



Judicial Council of California

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

Meeting Agenda

Judicial Council

*Open to the Public Unless Indicated as Closed
(Cal. Rules of Court, rule 10.6(a))*

Friday, March 24, 2017

8:30 AM

San Francisco

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

Session 8:30–9:15 a.m.

Transitional Break 9:15–9:25 a.m.

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

Session 9:25 a.m.–1:10 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.

Please see our public comment procedures.

- 1) Submit advance requests to speak by 4:00 p.m., Tuesday, March 21.
- 2) Submit written comments for this meeting by 1:00 p.m. on Wednesday, March 22.

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

E-mail: judicialcouncil@jud.ca.gov

Postal mail or delivery in person:

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455 Golden Gate Avenue

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Attention: Donna Ignacio

Approval of Minutes*5 minutes*

[17-041](#) **Minutes of the January 19, 2017, Judicial Council meeting.**

Chief Justice's Report*10 minutes***Administrative Director's Report***10 minutes*

[17-042](#) **Administrative Director's Report**

Judicial Council Committee Presentations*40 minutes*

[17-043](#) **Judicial Council Committee Reports**

Summary: Executive and Planning Committee
Hon. Douglas P. Miller, Chair
Policy Coordination and Liaison Committee
Hon. Kenneth K. So, Chair
Rules and Projects Committee
Hon. Harry E. Hull, Jr., Chair
Judicial Council Technology Committee
Hon. Marsha G. Slough, Chair
Judicial Branch Budget Committee
Hon. David M. Rubin, Chair

Judicial Council Members' Liaison Reports*30 minutes*

[17-044](#) **Judicial Council Members' Liaison Reports**

Summary: Judicial Council Members report on their visits to the Superior Courts of California.

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 415-865-7640 at least 48 hours before the meeting.

[17-048](#) **Judicial Council Report to the Legislature: Trial Court Interpreters Program Expenditure Report for Fiscal Year 2015-2016 (Action Required)**

Summary: The Judicial Council's Court Interpreters Program, Court Operations Services,

recommends approving the annual report on trial court interpreter expenditures for submission to the Legislature and the Department of Finance. This report is required by the Budget Act of 2015.

[17-051](#)**Court Facilities: Exchange of Equity in Imperial Court Facilities (Action Required)****Summary:**

The Facilities Policies Working Group recommends authorizing and approving the permanent disposition to Imperial County of state equity in two small, permanently closed court facilities in El Centro, California, to (1) resolve a dispute connected with the courthouse transfer process, (2) eliminate the Judicial Council's continuing liability in holding permanently closed court facilities, and (3) realize the value of these assets in fair market value (FMV) dispositions. The two court facilities—the Juvenile Court and the Jail Court—were permanently closed by the Superior Court of California, County of Imperial, in 2013, and are unsuitable to the judicial branch's needs. The superior court fully supports the transfer of these closed court facilities to Imperial County.

[17-052](#)**Judicial Branch Education: Report to the Legislature on Compliance With Welfare and Institutions Code Section 304.7 (Action Required)****Summary:**

The Judicial Council's Center for Judicial Education and Research recommends that the council review and approve the attached report, to be submitted to the Legislature, on compliance by judges, commissioners, and referees with the education requirements of Welfare and Institutions Code section 304.7. Section 304.7(c) requires the council to submit the report annually.

[17-053](#)**Jury Instructions: Additions and Revisions to Criminal Jury Instructions (Action Required)****Summary:**

The Advisory Committee on Criminal Jury Instructions recommends approval of the proposed revisions and additions to the *Judicial Council of California Criminal Jury Instructions (CALCRIM)*. These changes will keep CALCRIM current with statutory and case authority.

[17-055](#)**Appellate Procedure: Expedited Review of Certain Orders Denying Motions to Compel Arbitration (Action Required)****Summary:**

Recent legislation requires the Court of Appeal to issue its decision in cases involving the review of certain orders denying motions to compel arbitration no later than 100 days after the notice of appeal is filed. The legislation also requires the Judicial Council to adopt rules to implement this requirement and to establish a shortened notice of appeal period in these cases. The rules proposed by the Appellate Advisory Committee in this report are intended to fulfill this legislative obligation.

[17-056](#)**Rules and Forms: Miscellaneous Technical Changes (Action Required)****Summary:**

Various Judicial Council advisory committees, members of the public, and Judicial Council staff have identified errors in the California Rules of Court and

Judicial Council forms resulting from typographical errors, and changes resulting from legislation and previous rule amendments and form revisions. Judicial Council staff recommends making the necessary corrections to avoid confusing court users, clerks, and judicial officers.

[17-057](#)

Civil Practice and Procedure: Adjustment of Maximum Amount of Imputed Liability of Parent or Guardian for Tort of a Minor (Action Required)

Summary:

Judicial Council staff recommends that the Judicial Council amend Appendix B of the California Rules of Court to reflect the biannual adjustments to the dollar amounts of the maximum amount of liability of parents or guardians to be imputed for the torts of a minor under Civil Code section 1714.1 and direct that staff publish the adjusted amounts.

[17-059](#)

Child Support: Midyear Funding Reallocation for Fiscal Year 2016-2017 and Base Funding Allocation for Fiscal Year 2017-2018 for the Child Support Commissioner and Family Law Facilitator Program (Action Required)

Summary:

The Family and Juvenile Law Advisory Committee recommends approving the reallocation of funding for the Child Support Commissioner and Family Law Facilitator Program for the remainder of fiscal year (FY) 2016-2017 and the allocation of funding for this same program for FY 2017-2018, as required by Assembly Bill 1058 (Stats. 1996, ch. 957). The funds are provided through a cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council. At midyear, under an established procedure described in the standard agreement with each superior court, the Judicial Council redistributes to courts with a documented need for additional funds any available funds from courts that are projected not to spend their full grants that year, up to the amount of funds available through the contract with DCSS. The courts are also offered an option to use local court funds up to an approved amount to draw down, or qualify for, federal matching funds.

[17-061](#)

Trial Courts: Children's Waiting Room Policy (Action Required)

Summary:

The Judicial Council revised its *Children's Waiting Room (CWR) Distribution and Fund Balance Policy* on June 26, 2015, placing a cap on the amount of fund balance that courts can accumulate. Courts with fund balances that exceed the cap are required to return the amount above the cap to the Trial Court Trust Fund (TCTF) by the end of the fiscal year, unless the council approves a court's request for a cap adjustment. The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Council approve revisions to the policy to extend the review and adjustment of CWR fund balances from an annual to a biennial schedule.

[17-065](#)

Family Law: Technical Changes to Summary Dissolution Forms (Action Required)

Summary:

The Family and Juvenile Law Advisory Committee recommends technical

revisions to two family law summary dissolution forms. The technical changes are mandated by Family Code section 2400 to reflect an increase in the cost of living based on changes to the California Consumer Price Index.

[17-066](#)

Court Facilities: Transfer of San Diego County Courthouse and Old Jail, and Related Equity Exchange (Action Required)

Summary:

The Facilities Policies Working Group recommends that the Judicial Council authorize and approve the transfer to San Diego County of all of the state's equity interest in and title to the San Diego County Courthouse, adjacent Old Jail, and the land on which those buildings sit in exchange for the county's release of the Judicial Council and state from the existing obligation to demolish and remove those two facilities and such other considerations as the council and county may agree. The working group further recommends authorizing and approving the transfer to San Diego County of all of the state's equity interest in the Ramona Branch Building in Ramona, California, and a portion of the state's equity interest in the Meadow Lark Juvenile Court complex in exchange for San Diego County's transfer to the state of a portion of the county's equity interest in the South Bay Regional Center in Chula Vista, California.

Break 11:30–11:45 a.m.

DISCUSSION AGENDA

[17-040](#)

Judicial Branch: Court Innovations Grant Program Award Recommendations (Action Required)

Summary:

After reviewing 118 grant applications from 42 trial and appellate courts that participated in the Court Innovations Grant Program, the Judicial Branch Budget Committee recommends awarding 53 grants totaling \$23.5 million to 29 courts involving 39 jurisdictions. These grants will fund exciting advancements testing new approaches for making courts more accessible, easier to use, less costly, and better able to facilitate positive outcomes. In accordance with category limitations contained in the Budget Act of 2016, \$11.3 million will be allocated to collaborative court programs; \$7.5 million to self-help, family and juvenile court programs; \$4.7 million to other efficiencies across all types of court programs, and \$625,000 to the Judicial Council for grant program administration. Additionally, three to four percent of the funding in each category will be retained as a contingency for unforeseen costs courts encounter over the three-year grant period. The grant period begins June 1, 2017, and ends June 30, 2020.

Speakers:

Hon. David M. Rubin, Chair, Judicial Branch Budget Committee
Hon. James M. Humes, Vice-chair, Judicial Branch Budget Committee

45 minutes

[17-050](#)

Judicial Branch Administration: Tactical Plan for Technology, 2017-2018 (Action Required)

Summary: The Tactical Plan Update Workstream of the Information Technology Advisory Committee recommends adopting the updated *Tactical Plan for Technology, 2017-2018*. The updated plan is the result of analysis of branch business drivers, evaluation of existing initiatives, incorporation of new initiatives, and subsequent refinement following circulation for branch and public comment.

Speakers: Hon. Sheila F. Hanson, Chair, Information Technology Advisory Committee
Hon. Terence L. Bruiniers, Executive Sponsor, Tactical Plan Update Workstream
Mr. Robert Oyung, Information Technology

25 minutes

[17-062](#) **Immigration Resources Workgroup: California Courts Connecting Immigrants to Immigration Resources (There are no materials for this item. No action required.)**

Summary: The Immigration Resources Workgroup will present the Judicial Council with the results of its effort to connect immigrants with immigration resources. Its work includes an Immigrant Resource Directory, a modified webpage in the California Courts self-help website that provides general informational resources on immigration issues and a *Frequently Asked Questions* document.

Speakers: Hon. Dalila Corral Lyons, Co-chair, Immigration Resources Workgroup
Hon. Samuel K. Feng, Co-chair, Immigration Resources Workgroup
Ms. Tara Lundstrom, Criminal Justice Services

15 minutes

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

[17-047](#) **Trial Courts: Quarterly Investment Report for Fourth Quarter of 2016**

Summary: This *Trial Courts: Quarterly Investment Report for Fourth Quarter of 2016* covers the period of October 1, 2016, through December 31, 2016, 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.

[17-058](#) **Court Facilities: Trial Court Facility Modification Quarterly Activity Report for Quarter 2 of Fiscal Year 2016-2017**

Summary: The Trial Court Facility Modification Advisory Committee (TCFMAC) has completed its facility modification funding for the second quarter of fiscal year 2016-2017. In compliance with the *Trial Court Facility Modifications Policy*, the advisory body is submitting its *Trial Court Facility Modification Quarterly Activity Report: Quarter 2, Fiscal Year 2016-2017* as information for the council. This report summarizes the activities of the TCFMAC from October 1, 2016, to December 31, 2016.

Circulating Orders[17-045](#)**Circulating Orders since the last business meeting.****Summary:**

Judicial Branch Semiannual Contract Reporting Requirement: Executed Contracts and Vendor Payments, July 1 through December 31, 2016 (C0-17-01)

Budget: Update to Fiscal Year 2017-2018 Budget Proposal for the Judicial Council (C0-17-02)

Judicial Council Forms: Technical Changes to Reflect Federal Poverty Guidelines (C0-17-03)

Appointment Orders[17-046](#)**Appointment Orders since the last business meeting.****Adjournment (approx. 1:10 p.m.)**