

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 videocast 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.

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>> Good morning and welcome to the Judicial Council of California public business meeting for Friday, March 24, 2023. This meeting is now in session. During our pre-meeting technical checks for the live webcast, we've confirmed attendance and participation of Judicial Council members and a quorum. Council members and our presenters are all participating remotely, and we are also facilitating in-person public comment at our San Francisco office, as well as remote public comment from around the state online. Based on our published agenda, we plan to adjourn later this morning at approximately 11:25 A.M. We will continue to use the lessons that we've learned during the pandemic to enable us to conduct the people's business in person, remotely, or in hybrid formats like this as necessary or when prudent to do so. As you know, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice in California. Members of the council are appointed by the Chief Justice and appointees from the board of trustees of the State Bar of California, the California Judges Association, and both houses of the Legislature also serve as members of the council. The Legislature has re-appointed Senator Tom Umberg and appointed Assembly member Brian Maienschein to serve on the council. We look forward to working with both of them. Their membership helps to inform our discussions and support our ongoing information sharing and engagement with our sister branches of government. Thank you for your service. Senator Umberg, would you like to share some comments or insights with council members at this time?

>> Well, thank you, Madam Chief Justice. I appreciate being included. First of all, we're looking forward to welcoming you to the Senate chamber on Monday for the State of the Judiciary. We haven't had that in-person for a while, and I know a number of my colleagues are excited to do that again. And, again, looking forward to your comments. A couple of other things, was mentioned, with respect to SB 21 and 22. Those are the bills that are currently pending in the Legislature concerning remote access. We had hearings, and I'm most grateful to Judges Armendariz, Judge Lisa Rodriguez, Judge Larry Brown, Judge Marla Anderson, and Shelley Curran for participating. They did an excellent job. And of course, it wouldn't be a legislative hearing if we didn't have a couple of disruptors. So I appreciate your patience with those disruptors. We have some challenges. We particularly have some challenges on SB 22, which relates right now to remote proceedings in the criminal context. I have it on good authority that that bill is going to be split into two vehicles, one dealing with criminal matters and another dealing with juvenile dependency, juvenile matters, and commitment issues. The reason I have it on good authority is because it's my bill. So that's late breaking, that's not quite—it will be public probably sometime later today. Along those lines, the Legislature no

longer has as many individuals who are familiar with the courts as it used to in days of yore. And so I'm hopeful that the Judicial Council will institute a bring-your-legislator-to-work day so that legislators can become more familiar with the court, as was demonstrated, I think, in the hearings, by those who were present. There is a disconnect. There is a disconnect as to the understanding of some really basic things that the courts do, and a disconnect as to what the courts are doing today that they weren't doing, for example, 20 years ago. Collaborative courts are an excellent example of that. So I am hopeful that the judiciary, judges, will reach out to legislators in their districts and invite them to come to work so that they can see the benefits of remote access so that they can see the benefits of all the other things that the courts are doing that sometimes are outside, sort of, the traditional functions of the court that are of huge benefit to the community. So having said that, Madam Chief Justice, I look forward to seeing you on Monday.

>> Thank you, Senator Umberg, for your comments. And not to preview my remarks, but I also will be touching upon some of the items that you've mentioned, and they're of equal importance to the judiciary and partnering with the Legislature. So thank you very much. At this time, our first regular business agenda item is public comment, and I will turn it over to Justice Slough.

>> Thank you very much, Chief. Good morning, Chief and members of council. As mentioned earlier by the Chief, we did provide notice that public comment hearing would be available in-person at our San Francisco Judicial Council office. We have not received—we have staff standing on the ready to receive anyone, and we did not receive any in-person public comment. Likewise, we provided notice that folks could appear remotely should they prefer to, and we have not received any requests for remote public comment. As always, we are happy to receive any written comments at any point in time regarding Judicial Council business. We did not receive any written comments either. So, Chief, we are good to go and move forward with our agenda. Thank you very much.

>> Thank you, Justice Slough. Next on our agenda is my regular report to the council summarizing my engagements, ongoing outreach activities, and actions as Chief Justice on behalf of the judicial branch. Since our last regular business meeting, which was January 20, having previously met with Assembly Speaker Anthony Rendon, I continued my regular interactions with leadership from our sister branches of government with meet-and-greets involving Senate President pro Tempore Toni Atkins and council member Senator Tom Umberg. We discussed issues of mutual interest and concern, and I look forward to working with them as we move through this year's budget process for the May Revision to the Governor's proposed budget. And I also look forward to meeting with new council member, Assembly member Brian Maienschein from San Diego. All three branches share a focus on the importance of diversity, equity, and inclusion, and our recent judicial officer demographic survey data shows that for the 17th straight year, California's judicial branch has grown more diverse. The data shows a steady increase, but more work remains to be done. I was pleased to be able to administer the oath of office to the new members of the Commission on Judicial Nominees Evaluation at their orientation in San Francisco. The "Jenny" commission, as you know, plays an important role in assisting the Governor with the judicial selection process and

promoting a California judiciary of quality and integrity with independent evaluations of candidates for judicial appointment and nomination. I also experienced the practical benefits of the Commission's work when I had the pleasure of welcoming three groups of amazing judges and commissioners participating in the Judicial Council new judicial officer orientation program in my chambers. There were 18 judges, 18 commissioners, representing 16 trial courts throughout the state, from San Diego to Siskiyou and from L.A. to San Bernardino. The appellate bench also continues to become more diverse and representative of the communities we serve. I chaired a Commission on Judicial Appointments public hearing with Attorney General Rob Bonta and Acting Presiding Justice Ron Robie, where we unanimously confirmed the appointment by Governor Newsom of then Judge Shama Mesiwala to the Third District Court of Appeal in Sacramento. Justice Mesiwala brings her exceptional talents as a jurist, professor, and mentor to the bench, as well as her South Asian and Muslim heritage. But we still have judicial needs throughout the state, and especially as we see an increase in retirements from the bench as reflected in Millicent's written report to the council. As we continue to strive to increase diversity and inclusion, we must use all of the possible pathways at our disposal to encourage the next generation to consider a career in the legal profession and public service. And we must remember standard 10.5, Judicial outreach in the community, can play an important role in promoting public understanding of and trust and confidence in the court system. My Power of Democracy POD Steering Committee, led by Administrative Presiding Justice Judy McConnell, also oversees programs such as Judges in the Classroom and annual Civic Learning Awards that facilitate judicial officers' engagement with K-12 schools in their communities. I met remotely with the committee members to hear about the progress they have made and some of the ideas they have for future community engagement and I look forward to meeting with them in person in the near future. And I know that many of you on council within the courts actively participate in both mock trial and moot court programs. I met virtually with retired Judge Jackson Lucky's Ramona Mock Trial Team from Riverside between competitions to discuss my role and answer their questions, many of them relating to my experience as a first-generation student to attend college. The student population in their district, with nearly 80 percent Hispanic or Latino students, was similar to mine when I was in high school. And I attended my alma mater, Stanford Law School, where I sat on a three-judge panel to judge their moot court finals competition. All programs that enable courts and judicial officers to engage with K-12 and law school students can help them to develop critical thinking skills and consider possible future career options, including within the judicial branch. My judicial branch engagements took me also to Rancho Cordova for the joint Judicial Council Trial Court Presiding Judges Advisory Committee and Judicial Council Court Executives Advisory Committee statewide meeting. It was a great opportunity to meet in person with trial court leadership early in my tenure and with 19 presiding judges that were beginning their first or new terms of service with their courts and 13 new trial court executive officers. It was also an opportunity to share some initial thoughts about the transition in leadership and our immediate priorities going forward—budget support for three-branch solutions and continuity of operations and advocacy. Thank you to council members Presiding Judge Kimberly Merrifield and Court Executive Officer Rebecca Fleming for the opportunity to meet with their peers and colleagues. In San Francisco, I met with the appellate court leadership from the Sixth District

Court of Appeal at the Judicial Council Administrative Presiding Justices Advisory Committee public business meeting hosted by Administrative Presiding Justice Brad Hill. We considered budget change proposals relating to the court-appointed counsel program and the Prop. 66 Death Penalty Reform and Savings Act. Having served as supervising judge of a family law division, I was able to share my insights and experiences with 60 participants at the Judicial Council Supervising Judges Institute, also in San Francisco. These judicial leaders play a critical role in court operations and providing access to justice, managing relationships, resources and caseloads, addressing communications and ethical issues, and implementing best practices and lessons learned, all while serving the public. I would like to thank Orange County Presiding Judge Maria Hernandez for her kind introduction at the institute. Irvine was the location for the Orange County Hispanic Bar Association annual scholarship fundraiser and installation gala with the theme of breaking barriers. I met with Justice Tom Delaney and other local justices and judges, as well as their scholarship recipients and the association's board members in advance of the gala and administering their oath of office. Thank you to Gonzalo Martinez, Governor Newsom's deputy judicial appointments secretary, for introducing me at that event. I shared with the nearly 500 attendees my personal path to the bench, the people in my life who helped me break barriers, and my appreciation for the work that the bar associations like theirs do to encourage and to mentor the next generation and expand diversity within the profession. I was also honored to accept their lifetime achievement award. In Napa at the Bay Area Women Lawyers retreat, I joined a panel of chief justices moderated by Judge Audra Ibarra of Santa Clara County. This included New Mexico Chief Justice Shannon Bacon, Michigan Chief Justice Elizabeth Clement, and Washington's immediate past Chief Justice Debra Stephens. We discussed the importance of female representation on the bench and in the courtroom and our experiences as lawyers and judicial officers. This event was truly a Bay Area collaboration, as it was co-sponsored by the California Judges Association, California Women Lawyers Association, Alameda County Bar Association, San Francisco Trial Lawyers Association, Marin County Bar Association, Queen's Bench, Santa Clara County Bar Association, Contra Costa County Bar Association, and the San Mateo County Bar Association. The Association of Business Trial Lawyers San Diego hosted a question-and-answer session moderated by Justice Martin Buchanan from the Fourth District Court of Appeal, Division One. We discussed my family as my inspiration, the importance of civics education, my academic life and professional career, the roles of the Judicial Council and the Supreme Court, and being the first Latina Chief Justice. Also in San Diego, I was honored to receive the Philippine American Business Improvement and Development STARBlazer Award. My thanks to Ms. Edna Concepcion. I was also pleased to be able to administer the oath of office to their officers and new board members and present medals and certificates to their founder and builder honorees, including Cynthia Bonta, Attorney General Bonta's proud mother. My final bar association engagement was in Los Angeles, where I was honored to receive the Mexican-American Bar Association Justice Cruz Reynoso Community Service Award at their 63rd annual installation of officers and awards gala. Justice Reynoso was the first Latino on the California Supreme Court, as you know, and served as a role model and mentor for many in our communities. He started his law practice in El Centro, representing Spanish-speaking farmworkers in my home county of Imperial. During Women's History Month, I was also

pleased to be recognized as a California honoree for USA Today's Women of the Year. And last but not least, I had the pleasure of being photographed with and interviewed by council member and California Judges Association president Judge David Rosenberg for an upcoming issue of The Bench. That concludes my report to the council. And now we will hear from Millicent Tidwell, our Acting Administrative Director, with her regular report to the council.

>> Thank you, Chief Justice, and good morning, council members. The regular Administrative Director's report is in your written materials and summarizes several key areas that staff have been working on to support the council's mission in the short time since our January meeting. It includes summaries of actions taken in meetings of 18 advisory bodies, as well as an overview of almost 40 education programs and training resources that were made available to judges, court personnel, and justice partners during this reporting period. I want to mention a couple of items from the report, one of which is regarding the judicial branch's efforts to improve access to court services and resources. And I'm pleased to share that collaborating with the Judicial Council, the Superior Courts of Sonoma, San Francisco, and Lake Counties completed their migration to a more modern, mobile-friendly, ADA-accessible web platform, otherwise known as mobile-friendly trial court websites. To date, 35 of the 58 trial courts have successfully launched that updated platform. The migrations are continuing. Looking at the broader performance measures for all courts, the 2023 Court Statistics Report for fiscal year 2021–22 is being published and posted on the California Courts website sometime next week. Overall findings appear to have stabilized in the trial court—overall filings, rather, have appeared to stabilize in the trial courts. For fiscal year 2021–22, there were 4.4 million filings, which represents a 1 percent drop from last year, 4.46 minimal drop. And of course, filing trends for different case types vary. But having—knowing that there's a lot of interest in understanding filing trends in unlawful detainers, I thought I would call that out specifically, especially following the lifting of eviction moratoriums across the state. In 2021–22, unlawful detainer filings increased compared to the prior year—73,000 filings in 2021–22 compared to 35,000 the previous year. I will note that while the 2021–22 filings are half of the annual average of filings in the years prior to the pandemic, preliminary data for recent months indicates that filings for this type of—this case type are approaching pre-pandemic levels. Statewide court case processing rates have returned to pre-pandemic levels, as well. Courts were seeing backlog challenges primarily in processing criminal cases because of workforce shortages at the courts, as with many other public and private sectors, are exacerbated due to the dependency on justice partners who are experiencing similar workforce challenges. On February 1, 2023, the Judicial Council submitted a report to the Legislature on trial court operational metrics as required under SB 154, and that reported on court workload, hours of operation, vacancy rates, and court funding. This year, the Data Analytics Advisory Committee will be reviewing that report to see if there is any recommended data enhancements that the branch could make in the coming year's required reporting. As the Chief mentioned in her remarks, earlier this month, the council also published the annual report on judicial demographics, and as she mentioned, for the—for the 17th year of reporting, consecutively, California's judicial branch has grown more diverse. As of December 2022, responding female judicial officers constitute almost 40 percent of judicial officers across all court levels, and that's an increase of more than 12 percent since

2006, which was when this data began to be reported and collected. The bench also has continued to become more racially and ethnically diverse, with the percentage of Asian, Black, and Hispanic judicial officers doubling during the same time period. This is a very positive reflection of ongoing efforts by the current and prior governors, as well as our electorate, to have a bench that reflects California's diverse population. The Judicial Council is required to collect and release this aggregate demographic data relative to gender, race, ethnicity, sexual orientation, gender—gender identity, and veteran and disability status of California state court justices and judges by specific jurisdiction each calendar year. Responding to the questionnaire is voluntary for judges. I just wanted to make that note. Moving on from my written report, I want to briefly reference the reports and recommendations that you are being asked to consider on today's consent agenda. There are eight reports and recommendations on consent that were developed and vetted by five advisory bodies and several council offices. These reports and associated recommendations addressed a number of important judicial administrative areas, including California Environmental Quality Act objectives, criteria, and procedures for use by Judicial Council to ensure that it considers potentially significant environmental impacts of our own projects. Also, revised criminal jury instructions to remain current with statutory and case authority. More broadly as it relates to jury instructions, a recommendation to remove any implicit references to copyright on the council's civil and criminal jury instructions that will ensure the council's continued interest in free public access to its instructions. And redistributions of funding for court-appointed juvenile dependency counsel. On one final item, I wanted to share an update on the convening of an upcoming environmental summit for judges and staff attorneys. We are in the final planning stages to host an educational summit in Sacramento at the end of June to help inform judges and staff attorneys about current and emerging issues related to environmental and water conflict issues. We anticipate that these topics will be of growing importance and want to make sure that the judicial branch and its judges are prepared to hear these complex matters. That concludes my report for this meeting. Thank you, Chief and members.

>> Thank you so much, Millicent, for your comprehensive report. We appreciate it. And next, we have a presentation from one of our internal committee chairs and five committee-written reports that are posted on our California Courts website. I'll ask Justice Carin Fujisaki, chair of the Judicial Council Rules Committee, to begin her presentation, please.

>> Thank you, Chief. And good morning to all. Briefly, to provide some context for members of the public tuning in to today's meeting, the Rules Committee establishes and maintains the Judicial Council's rule-making process and assists the council in making informed decisions about adopting, deleting, or changing Judicial Council forms, jury instructions, the rules of court, and standards of judicial administration. The council's March meeting typically includes consideration of new and revised criminal jury instructions and adjustments to dollar amounts on fee waiver forms to reflect changing poverty guidelines, as Millicent Tidwell mentioned, both of which are actually on today's agenda. Otherwise, this is normally a quiet period for the Rules Committee, as the various advisory committees typically use this time to work on proposals that are expected to go into effect September 1 or January 1. At this point, the Rules Committee has been a bit busier than normal for this time of year, and there are two additional

rules and forms reports on your agenda today that we have reviewed and recommend. One of these is a proposal from the Family and Juvenile Law Advisory Committee regarding the secure youth treatment facility Offense-Based Classification Matrix, which you'll hear more about on today's discussion agenda. And then there's another item on the consent agenda, the report entitled Jury Instructions: Public Access and Publication, which is a bit unusual in that the recommendation comes not from an advisory committee but from the Rules Committee itself. As Millicent mentioned, you may remember from the September 2022 meeting, the council decided to change its policy on claiming copyright in jury instructions in order to reflect a recent change in the law and directed the Rules Committee to consider whether the rules of court should be amended in light of that change. I can report that the committee drafted a proposed rule to—a proposed amendment to rule 2.1050 of the rules of court, which we circulated for comment in December and January. Only one comment was received, and that was from the proponent of the policy change who approved the proposed amendment and thanked the council for initiating action on this in this area. So finally, as a preview of what the council can expect in the coming months, the advisory committees remain hard at work with several rules and forms proposals just back from comment. The Rules Committee will be reviewing these proposals in a few weeks and expect they will come to the council at our May meeting. In addition, the Rules Committee will be meeting in the near future to consider posting invitations to comment for the proposed adoption or revision of almost 100 forms and rules. The Rules Committee will return with final recommendations regarding these proposals at the September council meeting. So that concludes my report. Thank you very much.

>> Thank you, Justice Fujisaki, as always, for your work, especially during this particularly busy time for the Rules Committee. Now we have our consent agenda with nine items. The council's Executive and Planning Committee sets items on the consent and discussion agendas to optimize the best use of the council's meeting time and the council's Rules Committee provides guidance to the Executive and Planning Committee on agenda setting for rules proposals. I would like to remind you that the fact that an item is on the consent agenda does not reflect its significance or importance to the work of the council. As always, we appreciate the many hours and months of work put in by the committees and staff that brought these recommendations and reports before us for consideration. And also any council member may request that an item be moved from the consent to the discussion agenda for further review and consideration. Council members having had an opportunity to review the items, I will entertain a motion to move approval of the consent agenda.

>> So moved, Rachel Hill.

>> Second, Judge Brazile.

>> Thank you. We have a first by Ms. Hill and a second by Judge—was it Brazile?

>> Yes.

>> Thank you. All those in favor say aye.

>> Aye.

>> Any noes? And abstentions? The consent agenda is approved. We now have three discussion agenda items for today's business meeting. Our first item is Rules and Forms, Juvenile Law, Secure Youth Treatment Facility Offense-Based Classification Matrix. We'd like to welcome our presenters, Judge Stephanie Hulsey, co-chair, Judicial Council Family and Juvenile Law Advisory Committee, and Ms. Tracy Kenny, Judicial Council Center for Families, Children & the Courts.

>> Thank you and good morning, Chief Justice Guerrero and members of the Judicial Council. In my capacity as co-chair of the Family and Juvenile Law Advisory Committee, I had the honor of chairing the working group that developed the proposal before you. I'm also joined by Tracy Kenny, who is an attorney with the Center for Families, Children & the Courts and the juvenile lead staff for the advisory committee. We're here to provide you with some background on the process that led to the proposal before you to adopt California Rule of Court 5.806 to guide juvenile courts in setting a baseline term for youth committed to a secure youth treatment facility. To provide some background and context for this proposal, in 2020, Governor Newsom announced plans to close the Division of Juvenile Justice, or DJJ, which had been a division of the California Department of Corrections and Rehabilitation, and direct the funding saved by that closure to the county so that they could meet the needs of the youth locally. In 2021, the enactment of Welfare and Institutions Code section 875 provided a new, local disposition for this transition, a secure youth treatment facility, or SYTF, to which youth may only be committed if they are at least 14 years old and only for an offense that's listed in section 707(b), which includes the most serious and violent offenses that also make 16- and 17-year-old youth eligible for a transfer to a court of criminal jurisdiction. Subdivision (h) of section 875 required the Judicial Council to adopt by July 1 of this year an offense-based classification matrix to guide courts in setting a baseline term of commitment to an SYTF and to develop this matrix in consultation with a working group of specific juvenile justice stakeholders. So in the fall of 2021, the Family and Juvenile Law Advisory Committee solicited names for and former Chief Justice Cantil-Sakauye appointed members to the working group, which had its first meeting by the end of that year. In chairing the working group, I was greatly assisted by vice-chair Judge Widdifield from the Superior Court of Los Angeles County. And as you can see, our members included five additional juvenile court judges. Judge Lucero began serving as a highly respected juvenile justice judge, and after Governor Newsom appointed her as director of the newly created Office of Youth and Community Restoration, we were very grateful that she continued to provide her input and perspective from her new position. We also had two prosecutors, two defense attorneys, two chief probation officers, two juvenile justice advocates, a formerly incarcerated youth, a service provider, a behavioral health provider, and a deputy director from DJJ. I'd like to pause just for a moment to express my immense gratitude to and respect for each individual whose name you see here. From the first meeting, it was clear that every member of this working group was fully invested in ensuring that the matrix be a useful tool in advancing an evidence-based, developmentally sound juvenile justice system. Our membership represented different perspectives, which are often in conflict in the courtrooms, but here everyone started from a place of assuming the best intentions of one another and worked collaboratively to develop the proposed rule. We held fourteen 90-minute video

conference meetings and often had homework in between the meetings to gather information and research, agree on objectives, build the matrix, and reconvene after the public comment period to discuss potential revisions. The working group began by settling on three interrelated objectives not only to be the foundation of the matrix, but for judges to consider in its application. The first objective is positive youth development, meaning that an SYTF commitment must be an evidence-based, trauma-responsive effort to promote healthy adolescent development by incentivizing pro-social behavior and focusing on treatment to ensure healing, rehabilitation, and successful re-entry into our communities. The second objective is public and community safety, which are central to the decisions courts must make in applying the matrix, as such a commitment is only allowed when no less-restrictive alternative is available. Mindful that the goal of juvenile court is rehabilitation, this objective seeks to ensure that the baseline term of commitment is no longer than necessary to protect the public, but is of sufficient length to assure the victim and community that the harm committed can be redressed by the juvenile justice system and thus reduce the need for youth to be transferred to a criminal court. Finally, the third objective is that the matrix generate flexible and fair terms of commitment. The working group wanted not only to ensure terms imposed would be based upon the needs of the individual and not only the seriousness of the offense, but also wanted this approach to be applied through the lens of fair, just, consistent application throughout the state, recognizing that racial and ethnic disproportionality has been a failing of the juvenile justice system that all stakeholders should seek to remedy at each decision point. Proposed rule of court 5.806 has four subdivisions and an advisory committee comment. The first subdivision sets forth the statutory requirement that the court set a baseline term of commitment based on the most serious recent offense that is the basis of the commitment. The second subdivision provides criterion factors for the court to consider in setting the baseline term and requires the court to place its reasoning on the record for the term it selects. The four criteria include circumstances and gravity of the offense, the youth's prior history in the juvenile justice system, the confinement time, reasonable and necessary to achieve rehabilitation, and the youth's developmental history. The third subdivision directs the court to revisit the baseline term at each of the required six-month reviews and directs the probation department to report to the court on the use positive behavior and any reduction in that baseline term that should result. And the fourth subdivision of the matrix divides the 707(b) offenses into four categories, assigning each category a range of years from which the court may select an appropriate baseline term. Finally, the advisory committee comment sets forth the objectives of the matrix to guide courts in applying it as it was intended. The next slide is a table of the summary of the matrix, and as you can see, Category A has the most serious offenses—murder, kidnapping with substantial injury, and torture with a baseline term of four to seven years. During the comment period, a number of district attorneys' offices proposed increasing this range to five to eleven years, and the working group did discuss this suggestion at length. Ultimately, we did conclude that the four- to seven-year range was appropriate, because we had no evidence before us to support the proposition that seven years wasn't long enough to achieve rehabilitation when the youth is amenable. And seven years was the term that applied to youth committed to DJJ for these very same offenses. Category B has the forcible sex offenses and other serious violent offenses, and a range of between three to five years, which overlaps with

the four years previously applied to most of these offenses under the DJJ guidelines. Category C, with a term of two to four years, has most of the remaining 707(b) offenses, including some of the most common offenses such as robbery and assault crimes. Here, commenters from the defense bar and advocacy organizations did suggest that the bottom of this range be reduced to 18 months to be consistent with the term for some of these offenses under the DJJ guidelines. But the working group concluded that the reduction was not warranted, because the statute allows for a reduction of the baseline term of up to six months at each review hearing for youth making progress and because the SYTF commitment is intended only for youth who need extended custody time and not those whose behavior can be addressed by shorter terms or less restrictive programming. And Category D with a term of one to two years contains the only drug offense in 707(b) as well as witness tampering. After the public comment period, the working group did make a few changes to improve the matrix and ensure it achieves its objectives. The first is that language originally proposed for the advisory committee comment was moved into the rule to clarify that factors outside the youth's control must not result in a longer term than would otherwise be selected. Category A, which as you saw now contains kidnapping with serious injury and torture, was originally only intended to include murder. However, we made this change in order to be consistent with the DJJ guidelines, and we moved those additional two offenses to Category A to prevent any unintended incentive for these youth who committed these offenses to be transferred to an adult court. I want to thank you for this opportunity to share our proposal with you. It was an unusual task for our branch to undertake, but thanks to the hard work and dedication of the working group, the advisory committee members, and our super attorney support system, Tracy Kenny, we did develop a proposal that represents a strong consensus of all of the stakeholder participants. I'd be happy to take any questions.

>> Thank you so much for your presentation. Do we have any questions for Judge Hulse, or comments or discussion? You'll have to shout out or do the hand-raising function.

>> Chief, may I ask a question?

>> Yes, please go ahead, Justice Slough.

>> Thank you. Thank you. Good morning. Judge Hulse, may I ask—I know how your committee works, how committees work, and how the dialog is exchanged, and can I just ask a little bit around the dialog around the, I believe, it was four to seven years on the murder-torture range? Do you mind sharing some of the dialog around that if you can?

>> Sure, are you referring to whether that range should be increased, as was suggested in some of the comments?

>> Yes, ma'am.

>> Yes. Part of the reason underlying the comments, and I know that you had an opportunity to read them, was that from the district attorneys' perspective, they wanted to ensure that youth who were 14 or 15 years old could be in a secure youth treatment facility until the conclusion of juvenile court jurisdiction, which for the most serious offenses could be the age of 25.

However, and of course, seven years wouldn't necessarily have that result. However, we also considered the fact that for offenses of this nature, usually the cases take quite a bit of time,

during which the youth is confined in a juvenile hall, to even go through the juvenile justice system in terms of getting to the time of disposition. So it would not be unusual for a youth who had committed one of those offenses at such an early age to perhaps have been confined for two years before they would reach the disposition period. So that was certainly one of the considerations. Also, the working group and advisory committee didn't feel that it was within our lane to necessarily counter a decision that the Legislature and Governor had made to make 14- and 15-year-old youth ineligible for transfer simply by increasing the length of time that a person could spend in a secure youth treatment facility. And so that's why we felt that going so far outside the range that had been included for the Division of Juvenile Justice commitments really would be a departure beyond—for reasons beyond which we were authorized to consider. And again, we were very concerned with having our ranges reflect evidence-based programs and did not have any evidence before us to suggest that seven years wouldn't be long enough to achieve rehabilitation if a youth is amenable.

>> Thank you very much. That's very helpful. I think sometimes when you see something in writing and—and you can have a certain perception of it, but when you hear kind of some of the substance behind and underneath what it all means, as you point out, the length of time just to get to this position adds time while the youth is in custody and getting services during that time. So that—that's very helpful for me. Thank you so much.

>> Thank you.

>> Thank you, Justice Slough. Are there any other questions? There don't appear to be any. I just wanted to add my thanks for the working groups. Good work on this and the delicate task of balancing the priorities and primary objectives that you mentioned for the matrix of positive youth development, public safety, and having fair terms of commitment, and also to help the promotion of statewide consistency to provide a road map for courts to follow. So thank you. At this point, I will entertain a motion to move approval of this item and the recommendation.

>> So moved, Fujisaki.

>> Thank you, Justice Fujisaki.

>> Judge Moorman seconds.

>> ... seconds. Sorry.

>> I didn't hear who that was. I'm sorry. Is there a second?

>> This is Judge Brodie. I seconded. But there were also others, I think.

>> Okay. I'll take—thank you, Judge Brodie. A second—is there any further discussion? All those in favor say aye.

>> Aye.

>> Any noes? Any abstentions? The item is approved. Next, we have Judicial Branch Technology, Distribution of Funds for AB 716 Legislative Mandate, fiscal years 2022–23 and 2023–24. And welcome our presenters. Judge Brodie, chair of the Judicial Council Technology

Committee, and Ms. Heather Pettit, Judicial Council Information Technology. I'll turn it over to you.

>> Thank you, Chief, and thank you, committee members, for your attention to this item, which is a request to allocate funds for the implementation of AB 716. This is a bill that requires courts to be compliant with the ability to provide audio access to remote hearings when courthouses are closed. And we have some funding that was allocated to help with that effort. So a couple of introductory remarks I wanted to just make. This is funding that's going to be allocated in a way that will bring a lot of courts up to a level of technology where these hearings can be provided. When these improvements are made to our courthouses, there is a plan for how—how that's done. There are facility standards that have to be met. The details of the projects will be reviewed to ensure that we can continue on our efforts to provide as consistent and reliable a process as we can across the state. But California, of course, has a hugely diverse set of courthouses in the—in the physical plant sense. Right? We have some very old courtrooms. We have some pretty new courtrooms. And obviously, the technology needs for those courtrooms vary depending on a host of circumstances. So I'm here with Ms. Heather Pettit. She's going to talk us through how this funding is proposed to be allocated, some of the challenges that we face in courthouses around the state, and she'll also provide details about how we propose to work on meeting those challenges. So, Ms. Pettit, I'll turn it over to you.

>> Thank you, Judge Brodie. And thank you, Chief and council. I really appreciate the opportunity to be here in front of you today. So let's dive right in and talk about what is AB 716. So at a minimum, courts must stream telephonic audio proceedings to the public to provide access to the proceedings when the courtrooms are closed. And so this particular piece of legislation came out in October of 2021. As part of this piece of legislation, we worked with the Department of Finance on what it would take to actually fund this type of initiative. Now, keeping in mind this was during the heart of the pandemic, so the assumptions we had during this initial analysis, which of course was beginning in the 2000 range, when we were starting to look at timelines and the ability to do this. So when we worked with them, some of our assumptions were very different than what they are today. And I'm going to kind of go over those in detail. So let's go ahead and go to the next slide, please. So when we did the assumptions, they were pre-pandemic. The average estimate for audio/video solutions in the courtroom were approximately \$35,000 to \$50,000—we'll call \$50,000 is the average range, and that includes video and audio. Because we had made significant investments with the one-time money and that was one of our core functions during the pandemic, was having some proceedings being made available using audio/video technologies, we believed that we could put down the cost, drive down the cost to about \$35,000 per courtroom. So when we did this process, one of the biggest challenges we also found during the pandemic was that it was really the older courtrooms, those built before the year 2000 that really have the old technology, the almost stereotype technology in them that we're really struggling with the ability to have quality sound. Now, as part of our negotiations with the Department of Finance, some of the discussions were around audio and video. So if we were going to provide access over the internet or some sort of means, that really the long-term goal would be able to see the whole

proceeding. So having the full effect of what was happening in the courtroom visibly outside the world that we could see. So audio, video, sound, it was almost like the experience—immersive experience as part of that. However, as the pandemic progressed on, we had some challenges. So let's go to the next slide, please. So ultimately we had our BCP-approved fund. It was for the facilities. These are the requirements. We had audio and video—was included as part of it at the pre-pandemic cost with the existing facilities about the 1,700-plus facilities. So we received \$31 million for this fiscal year and \$31 million for next fiscal year. That was approved, and our basic assumptions that we had at the beginning of the pandemic. Go ahead. Next slide, please. The new reality, however, is that courtroom costs, delays in delivery of products, vendor supply chain issues, tripling the cost of folks being able to do the work, we've seen the average courtroom costs have now increased for audio and video between \$135,000 to \$300,000 per courtroom. This is data that we actually have from an RFP that was released—that was a branchwide RFP—by the Los Angeles superior court, where we saw the cost of the equipment and services rendered triple from what the original costs were. So that being said, the new reality is, is that just to do an audio upgrade, given the new world post-pandemic, it's about \$50,000 per courtroom, which means that we have to look at how we are able to meet the legislative requirements, but yet able to use the money that we have available to us. So this is the new reality. So what we did is we went out and we surveyed the courts to figure out who had done their upgrades and who had not done their upgrades. And that is what this is a reflection of in this request in this proposal. Go ahead. Please go to the next slide. So the funding allocation that has been described, the courts actually submitted what they need to do to upgrade. Now, keeping in mind that they've had three years with one-time modernization monies to do upgrades. So we've invested over \$7 million, and that doesn't even include the amounts that we're working on for this year and next fiscal year. So they submitted all of this. They came to us, they requested funding for their particular courtroom that were in need. And of course, the base-level requirement was courtrooms older than the year 2000. And then for the larger courts, we focused explicitly on the courts that we do remote proceedings on right now, which was the civil case types. And then we did a maximum allocation of \$50,000 for audio. Now that being said, is that by doing that, and when we looked at what the actual requests were that went out to all the trial courts, we do have enough money to fund audio at the mark of \$50,000 for all the courts who requested it for the courtrooms older than the year 2000. So that is how we allocated the money for this round. However, we just didn't have enough for this year. We will be able to cover the rest in year two's \$31 million. Go ahead and go to the next slide, please. So what we're doing right now is we're finishing all of the audio analysis we have for next year. We're going to have—the court's going to get to go back to the well to make sure that they've got all their requirements necessary to do any additional requests for funding that they may need. The money that we have received in this BCP will cover, at this point, based upon our analysis, all of the courtrooms' audio requirements. However, we have had to remove video from the scope. We did notify the Department of Finance on that immediately when we realized these price changes had happened. And so now we are starting the analysis for the next year's worth of funding, as I had mentioned, we're going to do another outreach to the courts and then the remaining courts that did not finish, which is the large courts, they will get their allocation for next fiscal year, and that will be coming back to you all. And then we also put

together a BCP to go back and ask for the additional video funding. Now, given the climate, we don't know if it's going to go through, obviously, but at least we would need to let them know that we are not able to meet the requirements due to circumstances outside of our control, but this is what we would need to do it. However, we will be able to meet the legislative requirements with the funding that they have given us thus far. So that's currently where we are. The other piece of this is we're, once the council decides to approve this distribution of monies, we will be putting together the IBA, which will include the inter-branch agreements, which includes all the requirements necessary to get the funding, which is signed off by the facilities team, signed off by the budgeting team, making sure that it aligns with some of the new standards that we're generating right now, working with the courts on what those standards look like. And so that process, as soon as we all—you all decide to approve this, we will be going down that road to get the monies allocated or at least assigned to the courts so that they know how much funding they will be getting, and they can start initiating their projects. And I believe that's kind of in a nutshell, then I'm going to turn it back over to Judge Brodie. Can we go to the next slide, please?

>> Thank you. Yes, so the request here today is to approve the recommended allocation of funding to the courts set forth in the materials to modernize their courtrooms to comply with AB 716 to be able to provide audio hearings if the courthouse is closed. I do want to make just one other—well, maybe a couple of other comments. And one is, you know, the price of these audio upgrades, it might on first blush seem rather—I don't know, rather steep, but there are all sorts of other costs beyond just the actual equipment. A lot of our older courthouses, they weren't wired to be able to accommodate, for example, the power supply needs that go with modern audio streaming equipment. I mean, it's not just setting up a speakerphone on the counsel table, right? I mean, these are much more sophisticated operations, and we've all seen varieties of these, but there's a fair amount of infrastructure that goes with these projects. So that drives a significant part of the cost. And also, I wanted to emphasize that really, this is just the next step on our journey. This is not the end of the road by any stretch when it comes to modernizing our courtrooms across the state to be able to provide a hybrid experience, to be able to provide remote access when that's appropriate. This is going to take a while to get there. It's an important step. And this will really establish some good foundational technology for future improvements. But it's complicated, and alas, it's also expensive. There's just no way around that. And this is something that we've all experienced in so many parts of our world, but this is certainly one of them. So I just wanted to make those two comments in closing, and I wanted to thank everyone, and certainly, we are willing to respond to any questions. And thank you, Chief. But that concludes our presentation. Unless there's anything else, Ms. Pettit, that you would want to add.

>> No, just thank you all for listening, and we look forward to your support.

>> Thank you so much, Judge Brodie and Ms. Pettit. Are there any questions? It looks like we have a question from Ms. Hill.

>> Yes, thank you. I was just wondering, are the courts, all of the courts that have been built since 2000, are they sufficiently situated to comply with the audio requirements?

>> We are working with them to assure that they are. And we're actually going in reevaluating all of the most recent installations to have them actually align with the new hybrid courtroom recommendations, which not only include the audio component, they also include the video and kind of live interaction, digital evidence. So they are in that process. And I will say—hands down to the trial courts, those newer facilities were able to get up and running much quicker during the pandemic because they do have the newer technologies. They're not dealing with some of these classic historic courthouses that we're talking about in this particular item. So, yes, I feel very comfortable that all of the courts will be 100 percent compliant when the time is required.

>> Thank you.

>> Thank you, Ms. Hill. Are there any other questions? I do not see any. And I just, again, wanted to thank the presenters for your informative presentation today, and it is good to see that, as you say, we're making important strides in order to advance the judicial branch of technology goals, which in turn, expand access to justice. At this time, I will entertain a motion to move approval of this item and the recommendation.

>> Chief, this is David Yamasaki. I would be happy to move approval of the recommendations and the allocations as detailed in Attachment A, if I may?

>> Thank you. Thank you, Mr. Yamasaki. I think I saw also Judge Hoppe raised his hand.

>> Yes, I would like to second the motion, but I want to make it clear that in my understanding, the motion only covers the recommended allocation and not the budget change proposal, which would be processed along with other proposed budget change proposals through the Judicial Branch Budget Committee.

>> That is correct.

>> Yes. Thank you for that clarification. Is there any other discussion? All those in favor say aye.

>> Aye.

>> Any noes? Abstentions? And it's approved. I think my audio might have been muted or I had a message that it was. But if it was, I'm just repeating that there were no noes, no abstentions, and the item is approved. Thank you. Our final discussion agenda item for today's meeting is a report to the Legislature, Online Infraction Adjudication and Ability-to-Pay Determinations. Our presenter—I'm hearing background, so I'll pause for a bit. Our presenters are Ms. Stephanie Bohrer—please correct me if I'm mispronouncing your name—Assistant Executive Officer for Superior Court of San Joaquin County, and Ms. Francine Byrne, Judicial Council, Criminal Justice Services, and Ms. Martha White, Judicial Council Criminal Justice Services. I'll turn it over to you.

>> So thank you very much, Chief Justice Guerrero, members of the Judicial Council. My name is Francine Byrne, Criminal Justice Services. We appreciate the opportunity to speak to you about this important project. Some of you heard about this about two years ago and we decided to come back now that we have a little bit more data and some more reports to get

involved with the project, tell you about the outcomes that we are seeing. So I'm going to start by giving you a brief overview and some background of the project. I will then turn it over to Stephanie Bohrer, the assistant CEO of the San Joaquin superior court, who will tell you a bit about the experiences in San Joaquin. And then Martha White, manager of Criminal Justice Services, who has been with this project since its inception and really has helped create it, will walk you through the early outcomes of the project based on the data that you see. Want to note that this project is a collaboration between Criminal Justice Services, JCIT, and the courts, and they've all been wonderful partners in this project that's a rather heavy lift. Okay, so some background. So we have long known that the unaddressed issues related to traffic fines and fees can have enormous consequences to lower income communities. The Judicial Council has been addressing some of these inequities in our fines and fees system since 2015. That was the year that the report matches the Ferguson problem. A traffic report's driving inequality in California came out and it documented a two-tiered justice system in the court system. One for those who can afford to pay a traffic ticket and another for those who are too poor to be able to pay and end up facing multiple hurdles to resolve their violation. So in 2016, the U.S. Department of Justice released a competitive grant solicitation for courts to propose fines and fee system improvements. The Judicial Council was awarded the grant and formed a workgroup that identified the creation of a standardized, easy to use online ability-to-pay request system as one of its priority areas. The Legislature recognized these efforts, and in 2018, approved a pilot program to take the online prototype that had been developed and implemented in seven courts. And as they saw the success of that project, the Legislature ultimately approved a statewide expansion, and that includes funding for all superior courts to implement the system. It also includes Judicial Council funding to maintain and enhance the system and grant funding that backfills declining fee revenues that are no longer there. Next slide. So what are/is MyCitations? It is an online tool for litigants to request an ability to pay determination and even adjudicate cases from the convenience of their phone. It allows people to look up the citations. They answer a series of questions about their financial situation, and then they request a reduction in the amount they owe, the payment plan, more time to pay, or community service. This tool is now available in English and Spanish, and additional languages are to follow. And it also includes a court module that allows courts and judges to review and decide on requests and then provide the litigant with what their options are. Next slide. So who uses MyCitations? We are able to gather data on the people who request ability-to-pay determinations through the system. We can see that they are largely Latinx, and we use that information to help guide our outreach efforts. We also know that they are—we're getting the right target audience and that they are under the poverty level. About a little less than half are on some sort of form of public benefits, and about 88 percent are at or above—at or below the threshold of 250 percent of the federal poverty level. Next slide. So, here is the sort of usage as of December 31, 2022. The focus of the report that you have, there were 26 courts live. I'm sorry, there were 16 courts live. At this point, there are now 21. From the time of the beginning to December 31, a total of more than 66,000 requests were used through the system, representing a number of more than 45,000 unique litigants. The average amount initially owed by citations through this is a little less than \$500. But prior to the passage of AB 199, which got rid of a lot of the civil assessment debt, that amount was \$679 per ticket. So through this program, we have forgiven about \$20 million

and the average reduction in citation is 57 percent. So I'm now going to spend another second to talk to you a little bit about some of them.

>> Thank you, Francine. Good morning, everyone. To give you an idea about usage and demographics of litigants using MyCitations in San Joaquin County, since our go-live date in October of last year, we've received 2,851 requests: 2,231 unique litigants submitted requests through the system, and 84 percent of requests were approved for relief; 65 percent of requests are appearing before their due date, 44 percent of litigants are on benefits, and 79 percent of litigants are at or below 250 percent of the federal poverty level. Next slide, please. I'd like to share a little bit about our court's onboarding experience. Judicial Council project management from start to finish was great. Project managers were organized, knowledgeable and communicative, court staff and judicial officer questions and concerns were addressed and resolved timely, weekly meetings with lead staff from the court and council kept the team on schedule from production to training and go-live. In fact, we were able to implement MyCitations ahead of schedule and in just under three months. Next slide, please. And now for some feedback from our judicial officers and staff on their experience with the system. We were really surprised by the public's response to MyCitations, but in a good way. We thought we'd have some time to kind of ease into the program, but from day one, we've seen really high usage rates. We attribute some of the high usage to updates we've made to our courtesy notices to include information about MyCitations and to make litigants aware of the program when they first receive the communication from the court. MyCitations provides litigants with a fast and easy and efficient way of resolving their cases sooner. The turnaround time from time of request to order by the court is about three weeks. As a consequence, the court has been able to dispose of cases sooner and decrease its pending caseload without litigants physically needing to appear in court. MyCitations has been very beneficial to litigants struggling financially, and our court has found that litigants are more apt to pay their reduced fines right away. Staff and judicial officers have found MyCitations easy to use based on the volume of requests received. We've dedicated staff to the program and continue to train more staff so that we can process requests timely. Our current procedure is to have a clerk review each request and then send it to judicial officer review and order. As you can imagine, this has had a huge impact on judicial officer workload outside of their courtrooms and already busy calendars. However, some of this workload can be alleviated by implementing a local rule in accordance with Government Code section 68645.3(e), which allows each court to authorize the clerk of the court to make ability-to-pay determinations. We have a new proposed local rule in draft now. We're really looking forward to making this rule effective July 1 of this year, as we anticipate this will relieve our judicial officers from reviewing 60 percent of requests received. Overall, and in just under six months since go-live, we have found MyCitations both efficient and effective in increasing the public's access to the court and helping our court dispose of citations sooner and manage its pending caseload. Now I'll turn it over to Martha.

>> Thanks, Stephanie. So in addition to the summary statistics that you just heard, this report to the Legislature also provides an evaluation of the pilot program that ran from roughly 2019 through 2021. We evaluated the effectiveness of the program by looking primarily at whether it did a couple of things—expanded access to request the ability-to-pay determinations and

whether it did in fact reduce fines and fees and allow us to learn a little bit more about what people are able to pay. Next slide, please. So as to expanding access, when we looked at paper form ability-to-pay requests, which have been in place for several years now by rule of court, we do see that this new online system did increase number of requests processed. Year over year, more people are using the system and increasing the total number of people receiving these determinations. It is important to note here, though, that many people will still want to use paper forms and that those will remain in place. But MyCitations is adding another option and people are utilizing it in growing numbers. Next slide, please. In addition to being able to quantify reductions, the project and the data that it collected gave us the opportunity to look at successful repayment after an ability-to-pay determination. So to do this, we matched over 12,000 MyCitations cases with data that pilot courts reported to us about repayment in those cases. It's been really interesting to look at that and to sort of see if some of our hypotheses about the program were realized as we were able to look at the data and more and more cases were processed. So we know that the vast majority of people, as reported earlier, using the system report, that they are living at or below the poverty level. For a family of four, that's about \$69,000 a year total. As we know in California, that does not leave a lot of discretionary income to be used for unexpected expenses. So what we see in this chart is that after an ability-to-pay reduction, over half of litigants successfully repay when their final fee is reduced to around \$300 or less. So that repayment is definitely higher than what we know to be typical. One comparison point which our Budget Services team tracks is what they call first year resolution rate after a case goes delinquent. That rate statewide, which includes all types of resolutions, was about 16 percent of all dollars owed, and that was for 2021–22. It's not a perfect comparison point, but it definitely does suggest that these are relatively high repayment rates. And then—next slide, please—one final chart we wanted to show you of something else that's in the report. We were able to look at repayment in terms of payment plan outcomes. We know that paying incrementally helps, and payment plans have been in place for that reason for years now. But the data from this study lets us look at where payment plans seem to be most successful. And it tells us that payment plan completion does drop off again around that \$300 mark. And it's just sort of interesting to note that if you're paying \$25 a month, which is a typical payment plan, it does take about a full year to pay off \$300, for example. Next slide, please. So this is really all just food for thought. It's information we can consider as we go forward. We're going to continue to onboard courts with the goal of having all courts live by June 30, 2024. We're going to continue doing outreach to make sure people know about the system. This is one of the posters that we have and provide to courts as they go live. We also have some Post-it Notes with a QR code on them that clerks have been using as they get people with questions and then send them on their way to take next steps. And then we're going to just continue to do data analysis, gain user input, and really look at what we can learn from the data to make data-informed decisions. So that's what we have for you. Any questions?

>> This is Judge Conklin. Could I just—at the end of the day, am I being too optimistic? This appears to be a win-win and that it allows litigants another opportunity to make their payments. And at the same time, just in net numbers, has it increased revenue to the court? I mean, is this given more ability to pay and therefore increased the income that comes into the court?

>> We did look at that in the report, actually, that one next step. And so there are some findings in the report related to that about actual dollars realized. And yes, it appears consistent with the fact that when an amount is reduced, people are more likely to pay. And even when they're paying that reduced amount, it's netting the intended sources of those fines and fees more dollars. So yeah, there is a little bit more about that in the report.

>> So it's a win-win?

>> Looks like it.

>> Okay. Thanks.

>> Mm-hmm.

>> Thank you, Judge Conklin. Are there any other questions? Let's see. Judge Moorman?

>> Yes. Thank you. I think this is a really fabulous report for many reasons. I'm wondering, going forward in your data collection, are you collecting data on the workload aspect of this? I know Ms. Bohrer spoke to, initially, it was so popular, it was sort of adding to a judicial officer's already busy calendars, so they're going to implement a rule of court. I'm wondering, on the clerks' side of things, do you think over time we'll see a corresponding reduction in workload because it'll become a process that's easier for a clerk to manage rather than paper?

>> Yeah, we do have some indicators of how long it's taking courts to process requests. The system is flexible, though, and it really does allow courts to use a workflow that works best for them. There can be as much clerk preparation of a request, if you will, as a court would like, and then turning over to a judicial officer for approval. There are some data with sort of date stamps in terms of how old the violation is when the person made their request and then when the order was processed to really get down to how long did it take each of you, and how you're processing the case, we've been just sort of getting that more anecdotally from courts. I think it evolves over time. I think at first, courts are using to learn the system. But then yes, I think things continue to get more efficient and then they start to see some efficiencies courtwide.

>> I just will say I would expect so. You know, the more we're all doing paperless work, judicial officers, clerks alike, the more efficient and proficient we become at it. And I think this is great. And Chief, you're looking for a motion to approve the report. I'm happy to make that motion.

>> Thank you. I'll hold that for now. I think Judge Brodie raised his hand. Unless it was unintentional.

>> No, I did. Thank you, Chief. I just had a question about sort of the management of the program. I don't know if this is outside the scope of your report, but do, my understanding is that the sort of Judicial Council IT folks have been kind of tilting this up on a statewide level and allowing courts to access that system. So it's not that every court has their own sort of ability-to-pay program that they're running independently, but that this is something that has a more branchwide focus. Am I right about that?

>> Yes, correct. Absolutely. There is an IT team that's been assembled that does everything from overall management to development to ticket logging, product enhancing. So, yes, there's an IT team that is there supporting the courts in whatever they need as they implement the tool and then as they continue to use it and find things and make suggestions that they think would help improve the tool.

>> Yeah, I think that will help a great deal as we go forward to implementing this in all of the courts across the state, to have that, that state—yeah, that state operation behind it. So thank you. I appreciate that.

>> Yeah, of course.

>> Thank you, Judge Brodie. Are there any other questions or comments? I don't see any. I would just like to add my expression of thanks for your work on the program. And in addition to the presentation here, I enjoyed reading the report and it was encouraging there to see the analysis of the pilot project that was mentioned here, showing that the cases that were granted a reduction through this tool had a 61 percent success rate for full repayment. So that was really encouraging to see. So we have a motion for approval by Judge Moorman. Is there a second?

>> Second.

>> I think I got Judge Conklin's second. Thank you. Is there any further discussion? All those in favor say aye.

>> Aye.

>> Any noes? Any abstentions? The item is approved. Thank you. Unless there's any further action—I don't see any—this does conclude our March 2023 Judicial Council business meeting. It was wonderful to see you all virtually. Our next regularly scheduled business meeting will be on May 11 and 12 in San Francisco. Thank you. And this meeting is now adjourned.