



# Judicial Council of California

## Meeting Minutes

### Judicial Council

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Friday, January 21, 2022

9:40 AM

Videconference

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

Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council, called the closed session to order at 9:00 a.m.

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

##### **Attendance**

##### **Council Members**

**Present:** 25 - Chief Justice Tani G. Cantil-Sakauye, Justice Carol A. Corrigan, Administrative Presiding Justice Brad R. Hill, Justice Carin T. Fujisaki, Justice Marsha G. Slough, Presiding Judge Samuel K. Feng, Judge Ann C. Moorman, Presiding Judge Theodore C. Zayner, Judge Marla O. Anderson, Judge C. Todd Bottke, Judge Stacy Boulware Eurie, Judge Kevin C. Brazile, Judge Kyle S. Brodie, Judge Rupert A. Byrdsong, Judge Jonathan B. Conklin, Judge Harold W. Hopp, Judge Dalila Corral Lyons, Judge David M. Rubin, Commissioner Glenn Mondo, Ms. Rebecca J. Fleming, Mr. David D. Fu, Mr. Kevin Harrigan, Ms. Rachel W. Hill, Mr. Shawn C. Landry, and Ms. Gretchen Nelson

**Absent:** 3 - Senator Thomas J. Umberg, Assembly Member Richard Bloom, and Mr. Maxwell V. Pritt

##### **Call to Order**

Chief Justice Tani G. Cantil-Sakauye, Chair of the Judicial Council, called the open session to order at 9:40 a.m. in the Judicial Council Board Room.

##### **Public Comment**

Comments were submitted in writing and reviewed by the Judicial Council.

## Approval of Minutes

[22-064](#)

### Minutes of November 19, 2021, Judicial Council Meeting

A motion to approve the minutes was made by Judge Brodie and seconded by Justice Corrigan. The motion was adopted. Justice Fujisaki and Ms. Hill abstained from voting on the minutes.

## Chief Justice's Report

Chief Justice Tani G. Cantil Sakauye reported on her activities since the last council meeting.

## Administrative Director's Report

[22-065](#)

### Administrative Director's Report

Administrative Director Martin Hoshino reported on the council's activities since the last council meeting.

## Judicial Council Internal Committee Reports

[22-066](#)

### Presentation | Judicial Branch Budget Committee

[22-067](#)

### Written Reports

## CONSENT AGENDA

### Approval of the Consent Agenda

A motion to approve all items on the Consent Agenda, as follows, was made by Judge Brazile and seconded by Judge Rubin. The motion was adopted.

[22-072](#)

### Judicial Branch Administration | Emergency Rules on Juvenile Dependency and Juvenile Delinquency Proceedings (Action Required)

**Summary:** The chairs of the Judicial Council's six internal committees recommend that the Judicial Council amend California Rules of Court, emergency rules 6 and 7, effective January 21, 2022, by replacing references to emergency rule 3 and rule 5.531 with references to new Code of Civil Procedure section 367.75 and its implementing rule, rule 3.672. The amendment would conform both rules to recent changes in the law regarding remote civil proceedings, which are governed by section 367.75 and rule 3.672, effective January 1, 2022, and is consistent with the recent amendment to emergency rule 3 that removed emergency rule 3's application to civil cases and confirmed its continued application to criminal cases.

**Recommendation:** The chairs of the Judicial Council's six internal committees recommend that the Judicial Council, effective January 21, 2022, amend California Rules of Court,

emergency rules 6 and 7 by replacing references to emergency rule 3 and rule 5.531 with references to Code of Civil Procedure section 367.75 and its implementing rule, rule 3.672.

**22-018****Judicial Branch Technology | Identity and Access Management  
(Action Required)**

**Summary:** The Judicial Council Technology Committee and Information Technology Advisory Committee (ITAC) recommends that the Judicial Council accept the Identity and Access Management Workstream final report. The judicial branch has been rapidly implementing digitally driven processes and enabling information sharing to meet increasing expectations and a growing reliance on digital access to court information. Acknowledging these important changes, ITAC initiated the Identity and Access Management Workstream led by executive sponsor Snorri Ogata, Chief Information Officer from the Superior Court of Los Angeles County, to explore and make recommendations related to providing and safeguarding access to court information. The workstream presents three recommendations in support of the goals and objectives defined in the Tactical Plan for Technology, all of which support the overarching goal to increase access to justice. The recommendations outline a common framework for courts that participate to provide a uniform way for the public, attorneys, court partners, and others to access online court information and services across California. Implementation of the framework is dependent upon additional one-time and ongoing funding.

**Recommendation:** The Technology Committee and Information Technology Advisory Committee recommends that, effective immediately, the Judicial Council accept the attached workstream report, *Branchwide Identity and Access Management Workstream: Findings and Recommendations (2021)* and approve the workstream recommendations. The Identity and Access Management Workstream report is included as Attachment A.

In summary, the workstream's recommendations are:

1. Establish ongoing governance and a process for policy and technology decisions regarding identity and access management.
2. Develop and deploy a branchwide identity management platform and program supported by Judicial Council Information Technology (JCIT) that would:
  - (1) Create a branchwide ID (CalCourtID) with clearly defined minimum identity attributes and the ability for users to control sharing.
  - (2) Establish a process for identity proofing where the judicial branch will be the authentication authority for public users (business-to-consumer, B2C), and authentication for courts and justice partners with MOUs (business-to-business, B2B) will be federated.
  - (3) Enable migration of existing identity management implementations used by courts and other service providers.
  - (4) Implement multifactor authentication (MFA), and use it everywhere.
  - (5) Provide litigants and attorneys the ability to temporarily delegate their

access levels to another registered user. Delegated access should be reaffirmed every six (6) months, and the delegator should have access to delegee activities.

- (6) Include provisions in branchwide RFPs that mandate use of branchwide identity management.

3. Establish funding for branchwide identity management buildout and support.

#### [22-074](#)

### **Rules and Forms | Civil Practice and Procedure: Technical Changes to Civil Rules (Action Required)**

**Summary:** Judicial Council staff recommend amending rules 3.722, 3.1207, and 3.2226 of the California Rules of Court, effective January 21, 2022, to provide for appearances “remotely” rather than just “by telephone” and to change references to rule 3.670 to new rule 3.672. The amendments would make the rules consistent with recently adopted rule 3.672 and avoid confusion among court users, court staff, and judicial officers about which rule applies to civil remote appearances.

**Recommendation:** Judicial Council staff recommend that the Judicial Council, effective January 21, 2022, amend California Rules of Court, rules 3.722, 3.1207, and 3.2226, to replace references to “by telephone” and rule 3.670 with references to “remotely” and rule 3.672, respectively.

#### [22-031](#)

### **Trial Court Budget | Funding Allocation Methodology for General Fund Supplement to Address Federally Funded Dependency Representation Program Shortfall (Action Required)**

**Summary:** The Trial Court Budget Advisory Committee recommends that up to \$30 million provided for court-appointed counsel in dependency cases appropriated in the 2021-22 Budget Act be allocated and distributed according to a methodology that will ensure that any shortfall in federal foster care funding because of federal guidance limiting eligible activities for reimbursement can be addressed consistent with the intent of the Legislature in appropriating the funds.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective January 21, 2022, adopt the recommendations of the Trial Court Budget Advisory Committee on the allocation and distribution of funds for the shortfall in federal funding for court-appointed counsel as follows:

1. Approve the allocation and distribution methodology for 2021-22 that funds all providers with Federally Funded Dependency Representation Program contracts for the full amount of the shortfall between their contract and total billing in one lump sum payment, provided that they submit invoices for each month of the contract or demonstrate extenuating circumstances preventing them from invoicing;

2. Revise this approach for future years to make the payments on a quarterly basis;
3. Approve a proportional allocation approach with each provider receiving their share of the \$30 million based on their contract share of total Federally Funded Dependency Representation Program funding up to their full contract amount if the shortfall exceeds \$30 million; and
4. Direct Judicial Council staff to monitor Federally Funded Dependency Representation Program invoicing to ensure that this allocation methodology is maximizing the drawdown of federal title IV-E funds.

This recommendation was presented to the Judicial Branch Budget Committee on November 4, 2021 and approved for consideration by the Judicial Council.

#### [22-020](#)

#### **Trial Court Budget | 2020-21 Final One-Time Reduction for Fund Balances Above the 3 Percent Cap (Action Required)**

**Summary:** Pursuant to Government Code section 77203(b), a trial court may carry over unexpended funds in an amount not to exceed 3 percent of the court's operating budget from the prior fiscal year. The Trial Court Budget Advisory Committee recommends a final one-time reduction allocation of \$7,669,000 related to the fund balance cap in 2020-21 and prior-year excluded funds, as required by Government Code section 68502.5(c)(2)(A), which nets to \$232,000 after adjusting for \$7,437,000 in funds held on behalf of trial court reductions.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective January 21, 2022, approve the final reduction allocation of \$7,669,000 to match the trial courts' final calculations of the amount above the 3 percent fund balance cap, further reduced by \$7,437,000 in approved funds held on behalf of the trial courts to \$232,000 to be reverted to the Trial Court Trust Fund.

This recommendation was presented to the Judicial Branch Budget Committee on December 7, 2021 and approved for consideration by the Judicial Council.

#### [22-019](#)

#### **Trial Court Budget | Children's Waiting Room Fund Balance Cap Adjustments (Action Required)**

**Summary:** The Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends children's waiting room fund balance cap adjustments for seven superior court requests. The total amount requested would increase fund balance caps by \$2.3 million.

**Recommendation:** The Fiscal Planning Subcommittee recommends that, effective January 21, 2022, the Judicial Council approve children's waiting room fund balance cap adjustments as follows:

1. Alameda Superior Court; adjustment of \$19,000;
2. Contra Costa Superior Court; adjustment of \$289,000;
3. Los Angeles Superior Court; adjustment of \$1,294,000;
4. Sacramento Superior Court; adjustment of \$132,000;

5. San Bernardino Superior Court; adjustment of \$281,000;
6. Santa Barbara Superior Court; adjustment of \$259,000; and
7. Ventura Superior Court; adjustment of \$2,000.

[22-017](#)**Trial Courts | Trial Court Trust Fund Funds Held on Behalf of the Trial Courts (Action Required)**

**Summary:** The Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends eight new and three amended Trial Court Trust Fund funds to be held on behalf of the trial courts requests totaling \$5.1 million from seven trial courts. Under the Judicial Council-adopted process, a court may request reduced funding as a result of the court exceeding the 3 percent fund balance cap, to be retained in the Trial Court Trust Fund for the benefit of that court.

**Recommendation:** Based on actions taken at its meeting on October 21, 2021, the Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends that the Judicial Council, effective January 21, 2022, approve:

1. New requests totaling \$3 million (Attachment A), as follows:
  - a. \$32,000 request from Imperial Superior Court to purchase courtroom furniture for the El Centro, Brawley, and Winterhaven courthouses (Attachment B);
  - b. \$42,000 request from Imperial Superior Court for exterior cleaning and improvements to the El Centro courthouse (Attachment C);
  - c. \$199,000 request from Imperial Superior Court for audio visual upgrades, data center appliances, networking equipment, and software licenses (Attachment D);
  - d. \$381,000 request from Kings Superior Court for a new case management system (Attachment E);
  - e. \$111,000 request from Mono Superior Court to replace its outdated overhead projection televisions with light-emitting diode (LED) screens (Attachment F);
  - f. \$507,000 request from Monterey Superior Court for equipping and furnishing the new Family Justice Center and Civil courthouse (Attachment G);
  - g. \$221,000 request from Monterey Superior Court to upgrade the power infrastructure and data center located in the court's King City facility (Attachment H); and
  - h. \$1.5 million request from San Benito Superior Court to digitize physical case files held at an off-site storage facility and to destroy case files that are beyond their retention period (Attachment I).
2. Amended requests totaling \$2.1 million (Attachment J), as follows:
  - a. Request from Calaveras Superior Court to spend the remaining unused funds from a previously approved \$244,000 request on an alternate project. The cost of the initial project was less than anticipated leaving a funds held on behalf balance of \$139,000. The

- court would like to use the remaining balance to update the audio and video equipment for four courtrooms (Attachment K);
- b. Request from Monterey Superior Court to hold additional funds from its 2020-21 fund balance in excess of the 3 percent cap in the amount of \$78,000. This amended request adds to the \$169,000 to expand services at King City courthouse. The total amount to be held is \$247,000 (Attachment L); and
  - c. Request from Shasta Superior Court to hold additional funds from its 2020-21 fund balance in excess of the 3 percent cap in the amount of \$1.1 million. This amendment adds to the \$472,000 request originally submitted in July 2020 for facility and courtroom modifications and purchases. The total amount to be held is \$1.6 million (Attachment M).

## DISCUSSION AGENDA

[22-005](#)

### Judicial Council | 2022 Legislative Priorities (Action Required)

**Summary:** Each year, the Judicial Council sponsors legislation and adopts legislative priorities to further key council objectives to establish priorities for the upcoming legislative year. Last year, the council's legislative priorities focused on implementing efficiencies in the courts, investing in the judicial branch, and expanding remote access to the courts. Staff recommends that the Legislation Committee recommend to the Judicial Council a similar approach for the 2022 legislative year.

**Recommendation:** The Legislation Committee recommends that the Judicial Council approve the following legislative priorities for 2022:

1. Advocate for the following:
  - a. Continued investment in the judicial branch to include stable and reliable funding for courts to address annual cost increases in baseline operations and plan for the future; and
  - b. Sufficient resources to improve physical access to the courts by keeping courts open, to expand access by increasing the ability of court users to conduct branch business online, to restore programs and services that were reduced over the past few years, and to continue to implement innovations in programs and services;
2. Increase the number of judgeships and judicial officers in superior courts by:
  - a. Seeking funding for the remaining authorized but unfunded judgeships (see the table on page 4), to be allocated to the courts with the greatest need based on the most recently approved Judicial Needs Assessment; and
  - b. Advocating for legislative ratification of the Judicial Council's authority to convert vacant subordinate judicial officer (SJO) positions to judgeships in eligible courts;
3. Seek legislative authorization, if needed and authorized by the Judicial Council

in 2022, for the disposition of unused courthouses in a fair market value transaction, with the proceeds to be directed to the State Court Facilities Construction Fund (the successor fund of the Immediate and Critical Needs Account) established by Senate Bill 1407 (Perata; Stats. 2008, ch. 311) or any other Judicial Council facilities fund authorized by the Legislature;

4. Continue to sponsor or support legislation to improve judicial branch operational efficiencies, including cost-savings and cost-recovery measures as well as the ability to conduct proceedings, in whole or in part, using remote technology to expand safe and reliable access to justice;
5. Advocate for legislation to implement pretrial detention reform; and
6. Delegate to the Legislation Committee the authority to take positions or provide comments on behalf of the Judicial Council on proposed legislation (state and federal), administrative rules or regulations, and proposals by other bodies or agencies after evaluating input from council advisory bodies, council staff, and the courts, provided that the input is consistent with the council's established policies and precedents.

**A motion to approve the recommendation was made by Judge Hopp and seconded by Judge Lyons. The motion was adopted.**

#### [22-016](#)

### **Trial Court Budget | Delegation of Trial Court Trust Fund Authority to the Judicial Council Administrative Director (Action Required)**

**Summary:** The Trial Court Budget Advisory Committee recommends the delegation of Trial Court Trust Fund authority to the Judicial Council Administrative Director to transfer funding allocations approved by the council from one program or project to another, subject to any restrictions or conditions provided by the Judicial Council, to address unanticipated needs and contingencies. This would allow for immediate implementation to meet critical needs of the trial courts and enable council staff to commit funding on a timely basis.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective January 21, 2022, delegate authority to the Judicial Council Administrative Director to transfer Trial Court Trust Fund funding allocations approved by the Judicial Council from one program or project to another, subject to any restrictions or conditions provided by the council, to address unanticipated needs and contingencies. This recommendation was presented to the Judicial Branch Budget Committee on December 7, 2021 and approved for consideration by the Judicial Council.

**A motion to approve the recommendation was made by Justice Fujisaki and seconded by Judge Brazile. The motion was adopted.**

#### [22-021](#)

### **Allocations and Reimbursements to Trial Courts | Court Interpreters Program Funding and Allocation Methodology (Action Required)**

**Summary:** The Trial Court Budget Advisory Committee recommends an ongoing,



workload-based allocation methodology for Court Interpreters Program funding, including cross assignments, benefit cost changes, and unspent funds effective July 1, 2022.

**Recommendation:** The Trial Court Budget Advisory Committee recommends the Judicial Council approve the following, effective July 1, 2022:

1. A proportional allocation methodology based on a three-year average of expenditure data available (2017-18, 2018-19, and 2019-20), up to the Court Interpreters Program appropriation amount effective 2022-23, while the Ad Hoc Interpreter Subcommittee continues review of pandemic impact and reporting data considerations effective in 2023-24;
2. Require courts to return to the Judicial Council all unspent 2021-22, 2022-23 and ongoing Court Interpreter Program-allocated funds, which will first reimburse courts with a shortfall in each respective year not to exceed the overall appropriation amount, with any remaining funds reverting to the Trial Court Trust Fund as restricted program funding;
3. Allocate staff interpreter benefits dollar-for-dollar to courts reporting cost benefit changes effective 2022-23; and
4. Require receiving courts to offset extraordinary interpreter expenses to courts providing cross-assignments (or “home” courts) and charge the Ad Hoc Interpreter Subcommittee with working with Judicial Council staff on development of a payment/reimbursement method.

This recommendation was presented to the Judicial Branch Budget Committee on December 7, 2021 and approved for consideration by the Judicial Council.

**A motion to approve the recommendation was made by Administrative Presiding Justice Hill and seconded by Judge Brodie. The motion was adopted.**

### [22-063](#)

#### **Allocations and Reimbursements to Trial Courts | Senate Bill 170: Funding for Court Reporters in Family Law and Civil Law Case Types (Action Required)**

**Summary:** On September 23, 2021, Governor Gavin Newsom signed Senate Bill 170 into law, which amended the 2021 Budget Act and included \$30 million ongoing General Fund to the Judicial Council exclusively for use to establish a methodology to allocate funding to all trial courts to increase the number of court reporters in family law and civil cases. The funding will not supplant existing trial court expenditures on court reporters in family law and civil law cases. The Trial Court Budget Advisory Committee recommends approving a proportional allocation methodology of the ongoing \$30 million to all trial courts to increase the number of court reporters in family law and civil law case types effective fiscal year 2021-22.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective January 21, 2022:

1. Approve an allocation methodology that allocates \$30 million proportionally to each trial court, based on the most recently published noncriminal assessed judicial need and after a \$25,000 funding floor is provided to those courts that fall

below the floor amount in the model;

2. Capture a baseline number and associated costs for court reporters in noncriminal case types, effective July 1, 2021, to ensure that these funds are not being used to supplant existing expenditures in these areas, consistent with the requirements in the budget language;
3. Update the assessed judicial need and Schedule 7A data used each year based on the most recent information available at the time of allocation for each fiscal year; and
4. Identify unspent funds for General Fund reversion each fiscal year, as necessary.

This recommendation was presented to the Judicial Branch Budget Committee on December 7, 2021 and approved for consideration by the Judicial Council.

**A motion to approve the recommendation was made by Judge Bottke and seconded by Judge Boulware Eurie. The motion was adopted.**

## [22-062](#)

### **Allocations and Reimbursements to Trial Courts | Senate Bill 170: Funding for Increased Transcript Rates (Action Required)**

**Summary:** On September 23, 2021, Governor Gavin Newsom signed Senate Bill 170 into law, which amended the 2021 Budget Act and included \$7 million ongoing General Fund for the Judicial Council to establish a methodology to allocate the funding to all trial courts to cover the costs associated with increased transcript rates under Assembly Bill 177 (Committee on Budget; Stats. 2021, ch. 257). The Trial Court Budget Advisory Committee recommends approving a proportional allocation methodology of the ongoing \$7 million to all trial courts to cover the costs associated with increased transcript rates effective in fiscal year 2021-22.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective January 21, 2022:

1. Approve an allocation methodology that allocates the \$7 million appropriation to each trial court proportionally, based on an average of the prior three-year transcript expenditures;
2. Establish fiscal year 2020-21 actual expenditures-adjusted to reflect the September 23, 2021, effective date of the increased transcript rate outlined in Attachment A-as a baseline to determine cost increases, and identify unspent funds for General Fund reversion each fiscal year, as necessary; and
3. Direct staff to update the three-year average for the allocation methodology each year based on the most recent data available for actual expenditures on transcripts.

This recommendation was presented to the Judicial Branch Budget Committee on December 7, 2021 and approved for consideration by the Judicial Council.

**A motion to approve the recommendation was made by Presiding Judge Feng and seconded by Judge Anderson. The motion was adopted.**

[22-022](#)**Judicial Branch Education | Fiscal Years 2022-24 Education Plan (Action Required)**

**Summary:** The Center for Judicial Education and Research Advisory Committee recommends approving the fiscal years 2022-24 Education Plan, effective July 1, 2022. Through the work of its standing curriculum committees, the CJER Advisory Committee developed this plan for CJER education programs and products that will enable its judicial branch constituencies to fulfill the education requirements and expectations outlined in rules 10.451-10.491 of the California Rules of Court.

**Recommendation:** The CJER Advisory Committee reviewed and unanimously approved the education plan for fiscal years 2022-24 and now recommends that the Judicial Council approve the plan, effective July 1, 2022. With Judicial Council approval, the CJER Advisory Committee and CJER staff will initiate the education and training they are required and expected to deliver to the multiple judicial branch audiences they serve.

**A motion to approve the recommendation was made by Judge Lyons and seconded by Judge Hopp. The motion was adopted.**

**INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**[22-030](#)**Court Facilities | Trial Court Facility Modifications Report for Quarter 1 of Fiscal Year 2021-22**

**Summary:** This informational report to the Judicial Council outlines the allocations of facility modification funding made to improve trial court facilities in the first quarter (July through September) of fiscal year 2021-22. To determine allocations, the Trial Court Facility Modification Advisory Committee reviews and approves facility modification requests from across the state in accordance with the council's *Trial Court Facility Modifications Policy*.

[22-006](#)**Report to the Legislature | 2020-21 Court Facilities Trust Fund Expenditures**

**Summary:** Pursuant to Government Code section 70352 (c), the Judicial Council is required to submit a report on the actual expenditures from the Court Facilities Trust Fund to the Legislature after the end of each fiscal year. On or before December 31, 2021, the Judicial Council's Budget Services staff submitted the *2020-21 Court Facilities Trust Fund Expenditures*, which reported the fund expended \$143.2 million in 2020-21.

[22-014](#)**Report to the Legislature | Allocation of New Judgeships Funding in 2020-21**

**Summary:** Pursuant to the Budget Act of 2007 (Stats. 2007, ch. 171, 172) the Judicial Council is required to report annually to the Legislature on the allocation of funding for support of new judgeships authorized in 2007-08 until all judgeships are appointed and new

staff hired. On or before January 1, 2022, the Judicial Council's Budget Services staff submitted the *Report on Allocation of Funding in 2020-21 for Support of New Judgeships Authorized in 2007-08*.

[22-015](#)      **Report to the Legislature | Electronic Recording Equipment**

**Summary:** Government Code section 69958 requires the Judicial Council to report to the Legislature semiannually on the purchase and lease of any electronic recording equipment that will be used to record superior court proceedings. During the reporting period of January 1 through June 30, 2021, four courts reported spending a combined total of \$235,571 for equipment or related items.

[22-003](#)      **Report to the Legislature | Measures to Promote Fair and Efficient Administration of Justice**

**Summary:** The Judicial Council must adopt and annually report on judicial administration standards and measures that promote the fair and efficient administration of justice per Government Code section 77001.5. The attached report, *Standards and Measures That Promote the Fair and Efficient Administration of Justice*, reports on judicial branch progress in the following areas: (1) providing equal access to courts and respectful treatment for all court participants; (2) case processing, including the efficient use of judicial resources; and (3) general court administration.

[22-012](#)      **Report to the Legislature | Receipts and Expenditures From Local Courthouse Construction Funds**

**Summary:** Pursuant to Government Code section 70403, the Judicial Council is required to submit a report accounting for all receipts and expenditures from local courthouse construction funds to the Legislature and the Department of Finance by January 1 of each year. On or before December 31, 2021, the Judicial Council's Budget Services staff submitted the *Receipts and Expenditures From Local Courthouse Construction Funds* report.

[22-052](#)      **Report to the Legislature | State Trial Court Electronic Filing and Document Service Accessibility Compliance**

**Summary:** Assembly Bill 103 (Stats. 2017, ch. 17), the public safety bill approved by the Governor on June 27, 2017, amended Code of Civil Procedure section 1010.6(h), which requires that any system for the electronic filing and service of documents used by a California trial court must be accessible to individuals with disabilities as provided in the statute. The amendment also requires the Judicial Council to submit four reports between June 2018 and December 2023 to the appropriate committees of the Legislature relating to the trial courts that have implemented a system of electronic filing and service of documents. This December 2021 report is the third of the four required reports.

[22-009](#)**Report to the Legislature | State Trial Court Improvement and Modernization Fund Expenditures in 2020-21**

**Summary:** Pursuant to Government Code section 77209(i), the Judicial Council is required to submit a report on the use of the State Trial Court Improvement and Modernization Fund to the Legislature by December 31 of each year. On or before December 31, 2021, the Judicial Council's Budget Services staff submitted *State Trial Court Improvement and Modernization Fund Expenditures for 2020-21*.

[22-008](#)**Judicial Branch Budget | Statewide Collection of Court-Ordered Debt for 2020-21**

**Summary:** Pursuant to Penal Code section 1463.010, the Judicial Council is required to submit a report on the information required to be collected and reported pursuant to Government Code section 68514(a), to the Legislature and the Department of Finance by December 31 of each year. On or before December 31, 2021, the Judicial Council's Budget Services staff submitted the *Report on Statewide Collection of Court-Ordered Debt for 2020-21*.

[22-013](#)**Report to the Legislature | Trial Court Trust Fund Revenue, Expenditure, and Fund Balance Constraints for 2020-21**

**Summary:** Pursuant to Government Code sections 68502.5(b) and 77202.5(b), the Judicial Council is required to submit a report to the Legislature that provides financial data for trial courts from all fund sources, which is displayed by individual trial court with totals and fund balances for all courts. The report must be submitted by December 31 following the close of each fiscal year. On or before December 31, 2021, the Judicial Council staff submitted the *Report of Trial Court Trust Fund Revenue, Expenditure, and Fund Balance Constraints for 2020-21* to the Legislature.

[22-061](#)**Trial Courts | Public Notice by Courts of Closures or Reduced Clerks' Office Hours**

**Summary:** Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices, or reducing clerks' regular office hours; and (2) the council to post all such notices on its website and relay them to the Legislature. This report lists the latest court notice received by the council under this statutory requirement. Since the previous report, one superior court--the Superior Court of Del Norte County--has issued a new notice.

[22-011](#)**Trial Courts | Quarterly Investment Report for Third Quarter of 2021**

**Summary:** This *Trial Courts: Quarterly Investment Report for Third Quarter of 2021* covers the period of July 1, 2021, through September 30, 2021, and provides the

financial results for the funds invested by the Judicial Council on behalf of the trial courts as part of the judicial branch treasury program. The report is submitted under Judicial Council meeting agenda item 10, Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004.

### **Circulating Orders**

[22-068](#)

**Circulating Orders since the last business meeting.**

### **Appointment Orders**

[22-069](#)

**Appointment Orders since the last business meeting.**

### **Adjournment**

With the meeting's business completed, the Chief Justice adjourned the meeting at approximately 11:17 a.m.

*Respectfully submitted by Administrative Director Martin Hoshino, Secretary to the Judicial Council, on March 11, 2022.*