

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.

Please stand by for real-time captions.

>> The meeting will begin shortly.

>> Good morning. I invite all members to take a seat so you can begin the meeting.

>> This is the September 24, 2019 Judicial Council meeting in Sacramento. According to the agenda we plan to adjourn later this afternoon at approximately 12:15 p.m. I'm informed council member Ms. Nancy Eberhardt is joining by phone. Good morning. Are you there, Nancy ?

>> [No Audio]

>> Nancy? Are you here? Okay. That's not the end of the quote. Members of the judicial branch community will strive to understand [Indiscernible] cultural background spec the makeup of California [No Audio]

>> Please raise your right hand and repeat after me. I do solemnly swear or affirm that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies foreign and domestic. I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California that I take this obligation freely without any mental reservation or purpose of evasion. I will well and faithfully discharge the duties upon which I am about to enter. Congratulations. Thank you for your leadership. Thank you for taking on this extra responsibility. And now the five new members will be under the flag for a picture.

>> [Applause]

>> Before we proceed with public comment, I would like to also acknowledge that three other appointments have been recently made to the Judicial Council to our very important leadership roles and internal committees. I welcome Judge Marla Anderson who is chair of the Policy Coordination and Liaison Committee. Also Judge Kyle Brodie is now chair of the Technology Committee. And Justice Slough is in charge of the Executive and Planning Committee. Thank you for taking on the extra leadership role as well. Now we begin our public comment and regular agenda. I turn this over to Justice Slough.

>> We will begin the public comment section giving the public an opportunity to provide us with general public thoughts and comments. Please remember this is a time for public comment

regarding general judicial administration issues and public comment regarding specific discussion items will be called immediately before that discussion item. Please keep in mind, we are not an adjudicatory body. The Judicial Council cannot make individual decisions in particular cases. We ask that you refrain from talking about those individual specifics about a case or individuals involved in those cases. That includes witnesses, people involved in the case and the court and personnel and/or all parties. I will call your name if you are listed. Please when you hear your name come forward to the podium. You will have three minutes. On the podium there are lights that will provide you with a time frame. When you have one minute remaining, there will be a yellow light. I will call out three names. I would ask the first one to please step up to the podium. The other two stand up and be positioned fairly closely behind so we can move through the process fairly easily. The first is Thomas Coleman. If you could step forward. Followed by Lisa McCarley and followed by Lisa Kincaid.

>> My name is Thomas Coleman and I'm legal director of Spectrum Institute. I want to thank staff attorney Corby Sturgis for developing the new training requirements for court appointed attorneys and conservatorship proceedings. As members of the bench and bar, we all have a duty to make sure these trainings result in effective advocacy for seniors and people with disabilities. That is not likely to happen without high quality training programs, the adoption of performance standards and new monitoring mechanisms. There is a role for the Supreme Court and the State Bar in this implementation process. Please refer to an op-ed article from last Wednesday's edition of the Daily Journal for more details on this. Now I want to pet it to a different but related issue. ADA noncompliance by the entire judicial branch.

>> Rule 1.100 on disability accommodations and educational materials of the Judicial Council are misinforming judges of their duties under the ADA. This rule and these materials are premised on a misunderstanding that requests for accommodations must be made. The current message is, no request equals no accommodation. That is contrary to federal law. Spectrum Institute submitted a report to the Judicial Council on the subject with the request that it take immediate steps to advise judges and the public, that courts do have a duty to provide accommodations for known disabilities that interfere with effective communication or meaningful participation in a court proceeding. Even without a request. This is especially crucial in probate conservatorship proceedings where the court learns on the filing of a verified petition the person has disabilities that are so significant that the petitioner want someone to take over their entire life, and yet some courts are not even appointing an attorney to represent individuals.

>> I offer my assistance to work with your ADA coordinator and with the Fairness and Access Advisory Committee to remedy this problem. Together I think we can hopefully make the ADA accommodation system come into conformity with the goals that the Chief Justice just said out of your mission statement about access to all and fairness for all. It isn't currently happening, but it can with some adjustments. Thank you very much.

>> Thank you, sir. Next is Ms. Lisa McCarley and then next up would be Ms. Kincaid and followed by Mr. Richard Calhoun.

>> Good morning. I am an attorney and I have been appearing on behalf of families fiduciaries [No Audio]

>> It gives a hint of the dark reality of probate. A few years ago a coalition was essentially abused in Las Vegas were able to document and they discovered in a documentary regarding [Indiscernible]. I highly recommend that documentary to any person who can better understand how quickly the probate court [Indiscernible]. In the filming of the documentary a family member going to phrase the dark reality of probate court. I have a few copies to leave with you. [No Audio] during the filming of the documentary a family member coin a phrase to describe the modus operandi of the elder abusers as follows. [No Audio]

>> The autistic son of a poor Russian immigrant a man with the mental age of three or four who was routinely handcuffed, hands behind his back and feet and left naked on his backyard. This was not investigated competently in the County of Los Angeles paid the people who tortured this poor developmentally disabled man \$150,000 because the probate courts failed him. I have researched viable, cost-effective readily implemented alternatives to the current court appointed probate court system. I've submitted my proposals to our governor, my senator and I beseech you to please consider the proposals. I have them in writing. I have them here for you. Thank you. We need help in the trenches in our probate court. Thank you so much.

>> Thank you, ma'am. Next up is Ms. Linda Kincaid. Followed by Mr. Richard Calhoun.

>> I'm Linda Kincaid with the Coalition on Elderly and Disability Rights. We are the sponsors of Senate Bill 303 that protects conservatees' homes. SB303 passed through the legislature with unanimous support. The bill is now in the governor's desk. The Judicial Council opposes protections for conservators' homes. This council asked the governor to veto SB 303. I will read from legislative analysis. In 2006, the legislature passed the Omnibus Conservatorship and Guardianship Reform Act, a landmark package of bills to overhaul California's troubled conservatorship system. It had alarming deficiencies that had resulted in the abuses of California's elderly. Unfortunately the oversights were never funded and as a result are not mandated today. That bill was passed in 2006. Probate courts approved over 96 percent of conservatorship petitions. In nine years of watching conservatorship courts we have never seen a probate court follow the Probate Code. California's probate courts failed to protect Californians' civil rights. We ask this council to at least support protections for conservatees' homes.

>> Thank you, ma'am.

>> Next up is Mr. Richard Calhoun.

>> Good morning. I am Richard Calhoun to volunteer with CDR. It sounds further Coalition of Elder Independent Adult Right. If the court practices can come close to following the probate code, it would never have been four. This council's letter first approaching SB 303 and asking for a governor veto shows this council is completely out of touch with what's happening in the court system here. It's only a matter of time before we have a new documentation out called the

conservatorship. It will make the guardians in Las Vegas look like [Indiscernible] first approaching 303 and asking for a governor veto shows this council is completely out of touch with what's happening. It's only a matter of time before we have a new documentary film at. It will make the guardians in Las Vegas look like a cakewalk. CDER is requesting a no-cost court access to records. It cost a fortune to look at that you're not willing to provide. What do we find quick we found nothing but complete, utter approval of anything and everything. What am I talking about? We can go to the bank eight times in one day and bill each of those eight times. But did we really only go once and bill for 8 times the work we really perform? We can bill and get approved by the court going to the office to drop off documents 13 times in one calendar day. I am sorry, a postage stamp is a lot cheaper to the estate but that would reduce the income to the conservatorship industry.

>> Those are subjective. Let's look at global hours. I know the court works long hours. When was the last time one of your courts was open for 12.2 hours in one day? The courts I go to, two and half hours in the morning and three hours in the afternoon is about the best you can get. 12.2 hours billed in one day. Still subjective. Let's get to some real numbers. Most consultants say a bill about 75 percent of their workday to clients. Welcome to conservatorship. We bill 2050 percent of a 24 hour day. Yes, your courts are approving 60 hours of verbal time on a single calendar day that gets approved routinely in multiple counties in the state of California. You don't think we need protection? These are conservatees and vulnerable people. There's a huge problem and for your council to sit here and oppose doing something let's look at the Vehicle Code, every section has a penalty. If I violate it the Probate Code is not have a single penalty for a single section. You can limit a temporary conservatorship to 30 days but if it goes on for the lifetime of that conservatee nothing happens because there's no consequence. Wake up and start giving us our rights back. Thank you.

>> Thank you, sir. That is the end of public comment.

>> Thank you, Justice Slough.

>> Our next order of business is the review and approval of the minutes from our July 18 and 19 and August 9 single subject Judicial Council meeting. Having reviewed the minutes, I am prepared to hear a motion to approve and second.

>> So moved.

>> Thank you, Mr. Kelly.

>> Thank you. All in favor of approving both sets please say aye.

>> Aye.

>> Any noes? Any abstentions?

>> Next is the regular report summarizing the engagements and activities since our last regular meeting July 18 and 19. With the beginning of the new Supreme Court year in this month Justice Chin and I had two days of oral arguments in San Francisco. I had the pleasure of having two Judicial Council New Judges Orientation visits to my chambers. Always welcome visits to see all the new judges coming into the new assignment. Also at the Bernard E. Witkin Judicial College, the Center for Judicial Education and Research I spent time with the dean, Judge Michael [Indiscernible] and associate dean, and together we facilitated a Q&A at the college as part of my regular appearance during the luncheon at that college. There were approximately 120 new judges, commissioners, and referees joining our ranks and participating in the college. We covered a wide range of topics all pertinent to what we have been doing here at the Judicial Council including bail reform, fines and fees, and the importance of diversity, and of course always advice for our new colleagues starting out. I had the pleasure of traveling to Spokane, Washington. I joined the Ninth Circuit judicial panel leadership. It was called Law in Judges and Attorneys Taking the Lead. The conference was attended by over 1200 public servants including everyone from the Ninth Circuit judges to members of advisory lawyer committees. Also court unit executives. I was in a panel moderated by the Ninth Circuit Judge Connie Callahan. In that panel I learned interesting things from my panel members including Chief Judge Sidney Thomas of the U.S. Court of Appeals for the Ninth Circuit and Mr. James [Indiscernible] the administrative director of what they call the Administrative Office of the United States Courts, our version of this. We focused on the challenges in the federal branch as well as the state branch and justice in general. The topics included the qualities of effective leaders who are working in the industry, dealing with feedback, providing a vision, inspiration, staying on top of education, finding ways to educate and recognize unconscious bias, and the importance of outreach in civics education to the public about the work. I participated in a number of events in San Francisco at the American Bar Association's annual meeting in San Francisco. I saw many of you there. As part of the ABA Standing Committee on the American Judicial System, and the National Judicial College's ninth annual Symposium on the Independence of the Judiciary, I joined a panel with some of my colleagues from other states. The panel was titled Undermining the Courts: The Consequences for American Democracy. It appears many of the challenges in California are felt in all other 49 states and three territories, in many ways depending on scale. The panel is moderated by Manny Garcia who is the Ethics and Standards Editor for the USA Today Network, and the other panelists were Chief Justice Maureen O'Connor out of Ohio as well as Chief Justice [Indiscernible] out of Kansas. Justice Debra Stephens from the Supreme Court in Washington, Senior Court Judge James Rowe Bart and United States District Court Judge [Indiscernible] retired out of the Southern District of New York. The ABA and the Young Lawyers Division referred to as wild the honored me with the Fellows award. The YLD seek to support new attorneys given them tools to networking opportunities and resources to grow the skill sets and when they come in I noticed from the ABA in the and Young Lawyers Division they stay for 30 and 40 years and go on to populate many of the committees and leadership. They are very enthusiastic. I was glad to be able to support the ABA's efforts recognizing those who deliver volunteer services to the poor and those with unmet legal needs, a struggle we always face in California. Their pro bono awards truly are for the public good encouraging lawyers from all walks of life to give of their time to serve people in need. Once again, California was at the

forefront of leading those efforts. There was a national award for Mr. Gonzales. Many of you may know him. He's a partner at Morrison and Foerster. He worked on more than 100 pro bono cases, trial cases. He was recognized for achieving outstanding and exemplary results in civil rights cases. It's important to note as I said we need to do more, as we know well from this council more than 4 million litigants that come to the courts do not have an attorney. This shows an important subject area like 90 percent of tenants in eviction cases in California do not have a lawyer. As many of you know in your courts, the same is true for family law cases. We still have fewer than one legal aid lawyer for every 10,000 people in poverty in California. I was honored to accept the California Women Lawyers award in the conference in Sacramento. As you know, Chief Justice Bird was one of the founders back in the city trick she has had a number of firsts in her career including first female Chief Justice in California and in the Brown Administration in the 1970s, first woman to hold the cabinet position in an administration. As chair of the Dussault Council she created the Advisory Committee on Gender Bias and this was followed up by Chief Justice Lucas based on the groundbreaking work. I was pleased to provide welcoming remarks to the over 1400 attendees at the American Probation and Parole Association in the 44th annual training institute. They were interested in learning how our courts and council work with probation in California to increase access to justice given all the changes in criminal justice reform here. It was an opportunity to share with the national and international law enforcement community our efforts on pretrial programs in the California corrections performance and criminal justice realignment and collaborative restorative justice courts and the Recidivism Reduction Fund. Finally I was honored to accept the Bar Association's Judge of the Year award at the legal fusion a celebration of scholarship they recognized us in our branch for our work on behalf of people who have no voice regarding fines and fees and detention. People of color including our voice when we speak out on people who have no ability to speak for themselves.

>> It was a pleasure to see past and current colleagues attending the legal fusion program in Sacramento. Appellate and superior courts were there including the judges. That concludes my report and I turn this over for the Administrative Director's report.

>> Good morning members and attendees. I wish I could say I was doing a fraction of that between meetings but the truth is I wasn't. Let me tell you about what other people were doing since the last meeting. As is customary my written report is in your materials. I want to highlight some things in there but tell you about some things that are not in the report. The report is an inventory and chronicles the activities of the committees, subcommittees, workgroups and ad hoc groups that are formed to do the work basically to implement what are the annual agendas and priorities set by you the council but not just the council. The legislature as well as the administration will promulgate initiatives and passed laws and bills that require implementation. Currently the voters will. That will generate work that has to be done throughout the branch. It chronicles those activities of the work that bubbles up before you and forms the basis of the agenda. That is what is in the report. The last two months to do this work there were 19 advisory body meetings and 32 education and training programs that were concluded. One thing I want to highlight that we want to do on a regular basis which you may not be aware of but it's becoming more acute and important is as we engage in disaster and recovery exercises each year. In this

particular month the team and data center as well as courts and the associated vendors we work with conduct did one such annual exercise. What it is, is an exercise of about four or five days where we take the systems down and we engage the protocols we have to recover to bring the applications back up. And measure it annually year over year to see how it is that we are doing. It's an exercise because the truth is you can never prepare for what might be the depth or the duration of a particular catastrophic event. They are increasing in frequency. I'm please report that at least in this year's drill as we compare ourselves to last year one of the system showed about an eight percent improvement in recovery time. Another a whopping 52 percent increase in recovery time. I give you a caveat that you never really know what the depth and dimension will be. It's certainly I want you to be aware to be as prepared as we possibly can.

>> Shifting from something that's less visible to something in the report, to make you aware of is to give you the status report of the Ability to Pay Tool we have been working on. It's a calculator that is a pilot project that you may or may not be aware of. Some is funded from the budget but when we start the expansion it started in a grant that we received from a national organization to begin this work. It's been piloting in several reports. The traffic tool is an ability to pay tool and it's called My Citations. It's got some key features to it. One of them is that it provides users a 24/7 access to request the ability to pay determination. You heard that right. A 24/7 ability in term of access to requests. That's what we aren't usually known for. The options that the folks can request include payment reductions, payment plans, or community services and alternatives to the payment of it. The tool allows our court clerks and staff as well as the judicial officers to respond and review and to do these reduction requests in an electronic order. The courts that are currently piloting our [Indiscernible]. We expect that San Francisco and Santa Clara will come online in October and December, respectively. There are plans to add additional courts as well as we hope one day be able to expand the statewide. I want to make you aware of that. The early results are looking good depending on the barometer. Certainly if one of them is to address the problem that I will talk about the initial testing showing the average amount owed per violation was above \$700. And that 92 percent of the litigant requests were approved and the average reduction was about 50 percent or more. We know that 70 percent, north of 70 percent of the folks that asked for these reductions were on some form of public assistance and were below the California poverty line. To date the reduction for the litigants who used the system totaled about \$76,000. I will pause here for a moment on why this is important. I'm talking in terms of the tool but it's more than just a tool. Represent the policy identified nation from account and then later the state and a commitment to restoring proportionality to California's criminal fine and the penalty system which has been well documented as going too far in pushing people too far perhaps in trapping them in a state of court ordered that and leads to a destitution pipeline. It's a difficult issue that we are struggling with in the legislature in terms of revisiting the structure of the system. This is our effort if that remains difficult to solve it allows at least this body, this branch of government to start to find the mechanism to be able to restore proportionality. It also provided tooling capacity for courts and judicial officers to know they have a tool that is reliable and valid and efficient in terms of how it is they conduct their work. We are pleased with it and I'm please report that even in its early stages the tour received a best in California award from the Center for Digital Governance in the category of Best Application

Serving the Public. I want to congratulate the team and the Information Technology as well as our partner courts who have got us off to a good start.

>> Continuing on the theme of awards, I want to highlight another one. I don't usually do but this is significant to me. Bonnie Hough is receiving a series of lifetime achievement awards. I think many of you know her, she was the principal managing attorney for quite some time in the Center for Families, Children, and the Courts. She's been in this organization for 22 years. She has spent her whole life devoted to this line of work. Luckily next year she will finally be recognized for that at the annual conference of the California Lawyers Association. They will give her the Family Law Lifetime Achievement Award. In addition to that, in December she will receive another lifetime achievement award. This time it will be from the Association of Certified Family Law Specialists. It's really over three decades or more than her career but really her life that was dedicated to improving the family law system throughout California. I will get the opportunity to congratulate her in person but I want to take a moment to share that news. Lastly the consent agenda. I want to comment on this especially in terms of process the numbers. This meeting brings forward a lot of material and recommendations from what was called the supreme rule cycle. 43 of the 58 reports that are in your documents are being presented for your consideration on that consent agenda. 40 of those proposals by process to get circulated for that 60 day public comment period. A lot of comments come in it's a very open process you have comments not only from the superior courts and appellate courts but local and specialty bars. The Immigration Legal Resource Center and the Family Law Violence Center and the Department of Justice at large as well as the Bureau of Firearms and the University of California and the Irvine School of Law. There's a number of proposals recommended for you to engage. You will hear more detail when you get the report for the committee. I thought it was important to stop and highlight the lengthy process that goes through all of this before it comes to your attention and for your vote. With that, that concludes my report.

>> Thank you, Martin. Next, we have the Judicial Council committee presentation. We will hear some new voices. We will start with Justice Marsha Slough.

>> Thank you. As with Mr. Hoshino there's a brief report attached. I say brief because it's been nine whole days sitting in this new bike. Thank you for the opportunity to serve in a different capacity in a different way. I look forward to it and appreciate the chance to do so. Thank you.

>> Yesterday we had an orientation which included all new members, myself included. The new members include Justice Fujisaki, Judge Heinrich, and Ms. Nancy Eberhardt. Thank you - - I won't call them the old members but the experienced members for great dialogue and discussion and for having us oriented well. That concludes my report.

>> Thank you. Next, we will hear from Judge Marla Anderson, chair of the Policy Coordination and Liaison Committee.

>> Thank you. Thank you for the opportunity to chair the wonderful committee. Good morning, everyone. As the new trend 25 is the liaison committee I'm pleased to provide this brief

summary of the activities of the committee. As we last met I will give you a brief backdrop as outlined in the California Rules of Court rule 10.12. The committee and its policy coordination rule takes positions on behalf of the council and presents the position to the legislature on more than 50 bills. Each legislative session and monitors more than 1000 bill. In the liaison role it develops a plan for communication and interaction with other branches and levels of government and components of the judicial system and the public. The policy committee generally does not take positions on issues of substantive law but takes positions on issues of procedure and substance better so intertwined that it directly affects courts in its administration. It affects judicial discretion or negatively affects judicial services in a way that imposes unrealistic burdens on the court system. With this backdrop I give you our summary of events with the September 13th and to the first year of 2019-2020 session. A meeting scheduled for the policy committee has been quite busy since the last report to the Judicial Council they met five times taking positions on 10 separate pieces of legislation and approve submitting comments to the federal Department of the Interior, Bureau of Indian Affairs regarding the Indian Child Welfare Act legislation and also the committee took positions on bills involving criminal law and procedure and data collection of court ordered debt and civil discovery sections and root court reporting and course findings regarding probation being entered into the minutes and firearm relinquishment for persons under protective orders and areas of juvenile dependency and data reporting and validation of pretrial risk assessment tool. The deadline for the governor to sign or veto bills is October 13. The committee will meet this afternoon at 1:00 p.m. for its annual in person meeting where there will be an orientation for new policy committee members and they will also review and make recommendations for Judicial Council sponsored legislation which we will take up at the next Judicial Council meeting. Finally, I want to give a warm welcome to our new Office of Governmental Affairs supervising attorney, and lead staff to the committee. I believe she is in the audience. Also the Policy Coordination and Liaison Committee is excited to have her join the team. We know she will ably represent the Judicial Council. Secondly a warm welcome to the policy committee members. There's Judge Eric Taylor. We also have Mr. Patrick Kelly and Ms. Gretchen Nelson. We will advocate for and advance the policies and improve the consistent and independent and accessible administration of justice. That concludes my report.

>> Next, we will hear from Ms. Rachel Hill from the Rules and Projects Committee.

>> Thank you, Chief. The Rules and Projects Committee has met by telephone on August 21 to consider 43 proposals to improve the administration of justice through rules, standards, forms, and jury instructions from a different subject matter advisory committees. All of the proposal circulated for public comment during the spring comment cycle except for two technical amendment reports for which circulation is not required. It recommends approval of the proposals which are on today's consent agenda. They will meet in mid-October to consider a proposal that fulfills the recommendation made by the workgroup for the prevention of discrimination and harassment and approved by the council for a rule of court that clarifies the responsibility of courts to adopt updated policy to prohibit harassment, determination, retaliation, and inappropriate workplace conduct acted upon protective classifications. It contains definitions

and examples of prohibited contact and addresses and clarifies complaint reporting and response procedures. Now I would like to turn it over to Justice Hull to welcome the new members.

>> Thank you, Ms. Hill for the report this morning. I want to welcome and recognize the new members of the Rules and Projects Committee for 2019-20. They are in Japan Mr. Kevin Harrigan and Mr. Maxwell Pruitt, Mr. Pruitt joins us on the phone today. We're looking forward to a productive year. And welcome to the Rules and Projects Committee. I would like to thank Judge Lyons for chairing the August 21 Rules and Projects Committee meeting which again as Ms. Hill mentioned was we have two meetings a year that are especially lengthy. The spring and winter. This was one of those and Judge Lyons thank you. My wife Karen and I were on vacation. Thank you for taking over for me.

>> The other thing I want to mention this morning is for those of you who have been on the council, you know that more or less traditionally at least the [Indiscernible] report tends to talk about activities that the rules and projects committee we will change our format just a little bit and appropriate places you can make note looking forward as to what the rules and project committee is working on. Ms. Hill mentioned the work concerning the new rule and I want to mention as you recall, the workgroup about a year ago that was chaired by Justice Hill made report to the council in July and they adopted this. I will repeat what Ms. Hill said but one of those directed the rules and project committee to prepare a new rule related to the work to - - concerning the prevention of harassment and discrimination. The workgroup has met and we have already distributed late last week a preliminary draft of that rule. We initially sent it out to the trial courts in the core executive officers for their initial comment. Once we receive those comments, we will make appropriate amendments to the rule. And then send it out for public comment and I mention this only because when we anticipate under the timeline and we are able to do it and barring something unforeseen we will be able to present the rule to the council in January. So we can look forward to that process also. Chief that's the report. Thank you very much.

>> Next, we will hear from Judge Kyle Brodie.

>> Thank you. Thank you also for giving me the opportunity to be in the leadership position for such a dynamic and exciting part of the work the council does. We have mostly returning members to the Judicial Council Technology Committee. I want to acknowledge the new vice chair. He brings a valuable perspective from a smaller court and the technology needs of smaller courts are particular and sometimes hard to tackle. I am very excited to have him on board to lend that perspective. I want to thank, Justice Slough for leaving the technology committee in such great shape and for all the great work she did. The Judicial Council committee has met once. The committee received an update on various projects that the information technology advisory committee is working on. They reviewed also a grant program to distribute just over two and half million dollars for language access technology infrastructure. That is on the agenda today on the discussion portion of our agenda. We will meet this afternoon. We are going to review a proposal to distribute money to help courts start digitizing - - to continue in some cases and in other cases to start digitizing records to help transition away from the paper-based

systems. That's a big project and challenge that faces I would assume probably every core in our state. And we also have an education session will we will start talking about work in progress and how we make sure we have the resources to accomplish all we want to accomplish. More to come. As with Justice Slough I've been on the new bike for about nine days figuring out how to ride it. It's an exciting time. Thank you very much. That concludes my report.

>> Next, we will hear from Judge David Rubin.

>> Thank you. You for the opportunity to report on activities of the Judicial Branch Budget Committee since our July council meeting. For new and incoming councilmembers. The budget committee takes a branchwide approach in its work. We want to be fiscally prudent and fair allocation of limited resources reflecting the branches overall statewide interest. At the latest meeting which was yesterday we met once since the last meeting, at each meeting we have an educational session if we have time. That's pretty much every meeting. Yesterday's session was from the data analytics workstream group. The data analytics workstream is a subgroup of the information technology committee. They develop a data analytics strategy for the brand. Members of the workstream who presented to us yesterday were [Indiscernible] [Indiscernible] they gave great examples about gathering accurate and reliable data and how it's critical to the success of budget advocacy managing the operations improving management which has greater efficiency so we can stretch existing resources to do more work. We consider branch prayer is for fiscal years 2021-22 which we will be beginning next spring. We are excited for the educational sessions coming. We are trying to brace for the economic uncertain times as we are looking for for the next 12 to 24 months. I want to take this moment and we are continuing to monitor the court innovation as we enter the last lifecycle of that project. We want to welcome him the new members again it's Justice Fujisaki who is on every committee now. We are looking forward to work with you. And the new vice chair we are lucky to have. And that is Justice Ann Moorman.

>> Next, we have our members' liaison reports and I turn this over to Justice Slough.

>> Thank you. I've two reports she will report on the superior court and second will be Justice Rubin.

>> Thank you. Good morning. I have the pleasure of visiting the court on June 25 and Contra Costa is located in the East Bay. It's one of the nine Bay Area counties, so named because the county is one of nine that touches the San Francisco Bay. The court has 42 authorized positions, 38 are judges and four commissioners and one is vacant. The population is over 1 million and it has six courthouses three are located in the county seat in Martinez. The rest are spread across the county and because I am a visual person I went around to the locations to take pictures to share with you. This is the Justice Wakefield Taylor Courthouse. It houses the administrative offices and handles several probate and filings for criminals. The building across the street handles criminal trials with the public library located on the first floor. A block away is the law center which was completed in 2001 and handles all family longhouses the facilitators offices as well is the self-help center. These courthouses are situated so closely it's akin to a courthouse

campus complete with a map for visitors to see. You can literally see all three courthouses from one vantage point.

>> Next, we have the Judge George Carol courthouse which was built over 50 years ago. The entrance is in the back. It was officially given that name in 2009 to honor the fact that I learned he was the first African-American judge in 1965 in Richmond among many other firsts in that city. This smaller courthouse in Walnut Creek handles traffic in juvenile and just move there after it closed courtrooms in 2012. They moved in 2017. Finally we have this justice center which was dedicated in 2010 and was a silver LEED green building which handles criminal, civil, and traffic. I met with the 18. It was a huge of division managers CIO, CFO that was assembled by the CEO who is pictured here with the presiding judge who joined us later in the morning.

>> From a bunch of perspective course were essentially sinking. Contra Costa had to let go of staff as well as was facing a \$5 million budget deficit. In the last couple of years they were treading water. With revenues and expenditures hovering around \$56 million. In this past year they've been barely treading water. With the total budget expenses about \$59.5 million. Some of the concerns and challenges we discussed included in more detail and report are the legislative concerns of unfunded and underfunded mandates. But the latest need the court stressed and talked about was the need to continue dealing with staffing. Many years they have had no raises and had one time alternatives with essentially burnout difficulty and burning and how can we expect them to provide quality service when we can't keep up with the cost of living. All of the discretionary funds received after filling the family law court reporters after hiring them were used for personal costs. The court also continues to have maintenance issues with deferred maintenance all of which essentially rings us back to funding. Especially and they wanted to stress the need to have discretionary funds to help its employees. These are a few examples of the deferred maintenance that keeps adding up. You can see it everywhere. These photos I took were taken in the earthquake from 2014. They have general maintenance where you reach a point and you are fighting fires such as this one. When these knob and handles rope parts were no longer being manufactured the court had to invest thousands of dollars to access their files.

>> [Captioners transitioning]

>> They created a Veterans Court in August 2017 through an innovations grant and I will be touching on others in just a moment in the family law arena just this year. This is the main entrance to the Family Law Center which is welcoming and organized to help litigants. With the expanded self-help funds, they were able to purchase laptops to provide help for different locations and able to build a new children's waiting room which look like this when I was there but has since been completed. One of the courts biggest successful is in family law from the transition of recommending to non-recommending mediation which is a futures commission recommendation. It was a huge culture change but also it has been a huge success. With their agreement rate rising from less than 40% to up to 60%. I had some quotes but in the interest of time I'm going to pass on those with the exception of one from the Honorable Johnny Harrah Moto which said he was a skeptic at first but noted she has learned not only to expect agreements

but to trust parents to reach them which leads to better resorts to families and I encourage any counties considering to make that switch to contact Contra Costa. They also did want to thank the Judicial Council for the help that it has gotten and it's legal services division especially with public records requests under CRC 10 500 and I wanted to thank all of those involved in providing the information and assistance in preparation of this report. Thank you.

>> Thank you, [name unknown]. Judge Rubin?

>> Thank you, Chief and members of the council for this opportunity to report to on mine and Justice Douglas Miller's visit to the Superior Court of San Diego County. I did two visits. The first was on March 7, 2019 and the second April 29, 2019. At the first visit I was able those we were able to look -- I met the leadership team two of whom are here today we have Judge Taylor and I saw Kevin Brazil who is the presiding Judge. They will be watching over my shoulder and if I make mistakes they will help me out. Gently I'm sure. I was able to visit on my first visit the Compton Courthouse and also the Stanley Mosk Courthouse. It's the largest courthouse in the United States, over 736,000 square feet and over 100 courtrooms. The new high-rise courthouse built in San Diego comes in just over 700,000 square feet that is 22 stories and takes of a square block to give you an idea of scale. I was able to see the Clara Shortridge Foltz Criminal Justice Center which is down the street. On the second visit I was able to go to the Michael Antonovich Antelope Valley Courthouse and also the Alfred McCourtney Juvenile Justice Center. Those are both in Lancaster, California. So is a shout out to all of them out there, they were wonderful and patient and showing me around and taking time out of their day. Let's look at L.A. County. L.A. County is in the southwest portion of California. It sits on the coast. Let's take a better look. It's 4084 square miles and has 10 million Californians, about a quarter of the state's population. If it was its own state it would come in at number 11 just behind North Carolina and Georgia. It's a large operation. More by the numbers in terms of the superior court, there are 12 judicial jurisdiction, 39 courthouses scattered across the county. The strategic places and for our friends in Lancaster who don't get many visitors, there they are up there. There are 580 judicial officers, 4492 staff, 88 law enforcement agencies in Los Angeles County that work with the court and there are over 120 languages spoken within the county, all of which need interpreting. Over 1.7 million case filings every year including traffic and its budget is about \$811 million and to give you an idea of scale using the whole county is a 32 point billion-dollar operation so we are talking a different scale. The number two court in the state is San Diego, my home court. L.A. is three and a half times the size. There are three issues I want to talk about today. Aging buildings and infrastructure, deferred maintenance and in the face of these, innovations. Let's look at the aging buildings. Stanley Mosk came online in 1958, like some of us. Foltz came in in 1972 -- but I still work. [laughter] And Compton -- they are plagued with frequent elevator malfunctions, other issues and seismic concerns. We did -- Justice tilted report a couple years ago and you can see several of these L.A. buildings are actually in the top list of seismic unsafe. There are deferred maintenance issues with respect to Los Angeles. Remember with these aging buildings we are having issues with the electrical systems are not modern, the plumbing is overworked because obviously the population has grown and it's being used more and these impact the ability for the public to access justice in a concrete way which is getting into the buildings and

into the courtrooms and having safe access. There are floods, electrical outages and other challenges which gets us into the deferred maintenance piece. There are frequent water intrusion events. Elevators become nonoperational meaning people who need access to different floors have to wait until the elevators are restored including litigants, lawyers, and staff. Here are photographs. This gives you an idea of some of the dilapidated conditions. Sadly the court itself has had to take to spending its own operational funds to clean up some of this mess just so people can have everyday access to the court instead of spending that money on other ways of improving access to the court the public. This bounces against my third point, which is ominous conditions are the innovations and creativity this court has used to address the California [Indiscernible]. They've invested a great deal of work in their self-help program. As we said before, they are leaders in taking people from being in line to online. The court puts on 7000 workshop a year. This is a picture of the Compton self-help area. They do 250,000 self-help events throughout the county in terms of actual users interfacing with their system. Which leads to better inform litigants, better quality of Justice, better access for them. They also have invested in a different program to help the community. Let's talk about the star program. Success through achieving and resilience, this program started because judges were seeing that in the human trafficking form under age victims of the sex trafficking crimes were not making progress once they were put on probation. This collaborative court aims to rebuild and repair the connections of these participants with their community and with their families. As a result, 75 to 80% of them are graduating high school. This is I think amazing and the recidivism has declined a staggering 82% in terms of crimes similar to that being committed in that county. Is an amazing program. L.A. is to be congratulated on it. Los Angeles is a vast enterprise. Its ability to be innovative and community oriented while faced with budgeting and infrastructure challenges speaks to the quality of its judges and staff. That concludes my report and I'll take any questions as will Judge Taylor and Judge Brazil in the audience. Seeing none, thank you.

>> Thank you for these liaison reports they serve in important role for council to be able to hear directly from courts. It takes as many know all Judicial Council members are liaisons to different courts so that we have an open avenue of communication to here where we could endeavor to help and where we can work collectively together. I think these are very valuable and thank you for your time visiting with these reports and the cooperation of these reports. As you've heard mentioned previously, next on our agenda is the consent agenda. There are as you've heard 58 items and you have heard that like salmon upstream they have worked hard to get here through many eyes and many hands and many voices and that's how they come to Council after they have been through that process. As you can imagine, when you have judges and lawyers in subject-matter expert in each area, there are many hours of work put into each consent agenda item in front of you. You also know, I say this for the benefit of the new members, if there is anything on the consent agenda item that you would like moved to the discussion agenda it merely takes notice, 24 hour or 48 hour notice, to the council to move the agenda into the discussion agenda and I do thank all of the volunteers on our numerous advisory committees for presenting this to us today. So I would entertain any motion at this point to move the consent agenda into approve. Thank you, Justice Chin. I heard a second. Commissioner Whiteman? All in favor of approving our 58 items on the consent agenda please say aye. Any noes? Any

abstentions? We have a consensus. We have six items for your viewing today, summer action items as is the first. Our first item is number 19-068, rules and forms court interpreters, California court interpreter credential review procedures. I we invite our panelists to the table to introduce yourselves and we want to welcome back a former councilmember, Judge Brian McCabe.

>> Good morning. Thank you for the opportunity [Indiscernible - low volume] [Indiscernible-papers rustling]. I'd like to note initially that this is a labor of love, this particular procedure, and has taken literally decades to get here. It passed unanimously in the subcommittee of professional standards and asset and then it went to the full body for a vote and with the exception of one abstention unanimous. I will note that under California Rules of Court, rule 10.51, the membership involves 11 members social majority of which must be interpreters. So interpreters were not only actively involved but provided critical and important input in creating this interpreter credential review procedure and finally this matter went up the flagpole and has worked his way through legal so they could look at the framework of what is being presented. In June of 2016 the subcommittee took up the challenge directed by the language access plan and their annual agenda to do a number of things. Develop procedures to review and interpreter skill and adherence to ethical requirements allowing for appropriate remedial actions if required to ensure that certified and registered interpreters meet all qualifications standards at the credentialing level. In addition, the subcommittee also was tasked to determine if California Rules of Court, rule 2.891 which deals with the periodic review of court interpreters skills and professional conduct should be amended, repealed or remain in place. The developed recommended procedures before you are a complaint based process. Initiated through a formal complaint filed about an interpreters actions that may warrant a review that impact an interpreters credentials. And are distinct from general complaints were general performance issues that may be directed to the court and are part of the court's current personnel policies and procedures. Discipline relating to employment and disciplinary sanctions relating to certification serve different purposes. And interpreter may be disciplined or terminated from employment with a specific court for performance or conduct. At the same time the Judicial Council through the court and interpreter program has the authority to discipline and interpreter as it pertains to their credential or their license up to and including revocation of their credential. This is important to keep in mind. These procedures apply only to actions that affect licensing issues. They do not affect a court's current policies and procedures but add a needed component and that is the ability to have a mechanism in place to address actions that call into question an interpreters ability to competently fulfill their duties. The intended goal of these procedures is not to decertify interpreters. Or to terminate them. Or revoke their credentials unless necessary. It is the view that these efforts are not seen as punitive actions but identified deficiency in performance. We want interpreters to succeed. Their services are vital in making sure that limited English proficient or LEP court users get their fair day in court which in turn supports the courts ability to run their operations efficiently. Just as critical we want to recognize interpreter shortages at the court level but through coaching, education, training we can support interpreters and approve performance to ensure qualified workforce that will meet the demand that exists. It is also recognize that there are instances when an interpreter who has been terminated or have

had their contract terminated for egregious violations still retain their master list status. What does this mean? It means they are allowed to continue providing interpretation services for another court. The new procedure will address those instances where action on an interpreters credential is found to be valid and necessary. Currently the Judicial Council's court interpreters program has the authority to credential interpreters. But no mechanism to impose sanctions for actions that violate ethical codes of conduct [Indiscernible]. California has a legislative mandate and that mandate was initiated in 1992. To establish a disciplinary procedure as it relates to interpreters credential and to establish a review process and as you can tell Government code section 68 562, Judicial Council shall adopt standards and requirements for interpreter proficiency, continuing education, certification renewal and discipline. The Judicial Council adopted rule of court 2.890 formally 894.4 which was the professional conduct for interpreters in 19 99. At that time recommended the professional conduct rule be adopted to establish a basis and legal authority for interpreter discipline, sanctions and procedures. The last time a disciplinary procedure was attempted was in 2006 and at that time legal opinion concurred that Judicial Council retain the authority to discipline interpreters as it related to their certification and/or registration. And we know we have the records back to 1999 and they are quite skeletal. With the adoption of the legal access plan in 2015, and to comply with the 1992 legislative mandate, it became imperative to put procedures in place that allow for imposing disciplinary sanction on interpreters credentials. Why do we need a procedure? No discipline and evaluation procedures for interpreters currently exist at the state level. The lack of a mechanism to impose disciplinary sanctions at the credentialing level have been a long-standing source of frustration. For not only courts, but for LEP community and the majority of interpreters who preserve and maintain the integrity of their Honorable profession. There have been instances as discussed earlier of interpreters being terminated for ethical misconduct or malfeasance yet retain their master list status and continue working in other working courts. The credential review procedures reinforce the professional standards required of certified and registered interpreters and narrowly focus on those allocations that arise to the level of impacting credentials. The procedures do not change a local courts authority to impose discipline as per the court's personnel policies, collective bargaining or contractual agreements but rather supplement local court actions, actions courts already undertake. Above all having a review procedure in place promotes integrity and respect for the profession and aligns court interpreters with the majority of other professions. It ensures meaningful access to Justice and public trust and confidence in the courts. It protects the interpreters who admirably represent their profession. It protects LEP litigants and other court users. It fulfills the legislative mandate established under code section 68 562. I think I did that under five minutes. With that I'm going to hand it over to Hector.

>> Thank you, Judge McKay. I'm Hector Gonzalez and I appreciate the opportunity to share with you the experience I have as the chair of the Professional Standards and Ethics Subcommittee in getting into the weeds of how we came up with the procedure that Judge McCabe laid out. We conducted extensive research including the State Bar, nurses, doctors, psychologists and EMTs. We arrived at a final product, the subcommittee met less than no leg six weeks and engage in extensive research with all these other procedures and numerous professions including state court reporters board, the State Bar, nurses, doctors, psychologists

and EMTs. We consulted the legal staff who attended all her meetings for guidance [Indiscernible]. All interpreters concerns were heard and in fact four out of the seven subcommittee members were interpreters themselves so they were key in the development of the procedures. Every comment or question raised was addressed and if needed research further. Time was spent evaluating the different models on how to structure and execute this process. Without exception was found the complaint based process is the standard and the best practice in all state courts and professions in effect the common denominator across all entities we reviewed was that a licensed review and possible re-mediation action are initiated via a complaint. What resulted after 2 1/2 years of work is a procedure for those very few allocations that may rise to the level of impacting an interpreters credential. We expect very few of those to result in any complete revocation of a licensure. Based on the research we conducted we anticipate the most allocations will not result in suspension or revocation but can normally be handled at a local court level. We also reviewed rule 2.891 which required courts to review interpreter skills over two years. This would include not just the employee interpreters but also the independent contractors. That would be about 1850 interpreters. Since the rules inception in 1979 the courts have not been able to fulfill this directive of the existing role due to the lack of resources and linguistic expertise to communally evaluate the quality of interpreter skills. Including the accuracy of the interpretation. Instead what most performance reviews assess is whether the interpreter complied with the local workplace policies and procedures. What we are recommending is repealing this existing role, adopting a revised role, in this new role 2.891 being recommended acknowledges a courts authority remains unchanged as it pertains to with local HR procedures, MOUs or contractual agreements with independent contractors. It points to the distinction between the obligation of credentialing body to ensure interpreters apply to the code of professional conduct and those of the employer to ensure employee interpreters follow workplace policies. It also recognize the implementation of standardized disciplinary. Procedures and recognizes that realistic conditions that impede a courts ability to execute the provisions of the role as currently written and recognizes a complaint based process is consistent with all other state procedures and professions. The court interpreter program staff are currently developing comprehensive operative guidance for court leadership, council staff and court personnel. This guy's material currently being developed will include the following, an internal operational guidance to civility the implementation of the credentialing review process for courts and council staff, a complaint form in plain English with clear instructions for the public has been developed. This form will be translated into the eight top languages here in California. It will be hosted on the court interpreter program website. We also will communicate with interpreters and stakeholders, those being education providers, interpreter so associations and other state courts. In addition we are reviewing and development of a diagnostic tool that may be needed to assess technical skills. If there are credible allegations that Colletta questions an interpreter's ability to interpret communally. As this is a new process, we will review the procedures every year and there may be modifications needed based on a year's worth of complaints received. We expect and welcome questions I new information that will assist us here at the court. Again these procedures do not supplant the local court actions but add a layer that has been missing. A process for addressing the issues that raise the level of credentialing that if left unaddressed will

impact meaningful access to judges for court users and erode the integrity of the interpreting progress. I would like to hand it over to Judge McCabe to close the deal.

>> Would you buy a used car from me?

>> No [laughter].

>> Thanks, Pat. In closing, and summarily, we are respectfully recommending the Judicial Council do the following. One, repeal rule 2.891 of the California Rules of Court. Two, adopt the new rule 2.891 request for court interpreter credential review, three, approve the new California court interpreter credential review procedures and, for, delegate authority to the Administrative Director to approve future changes when necessary to the California court interpreter credential review procedures. Consistent with other delegations conferred to the administrative Director regarding court interpreter program policy. If there are any questions we would be happy to entertain those at this time.

>> Ms. Nelson?

>> [Indiscernible - low volume]

>> I think we are basing that on the most commonly used but we definitely can consider expansion of those does the number of languages in California is well over 200 that are currently in use. We are going to be, I think, looking at usage and increase but definitely we start with these eight. Part of the process, I mean, we have literally worked together to develop the precise language so we may want to give it a little test run with these eight languages, refine the language and expand the scope once we are confident within the new language. I agree with you. We do intend to do that.

>> And the discussion was ideally if we could do it in all it would be fantastic but we weren't able to do also let's start with the major groups and it is subjective, I understand that. Eight of them were choice and that's a starting point and to expand from there. You're welcome. Other questions?

>> Justice Chin.

>> Thank you for your remarkable work. With 150 languages being the most diverse state in the country, probably the world, we have to do better and your work will get us there. I just have one question for you. What are the eight languages?

>> Let me see if I can -- Spanish, Cantonese, Mandarin, Russian, Korean, Tagalog, Arabic -- I am missing one. [Indiscernible]. Thank you.

>> I didn't mean to put you on the spot but I really wanted to know. [laughter]

>> First of all thank you to your committee for the work. Just a clarification, Mandarin and Cantonese are not languages, they are dialects. They should be counted as one language. It is Chinese but those are dialects within the Chinese language.

>> Thank you.

>> Other questions?

>> Justice Liu?

>> I will ask a question that I should probably know the answer to so here it comes. Does sign language fall into the same issue?

>> Yes.

>> American Sign Language is not -- we do not certify American sign language interpreters so therefore we cannot act on their credential.

>> Although I will note one of our members of CIAP does represent the sign language community and provides invaluable input. It's not something that is neglected, it is a part of our committee and we receive it we are confined by the parameters.

>> Justice Chin.

>> Move approval.

>> Second by Judge Hopp. All in favor please say aye. Any abstentions or noes? I thank you for this information and it was a long time coming.

>> If I can give a shout out to all the interpreters that are on our committee and worked in the state, they are an extraordinary group. It's a privilege and honor to work with them. Amazing people. I'm very thankful that we have the group that have been on our subcommittees and committee. A shout out to them. You did excellent work and I look forward to doing more productive work with you. Thank you.

>> Thank you. Our next agenda item is also language. This is a Language Access Plan signage and technology grants 19-175. It is an action item. It's nice to see you, Judge Rodriguez. I will have you please introduce your panel.

>> Good morning, Chief and members of the council. I'm here with Douglas Denton who is a supervising analyst of the council's Language Access Services unit. As you know from 2015 to 2019 the Language Access Plan Implementation Task Force chaired by Justice [name unknown] supported branchwide implementation of the council's Strategic Plan for Language Access in the California Courts. I'm happy to report that today over 50 of the 75 recommendations of the plan have been completed and several of the remaining recommendations represent ongoing

work for the judicial branch. Effective March of this year, the council formed a standing Language Access Subcommittee of the Advisory Committee on Providing Access and Fairness. And the subcommittee works to ensure continuation of efforts to achieve and maintain access to justice for California limited English speakers which represents almost a quarter of the LEP population in the entire country. It's my privilege to chair the new subcommittee working closely with past cochairs, Judge Brazil and Justice [name unknown], this year's annual agenda projects. I was also honored to give the keynote address at the national Center for State Courts annual seven conference of the language of access coordinators which is taking place this week at the council's office in San Francisco. At the conference, language access professionals from 35 states have gathered to do discuss the challenges and opportunities related to it language access and we were joined by 30 language access representatives from the very superior courts of California. Very proud to let you know that with the support of the Chief, this council, it's advisory bodies and council staff, California continues to be a national leader in language access efforts. I had a number of opportunities to speak with representatives from other states and they confirmed that they look to our state for new ideas and innovations and for some guidance in what things that can help their states move forward and that support and collaboration is reciprocal. The other states are helpful laboratory for us. They innovate out of necessity and the things that they do are helpful for us to see how we can help our counties continue to provide which access. I'm pleased to bring you good news today. One that will help fund language access efforts and lead to innovation in greater efficiencies. To support judicial branch language access expansion grant efforts, the 2018 budget included ongoing funding of \$1 million per year for language access signage and an additional \$1.55 million per year for trial courts and council for language access technology, infrastructure support and equipment needs. The language access services unit for the Center for Families and Children in the Courts is planning to disperse funding for trial courts each year beginning in FY 2019-20 as a grant program. The governance model we are proposing today is for information technology advisory committee to approve recommendations for grant supports before they go to council for approval. 200,000 of the \$1.55 million will be set aside for infrastructure support to be dedicated to the council for upgrades for the existing online language access toolkit and other council language access infrastructure support such as translation cost for statewide forms, web content and other multilingual resources for LEP court users. The amount available to call courts for technology and infrastructure then is therefore \$1.35 million each year with the additional \$1 million also available for signage needs. The signage and technology grant is a reimbursement grant which means the funds will be distributed after the conclusion of a successful project. This funding is ongoing which means courts will be able to apply every year for new grant ending. Under the program courts will be able to apply for both signage and technology needs with no more than 10% of the annual grant budget for each program being allocated to any one court meaning that one court will receive no more than \$100,000 for signage and \$135,000 for technology unless total funding requests are lower than the annual allocation. Individual courts will also be encouraged to establish an ongoing plan for grant funding that coordinates with other facilities or technology initiatives planned or underway in their court to support language access. Is the first F we shared and review the draft grant process overview with the trial court budget advisory committee and its meeting on August 7 as an informational item so all members are already

aware of the plan program. The grant process overview was also reviewed and improved by path and ITAC and by the committee in September 2019. Pending approval of the proposed grant process by the council today, grant application forms will be sent out to courts in October and applications will be due on November 15th, 2019. Augmentations will then be developed by staff for review by the executive office, the language access subcommittee, path and ITAC pick the decision on what projects to fund will be made by this Council of by March 2020 and the cycle will repeat every year. The grant priorities are based on the 2018 budget change proposal language, our conversation with language access representatives since 2018 and/or information on court needs taken from the findings of our annual language access survey. The priorities for the first year are listed on page 4 of the overview which is attached to the report to be submitted to the council. In summary, signage priorities include translation of sign language not available in the glossary of signage terms and icons which can be found in the language access toolkit. Development of multilingual electronic signage and nonelectronic signage such as paper plaques. Technology priorities that we've identified include interpreter equipment such as headsets and wireless transmitters, telephonic or video remote solutions both inside and outside the courtroom and scheduling software or other software that allows accurate multilingual communication between LEP court users in the court. Under the grant program courts will be able to apply for funding for audio or video remote solutions including video remote interpreting. If permitted by the memorandum of understanding and any other agreements between court administration and court employees. All courts including courts who participant in the great program and request funding for equipment in 2020 will be asked to follow the councils guidelines. For spoken language interpreted events which were approved by the council in March 2019. This will help to ensure proper use of solutions in the courts which is still in emerging technology and must be carefully implemented by individual courts to ensure due process for court users although I will note that yesterday I had conversations with representatives from the states of Alaska, Arizona and Colorado which are ahead as a matter of necessity and using VRI including for trials. As we continue to have additional funding there will be experimentation in our courts and the proper use of VRI. Language access services staff is working closely with information technology staff to make sure the grant program conforms with the judicial branch is strategic plan for technology and the tactical plan for technology. This includes support and plan alignment for related language access projects including efforts to enhance language access for all LEP court users through video remote solutions, voice languages and intelligent chat. We have and will continue to conduct outreach with the courts language access representatives and other members of the public forms like meetings with presiding judges and court executive officers to inform stakeholders about the grant program and the possible use of funding for language access signage and technology. Indeed tomorrow I am scheduled to meet with a 30 representatives that are attending the conference in San Francisco to talk about this, the recently adopted rule that the council adopted and so I'm hopeful if the council approves this project today we will be able to start disseminating that information to representatives as soon as tomorrow. For the first year of the grant program it will help us identify the variety of court needs and to give a simple information to update the priorities every year. As needed to conform with branchwide planning efforts. It's anticipated that we will prepare a report at the completion of each grant year to identify successful signage and technology project which will allow the branch to share best

practices and innovations with courts statewide in the public. The grant program will allow PATH the language access subcommittee and ITAC and identify areas where they may be a need for development of guidelines for example the proper use of tablets or machine translation to ensure the information is being accurately conveyed to our LEP court users. In conclusion we are excited about establishing this grant program for funding. Warts identified the need for identify - - and the ongoing grant program will help us to support language access as a core service of the court. This time we are happy to take any questions or comments you may have regarding the proposed program.

>> Thank you. Justice Chin ?

>> Victor, thank you for your outstanding work on this program. You want \$1 million for signage?

>> We have \$1 million for signage and for technology so the question is how can we best spread this money among our courts? So they can innovate and create practices that can be shared among not only our courts but courts across the nation.

>> And you want to spend it for electronic and static?

>> Preferably electronic because that allows us to be a dynamic.

>> When it you skip the paper in plaques?

>> As was previously mentioned we have courts that were born in 1958 and so I think we are mindful that some courts may not be ready and may not be able to support electronic signage. I come from Alameda County and so our newest court does use a dynamic use of electronic signage but we have courts that are older and as courts evolved and as they continue to change in terms of what departments are located where, certainly the best practice would be electronic.

>> One final question, on the electronic signage, is it more than just English and Spanish?

>> Correct, Justice Chin, to your point and where we are encouraging courts to use this technology, the benefit is it can be programmed not only to update the text periodically but also to add additional languages as appropriate. I just wanted to add, for smaller courts, they may not have a need for electronic signage but they may need basic navigation and so we want to make sure the courts know that the grant program is designed to fulfill their needs.

>> Mr. Kelly?

>> Are we ready for a motion?

>> Yes, we are.

>> I will move adoption of the recommendations of the advisory committee and thank you for a job extremely well done.

>> Second.

>> Thank you. Mr. Kelly moves and Judge Lyons seconds, all in favor of adopting the recommendation, page 21 and to say aye. Any abstentions? Any noes? And I thank you very much.

>> Thank you very much.

>> The next order of business is item 19-083. It is an action item for council, judicial workload assessment, the 2018 judicial workload study and updated case weights. We welcome and congratulate Judge [name unknown] who is chair and also Ms. Kristin Greenaway from Judicial Council Office of Court Research. I also [Indiscernible].

>> Excuse me for interrupting but we have one comment regarding this item from the CEO for Superior Court of [Indiscernible] County. Welcome, [name unknown].

>> Is wonderful to be here commenting on an item that will result in the allocation of 25 judges toward trial courts. The decisions before you today, thanks to leadership of the Chief Justice, judicial conservatorship, staff, [Indiscernible] and the support of the other two branches of government. The community is receiving the 25 judgeships just really need them and it's a great accomplishment for all involved. The model before you today reflects revisions following additional committee work as you requested since your last meeting. I'd be remiss not to point out the superior court right to position change slightly. A priority we went from number 24 to number 27. Was certainly we are happy for the Riverside Superior Court who will receive an additional judgeship, we are obviously disappointed that we will not receive a judgeship to help better serve our community. But math is math. That said, our branch wide efforts to develop statistical and mathematical models to better inform decision-making relies on information from all courts in development of models that can reflect the needs of all courts. The decision the judgeship needs model removed data collected from the smallest courts disrupt that trend. While that may be necessary as an outcome today, it does raise the risk of the model when defining need does not sufficiently incorporate the various between our smaller courts and largest courts. Ongoing updates are made to the judges need study it's vital that this issue remained at the forefront of everyone's minds so we can continue our progress towards models that reflect the needs of all of our courts. Thank you.

>> Thank you, Chief, and before we get confuse when you say congratulations to I'm not pregnant. I want to make sure there's no confusion.

>> There was no thought about confusion. [laughter] You just say congratulations and not why. I just want to make sure that was clear. Thank you to the Chief and to the members of the council. I was before you with Kristin in July and you suggested we take some additional time

which we really needed and we were under the gun to get this report to you because the governor wants these numbers and we understand that. We were here in July and you guys gave us more time and after that I went back to work committee and we had immediate phone conferences regarding what had occurred during the council meeting and we had an additional in-person meeting which I greatly appreciate that the Judicial Council allowed us to have. We had that in-person meeting and we went over some of the raw data. We have a lot of really good data and just had to look at it maybe a different way. Today what we will be doing is giving for your consideration the 2018 judicial workload study update. Specifically updating the case weights which were used in the formula to assess the judicial need and is trial courts and's and some of you were not here in the July meeting and it's your first Council meeting, we are going to go over it in detail answer for those of you that know this information, I apologize in advance but luckily the room is like an iceberg and you will not fall asleep. I'm shivering over here it's so called because I didn't bring my jacket. We are going to go over it in detail and with that I will turn it over. At the end of the presentation I will be asking for you to accept the recommendations. Kristin.

>> Thank you. Thank you Chief and members of the council. I'm Kristin Greenaway. Today I will highlight key components of the judicial workload study and since there are new councilmembers I will provide a quick overview of the study similar to what we presented in July at the July council meeting. The purpose of the judicial workload study is to measure the amount of time California judicial officers spend on case related activities and then use that information to assess judicial need in the California trial courts. When conducting the workload study we always strive to improve and refine the methodology and tailor the studies to best represent California. As was mentioned previously the 2018 update included 19 courts and over 900 judicial officers tracking their time over a four-week period. This represents the largest participation we've had in the study to date. Measuring judicial -- replays the first component is filings. We use three-year average filings in the model. We use a three-year average to temper any big swings in the data from year to year. The next component is case weights. These provide the estimate of judicial time to process a case from filing through post-disposition. The case weights are what result from the time study and those of the updates we do periodically and I will go into case weights in more detail in a moment. The third component is the work year value. This quantifies the amount of time a judicial officer has a case related activities in a year and that value is expressed in minutes. The three components, filings, case weights and work your value allow us to develop an estimate of judicial need in the California trial courts. The key component that is updated as a result of the workload study update is the case weights. So I get a case weight is the amount of time expressed in minutes needed to process the case from filing to through dissidents and that enclose any post-disposition activity. The case weights allow us to gauge workload beyond total filings and measure the time it takes to process the different types of filings in the trial courts. Two courts may have a similar number of total filings but one court may have more felony over infractions or more unlimited silver over small claims in the case weights allow us to estimate resource need in the courts based on that variation in case mix within court or across courts. After the July 2019 council meeting we were given the additional time to perform further analysis to examine the case weights. To ensure proper representation of

small, medium and large courts and to confirm the model recognizes the unique environment of the small courts, while also reflecting efficiencies that can be found in larger courts. In July and August, we convened to discuss the council direction and offer feedback on the additional analysis needed. Because we had a thorough and comprehensive data set, we had what we needed to perform the additional analysis without burdening the courts with additional information. So instead we would focus on the refinements in the methodology, to ensure the best fit for the data set. Some of the findings that the additional analysis confirmed that there was significant variation amongst the small, medium and large courts as some of the workload in the small courts cannot be adequately captured in the four week study period simply because certain types of matters are not heard regularly enough in the smallest courts. One of the challenges of conducting a workload study in the California courts is overcoming the scale issues that result from the very disparate size of California courts. Our workload analysis must find the correct methodology of incorporating the workload experience of courts of all sizes. A different approach was tested to try to address the issue in the follow-up analysis. While these produced nearly identical results, in terms of the overall judicial need and corresponding privatization, the methodology that was ultimately recommended by the committee had additional benefits that made it a recommended option. The proposed model creates a single set of case weights, the model addresses the feedback received from the council to reevaluate the measurement of different sized courts by setting aside the highly variable cluster one courts and the model does not include the cluster one court data in the calculation of the case weights. Also contains an adjustment recommended by the committee and how civil unlimited matters are measured. The results produced by this model have faced validity and fit with the expected outcomes. In closing I just want to note again that the cluster one courts will continue to be measured according to workload and monitored to assess growing need beyond their authorized judicial officers, they will just not be included in the calculation of the case weights at this time. So that is a brief overview of the workload study and we will take any questions before I turn it back to [name unknown].

>> Thank you, Miss Greenway.

>> Justice Chin?

>> I notice you had only partial participation by Fresno and Los Angeles? Was that because Judge Conklin, Judge Brazil and Taylor did not cooperate? [laughter]

>> Yes.

>> Different reasons at Los Angeles. It's quite large and we had a very large representation from Los Angeles so we were quite pleased with the number that we did get from Los Angeles.

>> This may be something that is just down the road as opposed to right now. I've been on several committees in the past with regard to workload allocation and effect on the case weights where you talked about if the amount of time from filing to disposition, is there any way to explain in terms of the length of time that there are certain types of cases and family law is one

where we get a lot of public comment on and we have a lot of issues where most of the judicial officers and family law are hearing cases that were filed in 2006 and the post-disposition goes on for 18 years and I'm very familiar with the study and how when you look at the weights of a case of a dissolution that is supposed to take 53 minutes from birth to post-disposition and I understand the concept of this is an average and you have your outliers but I'm just wondering if there's been any analysis or looking into workload as being a motion driven in certain areas versus a filing and just relying on the minutes in a four-week period that a county has done because again many of those older cases in family law can be 16 to 18 years old and you are still getting fresh cases filed every year.

>> That's an excellent point and yes. Right now the best data we have available for the models is the filings data but I think we are moving in the direction that we will be able to get some of that other data that can feed these models and inform these models much better, hearings, motions and those types of cases so absolutely and we will continue to seek that out when that's available to us.

>> Thank you.

>> Judge Taylor.

>> Thank you for clearly the hard work that put into this but I did have one question. Was this presented to the trial court [Indiscernible] and to the CEOs for comment? I ask that because obviously with all the funding implications and judgeships that go along with it, I think this came out last week? Was there a chance for them to give comment?

>> There was a chance when it came out. Normally our tradition would be if the council adopts it then we would present it to the CEOs. Afterwards.

>> Judge Hopp.

>> I commend you on the subtlety with which you approach complex cases and asbestos cases which are a particular type of complex and unlimited civil. I was interested in how you worked with the data to make those case weights more accurate. It seems to me that some of the factors that go into that also affect criminal cases that are quite more complex and obviously I'm referring to death penalty cases. The workload for tough penalty cases is going to only increase in one sense the trial courts are going to get repetitions now that we haven't had before. I don't know how to address that but I want to encourage you in the next version of this study to think about ways to analyze how much the impact is of more complex criminal cases like death cases.

>> Thank you.

>> Judge Taylor.

>> One follow-up question. The trial court presiding judges would have an opportunity to comment before this would be released to the legislature?

>> My understanding is if it's adopted it would be then sent to the legislature. They obviously have an opportunity to comment on it when it comes out. But I don't think Judge Heinrichs as our incoming Presiding Judge --

>> I would like to say I wasn't able to be at the August meeting of the presiding judges and the CEOs because I had a daughter getting married but I do know that the topic while it wasn't discussed specifically does get discussed somewhat generally. I think one of the things does and I am on the committee as well. It is sometimes better to talk and abstracts about what the numbers are and if the model is fair only because once you start doing the superimposing of who gets what, that it becomes more -- I think as far as Jake's comments about move them in and out and while that as an individual court seems unfair, as a branch understanding what the larger courts that have such a drastic need that you sort of hope in the fairness of it all that we can as a united branch convince a legislature that they need to go deeper than 25 and fill the need that's here now sooner than later so I think that's the idea and we will have discussions I'm sure at our next meetings about what this all means and how we can measure better because I think that's really the issue, how can we measure better and have more nuances and the only comment I want to make about the two judge courts is the information was gained from the process is going to be valuable because you see where to Judge courts have less resources than some of the larger courts and it may help drive a desire to get them those resources and also I think we are going to need to look at the model of how to [Indiscernible] some of the changes which will help us be more efficient as judicial officers in our courts so well it will be I think and fairness a hot topic for the presiding judges and CEOs to discuss at our next meeting, I think the idea is that if we can get a fair model then we will take where it falls and I think there may be more discussion that way but not a criticism of where the courts are going and I think like you said, Mr. Chatters really stated it well to be getting of how the courts generally feel about these things.

>> I think I just got put on the October 23rd agenda. [laughter]

>> Justice Slough and Justice Bacigalupo.

>> As it relates to the procedural concept you raised. I think -- and please correct me if I'm wrong, I think all of your meetings are open to the public and I don't think that it is a procedural issue raised because I don't think that generally it would go to any committee before it will come to us similar to the last time. So I just want to make certain that there's not some impression that there was some procedural misstep because I don't think there was but please tell me.

>> We normally have gone the last few years -- we go after the council approves the numbers. I don't present something that is a draft.

>> Thank you.

>> Justice Bacigalupo pixmap

>> Thank you for this work over the summer with coming up with the results [Indiscernible - low volume] you mentioned along the lines of the model. You said you contemplated other models as well but decided not to go with them. Can you elaborate and educate us on how those models operate and what they look like and how they are different from the model that you decided to go with? Secondly, when I read the report presented it mentions that because of so many other factors, particularly mandates from the legislature and other factors that will be impacting the workload that judges will be doing, typically the assessment established has a five year vision, but you're contemplating because of these mandates that we are facing that we will revisit a model and recommendations that you are making in a shorter period of time [Indiscernible - Muffled Audio].

>> I will answer the second question and leave the numbers to Kristin. We are contemplating because things like death penalty, writs and things are changing all the time. The workload happening in our courts, it's a burden on courts to come in and do this kind of work. It's a burden -- not a burden but workload issue for the JC staff to do it. We have to figure out how to balance how often we can go in interrupt the courts general practices and have judges keep time, how often can the council support this kind of work and see how much how many different laws and legislative mandates are passed that impact our courts. Ideally it would be done more but with more comes more work and so that's going to be a question for PJ's and the Judicial Council how we are going to make this work.

>> [Indiscernible - low volume]

>> With regard to that, as we stated we had over 900 judicial officers participate in 19 courts and we had a lot of data to work with. When we went back to look at the data, we were looking at addressing the kind of variability in some of the numbers that we were saying and so the models that we looked at looked at ways to address that variability, how do we not let the model be swayed by those big swings in the data? That's really what the different models looked at and so there were different approaches to temper that data, to look at that data and kind of find a way we could get closer to that average so that's what those different models addressed.

>> Thank you. Ms. Hill?

>> Thank you again for your tremendous work. I was just wondering whether going forward you are contemplating looking at how the move toward collaborative courts may change the assessment given that the collaborative courts are looking at potentially lower recidivism rates, reduced filings and yet they seem to have more court hearings or the same types of cases so you might have misdemeanor DUIs that have taken up March time and they might otherwise but positively impacting the community?

>> Yes. [laughter] And in the studies we have tended to include an part of the data collection methodology the ability for courts to know if it's a collaborative court or things like that. We continue to keep that on the forefront.

>> Our thought processes to keep it as nimble as possible and move with the times.

>> Move approval.

>> Second.

>> Judge Hopp? All in favor of the recommendations found on page 2 under this item please say aye. Ms. Hill is abstaining. The recommendations Carrie and we are approved. Thank you very much for your very hard work here.

>> I want to thank Kristin, Leah and the entire committee for their hard work and participating courts for going through this journey with us. Thank you.

>> Thank you.

>> The next item on the agenda is also an action item. It is number 19-206 concerns trial court budget policy for courts that exceed 100% of the workload formula fundings.

>> We welcome well-known presenters, Judge Conklin, chair of Judicial Council Advisory Committee and [name unknown].

>> Thank you Chief and members. As an example of how hard staff works we have Ms. Goodwin with us. I'm going to try to keep my comments brief on this. I think it's a straightforward item but I don't mean to dissuade from comments or concerns about the presentation. We come to you now for consideration and it is set for that to items regarding essentially a policy modification to the workload funding methodology and when this was originally approved the council candidly I think one of the strengths you created for this was the ability to come back to modify when there is on foreseen events or circumstances that occur. I will address most of my comments the first and it's a very narrow window so I remind you that the funding methodology included within it, different allocations depending upon the funds provided to us in those years when there is new funding which thankfully given the hard work of the Chief and there is committee has been, it's relatively -- I don't want to use the word easy but comes many times without complications. This window addresses the second factor which thankfully we haven't had to address yet but candidly, as I think Judge Rubin acknowledged we may have to address in the near future and that is a year in which there is no new funding. This would address those courts that are above 105% of their need based on the workload methodology. In those years where there is no new funding, the current policy adopts and approves that those courts would be reduced in their funding by up to 2% which may be a rather harsh consequent. What this is meant to address that those courts that are 105% or above in those years where there's no new funding would have their allocation reduced instead of 2%, by 1%. Pardon me, by 2% but no further down than 104%. Let me clarify. It's 2%, not 1%. 2% for those courts above 105% but in no case below 104%. And that is meant to have a better wide PATH for those courts because even 2% can be a harsh factor to deal with when you get your money and so we are trying to assist them in this would only be the second year. Remember, in the first

year there is no new funding, there is no reallocation. This is only in the second year when there is no new funding for those courts above 105%. It brings them down by 2% to no more than 104% and at that point in each additional year they would come down 1% to get them down to 100% of funding. The second allocation is separate from that. The second recommendation is separate from that and it addresses hard costs for the courts that are outside workload methodology so it recognizes that whether your workload goes up or down, your fixed costs so to speak remain the same and so the funding -- and this is meant to address a BCP that was agendas does the funding for those would be allocated outside of the workload methodology. Regardless of where you are above or below, your fixed costs remains the same and the funding as it comes through BCP for the fixed costs would come in outside of funding methodology. I don't know if you want to clarify anything I said or add additional comments?

>> Just to add the point that the reason the recommendation is being brought really was the committee had recognized that with new funding and with the way the model refreshes every year with workload, seeing that there were courts above 100% of their work Lord a lot and knowing we still were at a point where the branch was completely equitable in funding, the committee decided this PATH would help accelerate this PATH to equity will also still maintaining stability in funding and predictability. Those were the principles under which the recommendation was made.

>> Ms. Nelson?

>> I'm assuming this assumes the second year Bill funding [Indiscernible - low volume].

>> No,

>> In 2020 you could have no new funding and in 2025 have no new funding but in between [Indiscernible - low volume]?

>> Yes. It does say that and it doesn't require consecutive year. It is the next time it happens so to speak.

>> Thank you, Chief. This work you do is well outside of anything in my experience so this was in the materials and I missed it or if it's a question that should be obvious, why do you wait two years of no new funding as opposed to the first-year?

>> That was originally the discussion through [Indiscernible] and take back. To allow for the courts to prepare. In the first year of no new funding if we said to them there's immediately going to be reallocation, we learned from past experience that that was relatively harsh and at times made it very difficult so this would say to those courts for the first year of no new funding there's no reallocation but now you are on notice that the next time this happens, you will have to be prepared. It's essentially a safety valve to allow them to prepare.

>> I. Good idea. Thank you.

>> Judge Hopp?

>> I feel like I should know the answer to this question but can you give us an example of what you are referring to by fixed cost?

>> Postage stamps, offhand.

>> It is mostly in the operating expenses. Computer equipment, janitorial contracts. Things like that that are not personnel related.

>> In Fresno if I get less money or more money I still pay the same for postage stamps. Those fixed costs are outside of the workload methodology. Whether he goes up or down, we have to deal with those every year.

>> Thank you.

>> At this point not seeing any hands raised I entertain any motion to approve.

>> Thank you Judge Bottke. Seconded by Mr. Kelly. All in favor of accepting and passing recommendations one into of this item please say aye.

>> Aye. Any noes? Any abstentions? Thank you for bringing this up.

>> Thank you, Chief. And thank you to the staff for all of the work.

>> Our next item is the judicial branch education update on judicial diversity toolkit and while we welcome our presenters and they get cited this is item 19 through 140. I wanted to make a general comment on the subject matter, the diversity toolkit and its importance. As you remember I began today's meeting by discussing the number one goal of our strategic plan, access, fairness and diversity in the United States in part that the makeup of California judicial branch will reflect the diversity of the state's residents and I know historically and every time I walked down the hall of the Supreme Court and look at those pictures, as the state's Chief Justice and Chair of Council that I'm here as a result of the support, encouragement, leadership and vision of many people before me and hard work. Based on my experiences and I look around this Council and presenters, many of our own shared experiences and our commitment to the duty of our number one goal, access and fairness that we must do what we can to bring along the next diverse generation of leaders, lawyers, judges and court staff. So we do reflect the rich diversity and strength so I'm pleased to have you here presiding, Judge Brazil as well as Esther Tanaka to present. Thank you for your work on this.

>> Good morning, Chief and two members of the council. I'm very excited to present to you today. The new judicial diversity toolkit that will be available on the council's website later today. In terms of background, the Judicial Council's long-range strategic plan for the judicial branch includes as goal number one access, fairness and diversity. Among the issues addressed in the goal statement, the council affirms that in order to understand and be responsible to the

needs of court users from diverse backgrounds, the makeup of California's judicial branch should reflect and mirror the diversity of the state's residents. The best practices for Goal 1 also stressed the importance of collaborations with other branches of government and our Justice partners to achieve greater diversity in the branch. In meeting these objectives such as the council's annual SB 56 tracking and public reporting on judicial demographics and trainings for judges and court staff on recognizing, managing and avoiding implicit bias, another project, that embodies the spirit of the branch's goal to increase access, fairness and diversity is the judicial the nurse diversity toolkit which is a collaborative project between the Judicial Council's advisory committee on providing access and fairness and the State Bar's Council on Access and Fairness. First conceived as a result of the 2006 summit on judicial diversity which was cosponsored by the State Bar of California, the California Judges Association and the Advisory Committee on Providing Access and Fairness as well as various state, local and specialty bar associations, the toolkit entitled pathways to achieving judicial diversity in the California courts was first published by the Judicial Council in 2010. The toolkit was designed as a resource for judicial officers and local courts to strengthen and encourage greater diversity outreach efforts and partnerships throughout the judicial and diversity pipeline with bar associations, law schools, undergraduate universities, community colleges and in K-12 education. After the 2011 judicial diversity Summit recommendations were made and adopted by the council in 2012. Identifying the toolkit as a foundation for court and judicial community outreach programs to underrepresented communities in the judiciary. Since it's been over 10 years since the toolkit was originally conceived, providing access and fairness in collaboration with the State Bar of California's Council on Access and Fairness, formed a joint working group to update the toolkit in January of this year. The working groups charge was to make the judicial diversity toolkit resource that was online and therefore more accessible, user-friendly and up-to-date for judges and courts to better utilize. The 10 member working group met a total of four times by conference call from April through July of this year. The group reviewed, gave feedback and made decisions on web design, content and necessary updates. The advisory committee on access and fairness approved the new pathways to judicial diversity website on July 31st and it will go live following the council meeting today. On August 23, the new toolkit was presented to the Trial Court Presiding Judges Advisory Committee at their meeting in Sonoma. They were also asked to complete a survey about diversity efforts in their counties and told about an email list serve for branch diversity efforts called diversity network. Currently the rollout plans for the new toolkit include sessions at the California Lawyers Association annual meeting on October 10 and at our Beyond the Bench conference hosted by our Center for Children, Families and the Courts on December 18 in San Diego. The sessions will also cover the judicial appointment process and have as panelists retired Court of Appeals Justice Martin Jenkins, who is the judicial appointment secretary for Governor Gavin Newsom, plus Diane Velez, [name unknown] and a number of judges including myself from Providing Access Committee who will participate. The judges on the panel will share stories of their own pathways to the bench and give insights and tips on preparing for a career as a judicial officer. We are also in discussions with the California Lawyers Association, changed lawyers, formally the California Bar Association to convene a suit additional sessions and other region throughout the state next year. And now I'm very pleased to

be able to share with you the new pathways to judicial diversity website which will be demonstrated to you now by Mr. Tanaka.

>> That afternoon. Almost afternoon, I'm sorry. In mourning. Chief Justice and members of the council. It's a great pleasure we present to you the first public open house so to speak of our new judicial diversity toolkit entitled pathways to judicial diversity. We thought there's no better way to start this then some words that the Chief Justice shared with us through a YouTube video on our self-help website that we wanted to play for you all right now.

>> Judges and justices are here in our positions through different pathways. These pathways are as varied as the rich diversity of California. I know I'm here because of mentors, friends, family. I know I stand on the shoulders of many and now I, like you feel like we have a duty to ensure that our judiciary reflects the rich diversity of the state and when I say diversity I mean that in the broadest sense. I mean it as geographical diversity, socioeconomic diversity. Professional educational diversity as well as gender, race, sexual orientation and religious diversity. All of this matters because the issues that become for the judiciary are so significant and important and so far-reaching. So when we bring different eyes and different experiences to deciding these issues, we bring a point of view, a richness and conclusion for the rest of the country to follow and so in this role as leaders we have a duty to ensure that we bring along diverse leaders. Judges, speaking to organizations, being involved in bar associations, ensuring that when we name committees and groups to accomplish goals that we include diversity in those choices, that we remember others and bring them along just the way we were brought along as well. We must ensure that our judiciary reflects California.

>> Along with that very inspiring message from our Chief we have quotes from Chief Justice as well as most recently from Justice Jenkins who we all know is currently the judicial appointment secretary to the governor. Available as options for selection for judges and judicial officers to be able to use as a toolkit, model seminar programs, that is the present seminars. Where judges and justices can download sample agendas and materials for seminars for audiences who are generally interested in a career pathway to the bench is maybe more experienced attorneys who are ready to pursue a pathway to the bench within five years and so we have sample agendas which were taken from our previous toolkit that are now downloadable and accessible right here on the website and some tips for judicial appointments as well as some commission information. We also have model program information for courts that wish to start the judicial officer mentor program if they don't already have one. So an idea of how you would establish one at your court and presented here on this page with a program overview and ideas for doing outreach in the community as well as the role of court leadership and diversity committees. Along with that we have an expandable sample timeline to launch a program from months one through 12. And how to sustain that program as well. At the bottom of the page we have a number of resources also taken from a previous toolkit on mentors and mentees, letters potential mentors and mentees, participating in this program, FAQs, guidelines and evaluation forms for the program to measure its success. Also we have a great list of current does what we call judicial pipeline programs that the branch is taking part in currently. Both statewide and locally. To inspire the next generation.

Those statewide programs are listed here which include our wonderful civics education program, high school law academies, youth and teen courts as well as the local county programs with courts and outreach in K-12 as well as through law school education. Finally, one of our main webpages focuses on local court partnerships and collaborating on programs by forming an area diversity committee. Regionally with the courts and appellate court and local affinity and local bar associations in the area. So there is guidance for that as well. To be able to stay connected for judges and justices doing this great work and important work in the community we have a court judicial outreach survey that's online that courts can fill out and let us know as staff what great work you all are doing in your local courts and so that is available to be filled out and submitted to us as staff to be able to document that on our webpage but also share with the rest of the state in terms of the programs does pipeline programs you are taking part in. There's also a judicial diversity in the news page which share some of the most recent news about the diversity efforts and initiatives in the branch as well as events that would maybe take place throughout the state that can be shared statewide with judges and justices doing this diversity work in the community. Finally we have a judicial diversity network listserv set up currently where as soon as today you can click on this link for joining the network and be a part of the listserv to be able to communicate the events that are going on statewide. Also for judges and justices to share resources and add to the resources that we already have shared on this toolkit. We are looking to all of you and the courts to be able to continue to provide that information about the work that's going on statewide amongst the communities. Lastly, I wanted to thank the great team of staff that was involved in this project as well to help support the work that CFTC did as the lead staff on this project and that would be our team from special projects, Public Affairs and IT. That really helped make this project happen along with the Advisory Committee on Access and Fairness.

>> I just wanted to thank the workgroup for their hard work and effort, time -- it was a lot of fun working with them. I was part of the workgroup and Greg and his staff were tremendous. Chief, I want to give a special thanks to you for your dedication and placing a high priority on diversity, making it so important and you've been such a visionary and leader in the area of diversity so we really thank you. In the introduction you gave really makes a difference because it says is a branch diversity matters, diversity is important and it has a high priority. So thank you.

>> Thank you. Thank you, Mr. Tanaka and Presiding Judge Brazil by the work you do, by the examples and the models that you are in your community and I look forward to noodling through the website. That is very interesting. Thank you.

>> I want to thank the group. I think this is an excellent [Indiscernible - Muffled Audio]. I have a question. Is there a way that this can be linked to the trial courts or to law schools or other organizations -- the bar associations that I think would greatly benefit from this? This is housed in the Judicial Council's website? Correct?

>> Correct.

>> Can we provide a link or button so they can access that as well? To make yes, right now the intent of the website is to be primarily used by judges and justices to be able to share the work that we do have a plan within the rollout starting today to share with our partners, like the State Bar, as well as California Laurier cessation and so forth to share that with that work as well.

>> If I haven't already this is tremendous work by the providing access and fairness committee. I know you cochair that but it's incredible work and I hope it's at least looked at and modeled by other states as they begin to think about the diverse representation they need in each state. Thank you.

>> Yes, Judge Taylor.

>> Thank you also Chief. This is absolutely amazing and I really appreciate the work of the group but I really appreciate about this is we are making this a part of our structure. It just is breathtaking to see that we are taking this type of position and this type of leadership. Thank you, Chief.

>> Thank you, Judge Taylor. Thank you.

>> There's one more thing I totally forgot to highlight a great feature of this website which our staff put a lot of time and energy into which is the end graphic that is interactive. It highlights the current state population a month ethnic racial groups as well as through the whole pipeline in the pathways. Law students what that looks like, active attorney membership as well as judges. If you click on each one of these information icons you will see on the right it will give you more detailed information on what the statistics mean. And lastly for the judges we have our updated SB 56 statistics and infographics on gender, LGBT populations, disabled and veterans amongst the judiciary. I'm sorry, I needed to mention that.

>> That was worth waiting for.

>> Greg, that information is self-reported, right?

>> Yes. Any other questions?

>> Thank you. [Applause]

>> Our final agenda item has become a positive and we look forward to this component of all of our recent agendas it's a presentation that demonstrates how local courts have introduced new ideas, have incubated new ideas as we say about expanding methods to provide access to justice in their county that we hope can be modeled and replicated across the state and this is through our Court Innovations Grant Program project, item 19-084. There is no materials and no action needed here. It's a presentation and I'm going to ask Judge Rubin to introduce your guests on the panel.

>> Thank you very much. Chief, with your permission it's my pleasure to introduce to the new members our new Vice Chair of the committee [Indiscernible] from Mendocino County. She's been on the bench for nine years and currently the Presiding Judge who was just elected to another two-year Judge. Judge Moorman.

>> Thank you very much. Thank you, Chief, members of the council for the opportunity to present another Court Innovations Grant Program project. The project funded by the Budget Act of 2016 that established the Court Innovations Grant Program implements programs and practices whose goal is to promote innovations, modernization, efficiency, all of which we hope can be replicated by other courts. Today we welcome representatives of the Superior Court of Fresno County which has been awarded just under \$509,000 under the collaborative courts grant funding category for their Human Trafficking Court planning and implementation project. Welcome. This project helps a growing number of youth who are trafficked in the county as well as runaway, homeless and other vulnerable youth who are at risk for exploitation. This award has been used to enhance the court's existing, innovative electronic dashboard to track human trafficking court resources, to conduct a regional mapping process, to identify resources and gaps, to provide court coordinator services in order to leverage and maximize local resources and to provide a mentor program for the participants. I'm pleased to introduce the Fresno court representatives to those who are here today and will give the council an overview of the progress to date. Share their participant experiences and answer any questions that the members may have and so I'm going to go ahead and introduce the panel. We have the Honorable Kimberly [name unknown] -- I hope I said that correctly.

>> Close enough.

>> You are the juvenile delinquency presiding Judge and we have miss [name unknown], and she is a human trafficking court coordinator. We have Ms. Tiffany Stokes who is the deputy probation officer in Fresno County and Ms. Deborah Rush, Chief executive officer of breaking the chains. I welcome you all and thank you Chief. Please go ahead.

>> I know you all have been working hard for a day and a half and I thank you Chief and members of the council for inviting us and giving us this opportunity and hopefully while you've been making policy decisions for the branch, this is an opportunity for a snapshot of where those policies translate into very real change for very real people. We call our court Friday Court because we couldn't come up with a name that was otherwise appropriate and did not have some kind of street connotations and I will admit to anyone that I'm hopelessly uncool and will never be street savvy. Any name we came up with had connotations for one person or another. Even the idea of calling it Freedom Court was a bad idea because survivors told us what's the pimp going to say -- you want freedom for me? You can go to that so we went with Friday Court. It was one of our first trauma-informed steps because Friday is the day we have our court hearings for these youth. We have capacity that we have not yet filled. We are able to accommodate boys and girls but we have only girls and what has happened -- we developed into a program where our girls come into a courtroom that is usually all women. Sometimes my deputy is a man in my judicial assistant though sometimes I have a male judicial assistant but for the most part they are

entering a room full of extraordinarily strong, extraordinarily outspoken, very chatty and very supportive women. So our biggest hurdle today is that we are all really close to each other and all very chatty. Our Friday Court program was influenced of course by the receiving a grant but a grant is more than money, especially in the eyes of a Judge. In the eyes of a Judge to grant is responsibility. Success wears a lot of faces, failure would where only mine and failure was not an option. Receiving a grant meant of course that we could do more things than we would've done without the grant because quite frankly we were going to do the work no matter what but it gave us opportunities to think of how were we going to do this work and what did it mean? And knowing in the eyes of a Judge that a grant means responsibility, a grant means data and so the question at the beginning was, what is our data going to be? It's not that easy to think in terms of recidivism -- it was easy before I had training in human trafficking, it's easy when thinking about people committing crimes. It's really hard to figure out what recidivism even means when you're talking about youth who've been trafficked. How do you figure out recidivism for victimization? Those are two concepts that don't go together. How do I decide what it is that we are going to count for kids? So early on having the grant meant letting the youth who participate in our court decide what our data is. And that shaped the entire development of our court. In the courtroom I promise each of our youth that I will never ask them anything embarrassing and we do not talk about what brought them there. They do talk about what brought them there but they talk about that in the context of their service providers, in the context of a very private and safe environment. They don't need to tell the Judge, they don't need it written down in a court. They need me for an entirely different job, my job is to hold them up. We are post-disposition so we are all focused on how to we help you succeed? When they graduate they get a certificate that says they graduated from a strategic goalsetting program with judicial oversight through the Fresno County Superior Court. Nothing says trafficking or that they went through delinquency, dependency or any other form of court hearing. It says a Judge and the court team helped me figure out how to succeed. In the beginning of the program I asked them to set their goals. We had them set three goals and that's how we measure their success. We talk about that constantly. One of your goals is to be a good mom, how are we doing with that? One was to graduate from high school? Congratulations, I see you have gotten this many more credits. That is what we focus on is their goals. The tone of our court is different than anything I've experienced and I have another collaborative calendar but this is different work with different people. A different team and a completely different population. At the very beginning of our Friday Court process one of the first hearings was a young girl who had been a constant runner and that was a problem for her. We had a plan for her case and that plan was that she was going to remain in custody. We had worked that out staffing and she was going to remain in custody post-disposition because we all knew we were going to lose her probably before we got to this position and that plan had been worked out with the whole Friday Court team and her deputy district attorney, assistant district attorney. Some else took Tracy's position at the table and we called the case. When we called the case I got completely different information because the girls case manager said this girl has never lied to me. Yes, she runs but she's never lied to me and when she tells me she's going to do something she has always done it. What we are trying to do is gain their trust and to do that I have to earn there's. So at the end of the hearing even though it's not what we plan to do I let her go on the monitor ended two weeks she came back for her disposition. So

Tracy, speaking on behalf of the people, had one of the first comments there in the courtroom as she looked at this girl and set the tone and she said though she called her by her name and said you know, we had a plan for your case and this is the DA speaking to our. We had a plan for your case and the plan was that you were going to stay in custody and what I found out what happened that you had gotten out of custody, I almost cried. And for the last two weeks I have thought about you and prayed for your safety and you have been on my mind and I am so happy to see you here. And that wasn't the very first hearing of our whole court process but it was one of the very first and it was this girl's first time. All I could hear in my head, honest-to-goodness, was Tom Hanks' voice saying No crying in baseball. [laughter] We got through that hearing and that girl got through that case and she got through her whole case. She is now a successful college student with two jobs and owns her own car any future probably in public service. She was saying if you could say anything you wanted to the Judicial Council what would you say? Sorry I was in criminal class. You will do great, I appreciate the chance the court gave me. They never stopped working with me even after my VOP. Accountability and someone to talk to you were a big impact for me. It inspired me to do better so I can reach my goals too. When the Judge asked me to write out my goals, it helped me see that the PATH I was going wasn't going to get me there. And I needed to change my behavior. We've had other successes and some that are not but we make sure each of our girls walks out knowing that they can achieve goals, knowing they own their future, knowing they have a safety plan. We owe a great debt of gratitude for the council, the great debt of gratitude for [name unknown] in Sacramento because they offered us assistance, training and support as we built a program that is uniquely ours but easily shared with anyone else. I will turn it to the rest of our team in a moment but I told you some of the first words we heard in our first hearing, the last words we heard in the last hearing of our first year of operation came from a girl who is appearing by telephone. She appeared by telephone for his safety because it was in jeopardy if she was personally present and Fresno and her last words on the phone because learning from Judge aware I always turn to the child last and say what would you like to say -- the last word goes to you. She said, okay you guys, bye, love you. So I will turn it over.

>> Good afternoon. Thank you for the opportunity of being here. I am the coordinator of Friday Court. I come from 10 years of experience of working in human trafficking, being a case manager, victim advocate so when I first heard about the opportunity of creating a court for these minors I was incredibly excited. These girls means everything to me. I love working with them. They are -- I believe they are the most vulnerable population in Fresno County of use. They are girls who have been through trauma that we cannot even begin to imagine so how do we go from that to building a court that's going to be effective in helping them reach their goals because they all have goals, they all have dreams. They just met a trafficker who has taken them off that route so how do we bring them back? So my first concern was how do we build not just a trauma-informed setting a trauma response setting? That means our waiting room -- which you can see in front of you was initially benches, bolted to the ground, the court setting. So I know if you bring the girls and the setting they are going to respond like defendants and they are coming into this court because they been a victim or at risk and so this room has been completely transformed. We've taken out all the pensions. It has become the girls room. I've asked them

what you want this room to look like? It's a room that before they even go to court a comment here, we have a therapy dog. She sits in their laps. They come in there and talk to other survivors, survivor mentors. They talk to case managers, victim advocates. We play games with them. We bring their anxiety of coming into court from a tend to my objective is about a 5 so when they come into the courtroom in here from the Judge, the DA and their attorney they are in a state where they can actually hear what's being said to them. So we do the work up front here in talking to them and bringing them into a state where they can come into court and their frontal lobe can be engaged where they can be -- hear what's being said of them. That's an exhaustive list of everything we try to do to make sure we are trauma responsive and the models that we built Judge has gone over it. Before they even -- at the initial referral, when I get it I matched them with [Indiscernible]. That means a lot of these girls as people who have interacted with this population now, will go to their graves denying that they are at risk or they've ever been exploited. Trauma bonding is a thing. Before a lot of them -- will not want to participate in Friday Court because there is a stigma of being labeled as somebody who's been exploited. So before they get in front of a Judge and attorney, they talk to a victim advocate that goes over a safety program and initial assessment so even if they say no to the model and participating in this program they've at the very least it received a safety plan and received some resources. If they do opt in, then we get the lovely opportunity and privilege of interacting with them for about nine months to a year, sometimes over just depending on what they need from us. They set three goals that they want to work on. The first stage -- and within each stage we have set three benchmarks that they should be working on with her case manager and victim advocates and team. We are mainly focused on making sure they have a safety plan. If we never see this young girl again, does she know who she can call in the middle of the night? Did she know where she can go? Does she know how to keep herself safe? We know how high risk trafficking is. We focus a lot on school. In stage one it is and roll in school and stage II is are you attending school? If you are not, why? What's going on? Is there trauma triggering you? Can we enroll you in home studies? What are the options we can work with? Stage III is preparing them beyond the structure and team of support you have, once you leave us, who do you still have on your support team to make sure you can still reach the goal you have? And upon graduation, we try to throw them a little special -- I try to individualize it as much as I can, whatever the youth likes. They do receive a special necklace that is made by survivors of human trafficking so we talk about the fact that there's other women out there in the world that have gone through what you've gone through and look what they are doing now so encouraging them. They get personalized things from the entire team and we make sure by the time they leave us we can wake them in the middle of the night and they have three phone numbers memorized. They have a safety plan that's expanded from when they first started with us. It's a lot of work and incredibly intensive, very challenging but I would say it's the most rewarding work I've ever done.

>> I'm the probation officer that sits in the courtroom and just a little bit of how I came to be involved. I have a couple of challenges because I deal and work with the victims -- I also work in the placement unit so IRD have the challenge of youth removed from their homes and are at a higher risk because now they don't have parents or grandparents, legal guardians and they are usually in a short-term residential treatment program which is a fancy word for group homes

which I'm sure you are all aware. I have that challenge that doesn't necessarily work in my favor and doing the probation officer work is easy. You can do the prevention and intervention, give them the programming and give them the structure and accountability and incarceration if needed but the challenge comes up even more, being a probation officer, wearing a Friday Court held and a probation court hat. There are things I have to do to uphold orders and doing what they need to do to get off probation but at the same time earning their trust in knowing I'm also here to help them and I want what's going to work for them. I want them to have that normal life once they are no longer on probation and hopefully out of placement. A lot of the girls -- and I know we say girls but males can also be part of this calendar. A lot of the girls I work with have not -- they been in the system since they were probably 2 to 5 years old and so trying to get them when they've gotten into this life at 10 or 11 and still continuing into extended foster care through placement is also a challenge and I try to follow them until they are 21. I've had a lot of girls fire me as their probation officer but then I get the request of I'm sorry, I was upset and I know why you did it and let's move forward. I pride myself in being a trusting person to them because we know these girls a lot of them have had breakdowns in trust and they don't trust anyone and what's going to work with them. I challenge a lot with locating placement and I try not to keep our girls in Fresno County obviously because that's what they are familiar with and they know and I feel like if I place them further out from Fresno the more likely they are willing to work there program and hopefully once something better for themselves. The particular young lady we are going to call recently had a birthday and has been great. She has grown into such a young woman, maturity wise and understanding the risks associated with being in the life and taking the steps of writing up a victim impact statement against her trafficker was a huge step even though she has recently terminated probation she is willing to stay where she is to better herself and make better choices for herself and is also considering leaving and going to other places and not coming back to Fresno which is a huge step for a lot of our girls. I'm going to call her for the sake for her safety I will refer to her as Cruz.

>> While you did that I does give a slight. We have an electronic technology piece to Friday Court. There's an internal and external peace. The internal is case management where we keep track of all the client demographic information. I keep track of my referrals. They have their goals and any immediate tasks. It allows the team to put in immediate information because we know the situation changes hourly for these girls sometimes and so how do we as a team make sure we are an indication and the external peace is to track resources in Fresno County in human trafficking. These are girls are able to pull up an icon on their phone. And just be able to see what resources, what's the primary contact number and there are pieces that are safety so there is a quick escape button just like domestic violence and sexual assault, so we are monitoring to make sure this resource in the technology piece is built in a way that is [Indiscernible - multiple speakers].

>> Hi, Cruz, how are you?

>> I'm doing good.

>> I have you want speaker in the room with everyone and if you could just give us a little -- I don't know, brief overview of what you feel Friday Court has done for you. If there's anything you particularly enjoyed whatever you would like to tell us of your experience. We are here to listen.

>> My experience was really good. I liked how there's so many people that would want to help me. At the time before Friday Court I really didn't feel like I was appreciated or loved or cared about. If there was anything I could change, not getting locked up. Breaking the chains, it was really helpful. I loved working with the people at Breaking the Chains. I really don't know what to say except the most fun of it was getting off probation and getting incentives for moving up stages and stuff like that. That's all I have to say.

>> This is [name unknown], do you want to tell them about the book and package it graduation.

>> Yes., [Indiscernible] it was awesome. Two bags of hot Cheetos, [Indiscernible]. I have my diploma for the graduation and it's hanging on my wall and so is the [Indiscernible]. And the necklace I'm actually wearing right now.

>> Are you okay?

>> Yes. I'm good. I don't know what to say.

>> Is okay. You said what you wanted to say which is good and that's all we can ask or. We just wanted them to hear your input and experience. How is Santa Cruz?

>> Santa Cruz is awesome. We went to the boardwalk and there is a ride that we got on and the whole time I was just screaming Jesus. [laughter]

>> I'm glad you're doing well.

>> Thanks for talking with us. We are going to hang up now.

>> Okay. I love you. Goodbye.

>> Sorry.

>> They are on an outing in Santa Cruz and staying at a beach house. Experiencing things she hasn't experienced so it's really good.

>> I'm Debra Rush. I'm the founder and CEO of Breaking the Chains and so you know who we are we are the comprehensive service provider in the central San Joaquin Valley so we are the boots on the ground. We provide direct comprehensive services from time of rescue all the way through transitional care. We also provide services to adults, male and female, juveniles as well. We have long-term housing on campus so we have a myriad of services. I did write something down I want to share before I go into talking about relationship and advocacy and probably one

of my most favorite components of what we get to do right now. What I want you to understand is it's incontestable the relationship is a single most critical component necessary for healthy emotional development. When this critical component is missing I think we can all agree that it causes a myriad of issues. They affect every cognitive portion of our brain, our reasoning, reception and our abilities to operate each and every day. From that place we have developed one of the most essential pieces in the Friday Court system. Our Friday Court peer mentor program. Peer mentor relationship is best defined by us as connection, advocacy, support and accountability. Our peer mentors provide support, accountability and act as a healthy sounding board for our girls. They help set boundaries and they also give the unfiltered objective truth and guidance that these girls need based on the similar shared experiences they have all experienced. This relationship is incredibly valuable for the mentee and I can guarantee for the mentors as well. And helps and to ensure long-term success and healthy reintegration. Offering positive but sincere feedback keeps the mentee motivated and this nonjudgmental, non-biased platform is where the mentee feels most comfortable discussing their ideas and goals without fear. From this place I want to let you know that I'm not just speaking to you here as the CEO of Breaking the Chains but as a survivor myself. I'm not just a survivor but I'm a second generation survivor. I quite literally was born into human trafficking. My mother and my family was trafficked prior to me. This is something that has impacted every area of my life is something my experience doesn't just pull from but thrives from. What you've heard from Cruz this morning is more than just her ability to reintegrate back into the community, it's her relationship. For almost each and every victim we serve there's one consistent vulnerability, a relationship in their life was destroyed. If that is because of identity, if that is -- abandoned family, lack of parenting or simply an insecurity that was birthed deep down within don't the relationship with themselves, with their peers around them, with their family members were impacted. Friday Court as you can see because of the great collaboration that we have built begins to repair that relationship and that place we repair that relationship, we also come alongside and began to create a platform where they can feel safe and the place that these survivors feel most safe is next to other people who have had shared experiences. And people around you have damaged the most critical point of trust in your life, it's hard to trust those in front of you. For most of our kids and I'm sure you guys know this, they've experienced broken foster care systems, they've been tossed from home to home, they've had broken friendships and that place it makes it difficult to understand or even try to understand how the person in front of you really wants to help you. When someone who has that shared experience stands next to you and begins to encourage you and begins to help bring about a new perspective, the success level skyrockets. We are really excited because at Breaking the Chains we have been in existence for about six years and we have about 13 of what we call drivers. These are incredible young adults who have not just launched into their new lives but began to thrive. They work in the judicial system, with courts, they work in our factories and industries. One of the most famous I would like to reference is [name unknown]. She received an incredible award in Washington D.C. last year. An award that not only emulated where she is as a survivor but also where she is as a thrive are in mentor. She has taken on some of our personal clients as well as assisting one of our own survivors, the Program Supervisor for this. So I cannot thank you guys enough for everything that you guys are doing here at the Judicial Council. What you have done for us in Sacramento to help guide us to this place and from the

bottom of my heart as a survivor to tell you that what you do today and coming along outside of our children, matters and it's the reason I am here today sitting before you. So thank you.

>> We are happy to try to answer any questions you have. We don't have all the answers because we have said from the beginning we are building a bridge as we go and we take a step and think it might hold weight so we try it. We change as we go but we are happy to try to answer any questions you might have and we are grateful for the opportunity and for the grant.

>> Justice Boulware Eurie?

>> As you might imagine I want to start and make sure it didn't get lost -- you guys indicated you were going to do the work anyway so can you put a fine point on what the innovation grant enabled Fresno to do?

>> Several things. First of all the innovation grant provided the funds to hold a community convening and we did that early on. We did that in October, grant funded in July and in October we hosted a community convening and had approximately 106 people that we hosted for a day and a half. It was community mapping. It was a question of we knew what Sacramento had built, we knew what Ellie had built we are Fresno. We are a different place and the question was what does our community want to build? Who wants to come alongside of us? Who wants to participate? And what you bring to the table? That day and a half was incredibly valuable. I don't know what I thought our court process would be but I know it wasn't this. I know it wasn't what came out of it because it has evolved based on our community and the community convening was a big part of the grant. The second thing the grant has done for us is -- in my mind the most valuable -- it brought us Yana. It would've been completely impossible for me as a Judge to try to ordinate this. There's too much that a Judge shouldn't no and shouldn't be involved in. There's too many interrelationships. These girls know each other from the street. They have shared traffickers. They have good and bad experiences together. Law enforcement is actively involved in their lives and our community and investigations and there's things I can't know because to know what about this girl means I'm going to know something about that girl and about that boy who's going to be maybe the trafficker who's going to come into my courtroom next or maybe another victim and doesn't want me to talk about that. So having a court coordinator who took that -- when I went into Yana's office after the convening she had Post-Its. It was like wallpaper of this agency and that agency. It wasn't just the agencies came together, there was one man in his 90s and we asked him if he wanted to be on the advisory Post-Its because -- he was just a guy a running into at -- I was out everywhere talking. He would say can you come and speak? It was all kinds of individuals, agencies, doctors, social workers, probation officers the people from the community. Moms, survivors who came in and said this is what we think is important. So having a court coordinator is essential to us and Yana's work continues to be essential. Her impact on me and Debra's impact on me has been tremendous. Yana, can you bring up the waiting room again.

>> The first time we met her was when she was with the EEOC and one of the first thing she said is it needs to be welcoming. These girls -- it doesn't take much, a cup of water. All I could

think was, court is not like that. You walk in and you go through a metal detector and there's deputies and its industrial. It is not welcoming. Annexing them I had was what if it could be? What if we could build it so it could be? The grant enabled us to build it so it could be welcoming, to build it so it could be trauma-informed and I'm sorry to say we are going to lose Yana in the next 60 days or so to the FBI because the price of working with great people and great talent is that it's needed in many other places but we have someone she is training who's coming behind her who is getting the training needed and has a great deal of experience with the court and with kids and we are all going to keep going. We are a personality driven calendar but that means each of our personalities come alongside the others. The grant also enabled us -- and I'm not one of my friends says technology don't I hate technology and it hates me. I don't even watch TV because it's too complicated. The grant did fund the technological piece that is the dashboard which is going to be of great use to our service providers. Useful in the hands of our girls and useful also in the hands of court personnel who are not me. Those of the things that the grant particularly dead. The grant allowed us to take a breath, the grant required me to say, what are you actually trying to do? Instead of chasing windmills. It made us come together as a community and say what are you going to do? Not just we are going to do it but what is that you are going to do and how are you going to go about it? It had a tremendous impact on the work that we do in defining it, helping us hone our data and helping us move forward.

>> Judge Conklin.

>> Knowing you better than some do and your determination, a grant has limits. To have any concepts of expanding this program beyond those these victims unfortunately expanded to adulthood. Are you taking this to adult court and offering this and having some type of service where those that are beyond the 12 to 17 can benefit from your innovations?

>> If you are asking me, I would love to see that happen in adult court on the criminal side. We have non-minor dependents who can be 18 to 21 who can participate in our calendar and receive the services but part of the growth tension we have right now -- and is not interpersonal. It's recognizing that my view of them -- we are a collaboration but we are a court so I'm still the juvenile court. My role in their life should be limited. The court's role in their life should be limited. I want them off probation. Is every breath I'm hoping to what you need to get off probation because at the end for those of you not in juvenile law, the law is they do well enough, I have to seal the records and it is the best have to ever to come about because all I'm thinking is get off probation and let me seal your records. They need to move on from the juvenile court process. But the survivor mentor program is that relationship that can take them to my participants -- it takes them to the next step so they can continue to participate until they are 21 but the survivor mentor can take them to Deborah and to her organization which can provide services into adulthood. So we have that capacity now that we have unrecognized capacity where we can serve more kids and in different ways than we do so far but it's a voluntary program. They have to want this. It's not something we can force on them and our premise is asking them who they are because if you don't get to choose who touches you, you don't get to choose anything. So asking them who are you and what are your goals and what can we do to restore

you to yourself? That's what we are trying to do. But I do have that dream of this similar thing happening for adults because the law is there that would allow it. There is the affirmative defense that applies to adult human trafficking victims. One of the things we talk about with our kids is a combination that they can expect from any court anywhere in the state because our girls maybe in Fresno court but they may have traffickers in Alameda or other counties and we want to make sure they know they can ask their district attorney in that case because these kids may have a DA that they perceive as their enemy in juvenile court but a DA that they perceive as their friend in adult court. Letting them know, ask the DA, do you have service dogs? Tell your DA I'm afraid to see him and find out what can be done because any Judge anywhere in the state has the ability and responsibility to accommodate.

>> I want to say three years ago we had no idea how the millions of dollars could be used. We just knew that we wanted to give the courts an opportunity to show us how they could use them in their community and at least as far as I'm concerned I am completely inspired and all of the work you are doing collaboratively and how you are changing the future for so many people and we share your hope that this can be expanded above and beyond Fresno County and young people to adults because this is really the answer to recidivism. So what you said here today, I know I am thrilled with what you are doing and it's clear how much all of you are so enthused and if that comes through to young people who come in contact with you, it will change their lives forever. I can't thank you enough. [Applause]

>> Thank you so much. It's been a privilege to be here and to do the work.

>> I just have to say that as they are gathering their belongings that it may have been an accident by calendar today, but I really think there is a causal connection between the presentation that we saw from Judge Brazile on diversity and this presentation that we saw here today by these amazing women because in the absence of the inclusion, they wouldn't have been here today. It's really neat to see the connection between two programs.

>> I agree. Well said. We are about to adjourn but I would be remiss if I didn't point out that we have one member whose term is coming to conclusion soon. Justice Bacigalupo, Los Angeles Superior Court but with us as [Indiscernible]. I know I speak for all of us when I say thank you for serving on this council in your leadership of CJA and your participation and influence throughout the year. We've enjoyed having you and we hope to work with you in the future. You may want to say a few words but thank you for your service.

>> Thank you so much. It's been an honor to be with this team. And to be a part of the hard work that this group is doing and to end on the note and picking up with Justice Slough in your comments, for example, with respect to the diversity presentation, to think about where we were in 2006 and then to see all the hard work and my recollection of Justice Maria Rivera that brought us into 2010 and now to see under the Chief Justice's leadership how a new platform is available and accessible and a model for the entire state to use and in fact the nation, to have access to resources. And I think so much of the work that this council does with respect to the

innovative programs and the like, that is making accessible the resources that we have, it's a real pleasure to be a part of that process. Thank you.

>> Thank you, Paul. Our next regularly scheduled business meeting is in San Francisco on November 14 and 15. This meeting is now adjourned. Thank you for your work.

[Event Concluded]