

The Judicial Council of California is the constitutionally created policymaking body of the California courts. The council meets at least six times a year for business meetings that are open to the public and audiocast live via the California Courts website. What follows is a formatted and unedited transcript of the last meeting. The official record of each meeting, the meeting minutes, are usually approved by the council at the next business meeting. Much more information about this meeting, the work of the Judicial Council, and the role of the state court system is available on the California Courts website at www.courts.ca.gov.

>>The meeting will begin shortly.

>>Good morning. This is the Judicial Council of California, public business meeting for Friday, July 28. The meeting is in session and this is the second day of the two day business meeting. I believe that the councilmembers Justice Doug Miller are joining us by telephone. Are you there?

>>But yes. I am here.

>>Good morning. We are also joined again by the majority of our newly appointed councilmembers in the audience. Welcome. Thank you for coming back a second day. I believe our first order of business is general public comment. So Judge Anderson, I turn that over to you as our executive and planning internal committee vice chair.

>>Good morning and thank you. This is the time and the agenda. An opportunity for members of the public to provide comments on aspects of judicial administration. The Judicial Council welcomes public comment and the process enables members of the public to express their ideas and state their concerns on policy matters. There are two opportunities for public comment. The first is general comments on issues relating to judicial administration. They are comments about matters that specifically are on the agenda -- generate policy -- general policy concerns. The second is involving policy on the particular item in the agenda and it will be heard at the time that we get close to the specific parts of the agenda. Before we began, hearing from members of the public, I would like to highlight a few important features of the public comment process for those unfamiliar with the Judicial Council. The Council is a policymaking body for the judicial branch of California. The Council addresses issues of statewide importance, such as developing the budget for the judicial branch and the court seeking funding for administrative staffing and achieving court efficiencies and savings and adopting rules and forms to enhance access to the courts. From the agenda, today, you can see that some of the items are on the agenda and we invite comments at that time on those matters. I want to remind you that the Council is not an adjudicatory body. The Council, unlike the court, does not make decisions involving individual cases and it does not become involved with it or does it ever intervene in these cases. That is outside the scope of the Council authority and responsibility so therefore today the public comment process, the Judicial Council does not receive comments and suggestions about individual cases nor staff authorized to distribute materials related to any individual case and please keep this in mind if you are presented comments today. The time allotted for each

speaker since we have seven speakers this morning is three minutes. What you will hear -- I will let you know when to begin. You will have the three minutes and I will remind you at one minute and I will also remind you at 30 seconds. What I would like to happen is that we will have a speaker come up to the podium. I will call the second name. That can stand behind the podium area, waiting to speak. The first speaker this morning is this Jaclyn Keira. If you could go ahead and step forward and behind her, we also have Mrs. Catherine Campbell. Those two will be speaking and as Ms. Keira comes for, I will remind each person that is about the administration of justice comments and you will have three minutes. I will remind you at one minute and I will remind you again at 30 seconds. Good warning. Welcome. We welcome the public comments.

>>Good morning good morning Chief Justice and Justice members. Thank you for the opportunity to speak today. I am here today to represent the many children of the state of California whose voices have not been heard in our family court system. What we have seen is a pervasive pattern of media evaluators hired by and paid \$30,000-\$50,000 by an abusive parent that claim a child has been coached by a mother when they report abuse. Some judges are excluding all evidence and witness testimony of this abuse and then they accuse the mother of a parental alienation. With no proof. That results in a subsequent loss of custody for the mother in many of the cases. You can imagine how hard it is for a victim of abuse to overcome their fear of a -- to report the abuser. Imagine the trauma for a little child that voices abuse to a court appointed stranger only to be disbelieved and then ripped from their safe parent and placed in the full custody of a known perpetrator. I urge this council to schedule time on the agenda to address the misuse of parental alienation and the harm that is inflicting upon children. I also represent the protective mothers of Solano County and would like to notify the Council that a recall of one of the Solano County Family Court judges has been launched. It is currently underway. This recall is supported by several Solano County organizations and there are already hundreds of victims that have come forward and just the one week since it has been launched. One of the reasons for this recall is the pattern of children being ripped from safe, loving mothers and giving to documented abusers. Women are prohibited for calling the police for protection for domestic violence -- violence incidents. Women and domestic violence shelters are being forced to disclose their addresses in open court in front of their perpetrators. Mental assessments are being made without any supportive evidence. That is by the particular judge.

>>One minute.

>>Children are being taken from their beds without any warning from others -- without any notice to the mother or the children. You can imagine the trauma for children who are being robbed of the safe mother, with no -- there is no history of mental illness, drug abuse, alcohol addiction, and not even traffic tickets. We would like to thank you for your work. At this council. For keeping the children of California safe. We would like to urge you to please schedule an agenda item to further investigate this matter. Thank you.

>>Thank you. Our next speaker is Miss Catherine Campbell with Mister Brandon Woods after that. Good morning.

>>Good morning. Chief Justice and councilmembers, thank you for your time today. I would like to speak to you today about just a couple of issues. First, regarding the technology update, and secondly, the cost of dismissing child abuse. Honorable Slough, I appreciate the work that is being done -- with shared and online data. My concern is public records for cases which in many -- houses scanned are not available online. There is a login for records to be accessed but -- they are unable to view the documents online. They have to go to the courthouse. Once they are at the courthouse, even though there is a new system where you collect a number, you are forced, sometimes to wait one, two, hours to view a file. This would be able to view at home and if it is public record, we should be able to see those. I would appreciate if we can move to that point. Yesterday we heard a lot of data regarding the Sargent Shriver civil counsel act. We heard hard facts of women who received counsel who otherwise would have not when they are separated spouse would have representation. This data showed more cases being resolved and less being refiled for change of custody. This saved time and money for all parties and left parties feeling positive. Currently and Family Court in California and across the country, we have child abuse being dismissed, protective parents continue to go back to court to ask for protection for their named abuser as the child is forced to live with. The feeling of negative impact on families. We are not sure why our family courts are still protecting the abusers. We have data that shows 30 percent savings per case in the Shriver data. With abuse cases, the cost is skyrocketing and it was about 100 percent of whatever the protective parent has in assets. That averages about \$100,000 for the family, just to protect a child when you think that the agencies are going to do this for you. One benefit of the Shriver study showed that there was better information in the courts to enable a better outcome.

>>One minute.

>>Just like our problem with this CJ. Not holding court performing judges accountable, the courts are relying on many evaluators who create biased and false reports to courts while charging thousands of dollars. While it is not the Council responsibility to oversee the Board of psychology, you need to be aware that these evaluators are helping to create a \$50 billion divorce industry and they are in your courts -- they are supplying courts, judges, with information that is creating bad outcomes.

>>30 seconds.

>>We actually need to move forward, just as the Shriver study showed that we can actually move to a point where we accept that abuse happens in families. We do not dismiss this. We actually protect our children. Our future. We save money for California. We allow people to use money to send their kids to college, instead of -- trying to protect them. Thank you.

>>Thank you.

>>>Our next speaker is Mister Brandon Woods, with Mister Mitchell Smith, next. Good morning. Welcome.

>>>Good morning, Supreme Court justice and members of the Council. My name is Brandon Woods and I am the public defender of Alameda County and the acting president of the Association. A little background about me, very quick. I have been the public defender for Alameda County County for five years. I am the first African-American appointed to this position. I have been with the public defendants office for 20 years and I have dedicated my entire life to this work. I went to USF law school with the goal of becoming public defender. Specifically what brings me here today is that the presiding judge is of Alameda County, unilateral decision, to hold North County in custody arrangements at the East County Hall of Justice. What that means, practically, is that clients whose cases originate in Oakland, the busiest city with regard to crime -- Piedmont, Alameda, Albany, and Emeryville, will have their in custody arrangements 30 miles away from the courthouse in which they usually occur in. This decision is regressive. It denies access to justice. It goes against the movement towards -- pretrial release. It will cost more money, resulting in more people spending more time in custody. It is to earn opposition from a wide variety of stakeholders, including the Senators -- the Oakland mayor. Almost every single member of the Oakland city Council has written a letter in opposition to this move. It is to elevate the ACLU and a bunch of other organizations. We have gathered 28 groups who have shown their opposition. This decision creates an unusual and necessary hardship on thousands of families that would not be able to travel to the first arraignment. It is expensive. It cost nine dollars in Bart. If Bard drops you a mile away, you have to take a bus to the courthouse. Normally, you go about 10, 15 minutes, car right, to Oakland and now you have got to drive an hour, almost double.

>>>One minute.

>>>So we, as defense attorneys, of course, rely heavily on information that families provide to us when they come to court. We can no longer access that information. This decision removes justice from the community in which it occurs. The new courthouse became fully operational on July 17. It has been a disaster. Some statistics that I can give you which are very quick and -- the first six days of operation, there were 279 people arrange. 135 people were arraigned without counsel.

>>>30 seconds.

>>>What has happened is we have taken four lanes of traffic and put them into one lane. The court building cannot accommodate the business which is required -- it is required to do right now. 39 people who came to court in those six days have their cases continued for arraignment without even seeing the judge. 4:30 PM came and the court was done. And the case was in the next day.

>>Your time is up. If you had one last comment or whatever -- go ahead. A few seconds. You can go ahead.

>>This decision is not cost-effective. It has denied individuals access to justice and remove justice. In my 20 year career, I have not seen a decision that has such a wide, detrimental impact on criminal justice. I respect the Council they smacked as a regular agenda item or to have it referred to the appropriate advisory committee. Thank you.

>>Thank you. Our next speaker is Mister Mitchell Smith and after Mister Mitchell Smith is Mrs. Connie Valentine. You have three minutes on issues of general public administration.

>>Chief Justice. Judicial Council. Members of the staff. It is an honor to serve beneath you on this glorious day. You may refer to me as Mitchell Smith, third-party, intervenor, and I am here to assist all parties enclosing all contracts and bona fide claims against me. I view my children as my property. I want my property back. I have honored judges for 30 years. My inner core comes from Honorable Eric do temple of two Ohlone -- of the county. My background is early childhood development. I trained for six years in the practice of Montessori school. I rose to the position equal to the director of the assistant director of the school. I have trained thousands of parents, teachers, --

>>One minute.

>>And children. I have been alienated from three separate generations of my children. Judges cannot even come up with false allegations so the only thing that they could come up with in 30 years to alienate every child that I have put on this earth --

>>30 seconds --

>>Is that I told Taylor to get right with God and start -- stop torturing my children. My home was raided by a strikeforce team from Homeland security, where I was arrested and given a five-year sentence for this.

>>Your concluding comments. I will give you 30 seconds for that.

>>I honor you, Chief Justice, but I do not think the crowd is going to share my same opinion.

>>Thank you. And our next speaker is Mrs. Connie Valentine with Mrs. Kathleen Russell after Mrs. Valentine.

>>Thank you, Madam chair, and members of the Judicial Council. My name is Connie Valentine from California protective parents Association. We are deeply grateful to the counsel for having this in-depth study of the Sargent Shriver pilot projects. It is particularly the custody pilots. As you know our research of 399 cases show that 98 percent of the parents who lost

custody to an abuser were not represented. There abuser was represented by counsel. The research confirmed what we had suspected that there are cost savings to be had when both parties are represented. The process go smoother. The court calendar is not impacted as badly. There are no unnecessary continuances. We urge the council to consider further research as recommended I the researcher into the disposition of those custody cases, if they were good or not. We would hope that those children have been placed in safe homes. This would further the requirements of family code 1850 be which requires a constant -- -- custody disposition survey which I do not believe is going on at this time. It would greatly benefit the children of California. Thank you very much.

>>Thank you. Our next speaker is Kathleen Russell. After Kathleen Russell, there is a Garcia.

>>Good morning, Madam chair, mumbles -- members of the Council. I would like to welcome the new incoming members of the Council. My name is Kathleen Russell. I am the executive director for the Center of judicial excellence. I wanted to take a moment of your time today and many of you have probably seen the headlines of the tragic murder of a five-year-old in South Pasadena. This mother went to the court and sought protection and was denied that protection. I wanted to share some of her words with you. My heart is shattered, and I will miss my son immensely each and every second of every day for the rest of my life. He was everything good in my life. The beacon of light, that guided my path as his mama. That beacon is now extinguished forever. When he died, a part of me died along with him. Let's take just a short moment of silence to remember this child and many others who are perishing because the courts are not protecting them.

>>[Silence]

>>Our organization has tracked 584 children in this country who have been murdered by a parent as a result of going to custody, visitation, child support or other related hearings. Many of these are preventable homicides. If the courts were operating properly -- if they were evaluating evidence and not being infected with junk science and -- believe me -- we understand Family Court is not your favorite court to rotate into, and it is a very stressful assignment for judges. We understand that it is the last place that you want to be.

>>One minute.

>>These judges in Family Court need to be better trained in child abuse and domestic violence. The FCC, which is some of you may belong to, is complicit in pushing this junk science, which basically says that whenever child abuse is raised, it is a fabrication. That is how little kids like him are losing their lives.

>>30 seconds.

>>Thank you.

>>>We will be at the upcoming hearing between the CJB and the state auditor. That really shows how the judges in this state continue to operate above the law. You stalled the state auditor from doing what the Legislature unanimously asked that there be an audit of the CHP so here we are, one year later, and it still has not happened. I know that you are not the CJB. CJ P needs to be accountable to the people.

>>>Concluding comment.

>>>Thank you very much.

>>>We have Garcia Lyons and behind that is collude summer. Good morning.

>>>Good morning to all of you. In the matters of public policy, I am a certified public accountant. I have worked for Deloitte & Touche and I am also a California early childhood director. From everything that I have heard, that has touch to be tremendously. -- Touched me tremendously. In the matters of public policy, there is a homestead declaration. I am here to demand all of you, please, put a stay on for -- foreclosures. Those options are property are stemming from mers documents, a database, from Robo signers. I personally have a Robo cider document. My property was fraudulently conveyed title without me signing anything for the fraudulent attorney to sell my property. In the experience of early childhood, I have seen children that sleep in their cars. Right now, in Palo Alto, there is a line of trailers where people sleep, children sleep, and personally, I have had the experience to go out to the car and to give them oatmeal. I cannot afford anything else. I am in -- I will sustain financial hardship because of the abused discretion of some judges. There is bias and prejudice and my appeal -- in one of my appeals, I submitted the grant deed and unconsciously -- unconscionably, the judge admitted that evidence. I had to file a notice -- a motion -- and order -- asking the judge with these words -- don't hold any more bias and prejudice against me. I own the deed to my house. Thank you.

>>>Thank you.

>>>Our next speaker is Mrs. Sala. After Mrs. Allah, there is Jeff Perry.

>>>That afternoon. Good morning, everyone. My name is Mrs. Allah and I'm from Berkeley, California, and I'm calling action on behalf of of JV 160075, the case of -- and I am the maternal mother. On January 21 of 2016, my son was detained from me in the courthouse, based on erroneous false allegations that he was at risk for severe abuse based on the notion of mental illness. I have had two years to follow my case plan -- almost 2 years. I have done everything asked of me. I have been marginalized. I have been discriminated against. I am a Muslim Palestinian single mother. The judges of Contra Costa County have decided to use my husband, which I am separated from, as an ally against me. He has no desire to be with his child. I have met every one of my case plans -- my case plan requirements. The exception of

what they are bringing against me is that they do not believe my attitude has changed and one of the case plan requirements was that I treat others with respect and that is a very, very biased and unmeasurable intervention from any judge to be placed on me. I believe that there is a lack of family Reeve -- reunification services and the state money is being put into the wrong place. I have never abused my child. I am currently --

>>One minute --

>>Pregnant -- in my third trimester with his sibling. They have already threatened to take this child from the hospital based on similar allegations. Even the doctors expert testimony witnesses have all said that I am a fit mother and I have never put my son at risk for harm or neglect and I believe it is in the best interest of my child they

>>To be with his maternal mother and family. I have a good home, a good background, a good family and a good education and a means of supporting my child and I feel that discretion should be placed to return my child to his home. He turns three and four days and he has been away from me for almost 2 years. He has a permanency hearing set for --

>>A concluding comment on general administration.

>>A concluding comment is the family is the best place for the child and love is love is love is love and love is important and he belongs with me.

>>Thank you so very much.

>>Thank you.

>>Our next speaker and final speaker is Mr. Jeff Perry, again, on issues of public administration.

>>Thank you. My name is Jeff. And I am with brothers and fathers. I would like to testify today that personally I have gone through the family court system and I have been appalled at how little the truth actually matters in those proceedings. It has absolutely 02 do -- to do with the outcome. Finance has a lot. As a -- justice is absolutely for sale in our court systems. If you have the money to hire the attorneys and not just attorneys but the right attorneys they

>>The nepotism will get you anything that you want, regardless of almost anything. For a lot of the cases, the severe abuse and a father in Sacramento recently lost an appeal and part of the appeal -- the appellate decision in the third District Court of Appeals was that inconsistent statements do not affect the evidence. And the testimony. In the court case. I do not understand how it is humanly possible for justice without the truth. You have to have the truth to have justice. We do not have the truth and the Council brought it up. The junk science is being used and it is out of pure laziness that we have not addressed this issue, further defined certain

things, defined what is in the best interest of the child. It is such an arbitrary term. Nobody can answer that question. What is in the best interest of the child? You know? We leave all of this stuff up to the discretion of the judges. One judge will order completely different than another judge in a similar situation and --

>>One minute.

>>It just leaves a bad standard on the table. There is too much discretion in Family Court. It needs to be more defined, like every other court system. In civil court -- in criminal court, a crime of a certain nature gets a certain punishment. It carries a certain penalty. There is nothing like that in Family Court. You can lose everything over the smallest of things.

>>30 seconds.

>>I would be happy to provide my court transcript. I am still waiting on it from my last trial. I lost legal custody of my kids and the judge Matthew Gary said that because I went to the law library and I researched provisions within my case, and it is people like me who have to research things to deaf that are the problem and why things have to keep coming back to court and that is not the reason that things keep coming back to court.

>>Concluding comment.

>>Things keep coming back to court because we are ignoring the facts. We are ignoring parents pleas for help. We are ignoring when there is false allegations.

>>Your time is up.

>>We are not taking action to prevent that from happening in the future. We can do better than what we are doing. I think you.

>>Thank you. Chief, that concludes public comment.

>>Thank you, Judge Anderson. On our agenda next, we have the approval of the minutes for our May 18 and 19 meeting. After you have had a chance to reacquaint yourself with those minutes, I will entertain a motion to approve. Thank you Mrs. Ibarra. Seconded by Judge Rubin. All in favor of approving the minutes from the past meeting, --

>>[Vote Being Called]

>>Any opposed? Any abstentions? The minutes are approved. Thank you. Next is my regular report to counsel, summarizing my engagements of outreach on behalf of counsel and court since our last meeting. Let me start by saying that, while today we are considering budget allocations for the current fiscal year that we are now and -- our budget and legislative

advocacy is, as many of you know, because you are involved in and -- a year-long discussion, dialogue, process. During this reporting period, I spoke with a Senator pro tem daily on, Senator Herzberg, Senator Hannah-Beth Jackson, and the assembly members Bob, Garcia, and Weber about interest this may issues of interest pertaining to budget and policy and pertaining to funding and pertaining to need. I had a number of interactions with the fourth estate. I attended the California newspaper pub -- Association oppressed Summit where I had a lively Q&A session with the president, Bill Johnson. We discussed matters of importance on their mind, under -- underfunded court, self represented litigants and the need for Civic learning and engagement for children and adults to combat the school to prison pipeline and the impact of fake newsprint at the Sacramento press club, Damm Arena moderated another lively Q&A session where we discussed the need for dependency counsel funding and court funding in general, as well as my stance on immigration issues in the state. The event also included scholarships for the next generation of journalists. I did interviews with the New York Times and the Wall Street Journal and some of the same topics. I am grateful to the fourth estate for knowing our issues and being interested in our issues and writing about our issues but a Southwestern Law school hosted their 102nd commencement. I returned to deliver the address to graduates for the second time. I know that Justice Chin has given that address many times as well. The students contribute over 10,000 hours of pro bono legal services annually. They are committed to racial diversity and public law externships. Betty try her Barry who graduate from southwestern -- I see some of you smiling -- in 1915, went on to become the first woman to serve as a public defender pick at the American Jewish committee they

>>At that award, I delivered a keynote on the importance of the third branch of government to our constitutional democracy. Joe was honored with the award and Nancy O'Malley and the justice were recognized for their contributions and contributions. I also had the honor of attending the Ninth Circuit judicial conference and participated in the circuit judge business meeting where we discussed, for one hour, a number of issues of common interest, including civic education, Havey's proceedings, certification of questions from the Ninth Circuit to the California Supreme Court and shared Civic Center safety issues in San Francisco. The national Association of women judges held their midyear meeting in Los Angeles and I met with their board members. I am pleased to say that California judiciary really represents in that organization -- they are represented with the judge -- she served as president. The judge and Nina Santos of Contra Costa as the district director and judge Tamara of San Diego serving as their treasurer. I participated in a number of Bar Association related events. The Asian-Pacific Bar Association of Sacramento law Association was an event. He focused on his stunning work in the car about two case with the focus on empowering the community and educating the public through law. The Beverly Hills Bar Association 63rd annual Supreme Court luncheon with the bench officers, attorneys, law school deans and law school scholarship recipients -- in San Jose, recently, I attended the national Asian Pacific American Bar Association, Western regional conference, where I discussed the branch and my choices of career with my former laws will classmate. The benefits of Civic learning and engagement were clear at a planning meeting at the power of democracy steering committee with an increased state and federal judicial officer membership and a focus on opportunities for judicial branch involvement at the

local and state level. A civic education was the theme at the statewide level at the foundation for justice and democracy board meeting. Equally important, at the local level with the judge Laurie Earl Civics Academy at California State University. In San Diego, I had the pleasure of participating with many of you and presiding judge Barton and the judges, court leaders, and staff, a number who are here today in the local community with leaders and the dedication of the county's single largest capital construction project in new San Diego central courthouse. The project is impressive. It consolidates operations. It addresses, most importantly, seismic issues, and delivers an improved court appearance to the people of San Diego. Congratulations. Martin and I met with three groups of new judges participating in the council and -- the new judges orientation program. Hopefully many are in their ranks. We met with the Judicial Council staff in Sacramento -- Sacramento and San Francisco who have achieved milestones. They have certain Judicial Council staff for 30 years of service to the Council and the people of California. Finally, while I am on the subject of public service, the stream -- Supreme Court held oral argument in San Francisco in the month of May in two different weeks in Los Angeles in June. The June session was the lack for the Justice Chin and my dear colleague Justin -- Justice Whitaker. After 23 years on the California Supreme Court in 55 years dedicated to public service starting under Robert Kennedy in the civil rights department, at US DOJ in Washington DC. She is a great role model and mentor and friend. She will retire at the end of August and we wish her and David and her family all of the best in their new chapter. That concludes my report to the Council.

>>Next we have Martin Hoshino's regular administrative report.

>>Thank you. As is tradition, the written report is in your materials and in your packet but I want to address a couple of items extracted in the report and add some things that I would like to showcase that are not in the report. The report chronicles the activities of the advisory committees. There are 22 of them. There were groups competing to address charges and directions that you have given to them. Some of the areas that we are looking at is improving ability to pay practices so that we may effectively address fairness and proportionality issues and relative to the -- the fees on low income and vulnerable groups. We have another important group working on pretrial detention reform for which I believe that you will be hearing reports later as it concludes its work closer to the end of the year. In the area of education, more than 35 live and online education and training programs were conducted for judges and court employees on a diverse range of topics, including new judge orientation as mentioned by the chief, felony sentencing, the overuse of psychotropic medication on children in foster care, business processes, reengineering and I would like to showcase this for you as I conclude my report. Internally, over the last several months we have been increasing internally our training on diversity, sensitivity, implicit bias, and we expect more of that type of training going forward. In reality, it is the very first goal and the most important goal of the Judicial Council, which is access, fairness, and diversity. This is essentially the Judicial Council DNA. With respect to two budget, you cannot have a report, it seems, these days without talking about budget and fiscal matters. Here we are at this point in time, July, and we are closing out the fiscal 16 and 17 year and wrapping most of that up at the same time, getting ready. All of the

reports are necessary for the body deliberations for the coming fiscal year that is upon us, effective at the beginning of this particular month. In fact, the vast majority of the agenda today reflects that as you will entertain decisions related to the allocations for this year as well as the preparation of automatically now -- the budget change proposal process for the fiscal year that comes after this year. We know that the governor signed a budget. That being effective -- it is time for you to entertain these decisions. Accordingly, the focus of this meeting is heavily in that regard. I would spend more time about it but you are going to get a report from the Judge Rubin as well as Justice Humes later from their committees that operate in this respective area as well as the judge Conklin from the budget advisory committee. I will defer the more longer with the discussion of the budget that I usually do. I want to stop and acknowledge the leadership and support of Judge Conklin to this particular year and the year that has been coming. That is as well as the support that he is getting from the staff in the fiscal services area with our director Michael Theodore pitch as well as his director. I could list the team on and on but they know who they are and some of them are in the audience today. On a more pleasant note, I want to acknowledge that we were able to appoint a new director of the RCC unit. Charlie Depp who many of you know -- I am sorry about the acronym. The center for families, children, forecourts, who has been the number two Mac or the deputy for many, many years, and folks may remember that he lost -- we lost an icon in this area. Diane went on to another future for her. Charlie has been here for the last 13 years, I believe, or sell. She has dedicated her life to public service. She is a longtime public service person and she has already been integral and intimate with the operations of counsel and the program. It gives us great comfort that she is willing to step in, ready made for the position, and I think that it gives us confidence that we are not really going to lose the momentum and the progress and the status of that particular program. She is on vacation right now. She cannot be here to hear me pile it on and to thank her for doing all of this. I have done so privately. I wanted to take the opportunity to do it publicly and to make the public council members aware. I wanted to save the best for last and highlight and showcase a good and that occurs in our system. This is for the purposes of awareness. The work that is done in this particular area is warranted, and it really does make a difference in a lot of lives. This is one of the examples of the program that is spearheaded in the Council through the program that I just described with Charlie which is the center for families, children, and the courts and it is done so in partnership with the California Association of youth courts. The 12th annual Youth Court summit to place at the end of June and for many of you who already know the goal of the Youth Court is to act as a diversion program which is to help youth from actually entering the juvenile justice system in the first place. Nearly 300 youth and adults participated in this summit. It has teenagers between the ages of 12 and 17, judges, attorneys, probation officers and other law enforcement -- teachers, counselors, education, staff and community leaders through workshops and preliminary speakers. Some provide programs -- it is truancy prevention and Civics -- and best practices. A couple of highlights for the program that exemplifies the level of discussions that are occurring and taking place around the Youth Court. There is a timeless session called talking it through, the conversation between youth and police. In this session it featured panelist in an open discussion about building stronger, more positive relationships between police and young people. Police officers from the various counties and some researchers -- they are studying this relationship between -- police

and community to facilitate a dialogue in a question and answer 4. The keynote speaker was a law professor at the University of Washington and an author of Ferguson's faultlines -- the race earthquake that rocked the nation. The presentation focused on research on implicit bias, her work in Ferguson, and how Youth Court can make a difference in their communities in the face of this national burgeoning issue. More than 70 high schools in California operate Youth Court. The top case types that bring kids to the Youth Court are alcohol abuse, substance abuse, and shoplifting. They hear about 200 cases a year. Riverside hears about 150 cases a year. In Los Angeles, with 41 youth courts, they hear about 1600 cases per year. This is just to give you a sense of the dimension of it. LA Superior Court Judge -- David Wesley -- also the president of the California Association of Abuse Court, has shared evidence that suggests that less than 5 percent of offenders tried to pick in teenage court repeat their crimes. It is lower than that of those tried in -- since the first summer 12 years ago with 26 participating courts, thousands of teenagers across the state have benefited from this approach to administering justice. It is a great example and a success story to stop this particular moment -- I think that the highlight -- it makes you aware of it so I wanted to share it with you this morning. The chief and members, that would conclude my report for today.

>>Thank you. Before I call on the chairs to give reports, I wanted to highlight something that Martin said about the Judicial Council and our branch and the DNA. That is, of course, as many of you know, our first objective is always access, fairness, and diversity. Within our branch, we have a very visible dedicated people, and it is through this discussion and debate and our efforts to improve on our education and our training, to learn and to teach and ultimately to heal, that we remain committed. Thank you, Martin. Next, I will ask for the executive and planning committee -- judge Marla Anderson -- to give your report.

>>Thank you. Justice Miller is attending by telephone and asked me to provide the report on his behalf at a written report will be posted online and for the responsibilities of executive and planning, you can refer to California rule of court 10.11. The online report covers the committee's meeting activities since the last Council meeting. In recent meetings, the executive employment committee has been reviewing hundreds of nominations for Judicial Council advisory boards. One of the tasks of executive and planning committee is to recommend candidates to the Chief Justice for appointment to the Judicial Council and its advisory bodies but the Council is very much a grassroots organization. The Judicial Council relies on the knowledge and service of approximately 600 justices, judges, commissioners and referees, court professionals, attorneys and justice system partners, to volunteer and serve on the Council, internal and advisory committees task force, working groups, all with the support, resources and expertise of the Judicial Council staff. These advisory bodies keep the Council aware of the issues and concerns confronting the judicial branch, as well as appropriate solutions and responses. The Council has advisory groups looking at issues such as jury instructions, family law, collaborative justice courts, court facilities, technology and much, much more. This year we have been recruiting for 138 vacancies on 20 advisory bodies. We have reviewed more than 350 applications, keeping in mind that the chief emphasis on ensuring diversity, inexperience, gender, ethnic background angiography. We have forwarded

recommendations to the chief and the candidates will be notified in the upcoming months. Justice Miller has also asked me to announce this year's distinguished service reward recipients and this year -- they are the highest honor and a way of recognizing role models throughout the state who have excelled in providing access to justice and to furthering the strategic goals of the Judicial Council. Each year for more than 20 years the Judicial Council has honored individual judges, court administrators and justice system partners for the extraordinary service to the judicial branch. Having reviewed numerous worthy nominations, I am pleased to announce the recipients for the 2017 Judicial Council distinguished service awards. Each of these honorees has demonstrated extraordinary leadership and dedication to ensuring public access to justice in California. They have made significant contributions to the administration of justice throughout the state the nominating committee includes the five chairs of the Judicial Council internal committees as well as the chairs of the trial court presiding judges advisory committee and the court executive advisory committee. As you know, the chairs this year are Judge Burton and Chatters. The committee reviewed nominations and sent the recommended list to the Chief Justice for final selection. I am proud to report that four awards this year will go to five recipients. They are Justice Jeffrey Johnson, second district Court of Appeal, for his difficult work leading the courthouse cost reductions subcommittee which helped to reduce the cost of courthouse project and help the body prioritize courthouse construction. There is also a joint award to Santa Clara Superior Court Judge Erica you and Los Angeles Superior Court judge Mark you house for their outstanding commitment. Their effort in improving access to justice. Mr. -- the chief information officer in Los Angeles Superior Court and also formally chief information officer of the Orange County Superior Court is receiving that in both courts from his work in both courts, statewide committees, and he has helped make the justice system more efficient. Finally, Betsy, Avalos eat -- the legal services organization serving low income people and their families for over 40 years. In recent months, the organization has conducted law clinics for undocumented residents ticking help to protect their children and property in case that they are deported. We will learn more about these recipients during our awards program. That will be on September 14 in San Francisco. Thank you, chief. That concludes my report on behalf of Justice Miller.

>>Thank you, Judge Anderson. Next we will hear from Ken So, chair of the policy coordination and liaison committee.

>>Thank you. The policy committee has met four times since the May Council meeting. At the meetings the committee has taken positions on behalf of the Council in separate pieces of legislation. The committee has authorized a submission of comments to the Department of environmental services on proposed regulations. Our complete report is posted on the website. I would like to highlight a few of the bills that the PCLC has taken positions on. In addition to talking about civil procedure, and criminal law and procedure PCLC voted to talk about -- to take a position on a B 1541 dealing with the examination of prospective jurors. We have worked diligently with the author in order to fix upon language which would work for judges in picking jurors. On June 29, PCLC dealt with probate matters. We approved a staff letter, concerning an initiative that is near and dear to all of us -- all of us. It is pretrial release. As

the Council is aware, the chief has started a major initiative looking into bail and pretrial release. We have had a few concerns about Senate Bill 10. We are in negotiations with the author. We have sent out a letter, indicating that there are concerns that the Council might have with the bill that is currently in print. We have directed staff to continue to negotiate amendments to address those concerns. On July 20, PCLC devoted to support 1450, dealing with court reporter transcripts. Finally, four of our Council sponsored bills have continued to move through the legislature. One is -- what is four 1443 which deals with court records. It is on the governor's desk. One sponsored bill with just -- it has been enacted. It is 1452. It removes the references to the administrative office of the court and essentially says that phrase -- meaning the Judicial Council. The legislature has recessed for the summer break on July 21. It will return on August 21, for the final push for final action on the bills before the session concludes. That is on September 15. Thank you.

>>Thank you, Judge So. We will hear from Harry Hull on the rules and projects committee.

>>Thank you. Did morning. Good morning, ladies and gentlemen. The committee that twice and communicated on a matter by email once since the May 19 Judicial Council meeting. On June 14, we -- we recommended approval of a proposal to amend rule 10.63. The rule is for the advisory committee on audits and financial accountability for the judicial branch. This proposal circulated for public comment on a special cycle earlier this year. It is recommended for approval at today's meeting. It is item 17 -- 17-102 on the kids -- consent agenda. On July 12, they -- they met by telephone to -- options on implementing 4335 on ability to pay determinations on traffic and other infraction cases. The referral accrued and circulating that proposal. That was for comment on a special cycle. After review of the comments that we received by the advisory committee, they expect the proposal to come before the council at the November business meeting. On July 26, they met to consider 23 proposals that circulated for comment during the public comment cycle and proposals for technical amendments. They recommended approval of these proposals which will come before the council. That is at the September business meeting. Cheap, that is the RPRO report. If there are questions, I would be glad to say that.

>>Next we will hear from Justice Lau.

>>Thank you. Good morning. I will report on the activities of JCTC, Judicial Council technology committee, since I last reported and advised that we met more often than RPRO at this time -- last time and we did this time as well.

>>I have to respond to that, I suppose.

>>[Laughter]

>>I am sorry.

>>If you have a meeting, that is not how you do it.

>>[Laughter]

>>We digress. On my -- on May 20 -- on maître d' from, basement this -- on May 25, we had a successful event with more than 80 attendees representing the small courts that part -- participated. I want to thank they CPC members Rick Feldstein for helping to organize this and present at the movie despair at the meeting as well is Jake Chatters for presenting at the meeting. I would also like to shout out to Linda Marseille souls of -- for their leadership in organizing and participating. Thank you, Justice Chin, for being present there as well as Judge Brodie. Judge Buckley, and also present was the ITAC chair and vice chair, Judge Sheila Hansen, and Justice Morlan. It was an action-packed today with the working session on business challenges and priorities. There were breakout sessions on case management planning. Sharing court resources with other courts as well as IT security for the CEO perspective as well as the CIO perspective. I really genuinely appreciated the opportunity to see the courts come together and to collaborate in a day designed to help solve problems and seek solutions together. Each court, basically, left with a mini strategic plan or playbook to help them at home. In addition, on June 9, the information technology advisory committee ITAC held an in person meeting and at that meeting the disaster recovery WorkStream and next-generation hosting work streams presented their proposals and recommendations regarding the work that they have been completing. Both work streams will complete a final report to ITAC later in the year. Just another great example of the good work that the work streams are participating in and accomplishing on behalf of the branch as a whole. It shows what collaborative work can accomplish. In addition, ITAC, as you know, chief, was one of the committees that received a specific directive from you related to the futures commission's report. Specifically, the chief has directed that ITAC report on the feasibility and resources necessary for several pilot project this project. First to allow remote appearances for most non- -- and second voice to text language interpretation services at court -- for court filings, service counters, and self-help centers, and, lastly, intelligent check technology to provide self-help services. Consistent with your directive, chief, Judicial Council staff met with volunteer trial court CIOs for an all day planning session to draft a high level outline of a workplan for each of these three areas. Last week, webinars were conducted to share the work plan with branch CIOs and CEOs for their input as well. The next steps will include input and approvals, both from ITAC, as well as JCTC. On June 12 JCTC held a meeting and members received an update regarding the progress of ITAC and their work and we also received an update on the innovations grants that were related to technology as well as an update on the small court technology Summit and the upcoming full branch technology Summit that will be held next month. There was one action item at that meeting, related to amending the ITAC annual agenda. To authorize the creation of a digital evidence WorkStream. JCTC reviewed and approved the amendment of that annual agenda. On July 10, we met by teleconference and again, the committee reviewed and received updates from ITAC and its work streams. We received updates from the case management system replacement project. We received updates from that sustained justice system case management replacement project. The plaster court hosting consortium as well as the

technology Summit. We did have one action item which was related to legislative proposal to amend various codes of civil procedure related to electronic service. Additional work includes a survey that went out to the courts to gauge the interest and need in upgrading to modern case management systems, and Young spoke of that yesterday. We had 12 courts that expressed an interest in participating in that next wave of new case management systems, with the goal of assuring that all trial courts have modern case management systems, not only for the benefit of the courts of but to be able to share data -- with the courts to share data with the sister branches of government and to provide better access to the citizens that we serve. In addition, the kickoff meeting for the BCP for the next wave of case management system replacement was held on July 18. I participated in the call on that and I was impressed, again, by the good, hard work of all of the courts who were eager to roll up their sleeves and to begin the work in asking and providing the data necessary to put together a good case for the next wave of BCPs. It takes a lot of work from people who are already working a lot. We appreciate that on July 20, there was a kickoff meeting for the sustained justice courts to implement replacing their legacy case management system which was funded by this most recent BCP. Those courts included the Superior Court of Humboldt, Lake, Madera, Modoc, Plumas County, Sierra County, San Benito, Trinity, -- say it for me -- Twyla me. I stumble on the county every cycle time and I apologize to that county. For some reason, I cannot get it through my thick head Rick and I also participated in this meeting and we are really pleased with the progress that the words are making and we look forward to them as they reap the benefits of the BCP, that will allow them to modernize their case management system. We are, as mentioned yesterday, looking forward to the statewide technology Summit for the entire branch. The purpose of this summit is to bring together judicial branch stakeholders to discuss technology needs and issues. The appellate court presiding justices, appellate clerks, administrators, trial court presiding judges, CEOs, CIOs, and we cast our net probably for participation and input. As I mentioned yesterday, we have capacity of 150 people to join us and within a matter of days, we had over 140 people signed up to join us. I look forward to reporting back on the success of that summit as well. I close by thanking all of the members of JCTC on Judicial Council for your good, hard work and for the work of the courts, the local courts who were providing additional effort, time, and energy to these initiatives, and, most importantly, to staff who makes it all possible. That concludes my report.

>>Is that all?

>>[Laughter]

>>Thank you, Justice Lau. -- Justice Slough.

>>Thank you. I'm sorry. Take two. Thank you, chief, and councilmembers for the opportunity to report on activities of the budget committee sent the May meeting -- the judicial Council meeting. The branch of budget committee charge as we said before is to administer the \$10 million branch emergency fund, coordinate judicial branch proposal request that go to the State Department I -- finance and to administer the \$25 million innovation grant program and other

bad -- budget tasks assigned to the committee. As I have mentioned previously, the budget committee takes a branch wide approach to its work. That means that the committee promotes the efficient, fiscally prudent, effective and fair allocation of limited resources, reflecting our branch overall statewide interest. I hate this next sentence because every time I go after Justice Lau -- it never quite rings. The branch budget committee met twice in person since the last Judicial Council meeting in May.

>>[Laughter]

>>We work really hard and efficiently.

>>[Laughter] the the bulk of our business in those meetings concert analyzing and prioritizing the budget change proposal and since I will be reporting on those in more detail, I am not going to take time out of your day

>>The schedule in this instant on July 6 the Council also approved a circulating order delegating to the budget committee the ability to make adjustments to the court innovation grant budgets. As you recall the recommendation was made to reduce delays in implementing these important programs. There have been requests for adjustments to the grant budgets. Any such adjustments I will report back to the Council at the next scheduled quarterly report. In addition, to kind of round out the grant program progress, Council staff have been working with the trial and appellate courts received the grant awards. There have been -- there were 51 such programs already -- 45 grants have received their initial funding and the remaining programs will receive funding in the near future. Since our last meeting, we also had an opportunity to learn about issues related to information technology in the branch. What we noticed is that many BCPs dates back -- budget change proposals involve technology -- a proponent was a technology issue so I thought it would be useful for the committee to hear about branch technology initiatives and process but apparently that presentation was more memorable to us that it was to Justice Lau since she did not mention it. Justice Lau, chair of the Judicial Council of technology committee and Jamal Jones, supervisor in the Judicial Council information technology office and staff for the information technology advisory committee give a wonderful presentation regarding leveraging the partnership between budget and technology to benefit the judicial branch and also shared with us how that -- how JCTC -- judicial branch -- Judicial Council of technology committee developed its proposals that it presents to us in the process that was used. It was universally received as -- it is an outstanding program. In closing, I would like to thank the nine very hard-working committee members. They have devoted countless hours to the budget committee work. Also, we are assisted as always by incredibly talented staff of Judicial Council without whom we simply could not get the work completed. Thank you, again, for the opportunity to address the Council and that concludes my report unless there are questions.

>>Thank you, Judge Rubin. Let me say something that I know that you know but maybe for the benefit of the viewing public, the Judicial Council is a working counsel. All of the committees

are made up of Judicial Council members who in addition to keeping current on all of the issues affecting statewide administration and also participating in one of these or more of these six committees -- when it is said that the judicial branch is a grassroots organization, it truly is because the matters that the internal chairs -- the internal committees consider them. They are by and large proposals that come from the over 20 advisory committees. They are made up of subject matter experts. The appointments to the different kinds of advisory committees like probate and civil and small claims in traffic. The jury instructions. So when you think of the branch and how it operates, it operates on an army of volunteers but people who are subject matter experts who have demanding day jobs also have expertise that they really are the engines for the proposals that change and improve how we do our work. That gets a full vetting, public comment, multiple committees, before it comes up to these different six internal committees and it gets vetted further and refined before it comes to you in the nature of these 100 page volume binders that are posted for the public to review. The same is true, frankly, which leads me into the consent agenda items. These same advisory committees of multiple experts have now proposed consent items. Those are items that were recognized as needed and maybe responsive to recent legislation, requiring urgent change and that have been vetted and found to be of little controversy in terms of the change, not less important, but understood by all to be in need of change and so that is what the consent agenda items are but I know that you, like me, have read of those. They include a status report. That is on the equal access fund. A report to the legislature on the California community corrections performance incentives act and an audit report on the Superior Court of Kern County. Funding allocations. Manual revisions and rule changes. Equity interest dispositions and a counsel delegation to the administrative director. I point out that these consent agenda items take a lot of time to develop and, over time, in the three years on the Judicial Council, you will see items that grow and build off of these consent agenda items. A good example is the Sargent Shriver update that we received yesterday was something that was conceived in 2008 and 2009. It is because the branch needs data and the branch needs research before takes action. I commit to you the consent agenda and after you have had an opportunity to review those, we will entertain a motion to pass.

>>I motion.

>>Second.

>>Thank you.

>>[Vote Being Called]

>>Any opposed? Any abstentions? The consent agenda items are approved. Thank you all who worked on those. This time, we are going to take a short recess for -- we will reconvene this Mac reconvene at 10 AM and begin our action items. Thank you.

>>[The meeting is currently on a recess and will reconvene at 10:00 a.m.]

>>We are back in session and we begin with the four agenda items with the trial allocations for general court operations and specific costs. This is an action item on your agenda. We welcome the presenters, Jonathan Conklin, the chair of the Judicial Council budget industry and Mr. Zlatko Theodore Mitch. Welcome.

>>Good morning. My habit is to keep my habits brief and in the valid assumption that you are familiar with the numbers and that does not mean to imply that concern or questions are not appropriate. I would echo the comments from earlier that especially the first action item concerning the allocations for general court operations eight -- operations reflects the hard work of budget services, director and those individuals who participate every year. Those numbers come back -- consider the numbers carefully. It was not -- candidly, it was not a unanimous vote by the takeback but that unanimity, I believe, was consuming the members of the committee -- appropriately so dashed back I asked that their concerns be expressed about the overall lack of appropriate budget, but, therefore, they voted no as a voice, I would say, was my interpretation. To express their concerns about inadequate budget. Those no votes -- I hope that I am not stating inappropriately their opinions. Those no votes were not critical of the allocations themselves. They are the numbers behind the allocations if that makes any sense and with that, I will turn it over to Zlatko.

>>I have got nothing to add, Judge Conklin. Again, I think that this is the long process of the budget, and we look forward to the questions and responding if there are any. And into getting the funds to the trial court so that they can get their budgets moving.

>>Thank you.

>>Well, I know that we all understand that takeback -- it is a significant committee and it was a task force and the work was so important and the ongoing knowledge so necessary to have these distributions that it became a permanent advisory committee. It has served counsel very well to have the kinds of discussions that you referred to. It is important that we be able to fully discuss our views before it comes to counsel and with counsel knowing that it is not always unanimous and there is often reasonable, informed, disagreement. We understand that. I appreciate your bringing that to our attention. We know that you work hard on these numbers and they are the subject of great debate and expertise provided by the Judicial Council staff and those garnered by many of you who remain on TCBAC for the term of your service. There are eight recommendations in front of you to ask questions and to observe or to reconsider. I will entertain any motion or discussion at this time.

>>Moved to approve.

>>Seconded.

>>Thank you. Mrs. Ivar. Seconded by Pat Kelly. Any further comment or discussion? All in favor --

>>[Vote Being Called]

>>Any opposed? Any abstentions? The recommendations are approved. Thank you very much.

>>Thank you.

>>Our second discussion agenda item is trial court allocations, and these are revisions to WAFM, the workload-based allocation and funding methodology, the request procedures. This is an action item. And welcoming a Judge Conklin and also Zlatko and that cochair of the additional funding methodology subcommittee. Thank you.

>>Thank you, chief. My prior comments -- I would like to make those about the hard work, especially for my cochair, Rebecca Fleming. I have learned -- I do not mean disrespect to the prior PJs but the true work behind the numbers is the CEO and Mrs. Fleming reflects that. I do appreciate the wisdom and expertise that she brings to the subcommittee so before you today as described technical changes to reflect organizational changes within the WAFM adjustment request. I wanted to clarify that this is not a discussion about WAFM itself and the formula. This is a discussion about any recommendations or proposals to WAFM and how that but -- should be changed. I know that none of you want to get into the weeds about this but the Council approved it as an initial five-year rollout and I am overgeneralizing. We are now at that 50 year. This is going to be the year that the funding methodology subcommittee of TCBAC goes through the hard work which has already begun of evaluating WAFM, making appropriate changes and modifications to WAFM and coming back to council with this report. This item simply sets forth to all of those who are interested in suggesting changes to WAFM, the timetable to do that.

>>I will add, echoing the comment earlier about Judicial Council members, thoroughly reviewing the materials. Mrs. Leonard raised that the fiscal year on the attachment B should be included in item number five max so we believe that that is a necessary and appropriate so that is the only adjustment that will be reflected.

>>Could you repeat that?

>>Attachment B, page 1, there is a number 5. It indicates that January prior to the year they smack it needs to indicate prior to the fiscal year.

>>Thank you. That the -- it is the italicized portion. Justice Chin.

>>Judge Conklin, you mentioned the five-year review and that you are starting it now. When does it come back to counsel -- council?

>>Ultimately it will come back into June or July?

>>The process and the changes to WAFM would no later than March meeting and earlier to the extent possible depending on the scope and the depth of the review and the work and the questions of the funding subcommittee. Again, we hope that we can do this quickly because the longer that the trial courts know about the methodology, and the changes around the numbers, the better they are able to prepare the budgets in the subsequent fiscal year.

>>So the work of FMS is frontloaded so we work backwards from the date mentioned and I anticipate the majority of the work which begins next week will take place in a period of three, four, months and it will matriculate through the schedule to come to the Council as noted.

>>Thank you. Justice Humes.

>>A brief question. I see that the application form is being developed. My question is, can the counties submit requests and now? But of course.

>>Before that -- have they done that?

>>Yes. Not being on a particular form has not stopped us from reviewing those and working with those courts that have requested adjustments. Thank you.

>>Yes. Judge Buckley.

>>On the same page of attachment B, numbers 6, does that not go to the Justice Chin's question that whatever is done with WAFM will be done by the April -- March or April? At the latest?

>>Our hope is that we can come to the council sooner with -- this would be -- not massive changes to WAFM but more adjustments but what we are looking at now is we are finishing the 50 year period potentially substantial changes to the process. We would like to get those done sooner and back to the council. At this time, he had not figured the specific dates of the council meeting so we left some room because some had different schedules.

>>Thank you. And I think that the report points out how important it is to have institutional memory and history. As you mentioned, WAFM was rolled out and conceived in 2013 after a time there was demand for a different -- the allocation of it among the courts. WAFM was -- as I recall in 2012, 2013, a unanimous decision but it was capped at five years and it had built-in restrictions. Over time, we have learned that it could be improved. There were issues. There were various issues. What we called the parking lot issues. We knew that we would come to a point that we would take a hard look, and that is what it is so important to have people that have been on the ground floor and the CEOs who know how WAFM has affected the court and where it is that they need to see improvement or change or discussion. It is not only amongst courts generally but extra small, small, medium, and large and the differences that we have said that California is not a one size to fit all. This is a significant recommendation in order of

setting up the procedure. This is going to be a very consuming project. I would say. I'm glad that you are smiling.

>>[Laughter]

>>I am happy to hear that and I'm happy to see that I'm going to ask Judge Back to speak.

>>[Captioners Transitioning]

>>

We took a huge step five years ago, and part of that was brother Bridges to recognize that -- was for other judges to recognize that. I don't know to what extent we are going to

>>They do need to learn, it is multiple hours of in class training, we will be going through WAFM, core structural budget issues as it relates to the trial court's and the branch and the facilities program and we are having five into two California visits and each individual visit there will be two additional trial courts coming and meeting with the questions and field trips and make some reality to them. We see that is critical work we are doing so they can truly form an opinion. They have been somewhat neutral on the size of the WAFM pipe. They've been supportive of the distribution of it, and our focus now is you need to give us your take on the pie size which directly impacts the no votes in the relative budget and its lack of growth. This is not just education for the sake but absolutely directed to the work of the Council and the priorities that will be addressed about the need for branch funding in all aspects of our work. We are definitely laying the foundation for that.

>>Okay, I was prepared to make a motion but it's -- it looks like others would like to comment. Mr. Chatters is shaking his head in the negative. I move approval of recommendations one through four on pages one and two of the report to the Council.

>>Second.

>>Who was the second?

>>Judge Gordon second. Jake?

>>The only comment I wanted to make was to make everyone that the judicial Council and Department of finance, the sessions that are coming up, we look forward to them for the executive advisory committee be included. Thanks for those who are hosting and we appreciate the opportunity to provide the expected as well as good information. It's going to be an exciting six weeks.

>>We always include everybody. We is not budget services, we are always in constant contact.

>>Just a question, I note that the Council has members of the state legislature on it but neither of them are here today. Our members of the state legislature or their staffs on the advisory committee that you guys work with? Do they have any input or knowledge of what you are going through what we're going through to come up with these numbers to meet this plan that Judge Back was talking about?

>>We will engage the legislative staff in their educational process but given the governor's budget is the first step in the process, we need to make sure those staff at the Department of finance are prepared so when the BCPs come they have a foundation.

>>We've had many discussions of legislative analysts to be part of that plan and feeding into legislative staff come late into this year and the beginning of next calendar year.

>>They have no input or knowledge of what's going on until you go through this school?

>>The meetings that we have in terms of WAFM update our public and open meetings. Materials are posted online. We disseminate those widely and if they choose to come their input is more than welcome.

>>Do they come?

>>Not yet.

>>Not for lack of trying.

>>The advisory committee is made up exclusively of presiding judges, prior presiding judges and CEOs. There's obviously public comment and we are intentional in making sure that the materials are distributed and are available for review for those outside of the advisory committee and look forward to the restrictive -- their constructive comments.

>>So there is a motion before you. All in favor please say I.

>>And you post? Any abstentions? Thank you, we look forward to that exciting work that you are all looking forward to as well.

>>The word exciting has been used twice.

>>We could say interesting.

>>The next item is the trial court allocations. Trust funds on behalf of the trial court, -- you may proceed.

>>This Council is that with this many times and it addresses the 1 percent funds and courts that ask that funds be held on behalf of them so they can complete work most commonly related to the case management system. And the ongoing work that is needed to complete those case management systems, it takes more than a year and that's the request of the holdback.

>>Recommendations one and two in your binder.

>>I would move to approve the recommendations.

>>And thank you for the seconds. Any further discussion ? All in favor please say I. Any opposed or extensions -- abstentions? Thank you, the trust fund emotions carry.

>>Justice on the phone was that an additional vote?

>>[laughter]

>>He's very interested. We have great discussions about it here.

>>Our final discussion agenda item is -- well thank you Judge Conklin. Our final discussion item is our budget for fiscal year 18-19. You've heard them already mentioned, budget change proposals for the Supreme Court? Of a pure judicial Council judicial branch facilities program trial courts and habeas corpus research Center. We welcome the chair, justice Humes.

>>Good morning.

>>Good morning.

>>Thank you. Thank you chief and members of the Council. I'm going to take a few minutes of this, one because it is the first opportunity the branch budget committee has had to present the completed budget change proposal list of the Council about a year ago, and to take the opportunity to review with some of the members the timeline that we have and why we are coming to you now. In 90 days we start the 1920 budget change proposal and to talk about how we arrived at the list that we did.

>>For some want to start by saying -- first I want to start by saying, it was unanimous among the committee. Every single one of these proposals that came before us, we thought, was worthy of being fully funded. Every single one of them went to a critical component of how the branch operates providing access to the justice for the most vulnerable populations whether they be the poor, the elderly, the children, what have you. We are also painfully aware that there would have to be some prioritization even among these very critical proposals. That is kind of the premise of this presentation. I have the authority for the Council to develop a budget for the branch based on priorities and needs of the court. One of the ways that we create a budget or get money into the branch is through the BCP process. Just to review BCPs, who and

for new members, budget change proposals see the increase in the appropriation from the legislature and the governor's office. BCPs and every single budget entity uses them, reviewed by the Department of finance and it was do we fight yesterday but it's really today. If we use January 10 as our touch point we wind up reverse engineering the timeline that we are using in the branch approved by this Council and that was this. From October to March, advisory bodies, courts, what have you will come up with initial funding requests which are kind of a high-level concept that will ultimately become budget change proposals. They will come to the budget committee and we will be able to review them which based on our conversation at the community level and advisory bodies and interested parties seem like they should go further. The initial funding request is the initial cut if you will. Between April and June, those initial funding requests approved to go to the next level get developed into BCPs and budget change proposals -- proposals. It is during this period, because they all now come to one place. We can see which bodies need to be weighing in on a particular proposal, which advisories have not yet been consulted, which are duplicative. We get everything together into one place, an aerial view and it gives the committee an opportunity to see what the branch is thinking is important coming into the next fiscal year. It gives us an opportunity to form this into a busted -- budget change proposal list which will be the central advocacy vehicle of increased appropriations. So that's what's going on through the April to June process. Then June and July they look at the new budget change proposals but we really are starting the discussion -- the start of the discussion is last year's list. We understand sometimes it takes multiple years before it will be funded by the Department of finances. Then we put that list together and you see that in the report that we put together. You will notice in the recommendations, there is not an alternative recommendation for the list and the reason is, the committee does not have the committee to make the budget change proposal priority list, we can only make a suggestion. It's up to the Council to make a decision of what their priorities will look like. We may have some discussion about should something be broken apart are kept together? You could reorder them altogether. In any event they are presented no later than the July meeting. Depending on what the Council votes on, the BCPs will be given back to the staff. I have to take a moment to say, each one represents many hours of work by the staff to actually prep them and put supporting documentation to them and supporting statistics. It's necessary to make a reasonable judgment and to support the chief and their advocacy to the Department of finance. Then they all have to be presented to the Department of finance in four weeks to complete. 30 days goes by and we start the whole process again in October of this year. As the chief said earlier budgeting history, 24 seven 365 day a year process and sure enough as you can see, it is. So what happened this year, the BCPs came in and we had a robust response and suggestion -- suggested projects. They were all sent out to committees that we thought should have a say in how that particular BCP looks. And then as of today you have our suggestion priority list.

>>I think you will see the suggested organization come to reflect our values that need to be and -- to make sure that the most vulnerable populations have access to the court, people who have limited English access have proper access to the courts, and the courts that are branched start to move to the 21st century. There is a raft of technology projects and we really need to, as Judge back pointed out and budget services talked about, with the budget pie that we receive where

this, we've seen there's a lot of pressure on the services that we provide to the populations who need access to us. The budget change proposals as our community looked at it, we want to alleviate that pressure.

>>There are two recommendations. The first is to adopt the priority lists -- list as we delivered it to you. We think that it reflects adequately the values of this branch. We did take the opportunity, we were trying to create proposals that have the best opportunity to be set by the department of finances. We took projects that were dramatically similar in the first one having to do with operations support we put those together and we thought in a way that was most strategically advantageous. If changes want to be suggested I think the Council are to be open to that. So the top of the priority list, the second is to delegate to the administrator directive to make technical changes as necessary to BCPs. Understand that the discussion with the Department of finance is a dynamic one between the chief, Mr. Tran away and others. Budget change proposals in our view are not adequate time to come back to the committee and the Council given the short timeframe on getting a budget between January and June so we think delegating that authority to Mr. Hoshino is a good idea. Just as Humes anything you want to add?

>>Once the BCPs are completed, we use to provide those to the chair executive of planning and now we provide those to judge Rubin to make sure that they continue to be consistent with the goals and objectives as envisioned for our process.

>>We are going to loot -- loop back with the advisory bodies and those who submitted BCPs to see how the process from their perspective works. From the committee perspective we talked about a great action of of the Council to creating one form where they all come together at one time and we can look at them side-by-side and take the strengths of some, combine them with others. And we thought it was a good process. We had great support as if they are not busy enough we've added another task. I think we are all pleased with the feedback and the efforts that was made.

>>I don't see any hands raised but Judge Buckley, this is a far superior method then how we use to see and hear about BCPs. When it seemed to be a scattershot operation of strong and good intentions but we always seem to be in a hurry or a rush, thank you for organizing this and being the repository in order to be consistent. We are better prepared to answer the questions about these and we have them all in one place in case they start to compare. I can't tell you how much more say in the processes, so thank you. Judge Buckley and Judge Brodie.

>>I have to applaud the committee. It's an extremely tough task and came out very well. I threw out just a couple of suggestions. The first is with respect to number one entitled support for trial court operations, behind that there are four items. I suggested pulling 8 out separately as its own item. It is 5 percent comparable with the governor and legislators gave us two or three years ago. A face-to-face conversation with the legislator or anyone else advocating that we are asking for 5 percent increase of court operations, we can refer to WAFM but we don't

have to. There is increasing acceptance of it, a struggle to understand it, so if we keep this separate, I also think we avoid the details and explanations of BC and D. I think they are meritorious, I'm not suggesting we get rid of them but it would probably be cleaner if one is trial court operations and a description that paraphrases these three is number two. That's what I would suggest. I have two others, chief I'm happy to have this be a discussion and come back to the other two or if you want me to raise the other two now I can do as you wish.

>>Please do so.

>>A second observation is that on number five, court appointment dependency Council, this appears to be the item that ultimately was passed by the legislators and signed off by the government -- governor. I don't believe it is a new item.

>>It is a new item.

>>My thought is, speaking from courts that I know well, we desperately need trial court operations to get -- to keep up with \$22 million worth of new attorneys. I've been an outspoken advocate for dependency Council but I think, maybe it will go back to where 16 is for another item for -- the defense of counsel not to get as high. My third observation is specifically number seven in the case management system replacement. This is not a bias coming from the JC TC membership but when we consider the likelihood of success, success breeds success. The case management systems get into all of our courts, we were right there which is where this would be. Get the last courts up and running on a case management system. Positive thoughts that this will be successful -- is successful because it has a continuation, and the message that we get is other stuff that we would get in the world of technology funding is dependent on all courts in a new case management system. I would propose that I know that our facility issues are horrendous but a smaller item with a much higher production of success move number seven move number 72 what is currently 2. If I prevail into our -- in the argument that it is broken up into one and two. The system replacement would go above stabilization or right behind it.

>>Thank you chief.

>>If I may provide one bit of information in response to judge Buckley's remarks, the way the list was developed, and this is an open public meeting. We went around the room

>>Sometimes when we think the BCP has a high chance of getting through finance there's a reason we don't put it at the top of the list. -- Our priority list to our own people here at the branch that we think other things are really important. In other words, we don't think that we are going to get \$178 million given to us for trial court operations. That's very, very unlikely. We do think we may get a case management system replacement fund so part of the strategy is saying we want to tell our folks that we know support for trial court operations is really essential and critical to what we need here. That is the message we are sending. We are likely to

get the money for the IT projects so one of -- that's one of the reasons it's not at the top of the list.

>>I think when you read the actual BCPs, the need and the deprivation of the courts that have come through was an effort to reflect our values so when this job -- document shows up in Sacramento they understand how badly underfunded we are and how difficult this has been.

>>Let me also underscore what justice Humes has said. It's not like it's the first time they have seen our BCPs and it has already been alluded to, they get submitted multiple times. Sometimes there's another external factor that triggers interest in our BCPs. As justice Humes said their interest may not align with our needs. You may have seen some of this and how they have been funded in terms of transitioning things off their case management and that was not our first choice but they recognize that as an integral need. To what extent we didn't know that we emphasize that this reflects our values and what we advocate in the legislature. There may be some new folks there but they know what we ask for regulating. We fill in the blanks with all of these and hopefully a complementary budget that takes care of some of these but let me also go through the list of people who would like to speak. First, judge Brodie Jake Chatters and Justice Slough.

>>I just want to emphasize tying in with your comments earlier this morning about how the Council is a grassroots organization. It has a lot of voices in the choir if I could make some metaphors and having been in the discussion and then again on the budget committee, there are disagreements. We went through the tears and everyone was not in lockstep. Different people have different views of what the priorities of the branch are and how those are expressed in this dance that we do, how do we weigh factors like a likelihood of success? How do we view factors -- how much does the budget reflect a statement of our values?

>>There are reasonable views on all sides of these questions but this document is a product of that process. And like many, it is filled with compromises. I just wanted to emphasize having been a part of the process that that is what this document reflects. That consensus.

>>Shared values.

>>Miss Ibarra I just wanted to follow up on your comment on consistency and having J BBC help out on not only the GBP process but the grant process and be what we think of is important to all the courts. We talked about this before, when we were looking at the grant proposals there were things that we felt bad for because they were asking for things that were basic needs, and one of those things shows up. I think it speaks to -- I think it's thanks to the committee and the technology committee which is the journalizing the paper. To the courts who actually ask for grants, I think we can say we heard you. Although it may not have been an innovative grant we think it's important that it is listed in our priorities.

>>Is are excellent -- excellent points. Going to judge Buckley's point about item number one, if there is a decision to split that into two parts, I want to clarify there are two separate things being done with that. Item 1A, I hit -- I hesitate calling it an expansion but you are moving a percent level of funding which means we are able to address more of the backlog or shorten the lines of people when they are in court. It improves the percent that we are funded.

>>And then there is preventing further degradation of existing services. If we separate those, I think it is important to be advocating first that we don't want to degrade service that we already provide today which RBC and D and a is an improvement whether it's an expansion, or it may not be a new service but may not -- maybe not waiting is want to get something back. I separate those two in a definitional component. I think there is a mention of mowing -- moving something that's currently two but maybe three in the future. Addressing assessment revenue in the proposal that is here to do a revenue swap and have those funds go to the state is really intending to do a couple of things, create a more stable source of funding and to address a perception that exists related to civil assessment revenue that we are ordering a stabilization of revenue but also dealing with a perception that we are creating independent of the courts themselves.

>>One other clarification that is not listed here -- I wanted to clarify, is that a one time request of \$560 million versus ongoing?

>>Number three.

>>That's one time.

>>Thank you chief. Judge Feng.

>>I know we've had comments about the number of times that judge Rubin had with this committee, the number of times they met. I know that two times discussions may be quite dispirited. Having heard what justice Humes said, what justice Rubin said, a lot of thought has gone into the process of creating this. It reminds me of watching YouTube between the praying mantis and black widow.

>>That bad. It's bad because we are always playing around with finance. Every year. As the chief says, they see these every year. It isn't new. You aren't going to get consensus, no one is going to be 100 percent on board with anything because public comments were given, everyone has the opportunity to speak in the endless hours of work going into this proposal.

>>I am ready to move that we adopt the list as is.

>>I second that.

>>As all of you know this does not kill or in any way cut off discussions.

>>When I first saw the list as Judge Buckley stated, I also was surprised where the technology items ended up and I think I expressed that to you when I presented at your meeting and you politely asked me to describe to you how was our interaction with your committee? As I mentioned I just say what I think I told you I was disappointed. What I will also say is that discipline came from the fact that you get kind of paternal about these things. I kind of feel like this is my child. We have so many people working so hard on so many levels on the issue of technology and the little bits of money leveraged for so much good -- not my daughter it there is race but your daughter.

>>That said, I want to also add that I had a very good conversation with you justice Humes and it really helped me gain comfort and understanding as to how your list ended up. Thank you for allowing me to be blunt in the meeting the other day and allowing me to correct that today. I want to thank Justin Slough. I think what he said's -- fledgling or the initial attempt is very helpful to get that feedback from various stakeholders and committees and I would encourage active participation in the future. A better work product consensus on this particular issue of technology, I kind of adopted justice Humes approach to this and hopefully it's a great like -- likeliness that will be funded, I as well -- and somewhat paternalistic with respect to dependency counsel. This is new money was was clarified our proposal, I think it is critical and sure does affect court operations. Hopefully in a positive way much like we learned from the Sergeant. Shriver analysis yesterday. Having competent counsel in handling these cases where there are most vulnerable children and families to produce better outcomes and resolutions, less litigation and perhaps we will have a very positive effect on court operations as well as effectiveness. I would encourage keeping a court appointed dependency counsel as ranked.

>>I just want to add to Jake's comments which I agree with, the description of A in proposal 1B and expansion of services and BC and D being an effort to eliminate further degradation, while I agree with that, I think a large number of courts are still suffering from reductions because they have not seen the restoration that other courts have. I would say it is an expansion for many courts but also a restoration of services that have degraded over the years for many other courts and should be viewed in that manner. So hopefully that's both -- both sides of that coin will be communicated.

>>As far as the case management systems, I agree with Judge Buckley that while this may represent an overall value of our branch in terms of where we see priorities, there is certainly a great deal of support for replacement case management systems in the legislature, I fear the fact that it is solo may give a wrong message to our sister branches and would agree perhaps that it could be moved higher.

>>Thank you. Mr. Hoshino In the vein of being paternalistic or parochial about it, I wanted to take a moment to thank the committee itself but also the Council to address the new members of something that we talked about. You watched the Council grapple with a very difficult and complex subject for which there are multiple audiences and multiple needs. The level of need

always exceeds the level supply of what is available and it becomes very difficult and very complicated. There are always winners and losers. You will make a decision here today and take the heat for it and take the gratitude for it for the people who have their interest embedded in this. My paternalistic comment and parochial comment is that I am so glad to see this off of my desk and on yours. [This is one child I will not fight you for. I'm so grateful you have developed the process and taken the difficult choice of putting priorities together.

>>Let me say one thing, that is that this is a dialogue. Even though we rank these we have to fight tooth and nail for them which includes our best advocacy, data, and persuasive back and forth. Our priority is important to them but they have their priority and we will be in there and this is the guide. These comments are very helpful in terms of reflecting the diversity of the Council and knowing what we all need.

>>First of all, the conversation that we are having in here at the council table is exactly what happened in that room for a couple of days. We were, as you can imagine, more frank with each other, a little more spirited, and this is very polite comparatively. It did reflect the kinds of differences of opinion and values and changes that we all wanted to see so what you see is a reflection of that. It is an open meeting and you can participate in this and I think it would be an important contribution. To judge Buckley's observations, part of what we were doing and trying to figure out what is the best way to construct the BCP so that the chief and Mr. Hoshino have pieces they can work with versus having one single piece? Understanding it's a very dynamic dialogue. They have ongoing communications once or twice a year. Before I conclude, I just want to say the advisory committees are just indispensable. They took the time out to help us. The budget committee members are amazing and the staff is just incredible. This is very numbers driven whether it's innovation grants are talking about votes what have you, they are unbelievable so thank you for budget services and the support staff that we have. I am done.

>>Judge Feng.

>>This time I would like to move that we adopted as indicated by the committee.

>>I wanted to ask you, Judge Buckley I did not quite understand that you suggested the change or different modifications to the priorities if that in fact was a formal motion.

>>It was the beginning of a discussion.

>>Right now the only one is presented to you, you've heard the recommendations in front of you. All in favor please say I. Any opposition? Any abstentions?

>>Motion carries, thank you for your good work again.

>>It's recommendations I was -- I was looking at but it is the dot, the bullet. So just so you know that is the recommendations and delegate authority to make technical changes as necessary. I understood that even though they were not formally -- formally one and two.

>>Just one point, we talked about the BCP is being submitted multiple years to this administration and we are about to bus it -- a budget presentation and it really is the last substantive budget proposed by the administration. We are also supporting the sort of core principles that this branch is working under which is clear that it will continue to the next administration. I think this is a great statement for us of these continued values of multiple years, that we've stayed focused on our advocacy.

>>Thank you, well said.

>>We conclude today's meeting as a cyber we often do with a brief remembrance of our judicial colleagues who have recently passed away but still serving at the time of their passing. Presiding Paul Turner as well as Derek Woodhouse, the Superior Court of California Santa Clara County. Retired from the branch were Judge Stephen break of Alameda County, judge William Curtis, Superior Court of Monterey County, judge William Hartley, Justice John Holmdahl, Judge Eugene Huseman, Judge Joseph Johnston, Judge Richard Kirkpatrick, Judge Lucy McCabe, Judge Charles McGahan, Judge Charles McNutt, judge Beauford Phelps, Judge Armando Rodriguez, Judge Bernard Selber, Judge Thomas Stoever, Judge Zook Sutton, Judge Gary Thomas, and Judge David Walker, Superior Court of San Diego County. We honor them for their service to the courts and the cause of justice. We adjourned until our next regularly scheduled meeting, safe travels.

>>[Event concluded]