



Judicial Council of California

Meeting Agenda

Judicial Council

Please visit
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November 15, 2024.

Meeting materials
are available through
the hyperlinks in
this document.

Friday, November 15, 2024

8:50 AM

San Francisco

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

Session: 8:00–8:35 a.m.

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

A link to the live videostream will be available in the Meeting Information Center at the start of the open session. If the closed session adjourns late, the start time of the open session may be delayed.

Open Session Begins: 8:50 a.m.

Call to Order

10 minutes

Public Comment

10 minutes

The Judicial Council welcomes public comment on general matters of judicial administration. Written comments are encouraged in advance of the meeting for specific agenda items so council members can consider them prior to the council meeting.

For more information about meeting attendance and public comment procedures, visit:

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

Submit advance requests to speak and written comments for this meeting by 12:00 p.m. on Thursday, November 14, by email to:

judicialcouncil@jud.ca.gov

Chief Justice's Report

15 minutes

Administrative Director's Report

[24-012](#) **Administrative Director's Report**

15 minutes

CONSENT AGENDA

5 minutes

A council member may request an item be moved from the Consent Agenda to the Discussion Agenda. Please notify Josely Yangco-Fronza at 415-865-7626 at least 48 hours before the meeting.

[24-006](#) **Minutes of September 20, 2024, Judicial Council Meeting**

[24-186](#) **Allocations and Reimbursements to Trial Courts | Firearm Relinquishment Grant Program for 2024-25 Through 2025-26 (Action Required)**

Summary: The Budget Act of 2022 (Assem. Bill 178; Stats. 2022, ch. 45) appropriated \$40 million in one-time General Fund to the Judicial Council, of which \$36 million was directed for distribution to trial courts to support court-based firearm relinquishment programs. After allocations totaling \$20.1 million were made to the trial courts through fiscal year 2023-24, the Budget Act of 2024 reduced the appropriation remaining for trial courts to \$9.1 million. The Family and Juvenile Law Advisory Committee and the Trial Court Budget Advisory Committee recommend that the Judicial Council approve the allocation and distribution of \$9.1 million to six trial courts for Firearm Relinquishment Grant awards for fiscal years 2024-25 through 2025-26.

[24-174](#) **Allocations and Reimbursements to Trial Courts | Funding for Increased Transcript Rates (Action Required)**

Summary: Senate Bill 170 (Stats. 2021, ch. 240), which amended the Budget Act of 2021, included \$7 million ongoing General Fund for the Judicial Council to establish a methodology to allocate the funding to all trial courts to cover the costs associated with increased transcript rates. The Trial Court Budget Advisory Committee recommends approving a proportional allocation based on the current council-approved methodology of the ongoing \$7 million to all trial courts to cover the costs associated with increased transcript rates for fiscal year 2024-25.

[24-176](#) **Court Interpreters | Designation of Languages for Certified or Registered Status (Action Required)**

Summary: The Court Interpreters Advisory Panel recommends that the Judicial Council change the certified status designation of Armenian (Western), Japanese, and Khmer (Cambodian) to registered status because of low interpreting language usage, low testing demand, and the court interpreter testing program lacking examinations for the certified status or being unable to administer the examination owing to insufficient rater availability. Interpreters who are currently certified in California in these languages

would retain their certified status for as long as they remain in good standing with the council. Aspiring interpreters in these languages may take the existing written and oral proficiency examinations to become registered interpreters, and this will expand the pool of interpreters available to the courts.

[24-175](#)**Equal Access Fund | Distribution of Funds to the California Access to Justice Commission (Action Required)****Summary:**

The Advisory Committee on Providing Access and Fairness recommends approval of a distribution of \$250,000 to the California Access to Justice Commission for administration of a tax-advantaged student loan repayment assistance program for service providers employed by qualified legal service projects and support centers. The Judicial Council has been directed by Senate Bill 133 (Stats. 2023, ch. 34) to take this ongoing action since fiscal year 2023-24.

[24-124](#)**Judicial Branch Technology | IT Modernization Funding, Fiscal Year 2024-25 (Action Required)****Summary:**

The Budget Act of 2022 appropriated funding for judicial branch technology modernization, and the Judicial Council has directed the Technology Committee to recommend funding allocations and provide regular updates on approved allocations. The Technology Committee recommends allocating approximately \$11.5 million to trial and appellate courts for fiscal year 2024-25, as itemized in the attached summary. These allocations would support projects that align with the judicial branch's technology goals while allowing individual courts to expand their use of technology to best meet their particular business needs.

[24-074](#)**Jury Instructions | Civil Jury Instructions (release 46) (Action Required)****Summary:**

The Advisory Committee on Civil Jury Instructions recommends approval of new and revised civil jury instructions and verdict forms prepared by the committee. Among other things, these changes bring the instructions up to date with developments in the law over the previous six months. Upon Judicial Council approval, the instructions will be published in the official 2025 edition of the *Judicial Council of California Civil Jury Instructions (CACI)*.

[24-033](#)**Language Access Plan | Allocations for Signage and Technology Grant Program, Cycle 6, Fiscal Year 2024-25 (Action Required)****Summary:**

The Advisory Committee on Providing Access and Fairness and the Information Technology Advisory Committee recommend approving proposed grant awards for the Language Access Signage and Technology Grant Program of \$2.16 million to expand language access for court users. For Cycle 6 (fiscal year 2024-25), 18 courts applied for and will be awarded grants for signage and technology projects.

[24-188](#)**Rules and Forms | Protective Orders: Technical Changes to Domestic Violence Restraining Order (Action Required)****Summary:**

Judicial Council staff have noted minor errors in a domestic violence restraining order form and recommend revising the form to make nonsubstantive technical changes to improve accuracy and to avoid confusion for court users, clerks, and judicial officers.

[24-178](#)**Sargent Shriver Civil Counsel Act | Midcycle Allocation to Current Projects (Action Required)****Summary:**

The Trial Court Budget Advisory Committee recommends approving a one-time midcycle allocation of \$3.569 million from the Sargent Shriver Civil Counsel Act grant program's existing Trial Court Trust Fund reserves to current Shriver projects on a pro rata basis. The allocation will enable existing projects to increase and sustain legal representation and court services for low-income, unrepresented parties in housing, domestic violence and civil harassment restraining orders, probate conservatorships, guardianships, elder abuse, and child custody.

[24-172](#)**Trial Court Budget | 2023-24 Final Adjustments for Year-End Fund Balances (Action Required)****Summary:**

Under Government Code section 77203(b), a trial court may carry over unexpended funds in an amount not to exceed 3 percent of the court's operating budget from the prior fiscal year. The Trial Court Budget Advisory Committee recommends a final one-time allocation reduction of \$25.5 million related to the fund balance cap in 2023-24 and prior year excluded funds, which nets to \$1.5 million after adjusting for \$24 million in reductions in applicable requests for the Trial Court Trust Fund funds held on behalf of the trial courts.

[24-041](#)**Trial Courts | Trial Court Trust Fund Funds Held on Behalf of the Trial Courts for 2023-24 (Action Required)****Summary:**

The Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends approval of requests from trial courts for the 2023-24 annual submission cycle for the Trial Court Trust Fund Funds Held on Behalf of the Trial Courts program. Under the Judicial Council's approved process, a court may request that reduced allocations related to the fund balance cap be retained in the Trial Court Trust Fund for the benefit of that court.

DISCUSSION AGENDA[24-072](#)**Judicial Council Resolution | Juvenile Law: Court Adoption and Permanency Month (No Action Required)****Summary:**

On November 1, 2024, and at the request of the Family and Juvenile Law Advisory Committee, Chief Justice Patricia Guerrero proclaimed November 2024 to be Court Adoption and Permanency Month. Her proclamation by resolution recognizes the ongoing efforts of California's juvenile courts and their justice partners to provide children and families with access to fair, understandable judicial proceedings leading

to timely, well-informed, and just permanency outcomes. This report provides the Judicial Council with a copy of the 2024 resolution highlighting the importance of permanency for older youth.

Speakers: Hon. Tari L. Cody, Cochair, Family and Juvenile Law Advisory Committee
Ms. Caché Raine-Jones, Lived Experience Representative

20 minutes

[24-160](#) **Rules and Forms | Family Law: Adoption Forms
(Action Required)**

Summary: The Family and Juvenile Law Advisory Committee recommends adopting one new form and revising six forms to simplify, clarify, and provide additional guidance necessary during the adoption process for all adopting parents, and their counsel, if represented. The committee further recommends revising the adoption request form to conform to Assembly Bill 1650 (Patterson; Stats. 2023, ch.76), which requires that the petitioner inform the court, in writing, whether the petitioner has entered, or has agreed to enter, into a postadoption contact agreement.

Speakers: Hon. Tari L. Cody, Cochair, Family and Juvenile Law Advisory Committee
Ms. Abby Frost Lucha, Family Law Facilitator, Superior Court of Marin County
Ms. Kerry Doyle, Center for Families, Children & the Courts

10 minutes

[24-183](#) **Report to the Legislature | Disposition of Criminal Cases
According to Race and Ethnicity of the Defendant
(No Action Required)**

Summary: Penal Code section 1170.45 directs the Judicial Council to report annually on the statewide disposition of criminal cases according to defendants' race and ethnicity. The attached report fulfills that mandate. The data used in this report come from the Automated Criminal History System, a repository of data maintained by the California Department of Justice (DOJ). This report describes and analyzes patterns seen in criminal case dispositions of adult felony arrests by race/ethnicity and tests whether any available legal or demographic information can account for the observed patterns. The legislative reports due in 2022 and 2023 were delayed as a result of implementation of new DOJ data security requirements as well as web-based system upgrades at the Judicial Council. Accordingly, this report covers two years of data.

Speakers: Ms. Francine Byrne, Criminal Justice Services
Ms. Sal Pipert, Criminal Justice Services

10 minutes

[24-184](#) **Court Facilities | Policy for Third-Party Uses of Court Facilities
(Action Required)**

Summary: The Executive and Planning Committee recommends adopting the *Policy for Third-Party Uses of Court Facilities* developed by the Real Estate Policies Subcommittee. The purpose of the policy is to establish guidelines for the use of court

facilities by third parties including long-term occupancies, short-term events, civics education initiatives, and commercial and vendor services. Third-party uses of court facilities previously have been subject to interim policies, and the Executive and Planning Committee established the Real Estate Policies Subcommittee in part to develop a proposal for a current policy governing third parties' uses.

Speakers:

Hon. Brad R. Hill, Chair, Executive and Planning Committee
Hon. C. Todd Bottke, Chair, Real Estate Policies Subcommittee
Ms. Pella McCormick, Facilities Services

15 minutes

[24-173](#)

Judicial Council | 2025 Legislative Priorities (Action Required)

Summary:

Each year, the Judicial Council adopts legislative priorities to further key council objectives in the upcoming legislative year. The Legislation Committee recommends that the Judicial Council consider an approach similar to last year's for the 2025 legislative year: continued stable and reliable funding to address increased costs, continued advancement of remote access to the courts while balancing due process, funding for judgeships statewide and judicial officers in counties with the greatest need, availability of verbatim records of court proceedings, and operational efficiencies in the courts. The Legislation Committee also recommends expanding legislative priorities to include increased security to safeguard personnel, the public, and court systems from physical, online, and cyber threats.

Speakers:

Hon. Stacy E. Boulware Eurie, Chair, Legislation Committee
Mr. Cory T. Jaspersen, Governmental Affairs

15 minutes

[24-038](#)

Judicial Council--Sponsored Legislation | Juror and Prospective Juror Oaths Using Plain Language (Action Required)

Summary:

The Court Executives Advisory Committee and its Jury Administration and Management Subcommittee recommend the Judicial Council sponsor legislation to amend Code of Civil Procedure section 232 to use plain language for the juror and prospective juror oaths (i.e., the perjury acknowledgment and agreement) provided therein. Using plain language will improve comprehension by jurors and prospective jurors and will align with other plain-language jury instructions used by the California judicial branch. If the Judicial Council sponsors this legislation, it could become effective as early as January 1, 2026.

Speakers:

Mr. Darrel E. Parker, Chair, Court Executives Advisory Committee Jury Administration and Management Subcommittee
Mr. Stephen Michael Tow, Business Management Services

10 minutes

**24-187 Presentation of the 2024 Distinguished Service Awards
(No Report. No Action Required.)**

Summary: The Distinguished Service Award honors individuals and organizations who, through their unwavering commitment and dedication to fair and equal access to justice, continue to advance the strategic goals of the Judicial Council for the betterment of California's judicial branch.

Speakers: Hon. Brad R. Hill, Chair, Executive and Planning Committee
30 minutes

INFORMATION AGENDA (NO ACTION REQUIRED)**[24-040](#) Court Facilities | Lease-Revenue Bond Issuance, Fall 2023 and Spring 2024**

Summary: The Administrative Director presents this report on actions taken in connection with lease-revenue bonds issued by the State Public Works Board in fall 2023 and spring 2024 for the financing of court facilities projects as authorized and directed by the Judicial Council. New lease-revenue bonds were issued for three capital-outlay projects, existing bonds were refunded for one project, and interim loans were issued for five projects in construction.

[24-179](#) Judicial Branch Education | Final Report on the 2022-2024 Education Plan

Summary: The Judicial Council's Center for Judicial Education and Research (CJER) Advisory Committee has completed the delivery of its *2022-2024 Education Plan* for the judicial branch. The development and delivery of education for the judicial branch as contained in the *2022-2024 Education Plan* successfully ensured that all individuals serving in the judicial branch had the opportunity to receive the education they need to achieve high standards of professionalism, ethics, and performance for the benefit of the public they serve.

[24-182](#) Judicial Council Update | Trial Court Screening Equipment Replacement for Fiscal Year 2023-24

Summary: Each year the Administrative Director approves the list of entrance screening equipment to be replaced 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 2023-24 using that funding.

[24-039](#) **Report to the Legislature | 2023-24 Allocations and Reimbursements to the Trial Courts**

Summary: Under Government Code section 77202.5(a), the Judicial Council is required to report annually to the Senate Committees on Budget and Fiscal Review and Judiciary, and the Assembly Committees on Budget and Judiciary on allocations and reimbursements to the trial courts. On or before September 30, 2024, Judicial Council staff submitted *2023-24 Allocations and Reimbursements to the Trial Courts*.

[24-169](#) **Report to the Legislature | Contracts for the Trial Courts for the Fiscal Year Ended June 30, 2024**

Summary: Section 19209 of the Public Contract Code and the *Judicial Branch Contracting Manual* require that the Judicial Council submit a report annually to the Joint Legislative Budget Committee and the State Auditor to provide information related to contracts and payments from the trial courts to all vendors and contractors. The report includes a list of vendors and contractors as required by section 19209(b) and identifies the amounts of payments to the contractors and vendors, the types of services and goods provided, and the trial courts with which the contractors and vendors contracted to provide those goods and services. The report summary also includes a list of all amended contracts as required by section 19209(c), including any changes to the contract value, types of services or goods, or contract. For the latest reporting period, the Judicial Council reports 26,347 payments representing \$709.07 million for trial courts. As mandated, Judicial Council staff submitted this report by September 30, 2024.

[24-181](#) **Report to the Legislature | Measures to Promote Fair and Efficient Administration of Justice**

Summary: The attached report, *Standards and Measures That Promote the Fair and Efficient Administration of Justice*, reports on judicial branch progress in the following areas: (1) provision of equal access to courts and respectful treatment for all court participants; (2) case processing, including the efficient use of judicial resources; and (3) general court administration. The report relies on performance data obtained from the courts.

[24-177](#) **Report to the Legislature | Report on the Firearms Relinquishment Grant Program for 2023-24**

Summary: As required by the Budget Act of 2022 (Assem. Bill 178; Stats. 2022, ch. 45), by October 1 of each year, beginning in 2023 and ending in 2025, the Judicial Council must provide a report to the Joint Legislative Budget Committee related to the court-based firearm relinquishment program. The attached report for fiscal year 2023-24 describes how funding has been allocated, how the funding has or will be used by each court, the structure of the program at each court, the roles and responsibilities of the court and its contractors, any implementation challenges or other challenges faced, and key data outcomes for each court.

[24-141](#)**Trial Courts | Annual Investment Report for Fiscal Year 2023-24****Summary:**

This annual investment report covers the period from July 1, 2023, through June 30, 2024, 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 the Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004.

Judicial Council Internal Committee Reports[24-017](#)**Written Reports****Appointment Orders**[24-042](#)**Appointment Orders since the last business meeting.****Adjournment**