



Judicial Council of California

455 Golden Gate Ave.
San Francisco, CA
94102-3688

Meeting Minutes

Judicial Council

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Friday, March 2, 2018

9:00 AM

San Francisco

CLOSED SESSION (RULE 10.6(B))—PLANNING, PERSONNEL, AND DISCUSSION PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE

Chief Justice Tani G. Cantil-Sakauye, chair of the Judicial Council, called the closed session to order at 9:00 a.m.

OPEN SESSION (RULE 10.6(A)) — MEETING AGENDA

Attendance

Council Members

Present: 29 - Chief Justice Tani G. Cantil-Sakauye, Justice Ming W. Chin, Justice Harry E. Hull Jr., Justice James M. Humes, Justice Douglas P. Miller, Justice Marsha G. Slough, Presiding Judge C. Todd Bottke, Presiding Judge Patricia M. Lucas, Presiding Judge Gary Nadler, Assistant Presiding Judge Kevin C. Brazile, Judge Marla O. Anderson, Judge Stacy Boulware Eurie, Judge Kyle S. Brodie, Judge Samuel K. Feng, Judge Scott M. Gordon, Judge Harold W. Hopp, Judge Dalila Corral Lyons, Judge Stuart M. Rice, Judge David M. Rubin, Judge Kenneth K. So, Assembly Member Richard Bloom, Mr. Jake Chatters, Ms. Kimberly Flener, Mr. Michael M. Roddy, Ms. Andrea K. Wallin-Rohmann, Ms. Rachel W. Hill, Ms. Audra Ibarra, Mr. Patrick M. Kelly, and Ms. Gretchen Nelson

Absent: 1 - Senator Hannah-Beth Jackson

Media Representative

Ms. Maria Dinzeo, *Courthouse News Service*

Others Present

Ms. Elizabeth Erickson and Ms. Kelleen McAllister

Call to Order

Chief Justice Tani G. Cantil-Sakauye, chair of the Judicial Council, called the open session to order at 9:40 a.m. in the Judicial Council Board Room.

Opening Remarks

Chief Justice Cantil-Sakauye opened the meeting with the announcement that Governor Brown had released his appointee data for the administration's judicial appointments. She noted that the news release reflects the diverse appointments to the bench. The Chief also reported that the Governor began 2018 with additional judicial appointments, including those of three Court of Appeal justices in Los Angeles and San Jose and 25 superior court judges to 12 jurisdictions throughout the state. She added that the appointments represent the future of the judicial branch and noted that some of those who were appointed were in attendance. She welcomed the participants of the new judicial officer orientation program and acknowledged the exemplary work by the program's faculty.

Public Comment

Ms. Catherine Campbell, Ms. Roberta Fitzpatrick, Ms. Kathleen Russell, Ms. Connie Valentine, and Mr. Ty Winters presented comments on general judicial administration.

Approval of Minutes

[18-042](#)

Approval of Minutes

A motion was made by Ms. Ibarra, seconded by Mr. Kelly, that the minutes be approved. The motion carried by a unanimous vote.

Chief Justice's Report

The Chief Justice summarized her engagements and outreach on behalf of the branch since the council's last meeting in January, beginning with her attendance, along with Justice Chin, at Governor Brown's final "State of the State" address at the Capitol. The Governor guided the state through the Great Recession to a more stable fiscal climate and tackled contentious issues such as criminal justice reform, climate change, infrastructure needs, and homelessness issues, she recounted. She also acknowledged his common sense, imagination, and willingness to enter into dialogue with all branches of the state government.

In January, the Chief was the keynote speaker for "There Is Power in Diversity," a program hosted by the Ventura County Women's Political Council. In Los Angeles in February, she participated in a discussion about her life and career and Access 3D and diversity with Fox Networks Group General Counsel Rita Tuzon. The forum, hosted by the groups Women in Technology at 21st Century Fox and 21CF Global Inclusion, welcomed women from across Fox's entertainment businesses to join the discussion. Also in Los Angeles, the Chief and Administrative Director Martin Hoshino sat down with members of the Editorial Board of the Los Angeles Times for

a wide-ranging conversation about bail reform, fines and fees, the diversion of juveniles, mental health patients, criminal courts, the budget, judicial elections, and issues concerning the State Bar.

During this reporting period, the Chief Justice, along with Judge Kenneth K. So, Mr. Hoshino, and Judicial Council staff, met with the California Defense Counsel to discuss issues of mutual interest and common concern as part of the ongoing liaison meeting program with stakeholders.

In Garden Grove, the Chief Justice attended the National Association for Court Management conference, “Bridging the Gap: The Power of Strategic Collaboration,” where she shared her perspective on the roles played by court executives and the challenges in California.

In San Francisco, the Chief Justice participated in a Q&A session at the national board meeting of the American Board of Trial Advocates, in which the right to a jury trial was the main topic.

The Santa Barbara County Bar Association hosted a conversation with the Chief Justice moderated by Presiding Judge Patricia Kelly during their Bench and Bar Conference. The conversation covered the court system, gender, diversity, the Futures Commission, the budget, and Immigration and Customs Enforcement activities, as well as the role of the Chief Justice in California.

The Chief Justice joined members of the Superior Court of San Francisco County and the Queen’s Bench Bar Association to conduct the induction ceremony for incoming officers of the organization and to welcome new admittees to the State Bar.

She also attended the Consumer Attorneys Association of Los Angeles Annual Installation and Award Dinner, where she was honored to receive the Roger J. Traynor Memorial Award for Appellate Justice of the Year.

The Chief Justice concluded her report by sharing two engagements related to the importance of judicial independence. In Sacramento, at the McGeorge School of Law, the Chief participated in a forum that explored the importance of an independent and impartial judiciary that was moderated by Superior Court of San Joaquin County Judge Barbara Kronlund. The forum explored the impact of external pressures on judges, balanced democratic institutions, and public trust and confidence in the courts. During the discussion, the Chief Justice addressed unfair criticism, why the public should care about fair and impartial courts, and why they are critical for the balance of power in the democratic system. At the 2018 Conference of Chief Justices’ midyear meeting, the Chief Justice moderated a panel entitled “Different Roles and Different Rules,” which included participation by Kansas Supreme Court Justice Carol Beier,

Iowa Supreme Court Chief Justice Mark Cady, and a supreme court justice from Florida, all of whom had been targets of political attacks on the judiciary in their recent bids to keep their seats. The panel discussed judicial selection, retention, elections, public education, ethics rules, and a response to ethical attacks in an election. The Chief concluded her report by reiterating that justice and the rule of law depend on fair and impartial courts and adhering to the law.

Administrative Director's Report

[18-043](#)

Administrative Director's Report

Administrative Director Martin Hoshino reported on the Judicial Council's activities since the last meeting in January. Mr. Hoshino highlighted the work of approximately 18 different advisory committees and workgroups that are advancing the council's goals and objectives. He added that 29 different education sessions and training programs were held this past reporting period, including, for the first time, a mock criminal trial for American Sign Language interpreters, hosted by the Superior Court of Yolo County. In addition, the Judicial Council conducted a mandatory training session for all Judicial Council staff entitled "Empowering People to Break the Prejudice Habit: Creating Inclusion and Overcoming Bias." Some courts also requested training on avoiding implicit bias (also called "unconscious bias") for judges, judicial officers, and employees.

Mr. Hoshino also shared with members the new 2017 edition of the *California Judicial Conduct Handbook*, produced by the California Judges Foundation and the California Judges Association and last updated in 2007. He noted that the new version contains 10 years of new material on court cases, ethics opinions, judicial elections, and more, including a new section focused on social media.

The Video Remote Interpreting Pilot Project on language access launched its live, in-court testing phase, Mr. Hoshino reported. This phase will be conducted over the next six months in the Superior Courts of Sacramento and Ventura Counties. Data and input will be collected from public defenders, the district attorneys, and court staff to determine if this is a viable solution for the judicial branch. The pilot will run into August, he noted, and he would be back to talk about the project after that.

Mr. Hoshino noted that the Legislative Analyst's Office (LAO) published their report on current revenues and added that positive discussions continue with members of the state Legislature and the administration. The LAO report is generally supportive, he added, and does not include any recommendations for reductions. Hearings on the judicial branch budget are scheduled in April for both houses of the Legislature.

Judicial Council Committee Presentations

[18-044](#)

Judicial Council Committee Reports

Summary: Executive and Planning Committee
Hon. Douglas P. Miller, Chair

Policy Coordination and Liaison Committee

Hon. Kenneth K. So, Chair

Rules and Projects Committee

Hon. Harry E. Hull, Jr., Chair

Judicial Council Technology Committee

Hon. Marsha G. Slough, Chair

Judicial Branch Budget Committee

Hon. David M. Rubin, Chair

Executive and Planning Committee

Judge Marla O. Anderson, vice-chair of the Executive and Planning Committee (E&P), reported that since the January council meeting E&P met on February 8 and March 1. During the February 8 meeting, the committee set the agenda for the March council business meeting. E&P also reviewed and approved requests from the Superior Courts of Orange and San Mateo Counties to delay for an additional year the conversion to judgeships of three vacant subordinate judicial officer (SJO) positions in Orange County and two SJO positions in San Mateo County. On March 1, the committee reviewed and approved a request from the Superior Court of Los Angeles County to convert one vacant SJO position to a judgeship. Also during this meeting, E&P reviewed and approved the 2018 annual agendas for the 11 Judicial Council advisory bodies overseen by the committee.

Policy Coordination and Liaison Committee

Presiding Judge Gary Nadler, vice-chair of the Policy Coordination and Liaison Committee, reported that the committee met once on February 1. During this meeting, the committee took positions on two separate pieces of legislation: Assembly Bill 865, regarding veteran sentencing, and AB 1531, which deals with electronic filing fees. In addition, the committee authorized the submission of comments to the Department of State Hospitals regarding court-appointed forensic evaluators. Judge Nadler noted that the legislative deadline to introduce bills was February 16 and Governmental Affairs staff have been reviewing all bills to identify those of interest to the judicial branch.

Rules and Projects Committee

Justice Harry E. Hull, Jr., chair of the Rules and Projects Committee (RUPRO), reported that the committee met once by phone and once by e-mail since the last council meeting. On January 30, the committee met to consider a proposal for minor revisions to civil jury instructions for which the council has delegated approval authority to RUPRO. The committee also considered and recommended approval of proposals for new and revised criminal jury instructions (item 18-054) and technical changes to reflect 2018 increases in the federal poverty guidelines (item 18-063); the proposals were included on the March 2 business meeting agenda as consent items. On February 13, the committee acted by e-mail to consider and approve a proposal for technical changes listed as item 18-062 on the consent agenda.

Judicial Council Technology Committee

Justice Marsha G. Slough, chair of the Judicial Council Technology Committee (JCTC), reported that since the last council meeting, JCTC held two open meetings by phone. On February 5, the committee received its standard report on case management system replacement efforts as well as updates on the work of the Information Technology Advisory Committee (ITAC). During this meeting, JCTC also reviewed and approved ITAC's proposals for two rules and one form to circulate for public comment. The proposals addressed new requirements in Code of Civil Procedure section 1010.6 as well as a rule amendment designed to facilitate remote access to trial court records by government entities, parties, and others.

On February 21, Justice Slough reported, JCTC met to discuss six budget change proposals (BCPs) that were submitted to the Department of Finance in the fiscal year (FY) 2018-19 budget. Justice Slough noted that the Governor included in the proposed budget the money for the BCP to expand deployment of the California Courts Protective Order Registry. In addition, the committee continues to monitor the five other BCPs, which include case management system replacements for nine courts, the Phoenix system required updates, a self-represented litigants statewide e-services portal, a digitizing paper and filmed case file pilot program, and a single sign-on solution. Also during this meeting, the committee reviewed, discussed, and approved preliminary concepts for consideration for FY 2019-20.

The committee continues to track the work of the case management system replacements. Several courts that are on legacy systems have been working together on a request for proposal to upgrade to modern case management systems, she noted. On February 5, an intent to award was issued and published on the California Courts public website seeking to enter into a master agreement with four case management system vendors. Once these contracts are in place, she added, any of the courts within the state will be able to leverage these master agreements without having to go out on a request for proposal on their own.

Justice Slough added that the strategic plan workstream met once in person on January 24 and by phone on February 27. The workstream is focused on updating the *California Judicial Branch Strategic Plan for Technology*, approved by the council in 2014. She shared information on a presentation by Ms. Amy Tong, the director and state chief information officer of the California Department of Technology. The presentation helped the workstream members decide to align the judicial branch's strategic plan with the state technology strategic plan. The goal is to have the new plan to the council for review and approval by the end of this year and, if approved, be effective until 2022.

In January, Justice Slough, along with Chief Operating Officer Robert Oyung and Ms.

Jamel Jones, presented technology updates and received feedback at the joint meeting of the Court Executives Advisory Committee and Trial Court Presiding Judges Advisory Committee. Justice Slough and Mr. Oyung also presented on the topic of innovation in the judicial branch at the midyear conference of the National Association for Court Management in February.

Justice Slough concluded her report by providing additional information on two ITAC workstreams to be heard at the March 2 business meeting: recovery of IT services after disaster and transitioning to a more modern way of hosting court technology.

Judicial Branch Budget Committee

Judge David M. Rubin, chair of the Judicial Branch Budget Committee (JBBC), reported on the activities of the committee since the last council meeting. The committee met once in person and heard a presentation on the state budgeting process.

Judge Rubin directed members to agenda item 18-064, which summarized the activities of the Judicial Council's Court Innovations Grant Program during the second quarter of FY 2017-18. He noted that 51 projects are moving forward with the approved funding. The total amount awarded for the projects was \$22.3 million, with the balance held back in a contingency fund. To date, almost \$11 million has been distributed to 47 projects. Additional funds will be distributed at the beginning of FY 2018-19 and FY 2019-20 or as approved by JBBC. Since last quarter, the committee has approved funding and project adjustments. Judge Rubin added that Judicial Council staff and the courts have reported that the grant process is progressing as indicated on their initial applications. He also shared some program highlights detailed in the report.

Judge Rubin reminded members that the BCP phase for initial funding requests has almost expired for FY 2019-20. The first round of reviews will occur later in March and JBBC will forward those that the committee thinks should be developed into BCPs.

Lastly, Judge Rubin added that he was a panelist for the budget presentation to the joint meeting of the Court Executives Advisory Committee and Trial Court Presiding Judges Advisory Committee, in which he discussed and answered questions related to the budgeting process.

Judicial Council Members' Liaison Reports

[18-046](#)

Judicial Council Members' Liaison Reports

Summary: Judicial Council members report on their visits to the superior courts.

Judge Stacy Boulware Eurie reported on her visit to the Superior Court of Yuba County. Presiding Judge Patricia M. Lucas presented on the Superior Court of Alameda County.

CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Justice Chin, seconded by Justice Humes and Presiding Judge Bottke, to approve all of the following items on the Consent Agenda. The motion carried by a unanimous vote.

[18-047](#)

Child Support: Midyear Funding Reallocation for Fiscal Year 2017-18 and Base Funding Allocation for Fiscal Year 2018-19 for the Child Support Commissioner and Family Law Facilitator Program (Action Required)

Summary: The Family and Juvenile Law Advisory Committee recommends approving the reallocation of funding for the Child Support Commissioner and Family Law Facilitator Program for the remainder of fiscal year (FY) 2017-18 and the allocation of funding for this same program for FY 2018-19, as required by Assembly Bill 1058 (Stats. 1996, ch. 957). The funds are provided through a cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council. At midyear, under an established procedure described in the standard agreement with each superior court, the Judicial Council redistributes to courts with a documented need for additional funds any available funds from courts that are projected not to spend their full grants that year, up to the amount of funds available through the contract with DCSS. The courts are also offered an option to use local court funds up to an approved amount to draw down, or qualify for, federal matching funds.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective March 2, 2018:

1. Approve the reallocation for funding of child support commissioners for FY 2017-18, subject to the state Budget Act;
2. Approve the reallocation for funding of family law facilitators for FY 2017-18, subject to the state Budget Act;
3. Approve allocation for funding of child support commissioners for FY 2018-19, subject to the state Budget Act; and
4. Approve the allocation for funding of family law facilitators for FY 2018-19, subject to the state Budget Act.

[18-054](#)

Jury Instructions: Additions and Revisions to Criminal Jury Instructions (CALCRIM) (Action Required)

Summary: The Advisory Committee on Criminal Jury Instructions recommends approval of the proposed revisions and additions to the *Judicial Council of California*

Criminal Jury Instructions (CALCRIM). These changes will keep CALCRIM current with statutory and case authority.

Recommendation: The Advisory Committee on Criminal Jury Instructions recommends that the Judicial Council, effective March 2, 2018, approve for publication under rule 2.1050 of the California Rules of Court the criminal jury instructions prepared by the committee. Once approved, the revised instructions will be published in the next official edition of the *Judicial Council of California Criminal Jury Instructions*.

[18-063](#)

Forms: Technical Changes to Judicial Council Forms to Reflect Federal Poverty Guidelines (Action Required)

Summary: Judicial Council staff recommends the revision of four Judicial Council forms containing figures based on the federal poverty guidelines to reflect the changes in those guidelines recently published by the federal government.

Recommendation: Staff of the Judicial Council recommends that the Judicial Council, effective March 2, 2018, revise the following documents to reflect 2018 increases in the federal poverty guidelines:

1. *Request to Waive Court Fees* (form FW-001);
2. *Request to Waive Court Fees (Ward or Conservatee)* (form FW-001-GC);
3. *Information Sheet on Waiver of Appellate Court Fees (Supreme Court, Court of Appeal, Appellate Division)* (form APP-015/FW-015-INFO); and
4. *Financial Declaration--Juvenile Dependency* (form JV-132).

[18-062](#)

Rules and Forms: Miscellaneous Technical Amendments (Action Required)

Summary: Various members of the judicial branch, members of the public, and Judicial Council staff have identified errors in the California Rules of Court and Judicial Council forms resulting from typographical errors and changes resulting from legislation and previous rule amendments and form revisions. Judicial Council staff recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

Recommendation: Judicial Council staff recommend that the council, effective March 5, 2018:

1. Amend rule 8.866 of the California Rules of Court to correct the numbering of subdivision (d) to reflect amendments approved by the Judicial Council in September and November 2017. The proposed amendment would renumber subdivision (d) to reinstate paragraph number “(1)” in the first paragraph and to add paragraph number “(2)” in what is now the second paragraph. In addition, the text of subdivision (d) (2) would be added back, as it was inadvertently left out of the amendment approved by the Judicial Council in November, due to the two successive amendments close in time.

2. Amend a heading in Chapter 4 of Title 2, Trial Court Rules. In November 2017, the Language Access Plan Implementation Task Force recommended that the Judicial Council adopt new rules 2.850 (Language Access Representative) and 2.851 (Language access services complaints) (both effective January 1, 2018). The header of the new rules indicated that they should be added to:

Title 2. Trial Court Rules
Chapter 4. Language Access
Article 1. General Provisions

As a result, existing Chapter 4, Court Interpreters, should have been renumbered as Article 2 within Chapter 4. This amendment recommends changing the heading for rules 2.890-2.895 from “Chapter 4. Court Interpreters” to “Article 2. Court Interpreters,” as shown below, so that the new and existing rules will be properly sequenced.

Title 2. Trial Court Rules
Chapter 4. Language Access
Article 1. General Provisions
Rule 2.850. Language Access Representative
Rule 2.851. Language access services complaints

~~Chapter 4.~~ Article 2. Court Interpreters
Rule 2.890. Professional conduct for interpreters
Rule 2.891. Periodic review of court interpreter skills and professional conduct
Rule 2.892. Guidelines for approval of certification programs for interpreters for deaf and hard-of-hearing persons
Rule 2.893. Appointment of interpreters in court proceedings
Rule 2.894. Reports on appointments of certified and registered interpreters and noncertified and nonregistered interpreters
Rule 2.895. Requests for interpreters

3. Revise *Order for Victim Restitution* (form CR-110/JV-790) to add a statutory citation. Assembly Bill 756 amended Penal Code section 1202.4, subdivision (f)(3)(F) to allow restitution for noneconomic losses for psychological harm stemming from felony incidents of repeated or recurring incidents of sexual abuse of a child under 14 years of age or from felony incidents of sexual contact with a child under 10 years of age. Prior to AB 756, restitution for noneconomic losses for psychological harm under the section was limited to felony incidents of lewd and lascivious acts with a minor (Pen. Code, § 288). Thus, form CR3 110/JV-790 should be revised to include Penal Code sections 288.5 and 288.7 as noneconomic losses included in the amount of restitution.

DISCUSSION AGENDA

[18-052](#)

Judicial Branch Operations: Disaster Recovery Framework Guide (Action Required)

Summary: The Information Technology Advisory Committee (ITAC) Disaster Recovery Framework Workstream team, with approval from the Judicial Council Technology Committee, recommends approving the proposed disaster recovery plan to help any judicial branch entity (JBE) that chooses to use it with the various processes necessary to plan and implement a disaster recovery strategy at a desired pace.

Speakers: Hon. Sheila F. Hanson, Chair, Information Technology Advisory Committee

Recommendation: The Information Technology Advisory Committee, with the approval of the Judicial Council Technology Committee, recommends that the Judicial Council, effective March 2, 2018:

1. Approve the *Disaster Recovery Framework: Recommendations & Reference Guide for the California Judicial Branch*, model template, and how-to guide, and authorize the final documents to be published on the Judicial Resources Network for use by courts; and
2. Direct ITAC to prepare a budget change proposal (BCP) requesting funding to assist courts with adopting the framework, and help ensure implementation of successful and reliable disaster recovery software/hardware and solutions across the branch.

A motion was made by Judge Rubin, seconded by Ms. Ibarra, that this proposal be approved. The motion carried by a unanimous vote.

[18-053](#)

Judicial Branch Operations: Next-Generation Hosting Framework Guide (Action Required)

Summary: The Information Technology Advisory Committee (ITAC) Next-Generation Hosting Strategy Workstream recommends the approval of its proposed *Next-Generation Hosting Framework Guide* and associated documents. The framework was developed following an assessment of courts' current practices regarding their hosting solutions, considerations and requirements in selecting new solutions, and envisioned strategies for next-generation hosting. It is intended to provide guidance to court leadership with technology planning as they move toward their strategic goals and objectives.

Speakers: Hon. Sheila F. Hanson, Chair, Information Technology Advisory Committee

Recommendation: The Information Technology Advisory Committee, with the approval of the Judicial Council Technology Committee, recommends that the Judicial Council, effective March 2, 2018, approve the *Next-Generation Hosting Framework Guide*, recommendations, and associated templates, to provide court leadership with the foundation and guidance to inform their technology planning and decision making.

A motion was made by Justice Hull, seconded by Presiding Judges Bottke and Nadler, that this proposal be approved. The motion carried by a unanimous vote.

[18-061](#)**Trial Court Allocations: Fund Balances Held on Behalf of the Trial Courts (Action Required)**

Summary: The Judicial Council provides a process by which trial courts can request that Trial Court Trust Fund (TCTF) reduced allocations related to the 1 percent fund balance cap be retained in the TCTF as restricted fund balance for the benefit of those courts. The Trial Court Budget Advisory Committee (TCBAC) recommends approving revisions to the process to allow previously approved and now amended requests to be approved by TCBAC's Fiscal Planning Subcommittee (FPS) and require that subcommittee to provide informational reports to the Judicial Council on the amended requests it approves.

Speakers: Mr. Zlatko Theodorovic, Budget Services

Recommendation: The Trial Court Budget Advisory Committee unanimously recommends that the Judicial Council, effective March 2, 2018, approve revisions to the *Judicial Council-Approved Process, Criteria, and Required Information for Trial Court Trust Fund Fund Balance Held on Behalf of the Courts* to:

1. Revise the process for submitting and reviewing previous requests that have been amended to:
 - a. Allow the FPS to approve those amended requests or refer them to the Judicial Council for approval; and
 - b. Require the FPS to provide an informational report to the Judicial Council on the amended requests that the subcommittee approves; and
2. Make technical changes, including changing the recipient of the request from "Administrative Director" of the Judicial Council to "Director of Budget Services," "Finance" staff to "Budget Services" staff to reflect the current name of the Judicial Council staff reporting unit, and "TCBAC subgroup" to "FPS."

The council requested to bring this item to a subsequent meeting.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)[18-048](#)**Trial Courts: Quarterly Investment Report for Fourth Quarter of 2017**

Summary: This *Trial Courts: Quarterly Investment Report for Fourth Quarter of 2017* covers the period of October 1, 2017, through December 31, 2017, and provides the financial results for the funds invested by the Judicial Council on behalf of the trial courts as part of the judicial branch treasury program. The report is submitted under agenda item 10, Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004.

[18-049](#)**Judicial Council Report to the Legislature: California's Access to Visitation Grant Program (Federal Fiscal Years 2016-17 and**

2017-18)

Summary: The Family and Juvenile Law Advisory Committee presents the *California's Access to Visitation Grant Program (Federal Fiscal Years 2016-17 and 2017-18): 2018 Report to the Legislature*. The report provides information on the programs funded for federal fiscal years 2016-17 and 2017-18 under California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents. This report to the Legislature must be submitted on even-numbered years, as required by Family Code section 3204(d). The report contains no formal recommendations.

[18-050](#)**Judicial Council Report to the Legislature: 2016-17 Fee Revenues and Expenditures for Court Reporter Services in Superior Court Civil Proceedings**

Summary: Government Code section 68086(f) requires that the Judicial Council annually report to the Joint Legislative Budget Committee information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1, and expenditures on court reporter services in superior court civil proceedings statewide. To comply with the statute, the Judicial Council staff submitted to the Joint Legislative Budget Committee on February 1, 2018, the *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for 2016-17*.

[18-056](#)**Judicial Council Report to the Legislature: Judicial Branch Courthouse Construction Program Update for 2016-17**

Summary: Government Code section 70371.8 requires the Judicial Council to report annually to the Joint Legislative Budget Committee and the chairs of the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget on the status of the Judicial Branch courthouse construction program. The *Status Update of Judicial Branch Courthouse Construction Program for Fiscal Year 2016-17* satisfies the requirement of this mandate (see Attachment A). The report includes information on the status of each project established by the State Public Works Board under section 70371.7 and an accounting of the revenues generated and expenditures made in the Immediate and Critical Needs Account.

[18-057](#)**Court Facilities: Trial Court Facility Modifications Report for Quarters 1 and 2 of Fiscal Year 2017-18**

Summary: The Trial Court Facility Modification Advisory Committee has completed allocating trial court facility modification funding for the first and second quarters of fiscal year 2017-18 and submits this report for informational purposes.

[18-058](#)**Judicial Council Report to the Legislature: Compliance With Welfare and Institutions Code Section 304.7**

Summary: The attached report, submitted to the Legislature as required annually by Welfare and

Institutions Code section 304.7(c), concerns compliance by judges, commissioners, and referees with the education requirements of Welfare and Institutions Code section 304.7. The information provided in this report was gathered by staff of the Judicial Council's Center for Judicial Education and Research from a response form completed by the courts in December 2017.

[18-059](#)

**Judicial Branch Semiannual Contract Reporting Requirement:
Executed Contracts and Vendor Payments for the Period of July
1 through December 31, 2017**

Summary: Public Contract Code section 19209 and the *Judicial Branch Contracting Manual* require that the Judicial Council submit a report semiannually to the Joint Legislative Budget Committee and the State Auditor listing (1) all vendors or contractors receiving payments from any judicial branch entity and their associated distinct contracts; and (2) for every vendor or contractor receiving more than one payment, the amount of the payment, type of good or service provided, and judicial branch entity receiving the good or service. Therefore, the Judicial Council staff submitted this 13th semiannual report on February 1, 2018, which listed all judicial branch entity contracts that were amended during the reporting period covering July 1 through December 31, 2017.

[18-064](#)

**Judicial Branch: Quarterly Report on the Judicial Council's Court
Innovations Grant Program, Fiscal Year 2017-18, Quarter 2**

Summary: This report summarizes activities of the Judicial Council's Court Innovations Grant Program during the second quarter of fiscal year 2017-18.

There were no Circulating Orders since the last business meeting.

Appointment Orders

[18-065](#)

Appointment orders since last business meeting.

In Memoriam

The Chief Justice concluded the meeting with a remembrance of the following judicial colleagues recently deceased, honoring their service to their courts and to the cause of justice:

- Hon. Antonio Barreto, Jr. (Ret.), Superior Court of California, County of Los Angeles
- Hon. Harold J. Ellis (Ret.), Superior Court of California, County of San Mateo
- Hon. Robert Feinerman (Ret.), Court of Appeal, Second Appellate District, Division Five
- Hon. Leon P. Fox, Jr. (Ret.), Superior Court of California, County of Santa Clara

- Hon. Arthur W. Jones (Ret.), Superior Court of California, County of San Diego
- Hon. Williams B. Keene (Ret.), Superior Court of California, County of Los Angeles
- Hon. Thomas M. Kelly (Ret.), Superior Court of California, County of Alpine
- Hon. Ross M. Klein, Superior Court of California, County of Los Angeles
- Hon. Christian E. Markey, Jr. (Ret.), Superior Court of California, County of Los Angeles
- Hon. Philip V. Sarkisian (Ret.), Superior Court of California, County of Alameda
- Hon. Aram Serverian (Ret.), Superior Court of California, County of San Mateo
- Hon. Phrasel L. Shelton (Ret.), Superior Court of California, County of San Mateo
- Hon. Victor R. Stull (Ret.), Superior Court of California, County of San Bernardino
- Hon. Kenneth E. Vassie (Ret.), Superior Court of California, County of Los Angeles

Adjournment

With the meeting's business completed, the Chief Justice adjourned the meeting at approximately 12:05 p.m.

Respectfully submitted by Administrative Director Martin Hoshino, Secretary to the Judicial Council, on May 24, 2018.