

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 *courts.ca.gov*.

>> The meeting is now in session. During our technical checks for this live webcast, we've confirmed the attendance of a quorum of Judicial Council members. Based on our agenda, we anticipate we will adjourn at 1:00 p.m. I want to acknowledge special guests joining us today. We have a group of delegates from Japan. I will be introducing them. They are led by Judge Naoyuki Sugihara, a visiting scholar from Stanford Law School, welcome. Accompanying Judge Sugihara are Mr. Hidiki Nobuta, I'm sorry if I am mispronouncing your name, welcome. He is a chief court clerk from Tokyo District Court. We have Ms. Tomami Murai, welcome, court clerk, General Affairs division with the Personal Affairs Bureau, secretariat of the Supreme Court of Japan, welcome. And we have this Aiko Motomura. She's chief family investigation officer for Osaka Family Court. A round of applause for all of you. [Applause.] We are so happy that you were here and we thank you for engaging with our Judicial Council human resources team to discuss managing workforce shortages and professional development of court personnel. And if you have not already done it—did you already tour the California Supreme Court? Okay, I hope you enjoyed that as well. Thank you. We hope to do an exchange with you in the future. [Laughter.] Thank you. Today's Judicial Council meeting also marks a milestone for Darrel Parker. Round of applause, in advance. [Applause.] As many of you know, this is his last business meeting before retiring later this month as CEO of Santa Barbara Superior Court [music]. What is that?

>> I'm getting announced with music? [Laughter.]

>> I think that was meant to be.

>> I did not bring that by the way.

>> Darrel, as you know, has dedicated nearly four decades to our courts where he served the public with humility and good humor, as you just saw. In addition to being a dedicated member of the Judicial Council, he contributed through involvement in more than 20 advisory bodies, curriculum committees, and working groups, most recently chairing our Court Executives Advisory Committee and its Caseflow Management Subcommittee. As he enters the next chapter, I am delighted to note that does so a new grandfather. Congratulations on that as well. Thank you, Darrel, for your remarkable leadership and friendship, thank you. [Applause.]

>> Thank you, Chief. I was talking with Charles Johnson this morning. Some of the most special occasions in serving this body has been those informal events where we can build

relationships and trust. I really enjoyed that and working with all of you and I appreciate the opportunity.

>> We wish you every happiness in your retirement. You are always welcome.

>> Maybe I can bring the grandbabies.

>> We have a change in the agenda, due to scheduling issues. We will begin with our first item, a presentation from the Department of Finance, item number 26-056 in your agenda. On behalf of the judicial branch, I am pleased to welcome the director of the California Department of Finance, Joe Stephenshaw along with Amy Jarvis and Sally Lukenbill. We truly value the strong partnership, meaningful information sharing and a spirit of collaboration, issues that matter most to Californians are best addressed when all three branches of government work together and we appreciate the opportunity to continue that work with you. I will turn it over to you, thank you very much.

>> Thank you. Thank you very much. And I will echo we appreciate the work with you and your team and the work that we all have to do together to ensure that we are meeting the needs of all Californians. With that, I will give a high-level overview of the Governor's proposed budget for the upcoming fiscal year with some updates since we released this at the beginning of January. So, to begin with, at a very high level, the Governor's Budget that he released, January 9th, to the Legislature, is a balanced budget. We are constitutionally required to present a balanced budget to the Legislature. It is measured by having a positive balance in our special fund for economic uncertainties, which is essentially the state's checking account balance and the upcoming fiscal year in the Governor's proposed budget has a balance of 4.5 billion in the SFEU so meeting that balanced budget requirement. Also focused on continued progress, I think it is very important to remind folks of all of the significant and transformative, in many cases, investments that have been made over the last five to eight years and a lot of those investments initiatives are still being implemented. And that is where it continues to be a focus particularly this year for the administration. But also, lastly, kind of the high-level, building long-term fiscal resiliency, important to the administration but also to all of us to ensure that the state's programs and services have a sustainable, reliable physical plan going forward, not only in the budget year but beyond. So that will be a big focus of the administration this year. The budget in January takes a very bare-bones approach, in terms of not proposing any new, significant general fund spending and only funding current commitments, based on projects. And with the understanding that we are going to monitor changes in revenue and expenditures over the next couple of months to make adjustments at the May revision, to ensure that we not only have a balanced budget in the upcoming fiscal year, but beyond that. And the goal is to also have a positive balance in the '27-28 fiscal year as well. With that, the next two slides are a couple of charts that the Governor usually includes in his budget presentation. It is important to understand California's revenue structure. California purposely has a progressive revenue structure that relies on high-income earners. So, this first slide shows revenue over time, the big three, personal income tax, corporation tax, and sales and use tax, as compared to personal

income over time, which is a proxy for the California economy. They often move in tandem, revenue is more volatile than the economy. So, the next slide shows capital gains and through 20 years, through 2023, over those 20 years, the top 1% of taxpayers averaged 45% of California's personal income tax payments so, when California has roughly give or take 18 million filers, and so we're talking about 180,000 of those 18 million that we are accounting for, just under half our receipts and they get a big portion of their income from capital gains-based compensation, as we can see from this chart here, every time we have seen a spike in capital gains, it is followed by a significant directive. That is what we experienced in 2021, having spikes at an all-time high in capital gains, subsequently seeing that back down to eventually some modest increases the last couple of years. This is important and has been important for us as we really try to understand what the state went through these last years. The year where we talked about the huge surplus but then, really facing some significant budget problems the last three budget cycles, going into this year, still seeing some structural imbalances. For us, the big lesson here is that we don't need necessarily to change our revenue structure, we really need to understand the level of volatility that can occur and better prepare ourselves to deal with that volatility over time. One of the many things that we feel is very important that the state needs to do is to change our rainy day fund requirements to save more during the upswings, in order to smooth out the downswings. We have been in ongoing conversations the last couple of years, it would require changing voter initiatives. It comes back to the voters. It is something we feel is one of the most important things in order to account for this volatility and to mitigate it. We also did create the new account, after the experience of the last couple years, really the surplus holding account if we do see these huge spikes and we have a significant surplus, the state would be able to set aside some of that surplus that is projected for the upcoming fiscal year but has not materialized yet. In essence, ensuring we are not spending revenue in recognition of these significant changes that we received. In terms of our receipts. So, with that said, the proposal for the upcoming fiscal year is balanced. Spending, \$348.9 billion. Of that, \$248.3 billion in general fund. And this level of general fund expenditures is about \$18 billion higher than the projected expenditures of the 2025 Budget Act and it is important to point out that, when we have increased revenues, the problem being the biggest one, and it is the biggest factor in increased spending. As revenues increase, the state is required in certain cases to spend more money. Lastly, excuse me, the budget represents \$23 billion in total reserves. That is \$23 billion, is roughly over \$7 billion higher than the 2025 Budget Act. This is important, even as we continue to see some tough budget times, trying to back up the resiliency, trying to make an additional deposit into the reserve, we are making it in the budget year, and trying to build that backup as we have withdrawn over \$12 billion from the rainy day fund, to deal with the downturn. The Governor's Budget also assumes we are going to pay just under \$12 billion in long-term debt over the next four years. The resiliency is in the budget year. These are constitutionally required statements as well and the majority of the \$3 billion in budget year is to make a supplemental payment to our, our, our obligations. So, on the revenue side, we are seeing positive signs in our revenues in the budget, and our forecast assumes that revenues have increased by \$42.3 billion above the 2025 Budget Act. This is a significant difference from the LAO. I think the LAO is going to shortly update their revenue projections. We will not get into the comparison, but it is important to point out, a large driver

of what we are seeing in this performance is from the stock market, and particularly from the performance of our AI industry, here in California. Even with the increase in revenue, we are seeing, still facing a modest shortfall in the Governor's Budget. This was because we had a \$12.6 billion shortfall, as a starting point, that we had to cover and then as you can see, the other big adjustments, the increases in non-Prop 98 expenditures, our workload, mainly not the workload, but really what we are seeing from some of the caseload population, with Medi-Cal being the biggest one. And, so, again, the LAO is going to update in November. Just a point, in terms of discretionary spending, to really limit the amount of new commitments, as you can see, primarily for higher education, ongoing projects, and baseline adjustments. This is the budget that I referenced earlier. Next, the growth in baseline programs. The other factor to kind of point out and note in the slide on the increase in revenues, and the increased spending in some of our programs being one of the major obligations to account for a big portion of that revenue is that we have seen, over the last few years, in a handful of programs, growth that far exceeds any revenue growth. That is an issue contributing to structural deficits, and we are seeing structural deficits in the range between \$1 billion throughout the year and so, it is our intent, the administration's intent to address not only the budget year but the budget year plus 1, at the May revision, and getting back on top of the structural balance for the state. Lastly or next, HR1, having a huge impact on all states across the nation, in terms of the Governor's Budget, we have assumed costs of \$1.4 billion, in the budget year, \$1.1 billion of this is in Medi-Cal, due to eligibility changes made at the federal level and \$300 million, due to the increased state share of admin costs. Going forward, we faced significantly higher costs, due to changes made by HR1, to provider fees that impact Medi-Cal, managed care, quality assurance the, and then also in CalFresh, due to, to requirements on state ever rates that will result in states having to pick up a share the program cost now, the cost could be significant. And just, quickly, making the presentation today, the judicial branches, over time from 2018-19 to '26-27, you can see the levels of funding over that time. And roughly \$3.9 billion to \$5.5 million. Lastly, the risk to the forecast. The comments, the gains in revenue, probably the biggest risk to forecast is the stock market and particularly if there is a decline or correction in the market, that would have a significant impact on the state revenues. As we noted continually over the last year, concerns around the federal policies and impacts. With that, that completes the overview of the federal budget. We are happy to take any questions if there are any.

>> That was a fabulous presentation. We appreciate you telling us how the budget has increased over time in particular. Are there any questions for the presenters?

>> Thank you so much for your presentation and the partnership. You spoke a little bit about some of the debt obligations that carry through some of the special loans, deferrals. Are there outstanding ones that are still present that impact this budget?

>> Overall, the Governor's Budget has included about \$25 billion in delayed obligations, that will have to be repaid or scored in our future budgets. Those obligations include about \$5.8 billion in special fund loans, cash flow loans of about \$11.7 billion. Some of that is to address budget shortfalls over recent years, we have had to lean in on those options to help mitigate

some of the budget shortfalls. And we have a Prop 98 [inaudible] of about \$5.6 billion and another Prop 98 deferral that is another almost \$2 billion. So together \$25 billion.

>> Thank you very much.

>> Thank you for a wonderful presentation. What formal criteria the Department of Finance uses when evaluating funding requests from agencies including the Judicial Council?

>> So, a couple of things, one, we have the benefit of you guys adopting proposal in a public setting before we even see them, before they are even presented to us as formal asks. We start with a letter that applies to all state departments. We do recognize that the judicial branch is a third branch, coequal branch of government, so of course we're always taking that into consideration. And I think the \$70 million investment that we made this year in trial court operations is a sign that we recognize that the court system is important to the public. So, we evaluate them, really based on the availability of general fund resources. Special funds are looked at slightly differently in some cases, but not in all. It depends on the situation but we are doing a judgment call based on the priorities, and certainly the judicial branch, and also making the investments, generally, that gives you the flexibility to determine how to prioritize resources, rather than the state saying, this is what you have to use your funds for.

>> You touched on this a little bit. How do you balance the statutory requirements, and of course, the fiscal constraints, when you are making your recommendations? Your funding recommendations, I should say.

>> That is a good question. As I mentioned earlier, unfortunately, since we have had the surplus in 2021, we have subsequently had three fiscal years where we faced budget deficits and we are going into our fourth year we are coming out of that. That deficit, but still seeing significant operating shortfalls in our budget structure. So I think, giving, given our, the dates overall, the fiscal situation will impact how we balance the competing priorities. I think we, you know, often times, we get asked, just from individual stakeholders, departments, why we are not funding something that is clearly a priority and it so, we have to, you know, continually explained that our job is to look at the state's overall fiscal plan, in a way that is responsible and ensures the fiscal health and integrity of the state. That is our charge and we have to make decisions and recommendations to our boss in that light. We have been in a position the last few years where we have not had the resources to meet all of the pressures out there. So, our priority has been to really figure out ways to address the situation that we face in a responsible way, but also in ways that had the least amount of impact to people to programs that folks relied upon for direct services or that put money directly in people's pockets. That has been kind of the top of the list for us. How we can weather this situation, in a manner that has the least amount of impact on the programs and services that people rely upon.

>> With Governor Newsom's term ending, how does the Department of Finance prepare the budget during this period of transition?

>> We do it the same way we do any other year. We build a budget reflective of our revenue availability. We still receive proposals from departments, just like we would any other entity and then we'll make adjustments once the new administration is in place.

>> The only exception is they do not share anything with me. [Laughter.]

>> That is actually true. [Laughter.]

>> As the Governor's director of finance and even the chief deputy director of budgets, we recuse ourselves from the process. It is the rest of the department that continues to build a budget in the manner they normally would, based on the budget, not making significant policy changes until the next administration is in place.

>> One more point. In that process, we also provide a history of all the budgets within the state, including the judicial branch. So we talk about priorities of prior administrations, how we funded them, approached it, and try to represent the best we can, the priorities of the branch.

>> Do we have any questions?

>> You talked about public perception of the increased revenues that we received this year. And you talked about the general reserves being around \$23 billion. You mentioned budget resiliency. How do you determine what amount to keep in reserve? Is it a fixed amount? A percentage amount? So the public perception of my perception of how you come up with that number.

>> So, that is a good question and it gets partly to some of the points I made earlier, in terms of the need to save more going forward. Now, generally, for the account which is a rainy day fund, constitutional requirement, constitutional cap, of 10% of general fund revenues. Money is deposited into the rainy day fund, typically on an annual basis, unless there is a budget emergency and we make a withdrawal, based on a formula, until it reaches that 10% cap of general fund revenues. After that the funds that would have gone in there are supposed to be spent on infrastructure. The state does have the ability to make discretionary deposits in the budget stabilization account. So, we can, in theory, put more away now. The issue we face, particularly when we have upswings, the deposits are currently counted as state expenditures against the limit. When we have spikes in revenue, expenditures go up and it limits our ability to make those type of decisions, to put more money away and that is why we believe there is a need going forward to revisit the rules. It allows us to put more away in the rainy day fund. Just a note, one of the other reserves, that is really, again, simplest terms the state's checking account balance, but it is also the funds that we use for emergencies in any given year. Over time, we have increased the amount that we have set aside in that reserve. It is \$4.5 billion in the Governor's Budget. Same as this year, and I believe the same as last year. Prior to that it

was in the three billions, and by the end of the last decade, under \$2 billion. We steadily increased that, recognizing the emergencies that we are increasingly facing.

>> Question?

>> Early in your presentation, and thank you very much, you spoke about the recognition of the volatility affecting our ability, our collective ability as Californians to project revenue. Can you talk a little bit more about the ideas, borrowing your words, to manage the volatility, rather than trying to approach and restructure our revenue process?

>> So, yeah, again what we believe the most important thing the state could do would be to change the rules on deposits, into the stabilization accounts. And we, we did propose language last year that would increase that constitutional cap to 20%. But also remove deposits from, exempt deposits, so they would no longer count as expenditures and we think that would be important to really put away more money during those upswings which we think is essential. And besides being able to save more, when you do things like that, you are actually also committing less. It has that double effect. You are not entering into new commitments that are going to create new ongoing pressures going forward but you are also saving, in order to provide protection to the current programs over time. We think that is really the most important thing that the state could do at this point, in recognition of the volatility.

>> Anyone else? Yes?

>> I'm chair of budget, I can keep going.

>> We have heard, through the media, over the last, you know year or more, about, which, again, affects our revenue, about the people moving outside of California. And that is why I like having economists come, they have infographics of people moving or not moving and I have always been suspicious about whether that is really happening, or how much it might be affecting our income tax base. Can you talk about what the current information is on demographics and people moving into or out of the state?

>> We can follow up with specifics, but not only last year, you can go back to the '90s and see newsreels of the significant concern with people in the state, it has been a pretty common narrative for decades now. So, I think from a state, from our budget revenue perspective, we have not seen anything that was significantly concerning in terms of a change in migration patterns that would really impact the state's revenue. Obviously, there is a proposed initiative, there is also, you know, there is, news accounts of folks leaving. That particular initiative, given the public analysis, it could have, it could have an impact on revenues. In terms of overall migration, we have not seen data that suggested that there is something that would have an impact on state revenues. The Governor points out a lot, California still leads in so many categories, business [inaudible], Nobel laureates, patents. So, obviously, again, the market performance is driven by an industry in California. So, we will follow up with more specifics.

The last thing I will say is that obviously California's population over time, immigration, not only among states but international immigration is a significant factor. We saw some changes during COVID and likely to see some impacts, given the current federal policies.

>> Thank you. Still the greatest place to live. Thank you.

>> I think that concludes the questions. I wanted to express our gratitude for the incredibly helpful and informative presentation and we continue to look forward to the collaboration to make sure that we are providing you with information that you need to request with transparency and accountability to the public. Thank you very much.

>> Thank you all. [Applause.]

>> We have built in a 10-minute break at this time. It is 10:40. We will reconvene at 10:50.

>> Welcome back, we are back in session. We will now begin the public comment period. We appreciate the time and effort that community members and interested parties take. All comments are noted. Comments on the specific agenda items, whether on the consent or discussion agenda are on more general topics of judicial administration. They help us better understand the issues that Californians face when accessing our court systems. For further consideration or response, we will follow up appropriately however, it is important to note, council members cannot intervene on behalf of a party or offer advice to a member of the public. At this point, I will turn it over to our city chair to begin the public comment period.

>> Thank you, this might be short. The one remote speaker may not be with us. But let's check. That person, Ms. Kelly Messick? Are you on the line? Hearing no response, we have no public speakers either in person or by remote, so, Chief, that concludes public comment for today.

>> We did not receive any written comments in advance of the meeting today but we do appreciate the input. Next on the agenda is my regular report, summarizing the outreach activities on behalf of the judicial branch. Since our last business meeting on December 12th, at the start of the year I had the opportunity to address our branch leadership at the annual statewide meeting of court executive officers, I was pleased to recognize the 23 new presiding judges, along with those appointed over the next several months, in January. My remarks focused on several critical issues, including judicial branch funding for the upcoming fiscal year, federal immigration and the importance of continued collaboration and relationship building with local justice partners as part of that trip, I visited Los Angeles Superior Court's court commons exhibit, and the justice in motion mobile courtroom. Those were very wonderful examples of the work that the courts are doing in outreach activity, innovative, mobile, going out to the public and making the courts more accessible for meaningful dialogue directly to the public. If you were there, and you showed me around, and, Mr. Slayton, I don't know if you have any comments on that work that you are doing, but it is appreciated.

>> It was such an honor to have you and others there. And to have everyone come and see it here it. Thanks.

>> I had a question. I didn't know which was first, San Bernardino or L.A., but we can revisit that later. Thank you. Right now, I had the honor of administering the oath of office to our new president pro tem, who was sworn in as the 50th president pro tem. The senator's appointment one was one of many firsts. She is the first Latina, the first mother, and the first woman of color to lead the state Senate, I had the pleasure of welcoming two groups as part of the New Judge Orientation program. We hosted 10 judges and one commissioner, representing different counties. This week we honored Judicial Council staff members celebrating various service milestones. 61 staff members have been recognized, including a remarkable 30 who reached 20 years or more of service in our organization. I will have the opportunity in Sacramento to also celebrate the milestones for the Judicial Council members next month. I had the opportunity to host journalists during our meet the media event, along with our Administrative Director, Shelley Curran. They regularly cover the California courts and the judicial branch. The wide ranging discussion included questions about the future of the California bar exam, the impact of federal immigration enforcement actions, our efforts to provide guidance on the role of artificial intelligence, concerns about threats against judicial officers, and the broader politicization of the judiciary and the importance of civic education. You might've seen some of this covered in the media, but it was a lively discussion that Shelley and I enjoyed very much. I once again had the honor of a virtual ceremony in connection with the California Supreme Court Historical Society's student writing competition and the president of the historical society, and others. We recognized very talented students whose work adds significant research and scholarship to the documentation that we have, regarding California's legal history. Very inspiring stories from students as well. Last month in Sacramento, I had the pleasure of attending a reception for the court that was hosted by the Sacramento Bar Association appellate section. This was our post-oral argument mixer, attended by several of our colleagues on the Third District Court of Appeal. It was a wonderful opportunity to engage with lawyers and students in the legal community as well. In San Francisco, I met with and had the privilege of administering the oath to new members of the Commission on Judicial Nominees Evaluation, known as JNE, who perform the valued work of vetting judicial candidates nominated by the Governor. As I mentioned, the work that they do is always important, but they also have what I am anticipating to be a very important appointment that I hope is soon on our court, in particular. [Laughter.] In Los Angeles, I participated in a very special fireside chat with United States Supreme Court Justice Sonia Sotomayor and Ninth Circuit Court of Appeal Chief Judge Mary Murguia, moderated by my colleague on the California Supreme Court, Justice Kelli Evans. It was hosted by the California unity bars and the LA Unity Bar at Occidental College and attended by an audience of over 700 participants. Judges, law schools, attorneys of all ages, who are leaders and members of affinity bar organizations. We had a lively and meaningful discussion about our respective paths to the bench. our approaches to judging, and the rule of law. For me personally, it was a moment I will never forget. I had the opportunity to sit next to Justice Sonia Sotomayor and Judge Murguia and my colleague Justice Evans. It was remarkable to see their life stories. I did have a chance to meet with Justice Sotomayor, and as many of you have seen her or

watched her, I was just incredibly impressed and it was a special privilege for me personally. Many of you were there. I want to thank you. That is part of one of the things I like best about my role as Chief Justice and Chair of the Judicial Council, is just getting to engage with all of you in different capacities, throughout the legal community in our state. Thank you. That concludes my report to all of you. And we will now turn it over to Shelley. We mixed the agenda up but we will hear from the Administrative Director with her report.

>> Thank you, Chief Justice Guerrero. I will keep my report a little bit shorter today, as I am going to have an opportunity. You will hear a little bit about the council's 100th anniversary, which we will be celebrating at the end of the meeting. I will call your attention to my regular Administrative Director's written report that represents a roundup of the programmatic and service activities undertaken by Judicial Council staff since the regularly scheduled business meeting in December, separated from the materials that are on the agenda today. The report includes a link to Judicial Council's 2025 year in review that we published, and disseminated it in December. The 2025 annual report includes a forward by Chief Justice Guerrero. It includes a sampling of the dashboards and other data related to the work of the branch, illustrating that in dashboard form, and it highlights the initiatives and achievements that helped improve access for Californians. It was helpful for placing into context the diverse scope of judicial administration efforts that we undertake at the Judicial Council. It serves as well as a good opportunity to highlight the collaborative nature of much of the work that we do. Some of the recent examples highlighted in the report is meetings in coordination of visits for six legislators in different parts of California including the Superior Courts of Kern, Placer, Sacramento, and San Diego Counties. The report also provides a summary of some of the on-site visits staff participated in, including the development and implementation of various programs and services that we are working on. We were on site at the Kern court, where we met with partners focusing on the implementation of the CARE Act. Meetings were held with partners at the Superior Courts of Sonoma and San Joaquin Counties to discuss crisis intervention programs related to firearms. We had juvenile case file reviews. They were conducted in both Marin and Shasta courts and council staff were on site in the courts of Santa Clara, San Benito, and San Luis Obispo to focus on pretrial efforts, as well as have a conversation on SB 678, the Community Corrections Performance Incentives Act of 2009 work on risk and needs assessment and evidence-based best practices. The written report recaps the actions that were taken by 21 council advisory committees, addressing from reviewing public comments received on rules and forms proposals, the enforcement of judgment and the application of the Racial Justice Act to considerations of potential new jury instructions from landlord tenant claims outside the unlawful detainment process. Turning to the past two months, more than 30 education and training resources were updated, and created for judicial officers and justice system. This included primary assignments on civil, criminal, and probate law and proceedings. And an update of the search and seizure judicial handbook. In support of the council's ongoing goal of advancing diversity and inclusion in the branch, this month, California courts and the Judicial Council joined the nation in recognizing Black History Month. The council is in good company for its 100th anniversary, as 2026 is also the 100th anniversary of the first observance of Black History Month celebrations. The council newsroom features interactive timelines for

milestones for African Americans in the judicial branch. The timeline features landmark court cases and legislation and prominent African American jurists who have impacted the California courts. Human Resources staff also participated in the National Urban League Black History Month Virtual Career Fair to introduce judicial branch professionals from a wide range of professions, including accounting, business, government, and information technology. As I wrap up, I am going to call your attention to a couple of changing personnel issues at the council. You all received the welcome email that was sent regarding the appointment of chief administrative officer to join our executive team. Erica Sperbeck has now joined us, effective February 9th. [Applause.] We are really pleased to introduce Erica here in person today. As a reminder in that email I sent out, Erica has more than 30 years of experience in California state government. She has held leadership roles with the Department of Finance, the Department of General Services, and the California Health and Human Services Agency and served with the Department of Justice, so many many years of outstanding government experience that Erica brings to the team. She will work in close collaboration with our office leaders from branch accounting and procurement, facilities, audits, and budget services. A big welcome again. We are very grateful that you are here with us. Erica's arrival signals a leadership departure. Today is Debbie Brown's final Judicial Council meeting. She is retiring after more than 28 years of dedicated and exemplary public service to the people in the state of California. She began her public service with the Judicial Council as an attorney in 1998. After several promotions, she became our general counsel and served in that position for 11 years before she was appointed as the chief legal officer, here at the Judicial Council. Her last date is March 6th. We will wish her the very best in retirement. I am pleased to present a resolution recognizing her contributions on many significant statewide issues, from her work supporting the implementation of the landmark Trial Court Funding Act, the transition of 17,000 county employees to court employment, and her extraordinary work leading the Legal Services team through all of the work we had to do during the COVID-19 pandemic. She was absolutely extraordinary. She helped grow and lead the Legal Services office that is now really a multi-office machine that provides a full range of legal services to the council and the court, so much appreciation. I am going to be read the last couple of paragraphs of Debbie's resolution that I am going to present her in a minute. It says over the past decade, Debbie Brown has earned the respect of leaders for her legal acumen, sound judgment, and ability to craft legally grounded solutions, and further, she has earned the reputation for being able to do everything, everywhere, and all at once and most importantly, doing it well with the utmost professionalism and grace. They named an Oscar-winning movie after Debbie. Be it resolved that the Judicial Council commends the contributions and achievements of Debbie Brown and expresses gratitude to her for her role in advancing judicial administration, promoting fairness, and enhancing access to justice through her exemplary leadership, profound knowledge and unwavering dedication to service. [Applause.]

>> I want to say a couple words. Thank you. This is far more than I would have expected and I am so humbled to be here and so glad to have spent 28 years of my life with the judicial branch and Judicial Council and surrounded by amazing colleagues. A wonderful experience I never would have anticipated when I joined. My thanks to all of you. [Applause.]

>> We are going to miss you so much, Debbie. I wanted to add my gratitude for all the work that you have done and the way that you handled the work. It's incredibly challenging. You have such grace calm under pressure. We will continue to rely on that until the last day you're here. [Laughter.] Thank you. We will now have a presentation from our Judicial Council Legislation Committee. We will give you a moment to set up. And we welcome Justice Stacy Boulware Eurie as the chair and Judge Maria Lucy Armendariz as the vice chair.

>> Thank you, Chief, and again, good morning to fellow Judicial Council members. At the last Judicial Council meeting, we presented our legislative priorities for 2026 and highlighted some of our sponsored legislation. Most of the year, our committee is focused on reviewing legislation for council positions and overseeing sponsored legislation proposals. Today, we wanted to briefly highlight another way in which the council interacts with the legislative and executive branches. That is via the many required reports to the Legislature. There are numerous statutes that require the council to report to the Legislature on a variety of topics. Some of these reports are time limited and intended to inform the Legislature about the implementation of a pilot program or a recent change in the law. Others are required annually or on another recurring basis. In 2025, the council submitted 33 reports to the Legislature and while those reports are now submitted electronically to save paper, if they were all to be printed out, they would comprise over 4000 pages. While this volume of information may seem overwhelming, and it is a little bit, it is critical means by which the branch can demonstrate to the other branches, that it is serving the public in providing access to justice. Given this volume of reporting, the process or the oversight report varies based on whether the report is simply reporting factual information requested by the legislation or if the council is taking an action connected with the report such as making a recommendation. Information-only reports are more common in there are nine of those on the agenda for today's meeting, many of which were submitted to the Legislature in December or January, based on their deadline and coming to you at this meeting for your information. They are reviewed by relevant staff and advisory bodies as well as the leadership staff before submission. Reports requiring action must be placed on a council agenda by the Executive and Planning Committee before they can be submitted.

>> We are going to show you a couple. We will concentrate on three reports and some PowerPoints, and we don't expect you to be able to see them but it may give you a flavor as to what the various reports look like and they are in your packet materials. The 2026 report for the Legislature on trial court operation metrics is submitted annually, as required by Government Code section 68-515, beginning in 2022. This report originated during the pandemic when the Legislature wanted to see how court operations were impacted by the pandemic, that funding could be targeted to avoid delays and maintain access to justice, Government Code 73-62, requires a report to the Governor on all expenditures from the court facilities trust fund. Monies deposited in this fund are available for the quote, operation, maintenance, and repair of court facilities and other purposes. The report for 2024-25 is on today's agenda, breaking down just under \$200 million by category expenditures. On the information-only agenda for today's meeting is the report on ` fund revenue and fund balance for fiscal year 2024-25. This report

was submitted in December to meet the requirements of Government Code 68502.5 and 77202.5, requiring submission of the report that provides financial data, including fund sources, totals, and balances for all individual courts. Judicial council staff compiled it from the trial court in fiscal year 2024-2025, fourth quarter quarterly financial statements. For fiscal year 2024-25, the trial courts reported revenues totaling \$3.5 billion, expenditures totaling \$3.6 billion and fund balances totaling \$405 million. These are just a few examples of the voluminous work, in collaboration with various advisory bodies to provide the information they require to guide budget-making decisions. We want to commend the many folks for their dedicated public service to the branch. I think our colleague Senator Umberg will attest that all his colleagues read these reports personally.

>> Thank you, Chief. That concludes our report. Happy to respond to any questions.

>> Thank you. Are there any questions or comments? Thank you. Next we have our consent agenda. The consent agenda includes six different items but as you know, the council's Executive and Planning Committee sets items in order to optimize the best use of our meeting time. The council's Rules Committee provides guidance to the Executive and Planning Committee on agenda setting, relating to rules and proposals as well. The fact that an item is on the consent agenda is not a reflection of the significance and any member of the council can ask to move an item from the consent agenda to discussion, if they believe it warrants further deliberation. We appreciate the many hours of work put in by the council staff that have been able to see the reports before us for the consideration. Do the members have any comments or questions before I entertain a motion for approval of the consent agenda? Seeing none, having had the opportunity to review the report, I move for approval of the consent agenda. Thank you. Is there a second? Others and they were, say aye.

>> Aye.

>> Any noes? Abstentions? Thank you. We are moving to the discussion agenda. We have four additional items. First, we have the funding allocation for fiscal year 2025-2026. This is item number 26-054 in your agenda. We welcome our presenters to join us, Judge Hernandez, chair of the Technology Committee, and Mr. David Slayton, and the director of Information Technology, welcome and thank you.

>> Not that I don't want to be Justice Boulware Eurie, but I am changing it. All right as we are loading the PowerPoint, good morning, thank you, and good morning to fellow councilmembers. We are really appreciative of the time, allowing us to speak to you about our IT modernization program. From your materials, I believe about page 379, the report is there, and we are going to be seeking peer review and ultimate approval of that IT modernization allocation but I am joined this morning by John Yee from the Judicial Council, as well as, excuse me, Mr. David Slayton. One of the important factors we want to discuss with you is an overview of the IT modernization program and the importance, with respect to technology and its essential place in the courts. We just heard from the Department of Finance how important

those things are in the transparency of allocations. We are here this morning for your approval of those allocations. It enables justice, it enables efficient use of our court programming and I will tell you, it is actually not just supporting, it sustains access to justice. The current challenge we have right now, the funding only comes from this IT modernization grant. This is a really important factor that we have all been discussing. We are going to spend a little time, myself and Mr. Slayton this morning, to discuss not only the challenges but what we have seen as successes and observations, as we move forward. To the next slide. To give you just an overview of how we have arrived here. Again, we heard from DOF this morning, this was established as an IT modernization program through the fiscal year 2022-23 budget change proposal. We are looking at those budget changes now and moving forward in the cycle, but it came through that budget act, and it now provides funding for technology modernization initiatives. They were here, Department of Finance, we were very grateful that they shared because that partnership with them, and again Senator Umberg, thank you for your wonderful partnership with the legislative branch, because we are three equal branches understanding the importance of technology and how we move forward. It is the purpose of this IT modernization to not only support the branch, but also access to justice for all Californians. That is our primary goal. Chief, thank you for identifying that as a priority in your statement and as we move forward, that is very important for us. The program itself is administered through a grant application process and we invite all of the appellate courts and trial courts to submit projects for funding consideration. It also aligns with our strategic and our tactical plans for technology, in doing so. Finally, what I would like to say is, we move forward, making sure that we are in line with all of the statewide judicial branch goals. I am going to give you a quick overview of the process itself before I turn it over to Mr. Slayton. First, we started off with the assessment and priorities determinations. That was done through court assessments. Each trial court and appellate court told us what their priorities are and what their funding needs are. The tech committee gathered and we reviewed all of this information and I would be remiss if I did not thank the amazing staff that culminates this information and presents it, and ultimately we present it to you as a Judicial Council body. We launched applications to the courts, the courts return them with robust, beautiful applications for proposals and those applications work is reviewed through our workstream to look at all of the applications that have been submitted. It is important for you all to recognize, those are very diverse, it is not just CIOs, it is not just judges. It has CEOs, it has court operation officers, it has tech officers on it. There is a diverse group reviewing these applications so that we are then brought back with the most pertinent information and a ranking that we can later take a look at. As I said, these recommendations come back to us and we are responsible for a funding methodology. As we heard again this morning, we know the needs far exceed what the funding availability is. We will talk a little bit more in detail because we are wrapping up the application process. We know what we have out there, we know what the \$12.5 million that we have far exceeded by the request, the \$50 and \$60 million requests for proposals. Going to the next slide. Once we have made those recommendations, it comes to the body for review. What we want you to understand is the critical need in creating these opportunities for modernization and how courts are able to expand access to justice through these technology initiatives. David is going to go into what I like to refer to as the meat and potatoes. We think it is really important that you see when we

come before you, to explain how critical technology is for everything we do. Being able to see the examples, of what has been accomplished, we believe will help you have a better understanding of the work being done. With that, I will turn it over to Mr. Slayton.

>> Good morning, everyone. I will spend a little bit of time talking about three areas that we have chosen. If we had all day today, we could spend all day talking about the various projects that the courts have done but we have tried to focus on a couple of them to give you a flavor of what is happening. Next slide. So, the one we are going to start with is to digitization of documents. It is the basis, it really does pave the way for integration with other emerging technologies. If we don't digitize documents, we can't do that. It enhances efficiency and access through faster case processing and streamlined public access request. If everything is on paper, it makes it more difficult for the public to interact with us but it reduces costs by cutting administrative overhead, printing, and storage expenses. Modern protection standards, since 2022-23, the last four years, the committee has approved 73 digitization projects, several have received funding, some in multiple years due to the volume and complexity of records. An example is the El Dorado Superior Court, which reported that the IT modernization funding allowed them to digitize all of their court documents. Last month, we celebrated the last of all files on paper, I shredded the last paper file, everything is digitized, we know that is important to our future. Our next area that we wanted to focus on is the idea of expanding public access. As you know, our courts have operating hours and we are open to the public to access, it is not just in our physical dwellings during operational hours, one of the things that we have done with the IT modernization funding is to really focus on improved audio and video upgrades as well as providing opportunities for individuals to interact with the courts outside of normal business hours and even during normal business hours. The Technology Committee has approved these projects, 34 audio and video upgrade projects. This would be the ability to really interact with the courtrooms. Maybe even the clerk's office, 14 projects that have focused on chatbots and virtual assistants, they directly expand public access to the courts, we try to meet people where they are, whether on the phones, laptops, resolving matters, we know that court proceedings, time away from work, and child care expenses. An example is the court that developed a public counter to streamline court services to assist the public through live video and secure sharing. This reduces courthouse congestion, transportation of scheduling challenges and enhances efficiency while supporting equitable flexibility. Certainly not the least important, the areas that we have been focusing on, especially in the last year, cyber and information security, the courts, as you know, or a target, one of the things we have heard from federal, local, and state law enforcement is that the courts are threatened because of their potential to destabilize democracy. For instance, what if someone was to change convictions that impacted voter rights or accessibility. That could have significant impacts on our democracy. The implications of data breaches are real and require substantial investment to further strengthen the resilience of the branch. Last year, the Technology Committee identified this area as the top priority and funded 27 projects totaling \$5.9 million. All the projects submitted last year in this area were funded because of the importance. This marked a significant increase in submissions, compared to prior years where only six projects were submitted and the year before that, only one project. As you know, these are critical to protecting data, case files, confidential

information, ensuring data security, permitting and defending against evolving threats. I know first-hand the impact of having a cybersecurity issue. As you know, the LA Superior Court was impacted in the summer of 2024. Thankfully, because of investments made, we were able to respond swiftly and thanks to those measures we were able to safeguard services and minimize disruptions. Every court in the state needs to be in the same spot. Next, impact. These are three small examples of ways that courts have used IT modernization funding to improve the court technology. But the impact has been instrumental, for the justice we serve. As Justice Hernandez said, this is the only source for trial courts, for technology. It creates opportunities that would otherwise not exist in projects like digitization serve as a foundation for upgrades, whether it be other types of things that otherwise would not be possible without digital records, and modernization initiatives also improve operations through greater efficiency, transparency, and security. With that, I will turn it back over to Justice Hernandez for observations on the program.

>> Thank you, David. From those examples, that is very few of the hundreds, if not thousands of efforts that have been made and successes we have seen with technology. But, what we do know based on the program that we have in the amount of funds we have, there is a critical need for the funding of technology. Specifically with modern technology and innovation. David's point is well taken and we feel like a broken record here, but this is the only funding source. We know that every single court in our state needs additional technology funding. The applications far exceed the available funding. Last year, we received over \$50 million in requests. This year, we closed this last week and we were informed, \$60 million in requests for technology funding. Somehow we will figure out how to distribute that from what was requested. It is expanding across all court operations, including digital services that David spoke about, the fact that we have availability 24/7. This is truly providing access to justice and clearly as David also said, cybersecurity and information, because if we go down, we do not want the tragic occurrences laid out for us. We cannot afford further delays. We need the consistent ongoing funding, which is essential to maintaining public integrity in the work that we do day in and day out. The issue becomes technology costs. They are booming, increasing. 20% just on our contract maturity and CMS maintenance, the migrations that we are seeing to the cloud. These are costly. We heard from the Department of Finance this morning. Those costs are increasing since the COVID times and we are seeing that more acutely in the technology area more so than in some of the other areas. Based on that, these modernization projects are a must. But they only cover the modernization, not fundamental, ongoing, as David and I have shared with you. This is why we are coming at you and really helping, if you ever have questions, why this is so important. Based on those observations, we will be coming forward with budget change proposals for further technology funding. Mr. Parker is shaking his head in affirming. These are with respect to the needs of the courts. With that, we are asking for your approval of the midyear allocations. They are redistributing money to Humboldt, Nevada and Los Angeles. As I shared with you, it is in the materials because we are good stewards of the limited funds that we have, to make sure when funds come back, we are redistributing to other courts and counties that have presented those proposals. With that, we are happy to answer questions and again, we are asking for your approval.

>> Thank you, you make a very persuasive case. Thank you, Judge Hernandez, Mr. Slayton, and Mr. John Yee. Whether it is remote proceedings, the cybersecurity threats that we face, these really are crucial items that we need funding for in order to serve the public as you have all indicated in your presentation. I will open it up to any questions or comments before I entertain a motion.

>> I have a comment but it may also be a question. Thank you, by the way, good morning. Good morning, nice to see all of you. Regarding the explanation of the costs. You mentioned the increase in costs. Yesterday, we had a meeting, we had some concepts presented by Mr. John Yee. I look at this somewhat as I look at the deferred maintenance on some of our buildings. If we invest in our deferred maintenance, it prevents a larger costs down the road. It is undeniable, if we make that investment, it saves money down the road and saves the interruption of services. I look at this in basically the same way, respectfully that we, as a branch, have become more reliant on technology, more reliant on efforts to modernize methods of delivery of services and the \$12.5 million has remained stagnant for, what, five, six years and it is appropriated from the Legislature, we are appreciative about that. But I think the branch needs to take up the challenge of recognizing that our reliance on technology and our need to protect ourselves from cyberthreats, we will have to take some of this in house and invest in it like we do deferred maintenance. I appreciate you giving very interesting presentations yesterday, to JBBC, we will hear from those in the future, but I think, you know, this presentation not only raises awareness, but the acuteness of the situation and I congratulate the project, 60 million in applications is, I think reflective of the need.

>> Thank you for acknowledging that. We completely agree, as far as technology, we do not want to be left behind, it is not a matter of supporting the branch, it is a matter of sustaining the branch so thank you.

>> Is there a second?

>> I will second.

>> Any further discussion? All those in favor, say aye. Any noes or abstentions? Thank you. The item is approved. Our next item will be considering the education plan for fiscal years 2026 through 2028. This is item 26-028 in your agenda materials and we welcome our presenters, Carrie McIntyre Panetta, and welcome, Center for Judicial Education and Resources Advisory Committee, and Ms. Karene Alvarado, Center for Judicial Education and Resources.

>> I am pleased to be here with Karene Alvarado, the director of the Center for Judicial Education and Resources. As you know, it is our pleasure to support the education plan for your approval. The proposed plan contributes to the commitment to ensuring that the judicial branch has access to educational resources and serving court users in the public. I would like to highlight a few important subjects in the proposed plan, there is a continued focus on the crucial

topics of water law, climate change, CEQA, and they collaborated with subject matter experts, and national organizations to develop a curriculum that meets the identifiable needs of officers and attorneys. This aligns with the broader environmental initiatives and repairs officers to resolve cases that directly affect California's communities, national resources, and climate resilience and it is tailored to the diverse challenges facing the different regions but subjects covered include wildfire recovery and insurance litigation, water and drought, and managing scientific evidence. A new judicial publication on water law is currently being written. The proposed education plan enhances and expands domestic violence education for officers, recognizing that domestic violence cases require a specialized, multidisciplinary approach across terminal, juvenile, and family assignments to ensure practical relevance, council staff work closely with judicial factory, multidisciplinary experts, and community-based organizations to develop a curriculum developed by the judicial branch and Legislature, this helps judicial officers navigate the complex legal and procedural challenges in domestic violence cases. Topics covered include procedural fairness, human trafficking, coercive control. Risk factors, firearm restrictions, victim safety and offender accountability. We are grateful to Governor Newsom to appoint critically needed judicial officers. We are committed to ensuring that all newly appointed judicial officers have access to necessary information, training, and skills to assist them in their new roles. The goal is to help new judicial officers preside accurately and fairly over cases are heard in their courtrooms over the diverse population. For distance education, videos, podcasts, and self-guided, the proposed plan specifies the number of products and the anticipated audience is to be served, while allowing the topics to be decided on an ongoing basis, using needs-based, developed by the curriculum committees. This flexibility allows committees to respond to emerging legal issues and legislative trends. In 2025, the Governor signed 794 bills that were passed by the Legislature. Some of those may create or shift in educational need. By using the flexibility of distance delivery, curriculum committees and the CJER Advisory Committee can quickly respond to changing educational needs. This proposed educational plan was developed by the curriculum committees whose membership consists of over 100 judicial officers and court leaders appointed by the Chief Justice. The plan contains the subject matter experts' recommendations for the education that should be provided to the judicial branch during the next years. It considers the most cost effective and educationally appropriate delivery method for each product area in the proposed plan includes in-person delivery for some products and instructor-led live remote delivery for others. Great care is taken to utilize adult education principles and ensure that education is equally interactive, whether delivered in a physical or virtual classroom. Before the CJER Advisory Committee recommends high-costs in-person education, it performs a benefit analysis, in-person delivery is reserved for education where the benefits will be most effective, remote delivery increases access to education and participation convenience, especially for the more distant courts. But it also allows for more delivery of education on new laws and procedures because it can be planned on a shortened timeline. Thus, remote delivery plays a crucial role in provided judicial officers and court personnel with the information and the tools they need to provide the public with accurate and consistent access to justice. Whether education is delivered by judicial faculty in person or real time, remotely, we remain committed to providing a high-quality resource, judicial branch audiences depend on and deserve. Participants in remote and

in-person courses consistently confirm they have a good learning experience and received information they need to serve court users effectively and efficiently. We continue to collaborate with other advisory bodies to ensure focus on emerging issues that impact the branches short and long-term educational needs, including changes in technology, policy, and the social and natural environment, the flexibility allows for ongoing curriculum modification, as audience needs evolve, if you approve the submitted plan, the CJER Advisory Committee will oversee the implementation. This guarantees that the CJER Advisory Committee is accountable to the council or delivering judicial branch education and managing the associated costs. At the end of every plan, the CJER Advisory Committee reports to the council on the plan's implementation. We welcome feedback on how we can continue to design and deliver education that enhances the ability of judicial officers and court personnel to provide members of the public with access to justice. On behalf of all members of the CJER Advisory Committee, members of the curriculum committees, and the council's staff and education office, we appreciate the Judicial Council for continuing to value education and for making it a high priority for the branch. I also want to recognize the hard work done by Ms. Alvarado and her staff in preparing the proposed education plan and the work they will continue to do throughout the term of the plan to keep the courses current and easily accessible. With those remarks, I am pleased to submit the proposed education plan for your consideration. And Ms. Alvarado and I are happy to answer any questions anyone might have.

>> Thank you. We know so much time and education goes into not only the planning of it but the implementation as well. We are incredibly grateful for all of the work that you have put in, especially for the recommended plan. Are there any questions or comments?

>> I would like to say thank you so much. I enjoyed working with you over the last several years. One of the things we have been talking about, the yin and yang pull between in-person and remote. One of the lessons we really took away was how effective we were able to transition to remote formats. We put our stakes in the ground and said it must be, by all means, be in person. The reviews and the feedback were resoundingly positive but then we got back again in person and we had the fires in L.A. and there was resistance, but we knew how easy it was to pivot and deliver quality education to colleagues. I will point out the increasing demand, the increased flexibility, we went from having primary, and having full capacity classes. I commend you for the work that you are doing and always giving us an ear to hear feedback and concerns. And always glad to see you in person.

>> I will take that as a motion to move approval.

>> Can I ask a question, Chief? Thank you for your work. I appreciate everything. We are back to one judicial college session every year. Can you tell us a little bit, given the number of new judges, what the timeline is, the expected timeline for folks to be able to get a spot at judicial college?

>> The rule of court requires attendance within 24 months of the date of oath of office and we schedule it to make sure that we meet those requirements, in other words, to make it accessible to make sure that folks can make that timeline set by the rule of court.

>> We are on track?

>> We are on track.

>> Same for NJO, back to 10.

>> As opposed to 20.

>> I will second.

>> We have a motion of approval, the motion by Judge Awoniyi, and the second and all those in favor, say aye. Any noes or abstentions?

>> I will abstain.

>> Thank you. Senator Umberg abstains. Next, we will consider a report to the Legislature on the use of remote technology in both civil and criminal actions by trial courts, item 26-023. We welcome our presenters, Judge Lisa Rodriguez, the chair of the Criminal Law Advisory Committee, welcome. We also welcome Ms. Julia Hanagan, member of the Family and Juvenile Law Advisory Committee and Ms. Jessica Devencenzi, Policy and Research. Welcome to each one of you.

>> Thank you, Chief Justice and members of the Judicial Council. I am Judge Lisa Rodriguez, chair of the Criminal Law Advisory Committee. I am joined today by Julia Hanagan, a member of our Family and Juvenile Law Advisory Committee, and Jessica Devencenzi. We are here to present on trial courts' use of remote technology. It dovetails nicely with Judge Hernandez's presentation. We are excited to share with you our own experiences with remote proceedings as well as the report. Ms. Jessica Devencenzi will provide a brief history of criminal and remote proceedings altogether and walk through the most recent data. And then, Ms. Julia Hanagan and I will speak on impact we have observed in the criminal proceedings. I will turn it over now to Jessica.

>> Thank you, Chief Justice. My name is Jessica Devencenzi, and I lead our Office of Policy and Research. Today I will provide an overview of remote proceedings in California courts and share key findings for the most recent findings on trial courts' use of remote technology. Remote proceedings were an emergency response to the COVID-19 pandemic and have since become a structured, statewide framework. In April 2020, at the onset of the pandemic, the council adopted emergency rule three, allowing courts to conduct sittings remotely. That emergency rule has been rescinded but it opened the door to what came next, in 2021, statutory,

to allow the use of cases through July 1st, 2023, the Legislature provided similar authority and specified criminal proceedings until January 1st, 2024. In 2023, the Legislature extended the authorization for the use of remote technology to 2026 in civil matters and 2025 for criminal matters. This legislation also mandated that the council commit a report concerning remote technology use on an annual basis. In 2024, we were finally able to get criminal and civil on the same schedule, and authority was extended to January 1st 2027. This rate of action requires the Judicial Council to report annually on the use of both civil and now criminal proceedings. And the courts were required to annually certify that each courtroom in which remote proceedings were conducted meet the minimum technology standards approved by Judicial Council in March of 2024. The Legislature will need to act, this session, to extend the current sunset date for both criminal and civil matters and we have been working closely with them and the office of Government Affairs on that. As I mentioned, when the Legislature approved, provided courts with the authority to allow remote participation, it included reporting requirements, the council worked closely with courts to pull together data on what was happening across the state, because of these collection efforts, we know that since March 2022, California courts have held over 6 million remote proceedings. During the most recent reporting period, courts averaged 7098 remote proceedings per day. This means every day, thousands of court users are able to avoid taking time off work, arranging childcare or traveling long distances to attend proceedings. Diving a bit deeper into the numbers, between September 1st, 2024 and August 31st, 2025, there were 1,746,288 remote proceedings statewide. About 1.2 million were civil and a little over 550,000 were criminal. Another point of interest, the breakdown of these numbers across the civil and remote categories. The use of remote technology is concentrated in civil limited cases, family law cases, representing a significant portion of remote usage, reflecting the convenience that remote technology provides families. In criminal matters, we are tracking the use of remote technology for the first time. And we are finding it is being utilized across all types, with notable consistency. Colony, misdemeanor infraction, each accounts for a substantial share of remote proceedings, demonstrating courts are leveraging these properly. Beyond the numbers, the impact of users is significant. 95% of users reported a positive experience during the last reporting period. In Los Angeles, in an eight-month period, 6276 users reported saving time and money and transportation and 3932 users reported avoiding having to miss work to attend hearings, remote proceedings enhance access to justice. Thank you for your attention. I welcome your questions and I am going to turn it over to Ms. Julia Hanagan.

>> Thank you. Chief Justice and members of the Judicial Council, my name is Julia Hanagan and I am the director of policy and prevention and an attorney for dependency legal services. Thank you for giving me the opportunity to speak today. Remote proceedings can be a powerful tool to increase access to justice and participation for families involved in juvenile dependency proceedings. I have been in and around dependency courts for over 15 years, representing parents, and I have seen how new remote options have made life easier for so many families. Prior to the pandemic, things were very different. I remember one time I tried to have a minor, who was placed out of county, talk to a judge. It mostly involved me holding a computer over my head so the client could see the bench officer. Everybody waved, it was not particularly

effective. Obviously, times have changed. Many people in this room are to thank for the increased access so many people utilize. Out of state, out of the country, who cannot travel in person are no longer on speakerphone trying to understand complex legal proceedings without seeing what is happening. This was especially difficult for parents utilizing interpreters, because the parent could only hear the interpreter, not the speaker, and could not understand, and could not follow. Incarcerated parents can participate with their children without losing time. Minors can apply without having to wake up at 4:00 a.m. to make an 8:30 court appointment which can be a barrier. Working parents can participate more extensively in hearings, we routinely see parents in drug court, appearing during work, proud of their newly obtained employment. This is especially important in dependency court, where a job and the stability a job brings can be the difference between reunifying or not. Dependency legal services practices in some of our smaller counties, and we have a unique benefit that remote courts can provide to those areas. Dependency proceedings can get complicated quickly and numerous attorneys may be needed for a single case. Finding seven, eight, or more qualified childcare attorneys can be difficult, if not impossible. Remote options allow out of county attorneys to participate, without significant travel time. This increases the availability of qualified dependency attorneys for indigent parents. To be clear, we strongly believe the place for all situations, sitting next to the client, in person. Remote court allows for flexibility in the situation but equally important is the increased access to experts, particularly for parts of the state. Remote appearances mean that we can consult with specialized medical professionals from around the country without worrying that trial costs may include hours in court, and the dreaded last-minute continuums. Some of our regular service providers can be more accessible and provide more regular updates. In the larger counties, they come from places with little public transportation. And a court date may require a full day on the bus. It can limit the number of personal opinions that a family may need over a short period of time. Again, we have on the remote part, as with many things, is the right tool for the right job situation. Dependency court involves dealing with some of the most intimate aspects of people's lives, their families. It is deeply personal and requires a human connection but a lot of our best work is done one on one and cannot be reported. We know. But we also, having the tools available for families that need them, when they need them, it has been a huge help to ensure that families can participate in the most meaningful ways possible. Thank you so much for your time and I will pass this to Judge Rodriguez.

>> Chief Justice, and members of the Judicial Council, I want to thank you for the opportunity to speak with you about the role of remote technology in our courts and what it has come to represent for access to justice upon a bit over the past few years. We have all seen how they can transform the way that courts function, what began as emergency response during COVID has proven to be much more than a temporary solution. Remote technology is an essential way of why we serve the public. It expands access, it promotes efficiency, and it strengthens trust in our judicial system. At its core, remote proceedings give people options, and those options matter. For many defendants, attending a hearing in person is not a minor inconvenience. It can mean losing wages, missing school, or interrupting critical treatment that often requires arranging childcare, taking time off work, paying for transportation and parking, these are real burdens and for people navigating the justice system, it can be the difference between

participation and disengagement, by allowing proceedings such as these hearings, continuances, and conferences, we remove those unnecessary barriers. People can stay engaged without sacrificing their livelihoods and family responsibilities. This is what access to justice looks like in practice, not lowering standards but removing obstacles that have nothing to do with public safety or due process. For sentencing, it allows family, friends, and supporters to participate and observe as well, this gives a greater community confidence and access to the justice system. It also addresses a growing challenge facing our courts, the shortage of qualified expert witnesses, at least eight statutes require expert, proceedings including veterans and mental health, as well as resentencing hearings where a person's past trauma must be considered. Behavioral health experts, in particular, are in limited supply, remote participation allows these professionals to provide essential testimony without the time, cost, and logistical burdens of travel. Without that flexibility, courts face delays, continuances, or the risk that critical expertise simply won't be available. Remote options help ensure that decisions are informed, timely, and fair. We see similar benefits in our collaborative or problem-solving courts, remote hearings allow dissidents to attend required review hearings while continuing in treatment, maintaining employment, and this supports their families, as well as their reentry. These courts are designed to promote this kind of rehabilitation and stability. And remote access does support the goals. It helps keep people connected to the courtroom proceedings while reinforcing the various factors that reduce recidivism and support reentry. Beyond individual cases, remote proceedings improve systemwide efficiency, fewer missed appearances, quicker access to experts, and cases move forward more effectively and more efficiently. When people experience courts that are responsive and accessible, it builds confidence in the justice system as a whole. I would like to close with a brief personal example that underscores the human impact of this technology. During the height of COVID, my family was the first in San Diego County to finalize an adoption via remote proceedings. It was one of the most meaningful moments of our lives. Because it was remote, family and friends from across the nation were able to be present and attend that moment with us. This experience has stayed with me. Not just because of my family. But because it highlighted something important. Technology is not just about convenience. It is about connection, inclusion, and participation. In our courts, it means giving people a fair opportunity to show up, be heard, comply, and move forward with their lives. So, thank you for your time today. We are happy to answer any questions you have.

>> Thank you so much for the wonderful presentation and for highlighting all the benefits of remote. And Senator Umberg has been such a great supporter in this area.

>> Thank you, Madam Chief Justice. As pointed out, this has been a longer road. And as Ms. Curran knows, not without struggle. Votes in the Legislature are not indicative of how challenging this has been. Unfortunately or maybe fortunately, very few lawyers in the Legislature now and very few practicing lawyers, so lots of misinformation was disseminated concerning remote access. Kudos to the Chief Justice for encouraging trial court judges to bring legislators to the courtroom. I think that has really changed the context of this conversation, the fact that so many trial court judges, in particular, the presiding judges, encouraged legislatures to come to courtrooms and they could see remote access in practice. And so, we are now hoping

to extend for another 10 years or so. And continuing to bring legislators to the courtrooms to see what the trial courts are doing in reality really benefits the project, and in particular, the remote access. So, thank you.

>> Thank you, and we will continue. Appreciate your partnership as well. Any other comments?

>> First of all, I want to thank you for your informative and passionate presentation today. It is truly an area of passion for our branch. I think we recognize how much this has improved access to justice for our state. I had the honor and fortune of being appointed by our prior Chief Justice with the initial ad hoc committee on civil proceedings following COVID and Justice Lau was chair, and at that point in time, and this was just a few years ago, we were really struggling with the first rule of court because of limitations with hardware in the courtroom, limitations with connectivity, statutory limitations and as human beings, recognizing that change is difficult. We had people across the state saying we cannot possibly do this. I cannot possibly judge the credibility of a witness remotely. And when I see the report in our materials today, I am so proud of where we have come in just such a short time. And I think we are all recognizing just how important this is to the citizens, I want to express my gratitude not only to the branch but also the Legislature to give us the statutory vehicles. As much as sometimes we are maybe frustrated with data and things of that nature, it did push us along as well. I want to express my gratitude to the branch, the Legislature, recognizing, as Judge Hernandez recognized, we have room to grow, we need to continue to improve access through technology and a large part of that is working with our partners to bring them along with us. Thank you for your important work.

>> Thank you.

>> Thank you for the report. I do have a question. When you are talking about the data, the definition for remote proceedings, if it is a status hearing and both are appearing remotely, what if it is a long trial, is that captured as well?

>> It is. I should actually say, it depends. There are a couple of interpretations. That is something that we need to work towards in the future. Whether if it is one party that is remote or a court reporter that is remote, the courts interpret it differently.

>> I think your focus is correct on the quality of increasing access to justice but I am struck by the comparison to the last presentation on cybersecurity and I thought about the security enhancements this creates for the courts as well, less foot traffic in the courts, the security personnel can focus more on activities with fewer traffic. The conflict between parties often erupts when the parties are brought together after not seeing each other for a long period of time in this creates an opportunity to avoid that as well. There are also savings for the sheriff's department, reducing transportation costs and enhancing security. I don't know that I had seen

the focus on security and I think that is probably not the most important feature. But I think it would enhance support to have some element of security added to it.

>> I will follow up on that, Mr. Parker. that is something we look into in the software we spoke about being costly in increases. I think the various platforms all of us use all three of you, your presentation was phenomenal with those examples of how it provides access but we do need to think and evolve with the technology. We are so much better than we were in COVID. A phenomenal job with leadership, I cannot think of how many hours, talking about how we can better this and facilitate this. The security issue is something technology is looking at and we can work side-by-side as we move forward and just it is music to my ears, extend it for 10 years.

>> I am struck by the feedback. I do not know of any government entity that gets a 95% approval rating from court users and staff. It is really incredible. Along the lines of what Mr. Parker was saying, I would be interested in seeing it go with the amount of money that has been spent on incorporating remote proceedings, the amount that has been saved. Not just from sheriff's departments, but from court council, for instance, or court operations itself. Because I think that tells a good part of the story as well, it is not only better for users, something they appreciate, but something that can be better for the courts as well, and save money to go towards cybersecurity. Thank you so much for your work.

>> Judge?

>> Thank you for your presentation. What you said about the beneficial effects of remote access, in collaborative courts, to prevent interrupting people, to prevent interruptions to people's treatment, is really significant. And, also, it relates to competency cases where people can appear from the state hospital remotely, instead of having to be transported across the state. And you could wind up interrupting and delaying somebody's competency retraining. There are all kinds of consequences for exceeding the two-year, three-year limitation on that. Remote proceedings have been beneficial in each of those kinds of cases. In competency and insanity cases and in collaborative courts. It is beneficial.

>> Thank you.

>> Following up on some of the critical resources that we have now that are under budgetary, court reporters and interpreters. Without remote proceedings, we would not be able to cover all of the essential court interpreter or reporter needs. It has come into play for operations as well.

>> Thank you, and thank you. Another great presentation but I want to make two comments, to segue away from Judge Rhoads' comments, maybe it was more than a couple of years ago, more like three years ago, we adopted minimum standards for technology. Which I think contributes to why the users experience is positive. And we did that, we got a lot of feedback. Going around the state virtually to collect feedback, we did hear a lot about difficulty listening,

hearing, seeing documents, and we reacted to the feedback by developing minimum standards and developing methodology within the courtroom for people appearing remotely to receive documents. To have simultaneous interpreting, while not necessarily permitting the person from hearing the flavor of the comments made in the courtroom. I think our minimum standards have helped achieve the results we have seen. We should probably revisit those. With the improvement of the availability of technology. The second thing I want to say, without it, our rule of court would be without the dependency council. I will just say it, flat out. In my county and the counties north of me, dependency council do not appear in person. And we have an excellent, excellent group of dependency attorneys that are available to represent children as necessary, as well as representatives that are appearing from very remote places and without remote technology, we could not serve as users or meet the expectations that the law sets out for us and on that level, I am just very grateful that the branch really, we should congratulate ourselves, not only on our achievements, but we were the leader in doing this, rather cautiously, when the COVID struck and we had to change, we changed quickly, we have embraced it, I think we have fundamentally changed how human interaction can occur, in a manner that meets the due process standards.

>> Thank you. Anyone else?

>> Great presentation.

>> Judge Moorman moves approval.

>> Thank you, Judge Crompton. All those in favor, say aye. Any noes? And Senator Umberg abstains. The item is approved. The last item on the agenda, the 100th anniversary video, item number 26-060. We have not seen this yet. I am going to turn it over to Michelle Curran.

>> Thank you, Chief. In January, we launched the recognition of the 100 anniversary of the council advancing access to justice in California and we provided you all with a link to the 100th anniversary on the website which includes historic information on the work of the council in its first 100 years. Shifting to promote some of the contemporary work that we have done to help transform the court user experience in California, we produced a short video that highlights some of the efforts that we have been working on and recent progress in these initiatives. We thought it would be appropriate to conclude today's Council meeting by showing you the video. Before we hit play, I want to thank the Chief, and members who were available to put input in the video. Several more of you have graciously agreed to participate in short videos in the upcoming year to celebrate public service and why you all felt called to serve. Thank you for your leadership, council members. With that, I think we should hit play on the video.

>> [Video begins.] In 1926, Californians approved a constitutional amendment establishing the Judicial Council of California, to unify and improve the administration of justice statewide. Back then, California had more than 800 court systems, with no one responsible at a statewide

level for making sure the judicial system was running smoothly. The Judicial Council has evolved into a critical institution that promotes consistency across courts, elevates service to the public, and enhances the experience of those who rely on our justice system. The council has transformed the court experience for Californians in many ways. Examples of this include through self-help services for those who cannot afford an attorney, with language access support to ensure everyone can fully participate in our court proceedings, through technology that supports remote access to our courts, and in building modern and secure new courthouses that promote access to justice. None of this would be possible without the work of more than 20,000 public servants across our state's judicial branch. Together, the council will continue to transform the court user experience to improve access to justice for all Californians.

>> [Video continues.] The COVID-19 pandemic sparked a strong statewide push to modernize court technology. One of the most significant steps was the Judicial Council spearheading the availability of modernization funds to help courts upgrade outdated systems and adopt new tools. Oftentimes, these technologies require a huge investment of resources that until these resources were available, we simply could not move forward with some of these projects. This funding was enormously successful, allowing us to put technology in every courtroom—progress that would not have been possible without the vision of the Judicial Council. Technology now touches every part of our courts. We can file cases online, or check case information instantly. Remote hearings allow participants to appear virtually, present evidence, and access interpreter services, all without physically being present in a courtroom. Since March 2022, over 6 million proceedings have taken place using remote technology.

>> [Video continues.] One of the fundamental goals of the California Judicial Council is equal access to justice, irrespective of the language that someone speaks. The council has worked tirelessly to ensure the opportunities to accommodate those language needs, whether for those who speak a language other than English or those who are deaf or hard of hearing. In 2015, the Judicial Council adopted the Strategic Plan for Language Access. Through that program, we are ensuring that from court websites to front counters, from self-help centers to signage in the hallways, our court users are able to understand court proceedings in the language that they understand best. The Judicial Council has reaffirmed its commitment to providing an interpreter to all parties who require one, regardless of case type or income level. Through various programs, we are growing and diversifying our court reporter workforce. All of these are essential to ensure that our court users have full and fair access to our court proceedings and our courthouses.

>> [Video continues.] Millions of Californians come to court without an attorney each year, largely because they cannot afford one, and they rely on resources sponsored by the Judicial Council. Court self-help centers are their lifeline. Because of this growing need, the Judicial Council made access to courts for self-represented litigants one of their top priorities. Did you know in 1997 there was just one self-help center in California? Today, each of the state's 58 trial courts have at least one self-help center. Starting during the pandemic, we shifted many centers' methods to include online services. The Judicial Council launched an online self-help

guide to the California Courts website to help people navigate the court system, which gets over 7 million visitors a year. The guide is accessible in multiple languages and helps court users learn how to deal with a broad range of civil and criminal matters. When Californians feel the courts are understandable and accessible, public trust in the judicial system increases.

>> [Video continues.] Access to justice includes access to safe, secure, and accessible courthouses. In 2002, the Judicial Council implemented the Trial Court Facilities Act, shifting the responsibility for courthouse construction and maintenance from the counties to the state under the Judicial Council. Between 2002 and 2026, the council is overseeing completion of 35 new courthouse construction projects, with 18 more in the pipeline totaling about 5 million square feet. Currently, the Judicial Council manages 21 million square feet, covering 430 court buildings statewide. The council is also working on achieving climate sustainability in courthouses. These efforts include water conservation, solar procurement, electric vehicle charger installations, and setting additional sustainability standards for courthouse construction. To date, 21 courthouses have earned LEED certification for projects that meet high standards for sustainable design, energy efficiency, and water conservation.

>> [Video continues.] For 100 years, the Judicial Council has supported access to justice through innovation, collaboration, and a close partnership with the courts and our sister branches of government. As we look ahead, the council's strategic plan will continue to guide our path forward, grounded in the principles that define us: putting the public's needs at the forefront, protecting the independence of the judicial branch, upholding the highest quality as a standard throughout the court system, and embracing accountability as a fundamental duty of public service. Our court system will continue to adapt responsibly, deliberately, and thoughtfully to meet the demands of a changing California. Together, with the courts and our sister branches of government, we will remain focused on ensuring California's justice system is fair, accessible, and serves the public with transparency and integrity. [Video ends.]

>> [Applause.] Okay. That was great. I want to thank staff for doing such a fabulous job and everybody who assisted in the recording of it and we are going to continue to celebrate our 100th anniversary beyond this year. Thank you. That does conclude the business meeting for today but our next business meeting will be April 23rd and 24th. The meeting is now adjourned. Thank you.