



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.

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

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Friday, March 2, 2018

9:00 AM

San Francisco

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

Session 9:00 – 9:30 a.m.

Transitional Break 9:30 – 9:40 a.m.

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

Session 9:40 a.m. – 12:30 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 at:

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

- 1) Submit advance requests to speak by 4:00 p.m., Wednesday, February 28.
- 2) Submit written comments for this meeting by 1:00 p.m. on Thursday, March 1.

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: Donna Ignacio

Approval of Minutes

[18-042](#)

Approval of Minutes

Summary:

Minutes of the January 12, 2018, Judicial Council meeting.

Chief Justice's Report

10 minutes

Administrative Director's Report

[18-043](#)

Administrative Director's Report

Summary:

Administrative Director's Report

10 minutes

Judicial Council Committee Presentations

[18-044](#)

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

30 minutes

Judicial Council Members' Liaison Reports

[18-046](#)

Judicial Council Members' Liaison Reports

Summary:

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

20 minutes

Break 11:20 – 11:35 a.m.

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.

[18-047](#)

Child Support: Midyear Funding Reallocation for Fiscal Year 2017-18 and Base Funding Allocation for Fiscal Year 2018-19 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) 2017-18 and the allocation of funding for this same program for FY 2018-19, 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.

[18-054](#)

Jury Instructions: Additions and Revisions to Criminal Jury Instructions (CALCRIM) (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.

[18-062](#)

Rules and Forms: Miscellaneous Technical Amendments (Action Required)

Summary:

Various members of the judicial branch, 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 recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

[18-063](#)**Forms: Technical Changes to Judicial Council Forms to Reflect Federal Poverty Guidelines (Action Required)****Summary:**

Judicial Council staff recommends the revision of four Judicial Council forms containing figures based on the federal poverty guidelines to reflect the changes in those guidelines recently published by the federal government.

DISCUSSION AGENDA[18-052](#)**Judicial Branch Operations: Disaster Recovery Framework Guide (Action Required)****Summary:**

The Information Technology Advisory Committee (ITAC) Disaster Recovery Framework Workstream team, with approval from the Judicial Council Technology Committee, recommends approving the proposed disaster recovery plan to help any judicial branch entity (JBE) that chooses to use it with the various processes necessary to plan and implement a disaster recovery strategy at a desired pace.

Speakers:

Hon. Sheila F. Hanson, Chair, Information Technology Advisory Committee
20 minutes

[18-053](#)**Judicial Branch Operations: Next-Generation Hosting Framework Guide (Action Required)****Summary:**

The Information Technology Advisory Committee (ITAC) Next-Generation Hosting Strategy Workstream recommends the approval of its proposed *Next-Generation Hosting Framework Guide* and associated documents. The framework was developed following an assessment of courts' current practices regarding their hosting solutions, considerations and requirements in selecting new solutions, and envisioned strategies for next-generation hosting. It is intended to provide guidance to court leadership with technology planning as they move toward their strategic goals and objectives.

Speakers:

Hon. Sheila F. Hanson, Chair, Information Technology Advisory Committee
20 minutes

[18-061](#)**Trial Court Allocations: Fund Balances Held on Behalf of the Trial Courts (Action Required)****Summary:**

The Judicial Council provides a process by which trial courts can request that Trial Court Trust Fund (TCTF) reduced allocations related to the 1 percent fund balance cap be retained in the TCTF as restricted fund balance for the benefit of those courts. The Trial Court Budget Advisory Committee (TCBAC) recommends approving revisions to the process to allow previously approved and now amended requests to be approved by TCBAC's Fiscal Planning Subcommittee (FPS) and require that subcommittee to provide informational reports to the Judicial Council on the amended requests it approves.

Speakers:

Mr. Zlatko Theodorovic, Budget Services

15 minutes

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

[18-048](#)

Trial Courts: Quarterly Investment Report for Fourth Quarter of 2017

Summary:

This *Trial Courts: Quarterly Investment Report for Fourth Quarter of 2017* covers the period of October 1, 2017, through December 31, 2017, 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.

[18-049](#)

Judicial Council Report to the Legislature: California's Access to Visitation Grant Program (Federal Fiscal Years 2016-17 and 2017-18)

Summary:

The Family and Juvenile Law Advisory Committee presents the *California's Access to Visitation Grant Program (Federal Fiscal Years 2016-17 and 2017-18): 2018 Report to the Legislature*. The report provides information on the programs funded for federal fiscal years 2016-17 and 2017-18 under California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents. This report to the Legislature must be submitted on even-numbered years, as required by Family Code section 3204(d). The report contains no formal recommendations.

[18-050](#)

Judicial Council Report to the Legislature: 2016-17 Fee Revenues and Expenditures for Court Reporter Services in Superior Court Civil Proceedings

Summary:

Government Code section 68086(f) requires that the Judicial Council annually report to the Joint Legislative Budget Committee information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2), and 68086.1, and expenditures on court reporter services in superior court civil proceedings statewide. To comply with the statute, the Judicial Council staff submitted to the Joint Legislative Budget Committee on February 1, 2018, the *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for 2016-17*.

[18-056](#)

Judicial Council Report to the Legislature: Judicial Branch Courthouse Construction Program Update for 2016-17

Summary:

Government Code section 70371.8 requires the Judicial Council to report annually to the Joint Legislative Budget Committee and the chairs of the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget on the status of the Judicial Branch courthouse construction program. The *Status Update of Judicial Branch Courthouse Construction Program for Fiscal Year 2016-17* satisfies the requirement of this mandate (see Attachment A). The report includes information on

the status of each project established by the State Public Works Board under section 70371.7 and an accounting of the revenues generated and expenditures made in the Immediate and Critical Needs Account.

[18-057](#)**Court Facilities: Trial Court Facility Modifications Report for Quarters 1 and 2 of Fiscal Year 2017-18****Summary:**

The Trial Court Facility Modification Advisory Committee has completed allocating trial court facility modification funding for the first and second quarters of fiscal year 2017-18 and submits this report for informational purposes.

[18-058](#)**Judicial Council Report to the Legislature: Compliance With Welfare and Institutions Code Section 304.7****Summary:**

The attached report, submitted to the Legislature as required annually by Welfare and Institutions Code section 304.7(c), concerns compliance by judges, commissioners, and referees with the education requirements of Welfare and Institutions Code section 304.7. The information provided in this report was gathered by staff of the Judicial Council's Center for Judicial Education and Research from a response form completed by the courts in December 2017.

[18-059](#)**Judicial Branch Semiannual Contract Reporting Requirement: Executed Contracts and Vendor Payments for the Period of July 1 through December 31, 2017****Summary:**

Public Contract Code section 19209 and the *Judicial Branch Contracting Manual* require that the Judicial Council submit a report semiannually to the Joint Legislative Budget Committee and the State Auditor listing (1) all vendors or contractors receiving payments from any judicial branch entity and their associated distinct contracts; and (2) for every vendor or contractor receiving more than one payment, the amount of the payment, type of good or service provided, and judicial branch entity receiving the good or service. Therefore, the Judicial Council staff submitted this 13th semiannual report on February 1, 2018, which listed all judicial branch entity contracts that were amended during the reporting period covering July 1 through December 31, 2017.

[18-064](#)**Judicial Branch: Quarterly Report on the Judicial Council's Court Innovations Grant Program, Fiscal Year 2017-18, Quarter 2****Summary:**

This report summarizes activities of the Judicial Council's Court Innovations Grant Program during the second quarter of fiscal year 2017-18.

There were no Circulating Orders since the last business meeting.

Appointment Orders since the last business meeting.

[18-065](#) Appointment orders since last business meeting.

Adjournment (approx. 12:30 p.m.)