



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND
PLANNING COMMITTEE

www.courts.ca.gov/epmeetings.htm
executiveandplanning@jud.ca.gov

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

Thursday, October 13, 2016

12:10 to 1:10 p.m.

Teleconference

Committee Members Present: Justice Douglas P. Miller (Chair), Judge Marla O. Anderson (Vice Chair); Judges Jeffrey B. Barton, Daniel J. Buckley, Samuel K. Feng, Gary Nadler, and David M. Rubin; and Mr. Richard D. Feldstein

Committee Members Absent: Justice Harry E. Hull, Jr. and Ms. Donna D. Melby

Other Attendees: Judges Kevin R. Culhane and Ted Weathers; and Mr. Jake Chatters

Committee Staff Present: Ms. Jody Patel and Ms. Amber Barnett

Staff Present: Mr. Brian Aho, Ms. Vickie Akers, Ms. Heather Anderson, Mr. Patrick Ballard, Mr. Chris Belloli, Ms. Deirdre Benedict, Mr. Bob Brow, Ms. Deborah Brown, Ms. Roma Cheadle, Ms. Diane Cowdrey, Ms. Shelly Curran, Ms. Kimberly DaSilva, Ms. Audrey Fancy, Ms. Deana Farole, Ms. Lucy Fogarty, Ms. Cristina Foti, Ms. Eve Hershcopf, Ms. Bonnie Hough, Ms. Donna Ignacio, Mr. Peter James, Mr. Doug Kauffroath, Ms. Susan McMullan, Mr. Douglas C. Miller, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Claudia Ortega, Mr. Daniel Richardson, Ms. Leah Rose-Goodwin, Ms. Katherine Sher, Ms. Christy Simons, Mr. Colin Simpson, Mr. David Smith, Mr. Zlatko Theodorovic, Ms. Adrienne Toomey, Mr. Don Will, and Ms. Josely Yangco-Frona

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m. and committee staff took roll call.

Approval of Minutes

The committee voted to approve the following minutes:

- August 11, 2016, Executive and Planning Committee meeting
- August 18, 2016, Executive and Planning Committee action by email

DISCUSSION AND ACTION ITEMS

Item 1

Subordinate Judicial Officer Conversion – Request from the Superior Court of Sacramento County (Action Required)

Review request from the Superior Court of Sacramento County to convert one vacant subordinate judicial officer position.

Action: The committee approved the request from the Superior Court of Sacramento County to convert one vacant subordinate judicial officer position.

Item 2

Request from Center for Judicial Education and Research Governing Committee to Amend 2016 Annual Agenda (Action Required)

Review request from the Center for Judicial Education and Research Governing Committee to Amend 2016 Annual Agenda.

Action: The committee approved the request from the Center for Judicial Education and Research Governing Committee to Amend 2016 Annual Agenda.

Item 3

Government Code Section: 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code. § 68106—Report No. 39) (Action Required)

Review report listing the latest court notices received by the Judicial Council in accordance with Government Code Section 68106 and approve to be included in the Judicial Council meeting in October.

Action: The committee approved the report listing the latest court notices received by the Judicial Council in accordance with Government Code Section 68106 and approved that it be included in the agenda for the Judicial Council meeting in October.

Item 4

Agenda Setting for the October 27-28 Judicial Council Meeting (Action Required)

Review draft reports and set the agenda for the Judicial Council meeting in October.

Action: The committee reviewed draft reports and set the agenda for the Judicial Council meeting in October.

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 12:55 p.m.

C L O S E D S E S S I O N

Item 1

Pursuant to California Rules of Court, rule 10.75(d)(1)

Recommendation for Advisory Body Appointment

Review materials and develop recommendations to be sent to the Chief Justice regarding out-of-cycle appointment to an advisory body.

Action: The committee will continue to review materials prior to developing recommendations to be sent to the Chief Justice regarding the out-of-cycle appointment to the advisory body.

Adjourned closed session at 1:10 p.m.

Approved by the advisory body on November 17, 2016.



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Minutes of Action by E-mail Between Meetings for
Executive and Planning Committee

E-mail Proposal

As part of the agenda setting for council meetings, the Executive and Planning Committee was asked to review the report *Criminal Law: Judicial Council Appointment to Sex Offender Management Board* for approval to be included on the October 27-28, 2016, Judicial Council business meeting agenda.

Notice

On October 21, 2016, a notice was posted advising that the Executive and Planning Committee was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

Action Taken

Members voted unanimously to approve the report for the consent agenda of the October 28 council business meeting.

Approved by the advisory body on November 17, 2016.



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF CLOSED MEETING

Thursday, October 27, 2016

4:45 to 4:55 p.m.

San Diego

Advisory Body Members Present: Justice Douglas P. Miller (Chair); Judge Marla O. Anderson, (Vice Chair); Justice Harry E. Hull, Jr., Judges Jeffrey B. Barton, Daniel J. Buckley, and Samuel K. Feng; and Ms. Donna D. Melby

Advisory Body Members Absent: Judges David M. Rubin and Gary Nadler; and Mr. Richard D. Feldstein

Committee Staff Present: Ms. Jody Patel and Ms. Amber Barnett

C L O S E D S E S S I O N

Call to Order and Roll Call

The chair called the meeting to order at 4:45 p.m. and committee staff took roll call.

Item 1

Pursuant to California Rules of Court, rule 10.75 (d)(1)

Recommendation for Advisory Body Appointment

Review materials and develop recommendations to be sent to the Chief Justice regarding an out-of-cycle appointment to an advisory body.

Action: *The committee formulated a recommendation for submission to the Chief Justice.*

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 4:55 p.m.

Approved by the advisory body on November 17, 2016.



JUDICIAL COUNCIL
OF CALIFORNIA

EXECUTIVE AND
PLANNING COMMITTEE

www.courts.ca.gov/epmeetings.htm
executiveandplanning@jud.ca.gov

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF CLOSED MEETING

Thursday, November 10, 2016

1:00 to 1:30 p.m.

Teleconference

Advisory Body Members Present: Justice Douglas P. Miller (Chair); Judge Marla O. Anderson, (Vice Chair); Justice Harry E. Hull, Jr., Judges Daniel J. Buckley, Samuel K. Feng and Gary Nadler; Ms. Donna D. Melby and Mr. Richard D. Feldstein

Advisory Body Members Absent: Judges Jeffrey B. Barton and David M. Rubin

Committee Staff Present: Ms. Amber Barnett

C L O S E D S E S S I O N

Call to Order and Roll Call

The chair called the meeting to order at 1:00 p.m. and committee staff took roll call.

Item 1

Pursuant to California Rules of Court, rule 10.75 (d)(1)

Recommendation for Advisory Body Appointment

Review materials and develop recommendations to be sent to the Chief Justice regarding an out-of-cycle appointment to an advisory body.

Action: The committee reviewed the material and agreed that at this time, a recommendation will not be forwarded to the Chief Justice.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:20 p.m.

Approved by the advisory body on November 17, 2016.



JUDICIAL COUNCIL OF CALIFORNIA

TECHNOLOGY COMMITTEE

www.courts.ca.gov/jctc.htm
jctc@jud.ca.gov

JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF OPEN MEETING

October 31, 2016

12:00 - 1:00 PM

Teleconference

Advisory Body Members Present: Hon. Marsha G. Slough, Chair; Hon. Kyle S. Brodie; Hon. Ming W. Chin; David E. Gunn; Hon. Gary Nadler; Mr. Jake Chatters; Mr. Rick Feldstein; and Ms. Audra Ibarra

Advisory Body Members Absent: Hon. Daniel J. Buckley, Vice-Chair; and Ms. Debra Elaine Pole

Liaison Members Present: Hon. Sheila F. Hanson

Others Present: Mr. Mark Dusman; Mr. Zlatko Theodorovic; Ms. Virginia Sanders-Hinds; Ms. Jessica Goldstein; Ms. Lucy Fogarty; Ms. Kathy Fink; Mr. David Koon; Ms. Jamel Jones; Ms. Laura Speed; Ms. Brandy Sanborn; Ms. Bonnie Thomas; Ms. Kim Bartleson; Mr. Josh Barry; and Mr. Drew Lund

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order, took roll call, and advised no public comments were received.

Approval of Minutes

The advisory body reviewed and approved the minutes of the September 12, 2016 meeting.

DISCUSSION AND ACTION ITEMS

Item 1

Chair Report

Update: Hon. Marsh G. Slough, Chair of the Judicial Council Technology Committee (JCTC), welcomed and thanked everyone for attending. Justice Slough reviewed the agenda for the meeting, as well as provided updates on recent meetings in which she and other members represented the JCTC or reported on the JCTC activities.

Item 2

Update/Report on Information Technology Advisory Committee (ITAC)

Update: Hon. Sheila F. Hanson, Chair of ITAC, provided an update and report on the activities of the advisory committee, its subcommittees, and its workstreams.

Action: The committee discussed the activities of ITAC and received the report.

Item 3

Update on Draft Tactical Plan for Technology 2017-2018

Update: Ms. Kathy Fink reported on the process and progress for updating the Tactical Plan for Technology. This included the work to date, as well as the requested feedback on the draft Tactical Plan for 2017 - 2018, which is a part of the Judicial Council approved *Court Technology Governance and Strategic Plan*.

Action: The committee discussed the activities being done on the Tactical Plan and received the report.

Item 4

Update on Sustain Justice Edition Case Management System

Update: Mr. Richard D. Feldstein provided an update and report on the work related to the Sustain Justice Edition case management system replacement including the budget change proposal and next steps.

Action: The committee received the report.

Item 5

Update on the Placer Court Hosting Center

Update: Mr. Jake Chatters provided an update and report on the work related to the Placer Court Hosting Center (PCHC) project, a consortium project supported by branch-level funding. Once complete, the PCHC will host six courts that previously received hosting services from the Judicial Council via the California Court Technology Center (CCTC).

Action: The committee received the report.

Item 6

Request for Funding for Information Technology Infrastructure for Humboldt and Madera Superior Courts for Eventual Elimination of Subsidies from Trial Court Trust Fund (TCTF) and Improvement and Modernization Fund (IMF) for the Interim Case Management System (ICMS or Sustain Justice Edition) and Managed Court Program (Hosting)

Update: Ms. Kim Bartleson, Court Executive Officer for Humboldt Superior Court, and Ms. Bonnie Thomas, Court Executive Officer for Madera Superior Court, presented information on the courts request for one-time funding for the two courts (Humboldt and Madera) designated for local hosting when the other six Sustain Justice Edition courts migrate to Placer Superior Court for hosting. The Humboldt request was for funding during the current fiscal year, FY 2016/2017, and the Madera request was for FY 2017/18. The funding will enable these two remaining courts to migrate away from the technology center.

Action: The committee received the report, discussed the information, and requested that the courts review and update their financial requests for consistency prior to submitting to the Trial Court Budget Advisory Committee. The committee unanimously voted to recommend approval of the one-time funding requests for the Humboldt and Madera Superior Courts to move from the CCTC to a new hosting solution, consistent with prior action by the Judicial Council in June 2016. The local courts should make use of their existing 2% automation funding towards this project to the extent possible.

A D J O U R N M E N T

There being no further business, the meeting was adjourned.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION
AND LIAISON COMMITTEE

www.courts.ca.gov/pclc.htm

pclc@jud.ca.gov

POLICY COORDINATION AND LIAISON COMMITTEE MINUTES OF OPEN MEETING WITH CLOSED SESSION

October 27, 2016

10:30 a.m. - 12:00 p.m.

Superior Court of California, County of San Diego

Hall of Justice, Room 363

330 West Broadway, 3rd Floor

San Diego, CA 92101

Advisory Body Hon. Kenneth K. So, Chair; Hon. Brian J. Back; Hon. Samuel K. Feng;
Members Present: Hon. Scott M. Gordon; Hon. Harry E. Hull, Jr.; Hon. Dean T. Stout; Ms. Kimberly Flener; Mr. Patrick M. Kelly; and, Ms. Donna Melby.

Advisory Body Hon. Gary Nadler, Vice-Chair
Members Absent:

Others Present: **Judicial Council Members:** Hon. Douglas P. Miller and Hon. C. Todd Bottke;
Judicial Council Staff: Ms. Jody Patel; Ms. Kimberly DaSilva, Ms. Diana Glick, Ms. Eve Hershcopf, Ms. Tara Lundstrom, Mr. Douglas C. Miller, Mr. Patrick O'Donnell, Ms. Adrienne Toomey, and Ms. Josely Yangco-Frona; **Committee Staff:** Mr. Cory Jasperson, Ms. Laura Speed, Mr. Daniel Pone, Ms. Sharon Reilly, Ms. Andi Liebenbaum, Mr. Alan Herzfeld, Ms. Monica LeBlond, and Ms. Yvette Casillas-Sarcos.

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:33 a.m., and committee staff took roll call. No written comments were received.

CONSENT ACTION ITEM

Item 1

- a) **Judicial Council Legislative Policy Summary: 2016 (Action Required)**
Sets forth concise council policy guidelines regarding court-related legislative proposals.
Action: Approved for submission to the Judicial Council.
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DISCUSSION AND ACTION ITEMS

Item 1

PROPOSALS FOR JUDICIAL COUNCIL-SPONSORED LEGISLATION

- a) **Applying the Electronic Filing and Service Provisions of Civil Procedure section 1010.6(a) and (b) to Criminal Actions (Action Required)**
Provides express authority for permissive electronic filing and service in criminal proceedings by adding a statute to the Penal Code applying the electronic filing and service provisions of the Code of Civil Procedure section 1010.6 to criminal actions.
Action: Recommend Judicial Council sponsorship.
- b) **Authorize Electronic Delivery of Notices of Hearing in Proceedings under the Probate Code**
Authorizes the delivery of notices and other papers in uncontested or not-yet-contested proceedings under the Probate Code to persons by electronic means if the persons to receive notice have consented to electronic notice in the proceeding before the court and have provided electronic addresses.
Action: Recommend Judicial Council sponsorship.
- c) **Court Records Destruction Reporting**
Eliminates the requirement that superior courts must report destroyed court records to the Judicial Council.
Action: Recommend Judicial Council sponsorship.
- d) **Criminal Procedure: Multiple County Sentencing**
Promotes uniformity and clarifies judicial sentencing authority when imposing concurrent or consecutive judgements under Penal Code section 1170(h) implicating multiple counties.
Action: Recommend Judicial Council sponsorship be deferred.

e) **Criminal Procedure: Transfer Back To Receiving Court for Limited Purpose after Intercounty Transfer**

Authorizes a receiving court to transfer a case of a person on probation or mandatory supervision back to the transferring court for a limited purpose when needed to best suit the needs of the court, the litigation at issue, or the parties.

Action: Recommend Judicial Council sponsorship.

f) **Electronic Filing, Service, and Signatures**

Authorizes electronic signatures, promotes consistency in the requirements for electronic filing and service, codifies various provisions in the trial court rules, and clarifies the application of Code of Civil Procedure section 1010.6 electronic service provisions in other statutes.

Action: Recommend Judicial Council sponsorship.

g) **Electronic Filing and Service in Juvenile Proceedings**

Authorizes electronic filing and electronic service in juvenile law proceedings and establishes parameters for e-business in the juvenile court.

Action: Recommend Judicial Council sponsorship.

h) **Pre-Arrestment Own Recognizance Release Under Court-Operated or Approved Pretrial Programs**

Provides courts with discretion to approve own recognizance release for arrestees with three prior failures to appear, without holding a hearing in open court, under a court-operated or court-approved pretrial program.

Action: Recommend Judicial Council sponsorship.

i) **Retention of Court Records in Gun Violence Cases**

Specifies the retention period for court records in gun violence cases. Amends Government Code section 68150(a) to remove references to the future adoption of rules of court, pursuant subdivision (c).

Action: Recommend Judicial Council sponsorship.

j) **Subordinate Judicial Officers: Court Commissioners as Magistrates**

Includes “court commissioners” a type of subordinate judicial officer within the definition of those who may serve as a “magistrate.”

Action: Recommend Judicial Council sponsorship.

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 11:04 a.m.

C L O S E D S E S S I O N

Call to Order and Roll Call

The chair called the meeting to order at 11:04 a.m.

Item 1

Approval of Minutes

The advisory body reviewed and approved the minutes of the August 24, 2016, Policy Coordination and Liaison Committee meeting.

Item 2

Pursuant to California Rules of Court 10.75(c)(1)

New Member Orientation.

Action: Informational only. No action required.

Adjourned closed session at 11:28 a.m.

Approved by the advisory body on November 17, 2016.