



Judicial Council of California

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

Meeting Agenda

Judicial Council

Meeting materials
are available through
the hyperlinks in
this document.

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(Cal. Rules of Court, rule 10.6(a))*

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Tuesday, January 15, 2019

8:30 AM

San Francisco

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

Session 8:30 a.m. – 12:55 p.m.

Call to Order

Public Comment

30 minutes

The Judicial Council welcomes public comment on general matters of judicial administration and on specific agenda items, as it can enhance the council's understanding of the issues coming before it.

For more information about meeting attendance and public comment procedures:

<http://www.courts.ca.gov/28045.htm>

- 1) Submit advance requests to speak by 4:00 p.m., Wednesday, January 09, 2019.
- 2) Submit written comments for this meeting by 1:00 p.m. on Thursday, January 10, 2019.

Contact information for advance requests to speak, written comments, and questions:

E-mail:

judicialcouncil@jud.ca.gov

Postal mail or delivery in person:

Judicial Council of California

455 Golden Gate Avenue

San Francisco, California 94102-3688

Attention: Josely Yangco-Frona

Approval of Minutes

[19-001](#) **Minutes of November 29-30, 2018, Judicial Council meeting**

Chief Justice's Report

10 minutes

Administrative Director's Report

[19-002](#) **Administrative Director's Report**

10 minutes

Judicial Council Committee Presentations

[19-003](#) **Judicial Council Committee Reports**

Summary: Executive and Planning Committee
Policy Coordination and Liaison Committee
Rules and Projects Committee
Judicial Council Technology Committee
Judicial Branch Budget Committee

30 minutes

Judicial Council Members' Liaison Reports

[19-004](#) **Judicial Council Members' Liaison Reports**

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

15 minutes

CONSENT AGENDA

A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Roma Cheadle at least 48 hours before the meeting at:

Roma.Cheadle@jud.ca.gov

[19-005](#) **Trial Court Budget: Fiscal Year 2017-18 Final One-Time Reduction for Fund Balances Above the 1 Percent Cap (Action Required)**

Summary: Under Government Code section 77203(b), a trial court may carry over unexpended funds in an amount not to exceed 1 percent of the court's operating budget from the prior fiscal year. Judicial Council staff recommend approving a final reduction allocation of \$1,737,127 related to the fund balance in fiscal year 2017-18 and prior-year excluded funds, as required by Government Code section 68502.5(c)(2) (A).

[19-025](#)**Trial Court Budget: Correction to Fiscal Year 2018-19 Allocations from State Trial Court Improvement and Modernization Fund and Trial Court Trust Fund (Action Required)****Summary:**

At its business meeting on July 20, 2018, the Judicial Council approved \$2.0 billion in fiscal year 2018-19 allocations from the Trial Court Trust Fund. Although this dollar amount remains unchanged, corrections are required to accurately reflect the Trial Court Budget Advisory Committee's recommendation on allocations for the Children in Dependency Case Training, Sargent Shriver Civil Counsel Pilot Program, Equal Access Fund, and Court-Appointed Dependency Counsel Collections.

[19-011](#)**Child Support: AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding Allocation (Action Required)****Summary:**

The AB 1058 Funding Allocation Joint Subcommittee recommends that the Judicial Council approve a new funding methodology that is workload-based for the AB 1058 child support commissioner program and maintain the current funding methodology for the family law facilitator program until FY 2021-22. The Judicial Council established the joint subcommittee in April 2015 to reconsider the allocation methodology developed in 1997 for the Child Support Commissioner and Family Law Facilitator Program, as required by Assembly Bill 1058 (Stats. 1996, ch. 957). In February 2016 the council reconstituted the joint subcommittee and directed it to develop a workload-based funding methodology to begin implementation for fiscal year (FY) 2018-19 but to delay making that recommendation until FY 2019-20 to incorporate the work on the Workload-Based Allocation and Funding Methodology completed in 2018 and to coordinate with the California Department of Child Support Services on their review of funding allocations for local child support agencies. The subcommittee recommends beginning to implement a workload-based funding methodology for child support commissioner funding while waiting to reallocate funds for Family Law Facilitators to ensure that new workload information can be incorporated into a model.

[19-013](#)**Juvenile Law: Court-Appointed Juvenile Dependency Counsel Funding Methodology for Small Courts (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends that the Judicial Council adopt, on an ongoing basis, changes to the court-appointed counsel funding methodology for small courts previously adopted in May 2017 and scheduled to sunset on June 30, 2019. The small courts faced many unique circumstances that necessitate continuation of an adjusting funding methodology. The proposed methodology suspends reallocation-related budget reductions for the courts with a child welfare caseload under 200, permits adjustment of the local economic index for all courts with a child welfare caseload under 400, adjusts funding allocations of the larger courts, and continues the \$100,000 funding reserve to assist small courts with the cost of sharp caseload increases.

[19-009](#) **Rules and Forms: Family Law Forms: Technical Changes (Action Required)**

Summary: Judicial Council staff have identified errors that are technical in nature in a Judicial Council protective order form. They recommend making the necessary corrections to avoid confusion for court staff, judicial officers, and members of the public who use the form.

[19-010](#) **Rules and Forms: Miscellaneous Technical Changes (Action Required)**

Summary: Judicial Council staff have identified errors in title 4 of the California Rules of Court and in the Judicial Council criminal forms resulting from typographical errors and changes resulting from legislation and previous rule amendments and form revisions. Judicial Council staff recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

Break 10:05 a.m. – 10:20 a.m.

DISCUSSION AGENDA

[19-012](#) **Trial Court Budget: 2018-19 Allocation Methodology of New Judgeships (Action Required)**

Summary: The Budget Act of 2018 (Stats. 2018, ch. 29) provided ongoing funding to support two new judgeships in the Superior Court of Riverside County. The Trial Court Budget Advisory Committee recommends that the Judicial Council approve the 2018-19 funding allocation of \$1.896 million to the Superior Court of Riverside County for general trial court operations, as directed in provisional language.

Speakers: Mr. Zlatko Theodorovic, Budget Services

20 minutes

[19-018](#) **Language Access Plan: Language Access Subcommittee (Action Required)**

Summary: To strengthen the California judiciary's capacity to meet the needs of millions of people with limited English proficiency, the Judicial Council charged the Language Access Plan Implementation Task Force with implementing the *Strategic Plan for Language Access in the California Courts*. This report offers a brief description of progress to date on implementation of the plan and a summary of next steps to ensure its ongoing implementation. The report recommends that the council create a standing Language Access Subcommittee under the Advisory Committee on Providing Access and Fairness to help ensure that the remaining plan recommendations are implemented after the task force sunsets on March 1, 2019.

Speakers: Hon. Mariano-Florentino Cuéllar, Chair, Language Access Plan Implementation Task Force
Mr. Douglas Denton, Language Access Services

30 minutes

19-024 Court Innovations Grant Program: Superior Court of San Bernardino County - Video-Conferencing Child Custody Recommending Counseling Project Presentation (No Action Required. There are no materials for this item.)

Summary: The Budget Act of 2016 allocated \$25 million to the judicial branch to promote court innovations and efficiencies through a grant program. During this session, the Superior Court of California, County of San Bernardino will present and provide information related to the court's use of videoconferencing to facilitate Child Custody Recommending Counseling sessions.

Speakers: Hon. David M. Rubin, Chair, Judicial Branch Budget Committee
Mr. Joe Navarro, Family and Children's Services Division Manager, Superior Court of San Bernardino County
Ms. Jacquetta Adewole, Family Court Services Supervisor, Superior Court of San Bernardino County

30 minutes

19-026 Department of Finance Presentation (No Action Required. There are no materials for this item.)

Speakers: Ms. Irena Asmundson, Chief Economist, California Department of Finance

75 minutes

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

19-015 Court Security: Trial Court Screening Equipment Replacement for Fiscal Year 2017-18

Summary: Each year, the Administrative Director approves the list of entrance screening equipment to be funded that year through the Screening Equipment Replacement Program, which provides funding from the Trial Court Trust Fund to replace outdated or malfunctioning screening equipment in the trial courts. This report updates the council on the equipment that was replaced in fiscal year (FY) 2017-18 using that funding.

19-016 Judicial Branch Budget: Quarterly Report on the Court Innovations Grant Program, Fiscal Year 2018-19, Quarter 1

Summary: This report summarizes Judicial Council Court Innovations Grant Program activity for the first quarter of fiscal year 2018-19.

[19-017](#)**Trial Courts: Quarterly Investment Report for Third Quarter of 2018****Summary:**

This *Trial Courts: Quarterly Investment Report for Third Quarter of 2018* covers the period of July 1, 2018, through September 30, 2018, and provides the financial results for the funds invested by the Judicial Council on behalf of the trial courts as part of the judicial branch treasury program. The report is submitted under agenda item 10, Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004.

[19-014](#)**Report to the Legislature: Allocation of New Judgeships Funding in FY 2017-18****Summary:**

The Budget Act of 2007 (Stats. 2007, ch. 171/172) requires that the Judicial Council report to the Legislature January 1 each year the allocation of funding for support of new judgeships authorized in 2007-08 until all judgeships are appointed and new staff hired. Judicial Council's Budget Services submitted the attached report, "Report on Allocation of Funding in 2017-18 for Support of New Judgeships Authorized in 2007-08" to the Legislature on January 1, 2019.

[19-019](#)**Report to the Legislature: Report on California Rules of Court, rule 10.75 (Meetings of Advisory Bodies)****Summary:**

The *Supplemental Report of the 2013 - 2014 Budget Package* requires that the Judicial Council report to the Joint Legislative Budget Committee on implementation of the open meetings rule, rule 10.75 of the California Rules of Court. Under subdivision (p) of the rule, the Judicial Council must review the rule's impact periodically to determine whether amendments are needed. No amendments are needed at this time.

[19-020](#)**Report to the Legislature: Court Records: Purchase or Lease of Electronic Recording Equipment by Superior Courts (January 1-June 30, 2018)****Summary:**

Government Code section 69958 requires that the Judicial Council report to the Legislature semiannually on all purchases and leases of electronic recording equipment that will be used to record superior court proceedings.

[19-021](#)**Report to the Legislature: Trial Court Trust Fund Revenue, Expenditure, and Fund Balance Constraints for FY 2017-18****Summary:**

Government Code sections 68502.5(b) and 77202.5(b) require the Judicial Council to report to the Legislature the following financial data from all fund sources, by individual trial court, with totals for all trial courts and each trial court: revenues; expenditures at the program, component, and object levels; and fund balances. The report must be submitted on or before December 31 following the close of each fiscal year. The Judicial Council's Budget Services office submitted the attached report, *Trial Court Trust Fund Revenue, Expenditure, and Fund Balance Constraints for FY 2017-18*, to the Legislature on December 31, 2018.

[19-022](#)**Report to the Legislature: Receipts and Expenditures from Local Courthouse Construction Funds****Summary:**

Government Code section 70403(d) directs the Judicial Council to submit a report of all receipts and expenditures from the local courthouse construction funds to the budget and fiscal committees of the Legislature based on the information received from counties pursuant to this section on or before January 1 of each year. The *Receipts and Expenditures from Local Courthouse Construction Funds: Report to the Budget and Fiscal Committees of the Legislature* provides information for the reporting period of July 1, 2017, to June 30, 2018.

Appointment Orders[19-027](#)**Appointment Orders since the last business meeting.****Adjournment (approx. 12:55 p.m.)**