



JUDICIAL COUNCIL OF CALIFORNIA

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CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-22-02

Title

Judicial Council: Agenda Items From
the May 12–13 Business Meeting

Action Requested

VOTING MEMBERS ONLY: Vote and respond
via email.

**Rules, Forms, Standards, or Statutes
Affected**

See linked reports in Recommendation
section

Please Respond By

Noon on May 11, 2022

Date of Report

May 9, 2022

Recommended by

Judicial Council staff
Martin Hoshino
Administrative Director and
Secretary of the Judicial Council

Contact

Amber Barnett, 916-263-1398
amber.barnett@jud.ca.gov

Executive Summary

The Administrative Director and Secretary of the Judicial Council (Administrative Director) recommends that the Judicial Council—by email action, via circulating order—approve, disapprove, or abstain from voting on the March meeting minutes and the recommendations in the reports linked below, which were scheduled to be considered on the consent agenda of the May 12–13, 2022, business meeting. Along with supporting the email action, the circulating order serves to transmit the Information Only reports linked below. Approval of the recommendations through action by email is consistent with the lessons learned during the COVID-19 pandemic about the use of remote and electronic means to conduct proceedings, as appropriate, to increase efficiency and preserve public resources.

Recommendation

The Administrative Director recommends that the Judicial Council—by email action—approve, disapprove, or abstain from voting on:

1. [Item 22-108](#), *Minutes of March 11, 2022, Judicial Council Meeting*; and
2. The recommendations in the following consent agenda items:
 - [Item 22-101](#), *Child Support | AB 1058 Child Support Commissioner and Family Law Facilitator Program Funding for Fiscal Year 2022–23*
 - [Item 22-026](#), *Collections | Updates to Performance Measures and Benchmarks for Collections Program*
 - [Item 22-114](#), *Judicial Branch Administration | Judicial Branch Workers’ Compensation Program*
 - [Item 22-032](#), *Jury Instructions | Civil Jury Instructions (Release 41)*
 - [Item 22-102](#), *Report to the Legislature | Review of the Statewide Uniform Child Support Guideline 2021*
 - [Item 22-095](#), *Rules and Forms | Criminal Procedure: Mental Competency Proceedings*
 - [Item 22-100](#), *Rules and Forms | Form Revision Implementing Assembly Bill 1580*
 - [Item 22-002](#), *Rules and Forms | Family Law: Changes to Child Custody Evaluation Rule and Forms*
 - [Item 22-105](#), *Rules and Forms | Juvenile Law: Nonminor Dependents*
 - [Item 22-035](#), *Rules and Forms | Miscellaneous Technical Amendment Report*
 - [Item 22-099](#), *Rules and Forms | Protective Orders: Civil Harassment Form Adoptions and Revisions, and Rule Amendment*
 - [Item 22-111](#), *Traffic | Remote Video Proceedings and Related Forms*
 - [Item 22-083](#), *Trial Court Budget | Court Interpreter Employee Incentive Grant Award Recommendations*
 - [Item 22-027](#), *Trial Court Budget | Funds Held on Behalf of the Trial Courts Reporting Frequency*
 - [Item 22-033](#), *Trial Court Budget | Minimum Operating and Emergency Fund Balance Policy*
 - [Item 22-029](#), *Trial Courts | Trial Court Financial Policies and Procedures Manual (12th ed.)*

The following information-only items are hereby transmitted to the council:

- [Item 22-103](#), *Child Support | Midyear Funding Reallocation for 2021–22*
- [Item 22-098](#), *Court Facilities | Trial Court Facility Modifications Report for Quarter 3 of Fiscal Year 2021–22*
- [Item 22-112](#), *Judicial Branch Administration | Release of Demographic Data on California Justices and Judges*
- [Item 22-106](#), *Report to the Legislature | Allocation of Funding in 2021–22 for Federally Funded Dependency Representation Program Shortfall*
- [Item 22-097](#), *Report to the Legislature | Court Realignment Data (Calendar Year 2021)*

Analysis/Rationale

The Administrative Director recommends that the Judicial Council—by email action, via circulating order—approve, disapprove, or abstain from voting on the March meeting minutes and the recommendations in the reports linked, which were scheduled to be considered at the May 12–13 business meeting on the consent agenda. Consent items represent many hours of work by the council’s advisory committees and staff, and they bring substantial and significant recommendations and reports for consideration. Many of the recommendations have been circulated for public comment, and the comments have been reviewed by advisory committee members and, where appropriate, have resulted in changes to the proposals.

Additionally, the COVID-19 pandemic has allowed the judicial branch to explore marked improvements in business processes. The council intends to maximize the lessons learned during the COVID-19 pandemic, which mandated efficiencies in operations, including the use of remote and electronic means to conduct proceedings, such as Judicial Council meetings. Continued and regular use of technology, as appropriate, can increase transparency and efficiency and preserve public resources.

This circulating order will allow the council to carry out its policymaking role while members remain in their courts or offices to conduct business, which creates cost savings in travel, time, and resources. In addition, to preserve public access and the ability of the public to provide comments on the proposals, this circulating order was made available for public comment to the council from May 2 through May 6, 2022. No public comment was received by the established deadline.

Attachments and Links

1. Minutes and report links, in recommendation section, by item number
2. Voting instructions, at page 4
3. Vote and signature pages, at pages 5–6

Author

Amber Barnett
Principal Manager, Leadership Support Services

Instructions for Review and Action by Circulating Order

Voting members

- Please reply to the email message with “I approve,” “I disapprove,” or “I abstain,” by **noon on May 11, 2022**. If your vote differs for individual agenda items, please specify your vote for each item in the reply.
- If you are unable to reply by **noon on May 11**, please do so as soon as possible thereafter.

Advisory members

The circulating order is being emailed to you for your information only. There is no need to sign or return any documents.

CIRCULATING ORDER
Judicial Council of California
Voting and Signature Pages

Effective immediately, the Judicial Council approves the March meeting minutes, linked at item 22-108, and the recommendations outlined in the reports linked at items 22-101, 22-026, 22-114, 22-032, 22-102, 22-095, 22-100, 22-002, 22-105, 22-035, 22-099, 22-111, 22-083, 22-027, 22-033, and 22-029. Additionally, items 22-103, 22-098, 22-112, 22-106, 22-097 are transmitted to council members for their information only.

My vote is as follows:

☒ Approve

☐ Disapprove

☐ Abstain

Tani G. Cantil-Sakauye, Chair

_____/s/
Marla O. Anderson

_____/s/
Richard Bloom

_____/s/
C. Todd Bottke

_____/s/
Stacy Boulware Eurie

_____/s/
Kevin C. Brazile

_____/s/
Kyle S. Brodie

_____/s/
Jonathan B. Conklin

_____/s/
Carol A. Corrigan

_____/s/
Samuel K. Feng

_____/s/
David D. Fu

_____/s/
Carin T. Fujisaki

My vote is as follows:

☒ Approve

☐ Disapprove

☐ Abstain

_____/s/
Brad R. Hill

_____/s/
Rachel W. Hill

_____/s/
Harold W. Hopp

_____/s/
Dalila Corral Lyons

_____/s/
Gretchen Nelson

_____/s/
Maxwell V. Pritt

_____/s/
David M. Rubin

_____/s/
Marsha G. Slough

_____/a/ 22-032*

_____/n/ 22-083

_____/s/

Thomas J. Umberg

Date: _____

Attest:

Administrative Director and
Secretary of the Judicial Council

* Senator Thomas J. Umberg abstains from voting on jury instruction CACI No. 2334 and the updated verdict form CACI No. VF-2034 in Item 22-032.