



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND
PLANNING COMMITTEE

www.courts.ca.gov/epmeetings.htm
executiveandplanning@jud.ca.gov

EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING

Thursday, November 17, 2016

12:10 to 1:10 p.m.

Teleconference

Committee Members Present:	Justice Douglas P. Miller (Chair); Judge Marla O. Anderson, (Vice Chair); Justice Harry E. Hull, Jr., Judges Jeffrey B. Barton, Daniel J. Buckley, Samuel K. Feng and Gary Nadler; and Mr. Richard D. Feldstein
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Committee Members Absent:	Judge David M. Rubin and Ms. Donna D. Melby
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Other Attendees:	Ms. Rodina Catalano and Mr. Neal Taniguchi
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Committee Staff Present:	Ms. Jody Patel and Ms. Amber Barnett
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Staff Present:	Ms. Michele Allan, Mr. Cliff Alumno, Ms. Heather Anderson, Ms. Deborah Brown, Ms. Eunice-Calvert Banks, Mr. Joseph Carozza, Mr. Mike Courtney, Ms. Kimberly DaSilva, Ms. Natalie Daniel, Mr. Robert Downs, Ms. Lucy Fogarty, Ms. Cristina Foti, Ms. Denise Friday, Ms. Diana Glick, Mr. Bruce Greenlee, Ms. Angela Guzman, Ms. Eve Herschopf, Mr. Alan Herzfeld, Ms. Donna Ignacio, Ms. Hilda Iorga, Mr. Greg Keil, Mr. Doug Kauffroath, Ms. Tara Lundstrom, Mr. Chris Magnusson, Mr. Charles Martel, Ms. Anna Maves, Ms. Kristine Metzker, Mr. Douglas C. Miller, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Sharon Reilly, Ms. Leah Rose-Goodwin, Ms. Jamie Schechter, Mr. Brian Simeroth, Mr. Colin Simpson, Ms. Laura Speed, Ms. Lynette Stephens, Mr. Zlatko Theodorovic, Ms. Millicent Tidwell, Ms. Adrienne Toomey, Mr. Enrique Villasana, Ms. Jenny Wald, and Mr. Don Will.
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OPENING MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m. and committee staff took roll call.

Approval of Minutes

The committee voted to approve the following minutes:

- October 13, 2016, Executive and Planning Committee meeting
- October 24, 2016, Executive and Planning Committee action by email
- October 27, 2016, Executive and Planning Committee meeting (closed session)
- November 10, 2016, Executive and Planning Committee meeting (closed session)

DISCUSSION AND ACTION ITEMS

Item 1

Subordinate Judicial Officer Conversion – Request from the Superior Court of Los Angeles County (Action Required)

Review request from the Superior Court of Los Angeles County to convert three vacant subordinate judicial officer positions to judgeships.

Action: The committee approved the request from the Superior Court of Los Angeles County to convert three vacant subordinate judicial officer positions to judgeships.

Item 2

Subordinate Judicial Officer Conversion – Request from the Superior Court of San Mateo County (Action Required)

Review request from the Superior Court of San Mateo County for a temporary exception to the conversion of two vacant subordinate judicial officer positions to judgeships.

Action: The committee approved the request from the Superior Court of San Mateo County for a temporary exception to the conversion of two vacant subordinate judicial officer positions to judgeships.

Item 3

Government Code Section: 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code § 68106—Report No. 40) (Action Required)

Review report listing the latest court notices received by the Judicial Council in accordance with Government Code Section 68106 and approve to be included in the Judicial Council meeting in December.

Action: The committee approved the report listing the latest court notices received by the Judicial Council in accordance with Government Code Section 68106 and approved the item to be included on the agenda for the Judicial Council meeting in December.

Item 4

Agenda Setting for the December 15-16 Judicial Council Meeting (Action Required)

Review draft reports and set the agenda for the Judicial Council meeting in December.

Action: The committee reviewed draft reports and set the agenda for the Judicial Council meeting in December—currently scheduled to be a one-day meeting on December 16, 2016.

ADJOURNMENT

There being no further open meeting business, the meeting was adjourned at 12:45 p.m.

Approved by the advisory body on December 21, 2016.



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Minutes of Action by E-mail Between Meetings for Executive and Planning Committee

E-mail Proposal

As part of the agenda setting for Judicial Council meetings, the Executive and Planning Committee was asked to review the revised report for consent item 16-226: Jury Instructions: New and Revised Civil Jury Instructions and Verdict Forms (exclusive of Jury Instructions 3103) and the report for new discussion item 16-254: Jury Instructions: CACI No. 3103, *Neglect—Essential Factual Elements* for approval to be included on the December 16, 2016, Judicial Council business meeting agenda.

Notice

On November 21, 2016, a notice was posted advising that the Executive and Planning Committee was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

Action Taken

Members voted unanimously to approve the revised consent item 16-226 for the consent agenda and new discussion item 16-254 for the discussion agenda of the December 16 Judicial Council business meeting.

Approved by the advisory body on December 21, 2016.



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Minutes of Action by E-mail Between Meetings for Executive and Planning Committee

E-mail Proposal

As part of the agenda setting for Judicial Council meetings, the Executive and Planning Committee was asked to review the report for new consent item 16-255: Judicial Branch Administration: Unpaid Sabbatical Request for Hon. Gregory Alarcon for approval to be included on the December 16, 2016, Judicial Council business meeting agenda.

Notice

On December 5, 2016, a notice was posted advising that the Executive and Planning Committee was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

Action Taken

Members voted unanimously to approve new consent item 16-255 for the consent agenda of the December 16 Judicial Council business meeting.

Approved by the advisory body on December 21, 2016.



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Minutes of Action by E-mail Between Meetings for Executive and Planning Committee

E-mail Proposal

As part of the agenda setting for Judicial Council meetings, the Executive and Planning Committee was asked to review the report for new consent item 16-256: Court Facilities: Lease of Chico Courthouse Pending Disposition and Confirmation of Authority for Leasing Other Closed Courthouses for approval to be included on the December 16, 2016, Judicial Council business meeting agenda.

Notice

On December 6, 2016, a notice was posted advising that the Executive and Planning Committee was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

Action Taken

Members voted unanimously to approve new item 16-256 for the consent agenda of the December 16 Judicial Council business meeting.

Approved by the advisory body on December 21, 2016.



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

Wednesday, December 21, 2016

12:10 to 1:40 p.m.

Teleconference

Committee Members Present: Justice Douglas P. Miller (Chair), Judge Marla O. Anderson (Vice Chair); Judges Jeffrey B. Barton, Daniel J. Buckley, and Samuel K. Feng, ; and Mr. Richard D. Feldstein

Committee Members Absent: Judge David M. Rubin, Judge Gary Nadler and Ms. Donna D. Melby

Other Attendees: Judge Jonathan B. Conklin, Mr. Jake Chatters, and Mr. David Yamasaki

Committee Staff Present: Ms. Jody Patel and Ms. Amber Barnett

Staff Present: Mr. Cliff Alumno, Ms. Heather Anderson, Ms. Karene Alvarado, Mr. Patrick Ballard, Ms. Suzanne Blihovde, Ms. Roma Cheadle, Mr. Robert Cabral, Ms. Shelly Curran, Ms. Kimberly DaSilva, Ms. Cristina Foti, Mr. Martin Hoshino, Ms. Donna Ignacio, Ms. Tracy Kenny, Mr. Doug Kauffroath, Mr. Bob Lowney, Mr. Patrick O'Donnell, Ms. Claudia Ortega, Mr. Grant Parks, Ms. Leah Rose-Goodwin, Ms. Brandy Sanborn, Ms. Christy Simons, Mr. David Smith, Ms. Laura Speed, Mr. Zlatko Theodorovic, Ms. Millicent Tidwell, Mr. John Wordlaw, and Ms. Josely Yangco-Fronda

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m. and committee staff took roll call.

Approval of Minutes

The committee voted to approve the following minutes:

- November 17, 2016, Executive and Planning Committee meeting
- November 22, 2016, Executive and Planning Committee action by email
- December 6, 2016, Executive and Planning Committee action by email
- December 7, 2016, Executive and Planning Committee action by email

DISCUSSION AND ACTION ITEMS

Item 1

Subordinate Judicial Officer Conversion – Request from the Superior Court of Orange County (Action Required)

Review request from the Superior Court of Orange County for a temporary exception to the conversion of three vacant subordinate judicial officer positions to judgeships.

Action: The committee approved the request from the Superior Court of Orange to temporary except the conversion of three vacant subordinate judicial officer positions to judgeships.

Item 2

Agenda Setting for the January 19-20 Judicial Council Meeting (Action Required)

Review draft reports and set the agenda for the Judicial Council meeting in January.

Action: The committee reviewed draft reports and set the agenda for the Judicial Council meeting in January, which is a one-day meeting on January 19.

Item 3

2017 Annual Agenda: Trial Court Presiding Judges Advisory Committee (Action Required)

Review draft annual agenda of the Trial Court Presiding Judges Advisory Committee.

Action: The committee approved the draft annual agenda of the Trial Court Presiding Judges Advisory Committee.

Item 4

2017 Annual Agenda: Court Executives Advisory Committee (Action Required)

Review draft annual agenda of the Court Executive Advisory Committee.

Action: The committee approved the draft annual agenda of the Court Executives Advisory Committee.

Item 5

2017 Annual Agenda: Trial Court Budget Advisory Committee (Action Required)

Review draft annual agenda of the Trial Court Budget Advisory Committee

Action: The committee approved the draft annual agenda of the Trial Court Budget Advisory Committee.

ADJOURNMENT

There being no further open meeting business, the meeting was adjourned at 12:40 p.m.

C L O S E D S E S S I O N

Item 1

Pursuant to California Rules of Court, rule 10.75(d)(6)

Non-final audit reports

Review available non-final audit report and continue to set agenda for the Judicial Council meeting in January.

Action: The committee reviewed the non-final audit report and approved it for placement on the January Judicial Council meeting business agenda.

Item 2

Pursuant to California Rules of Court, rule 10.75(d)(1)

Upcoming Vacancy on the Judicial Council

Discuss upcoming vacancy on Judicial Council and develop recommendations to be sent to the Chief Justice.

Action: The committee reviewed materials and developed a recommendation to be sent to the Chief Justice regarding the upcoming vacancy on the Judicial Council.

Adjourned closed session at 12:55 p.m.

Approved by the advisory body on March 2, 2017.



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Minutes of Action by E-mail Between Meetings for Executive and Planning Committee

E-mail Proposal

As part of the agenda setting for Judicial Council meetings, the Executive and Planning Committee was asked to review the report for new consent item Criminal Law: Judicial Council Appointment to the Selecting Committee for the Assembly Bill 2013 Misdemeanor Pilot Program for approval to be included on the January 19, Judicial Council business meeting agenda.

Notice

On January 17, 2017, a notice was posted advising that the Executive and Planning Committee was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

Action Taken

Majority of members voted to approve the new item for the consent agenda of the January 19 Judicial Council business meeting.

Approved by the advisory body on March 2, 2017.



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EXECUTIVE AND PLANNING COMMITTEE

MINUTES OF CLOSED MEETING

Tuesday, January 31, 2017

12:00 to 1:00 p.m.

Teleconference

Advisory Body Members Present: Justice Douglas P. Miller (Chair); Judge Marla O. Anderson, (Vice Chair); Justice Harry E. Hull, Jr., Judges Jeffrey B. Barton, Daniel J. Buckley, Samuel K. Feng, Gary Nadler, and David M. Rubin; Ms. Donna D. Melby and Mr. Richard D. Feldstein

Committee Staff Present: Ms. Jody Patel

CLOSED SESSION

Call to Order and Roll Call

The chair called the meeting to order at 12:00 p.m. and committee staff took roll call.

Item 1

Pursuant to California Rules of Court, rule 10.75 (d)(1)

Recommendation for Advisory Body Appointment

Review materials and develop recommendations to be sent to the Chief Justice regarding out-of-cycle appointments to advisory bodies.

Action: The committee developed recommendations for submission to the Chief Justice.

Item 2

Pursuant to California Rules of Court, rule 10.75(d)(1)

Recommendation for Advisory Body Appointment

Review materials and develop recommendations to be sent to the committee chair regarding subcommittee appointments.

Action: The committee developed a recommendation for submission to the committee chair.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:50 p.m.

Approved by the advisory body on March 2, 2017.