>> Chief, I'd like to move for adoption of recommendation.

>> I heard Justice Hill and Justice Byrdson second and third. I will say number 1 through 11 not prioritized reflect concepts and values that we are all familiar with. Some of these are repeat requests that have not been answered or not answered fully by our sister branches but

nevertheless over time we have seen these and they continued to reflect the values of our judicial branch. All in favor of approving these BCPs, please say aye.

>> Aye.

>>> Any noes or abstentions? The 11 BCPs are approved for further action. Thank you. I know the BCP process for each one is quite intense and requires staff and input and then summation and development and many times even that is not enough with the Department of Finance or auditor in terms of trying to describe the needs. I thank you for this effort. It looks simple but it is not, and I appreciate that and thank you for your work.

>> We also want to encourage everyone to come to these meetings and they do get animated. People are passionate. The Budget Committee appreciates that and we do not discourage that.

>> Thank you, Judge Rubin. Thank you, Judge Conklin.

>> The next item on our agenda is public comment. I turn it over to Judge Anderson.

>>> Thank you, Chief, and the Judicial Council welcomes public comment on general matters of judicial administration. The process enables members of the public to express concerns on policy matters. We encourage comment in advance of council meetings so council members can consider them before the council meeting. There are two types of public comment. One involves general comments on general matters of judicial administration. The other is a comment on specific items on the agenda. We don't have anyone publicly here today. But I did want to reference that there is a written comment on agenda item 22-121, the allocation of dependency counsel, and I wanted to acknowledge the person who wrote in, in advance of the meeting, to let us know they had a comment on the agenda item. There are other comments also online regarding general policy concerns. And that is our public comment for today, written comment and none in-person.

>>> Thank you. As many of you know, pre-pandemic we would have quite an audience that would attend. Not all would provide public comment, but it was pretty common for us to have public comment lineup behind the podium and take numbers. I think the lack thereof today is still we are getting used to the endemic stage of this pandemic, per our Governor. I anticipate we will have lively public comment in the future, but written comment has maintained a robust flow throughout the years, including the pandemic. This concludes our Judicial Council business meeting for July 2022. Our next meeting -- here is an alert, it is in Sacramento. Do not come to San Francisco, it's in Sacramento.

>>> We changed it.

>>> Oh, okay -- so, no wait, do come to San Francisco. I'm glad you told me because I would've been in Sacramento. This is September 19 and 20. Safe travels, everyone. It was good to see all of you. Thank you. And to our departing members, our heartfelt farewell and the Federalist

Papers, with a small inscription from me, is available for you before you leave today. Thank you very much and we will see you soon.