



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: May 15, 2020

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**Title**

Administrative Director's Report

**Agenda Item Type**

Information Only

**Submitted by**

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Administrative Director

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**Executive Summary**

The following information outlines some of the many activities staff are engaged in to further the Judicial Council's strategic goals and priorities for the judicial branch. The report focuses on action since the council's January meeting and is exclusive of issues on the May business meeting agenda.

The report also highlights ways in which Judicial Council staff have been working to assist courts, justice system partners, and the public in response to the COVID-19 health crisis.

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## Statewide Emergency Orders, Rules, and Advisories

Judicial Council staff assisted in the preparation of emergency orders, rules, and advisories to aid courts during the COVID-19 pandemic.

April 29	<u>Chief Justice Statewide Emergency Order on Extensions of Time</u> : Extends by an additional 30 days the 60-day continuance of criminal jury trials and the 60-day extension of time in which to conduct a criminal trial.
April 20	<u>Judicial Council Assistance for Parties to Request Changes to Support Orders Amid Pandemic</u> : Gives judges discretion to backdate modification requests for child, spousal, partner, or family support orders during the state of emergency.
April 17	<u>Judicial Council Mandates Electronic Service of Documents in Most Civil Cases</u> : Temporary rule reduces service by mail by requiring attorneys to use electronic service when requested to do so.
April 6	<u>Judicial Council Emergency Rules to Lower Jail Population, Suspend Evictions and Foreclosures</u> : 11 temporary emergency rules include \$0 statewide bail for misdemeanors and lower-level felonies, with permitted exceptions, during COVID-19 pandemic to “safely reduce jail populations”
March 30	<u>Chief Justice Order Implementing Temporary Court Emergency Measures</u> : Order implements action approved by Judicial Council on March 28; clarifies order suspending jury trials for 60 days.
March 28	<u>Judicial Council Temporary Emergency Measures to Aid Courts During COVID-19 Pandemic</u> : Measures aim to continue essential court services while guarding the health and safety of the public, court employees, attorneys, litigants, judicial officers, law enforcement, and staff and inmates in detention facilities.
March 23	<u>Chief Justice Statewide Order Suspending Jury Trials</u> : Statewide order suspending all jury trials for 60 days and allowing courts to immediately adopt new rules to address the impact of the COVID-19 pandemic.
March 20	<u>Chief Justice Advisory on Emergency Relief Measures</u> : Guidance to courts to mitigate some of the health risks to judicial officers, court staff, and court users.
March 16	<u>Chief Justice Guidance to Expedite Court Emergency Orders</u> : Guidance to courts seeking emergency orders to adjust or suspend court operations.
Additional Advisories	<ul style="list-style-type: none"> <li>• Clarifying temporary emergency measures re: use of technology.</li> <li>• Responding to Individuals With Behavioral Health Issues.</li> <li>• Urgent civil matters, communicating case status, technology and remote proceedings.</li> <li>• Technology Advisory and Best Practices for Video Teleconferencing.</li> </ul>

### **Local Trial and Appellate Court Emergency Order Requests**

Staff handled the review process for 161 court-requested emergency orders (as of May 12, 2020). A [directory](#) of the emergency orders approved by the Chief Justice is posted on the California Courts public website. Guidance on Frequently Asked Questions for courts seeking renewed orders was also provided.

### **Court Continuity of Operations Tools**

- The Judicial Council handbook on *Epidemics and the California Courts* was updated to assist courts with continuity of operations planning and emergency protocols in response to COVID-19.
- Since 2007, the Judicial Council has provided courts with access to a customized online planning system to assist them in creating and maintaining their own comprehensive Continuity of Operations Plans. The system includes a pandemic planning module.
- A working group of the Judicial Council's Trial Court Presiding Judges and Court Executives Advisory Committees is working with staff to produce a COVID-19 pandemic continuity of operations toolkit by the end of May. The toolkit will be made available for courts to use as they restore service levels in full consideration of local circumstances and public health guidance.

### **Remote Technology System Enhancements**

- Consulting and assistance were provided to courts seeking interim technology solutions to maintain operations during the state of emergency stay-at-home order.
- Technology support was provided to courts for mass migrations to emergency telework programs to address public health requirements while maintaining access to court services.
- Staff also managed information technology systems for the Supreme Court to conduct its first and subsequent remote oral arguments.
- Enhancements were made to the Court Appointed Counsel System for the Courts of Appeal to track submission of additional interim compensation claims in response to work disruptions caused by COVID-19.

### **Judicial Resources Network Web Resources**

A comprehensive repository on COVID-19 court-related information was created and is being maintained on the judicial branch's internal Judicial Resources Network website. This included early postings on past guidance on the 2009-H1N1 epidemic, frequently asked and answered legal questions for courts, and links to all courts' web-related postings on their responses to the pandemic as well as information on state and federal government information and resources. Since it was created in early March, the webpage has been accessed almost 5,000 times.

### **Public Information**

- To keep the media and public informed on impacts to courts and the response of the judicial branch, Public Affairs has posted more than two dozen COVID-related news releases, media advisories, and features on [California Courts Newsroom](#). Since the crisis began, there have been almost half a million pageviews of the site.

- A directory of [all statewide and local court emergency orders](#) is being maintained on the public website to provide a central information point for the public and justice partners.
- A [Coronavirus Updates](#) page of chronological updates serves as the main source of communications for the public linked from courts.ca.gov. An additional [page](#) explains statewide action by the Chief and Council by type: criminal, civil and juvenile justice.
- Public Affairs staff have responded to several hundred media and public calls and emails related to COVID branch actions; contacted media reporting on misconceptions—particularly related to \$0 bail order—to educate reporters writing future stories.
- The team also provided guidance for courts developing new channels for crisis communications, including social media and web communications.

### **Tracking and Reporting Court Costs**

Beginning in March, monthly COVID-related emergency response costs are being tracked and reported to the Department of Finance on a monthly basis.

### **COVID-19 Potential Federal Reimbursement**

Information was provided to assist courts in applying for possible reimbursement of COVID-related expenses from the Federal Emergency Management Agency. A group of subject matter experts from the trial courts was assembled to work with the California Office of Emergency Services Disaster Recovery Team in helping courts navigate the application process.

### **Modified Cost Structure for Remote Court Appearances**

At courts' request due to COVID-19, the council negotiated with a business service provider for telephonic appearances to reduce the cost to court users appearing by telephone at a court conference, hearing, or proceeding. The new master agreement allows courts that opt-in to temporarily reduce the per-call fee from \$94 to \$54 through May 31.

### **Plain Language Emergency Orders, Multi-Lingual Signage, and Informational Flyers**

- Plain language information on the emergency orders was provided to courts to assist court. To meet court's quick translation needs, a Coronavirus Flyer, common phrases for signs or the web, and domestic violence/emergency protective and visitation orders were edited for plain language and translated into Spanish, Chinese, Korean, Portuguese, Tagalog, and Vietnamese. The information was also posted on the California Courts Online Self-Help Center and sent to all self-help centers.
- Rapid translation services also were offered to courts for short in-language emergency communication, with a six or twenty-four-hour turnaround for Spanish or Chinese.

### **Remote Visits for Judges in the Classroom**

To support civic learning in schools during the COVID-19 pandemic, *Judges in the Classroom* is connecting judges and K-12 teachers for video conferences. Counselors or teachers running summer programs online may also submit requests. [Judges in the Classroom](#) is a program developed by the Chief Justice's Power of Democracy Steering Committee to connect volunteer jurists with teachers wanting assistance delivering lessons about the judicial branch, the Constitution, rule of law, and related topics.

### **Self-Help Center and Family Law Facilitator Meetings**

The Judicial Council hosted six remote meetings for self-help court staff and family law facilitators to discuss services during the pandemic and share information about resources being developed by the council. More than 100 people have participated in the sessions.

### **Child Welfare Response**

For the past two months, staff have participated in weekly meetings of the California Department of Social Services and County Welfare Directors Association strike team charged with coordinating child welfare's response to COVID-19—sharing judicial branch action and gathering information to help the branch's response.

### **Labor and Employee Relations**

Labor negotiations assistance was provided to 14 trial courts, including bargaining on COVID-19 relief measures and successor memoranda of understanding negotiations. Additionally, support was provided on 19 different labor and employee-related matters.

### **Facilities Services**

- Facilities Services assisted approximately 20 trial courts with purchases of more than 100 gallons of hand sanitizer, and distributed more than 1,400 face masks to 17 courts.
- A best practices guide is being developed for installing temporary social distancing measures for use by the trial courts as they prepare to reopen additional courtrooms and courthouses. Additionally, the Trial Court Facilities Modification Advisory Committee will consider providing funding from the Court Facilities Trust Fund (maintenance budget) to support social distancing measures in courthouses.
- Enhanced safety plans following local county health director orders were put in place at jobsites for four courthouse construction projects in Yreka, Redding, Sonoma, and El Centro. Typical measures include: masks, gloves, social distancing, temperature checks prior to coming on site, no congregating for breaks and lunches, no carpooling, one-way traffic through the building and daily sanitizing of break areas, toilets, stairs, and construction elevators.

- Court facility modifications as of May 4, 2020:

<i>Status</i>	<i>Number of Modifications</i>	<i>Estimated Cost</i>
Awaiting Shared Cost	13	\$6,822,796
In Design	22	\$3,827,485
In Work	524	\$212,913,625
<i>Total</i>	<i>559</i>	<i>\$223,563,906</i>

- Four real estate transactions were completed, including new/renewed revenue license (Alameda and San Francisco Counties); Estoppel Certificate (San Bernardino County); and Subordination Non-Disturbance and Attornment Agreement (San Bernardino County).

### **Remote Judicial Council Advisory Body Meetings**

In consultation with Judicial Council leadership, all Judicial Council-sponsored in-person meetings, trainings, and events were cancelled through May 31. The determination was made out of an abundance of caution and concern for the health and safety of the more than 400 judicial

officers, court professionals, and justice system partners who volunteer their time and subject matter expertise to carry out the work of the Judicial Council, and to allow those members to attend to essential work in their courts. Advisory bodies have continued to meet remotely to carry out the work of the Judicial Council on behalf of the branch. (See the Advisory Bodies section of this report for further detail.)

### **Adapting Education Programs**

Although all in-person events scheduled to be offered in April and May were postponed or cancelled due to the stay-at-home order, many sessions were converted to remote delivery and several additional new products were added to meet the courts' changing needs. These included videoconferencing for judges, remote settlement conferences, and managing remotely. (See the Judicial Branch Education section of this report for further detail.)

### **Ability-to-Pay Calculator for Traffic Fines and Fees**

The Ability-to-Pay chat bot was launched, enabling public users to get general information about online payment of traffic infraction fines and fees and completing application form entries. A meeting was held with the Department of Social Services to discuss steps toward requesting litigant verification of public benefits participation to facilitate ability-to-pay determinations. The tool was also demonstrated for the Department of Finance.

### **Parolee Reentry Courts**

A site visit was conducted at the Alameda Parolee Reentry Court to ensure compliance with program mandates and provide technical assistance, if needed.

### **Pretrial Pilot Program**

Site visits were conducted at the Superior Courts of Tuolumne and Nevada Counties' pretrial pilot programs to discuss successes and challenges for program implementation, and data collection processes and reporting.

### **Equal Access Fund**

Staff met with grantees of Homelessness Prevention Fund to review grant and reporting requirements and encourage collaboration among programs.

### **Court Interpreting**

*Registration Compliance:* A new, streamlined process was launched for interpreters to attest to completion of their annual professional assignments and continuing education requirements.

### **AB 1058 Child Support Guideline Recertification**

Six child support guideline calculators were recertified ensuring that changes to tax rates and laws, the update to the low-income adjustment threshold, and any other relevant changes impacting guideline calculations were incorporated.

### **Child Welfare Cases Technical Assistance**

Case files of the juvenile court in Sutter County were reviewed to identify any legal issues and training needs.

### **2020 Technology MicroGrants**

Seven technology microgrants of up to \$5,000 were awarded to courts in Del Norte, Kern, Madera, Merced, Shasta, Solano, and Sutter Counties.

### **Justice System Stakeholder Information Exchanges**

Staff participated in justice system stakeholder sessions with the Bureau of Justice Assistance on the federal adult drug court grant solicitation; a training with for the Chief Probation Officers of California on the California Community Corrections Performance Incentive Act (SB 678); a panel on challenges and opportunities of bail reform with California participants of the MacArthur Foundation Safety and Justice Challenge; and the Forensic Mental Health Association of California Annual Conference.

## **Advisory Bodies**

Judicial Council advisory bodies focusing on the following areas of judicial administration have convened since the council's January meeting. All in-person meetings have been cancelled since March 11 due to COVID-19.

- |                                      |   |
|--------------------------------------|---|
| 1. Access and Fairness               | 13. Information Technology                |
| 2. Administrative Presiding Justices | 14. Judicial Branch Workers' Compensation |
| 3. Appellate                         | 15. Legal Services Trust Fund             |
| 4. Appellate Court Security          | 16. Presiding Judges                      |
| 5. Civil and Small Claims            | 17. Pretrial Reform                       |
| 6. Collaborative Justice Courts      | 18. Probate and Mental Health             |
| 7. Court Executives                  | 19. Sargent Shriver Civil Counsel Act     |
| 8. Court Facilities                  | 20. Trial Court Budget                    |
| 9. Court Interpreters                | 21. Trial Court Facility Modification     |
| 10. Criminal Law                     | 22. Trial Court Presiding Judges          |
| 11. Education                        | 23. Tribal Court-State Court Forum        |
| 12. Family and Juvenile Law          |   |



## **Meeting Details**

### **Advisory Committee on Providing Access and Fairness**

- Approved proposed grant awards for language access signage and technology for fiscal year 2019–20.
- Reviewed and approved form revisions to MC-410 *Request for Disability Accommodation* for public circulation for invitation to comment.

### **Administrative Presiding Justices Advisory Committee**

- Discussed Courts of Appeal current budget allocations, and proposed funding requests.
- Reviewed and approved six budget change concepts, including: judicial protection services, technology, Court-Appointed Counsel panel rate, appellate library, Proposition 66, and rent increase.

### **Appellate Advisory Committee**

- Reviewed public comments on legislative, rules, and forms proposals for recommendation to the council.

### **Appellate Court Security Committee**

- Discussed COVID-19 impact to the courts and security updates.

### **Center for Judicial Education and Research Advisory Committee**

- Discussed curriculum committee nominations process changes, and updates on the 2020 Judicial College, the Primary Assignment Orientation for AB 1058 commissioners, the Criminal Law Primary Assignment Orientation, and unconscious bias training.

### **Civil and Small Claims Advisory Committee**

- Made final recommendations on new and revised forms circulated for public comment during the winter cycle (online alternative dispute resolution for small claims, a streamlined civil discovery pilot, and a statute authorizing video appearances at trials), and recommended other new and revised rules and forms to be circulated in the spring.

### **Collaborative Justice Courts Advisory Committee**

- Discussed pending legislative changes that impact collaborative courts and/or individuals with substance use disorders or mental illness in the courts system, activities to be included in the 2020 annual agenda, and approaches to funding challenges related to collaborative courts.
- *Mental Health Subcommittee*: Discussed pending legislation on SB 855, proposed changes in the Mental Health Services Act (Prop 63), opportunities for expanding incompetent to stand trial diversion, proposed changes to Medi-Cal, pending revisions to Lanterman-Petris-Short legislation related to involuntary treatment, and the committee's annual agenda.
- *Veterans in the Court and Military Families Subcommittee*: Reviewed the annual agenda and discussed veterans and implicit bias education, and supervised visitations for veterans.

- *Juvenile Subcommittee*: Discussed the Youth Court Toolkit, creation of a dependency drug court listserv, and approaches to addressing juvenile mental health issues.

#### **Court Executives Advisory Committee**

- Discussed legislative proposals that may affect collaborative courts and innovative strategies being implemented on the local level to help meet the needs of those served by collaborative courts, including emergency rules related to the COVID 19 court closures.
- Received an update on the court-appointed counsel federal title IV-E program, discussed Judicial Council labor services for the courts, and discharge from accountability process.
- *Judicial Branch Statistical Information System Subcommittee*: Reviewed the non-filings data elements and considered which should continue to be reported. This is the first comprehensive review of elements since the system was first adopted.

#### **Court Facilities Advisory Committee**

- Directed updating the *California Trial Court Facilities Standards*, with the establishment of a working group to guide the process. It is anticipated that the updates will be presented to the council for consideration in the fall.

#### **Court Interpreters Advisory Panel**

- Reviewed and approved the 2020 Language Need and Interpreter Use Study for submission to the council.
- *Professional Standards and Ethics Subcommittee*: Discussed continuing implementation of the recently revised Rule 2.891 *Request for Court Interpreter Credential Review*.

#### **Criminal Law Advisory Committee**

- Discussed the sex offender registration termination form, amending the probation transfer rule to clarify responsibilities of receiving and transferring courts, changes to protective order forms, and consideration of a rule of court to implement procedures for resentencing recommendations under Penal Code section 1170(d)(1).

#### **Family and Juvenile Law Advisory Committee**

- Discussed new or modified statewide rules and forms related to extending juvenile court jurisdiction over a sub-population of nonminor dependents, transfer of a juvenile justice case from adult court back to juvenile court, intercounty adoption, guardianship in dependency cases, sealing of juvenile records, and qualifications of supervised visitation providers.
- Discussed the court navigator proposal included in the Governor's 2020–21 budget, ways to make rules and forms gender neutral or gender inclusive as appropriate, the needs of families in guardianship cases who may need child welfare services, gun relinquishment requirements in protective order cases, and federal child welfare law and policy regarding placement requirements and expansion of legal representation for children and parents in dependency cases.

### **Information Technology Advisory Committee**

- Reviewed and approved IT Community Development Workstreams recommendations; received a preview of the new court web templates being developed, received an update on the Pretrial Pilot program, and had a roundtable discussion on the COVID-19 emergency and the impacts to the branch.
- Reviewed and approved proposed awards for the Language Access Signage and Technology Grant Program for FY 2019–20, and circulation of a proposed rule amendment to ensure electronic filing service providers allow the party to proceed with an electronic filing even if the party does not consent to receive electronic service.
- Considered circulating for comment a proposal to provide statutory authority for courts to permit remote video appearances in any civil actions or proceedings including trials and evidentiary hearings.

### **Judicial Branch Workers' Compensation Program Advisory Committee**

- Determined updates, revisions, and additions to the Settlement Authority Policy.
- Discussed and finalized funding priorities for the Judicial Branch Workers' Compensation Fund, and reviewed staff recommendations for the actuarial services request for proposals.

### **Legal Services Trust Fund Commission**

- Reviewed the findings of the Justice Gap Fund and the status of Equal Access grants.

### **Pretrial Reform and Operations Workgroup**

- Heard from over 30 representatives of statewide justice system partner organizations, and community-based organizations and advocates as well as top academics in the field.

### **Probate and Mental Health Advisory Committee**

- Discussed COVID-19 responses and courts' plans for reopening.
- Discussed pending legislation regarding the authorization of electronic wills, and issues arising at the intersection of probate guardianship and child welfare law.
- Discussed the revision of capacity declaration forms used in conservatorship proceedings, and rules and forms used in guardianship proceedings.

### **Sargent Shriver Civil Counsel Act Implementation Committee**

- Determined recommendations for distribution of grant funds to legal services organizations and their court partners to improve timely and effective access to justice in civil cases.

### **Trial Court Budget Advisory Committee**

- Approved recommendations to be considered by the Judicial Council regarding 2019–20 allocations for the Juvenile Dependency Counsel Collections Program, and a mid-year court-appointed counsel funding reallocation; and prioritized 2021–22 budget change proposal concepts under the committee's purview for consideration by the Judicial Branch Budget Committee.

- *Revenue and Expenditure Subcommittee:* Approved recommendations, for later consideration by the Judicial Council, for allocations from the State Trial Court Improvement and Modernization Fund and the Trial Court Trust Fund for 2020–21.

### **Trial Court Facility Modification Advisory Committee**

- Budget Services provided an update on the fund status of the Court Facilities Trust Fund.
- Authorized a total expenditure of \$15.8 million and an additional \$439,600 for security-related projects.
- Reviewed and approved Quarter 1 and 2 reports for fiscal year 2019–20 and the draft 2020 annual agenda.

### **Trial Court Presiding Judges Advisory Committee**

#### *Joint Trial Court Presiding Judges and Court Executives Advisory Committees' Executive Committee:*

- Discussed budget advocacy and the outlook for the upcoming 2020–21 fiscal year, reviewed COVID-19 actions taken by the Judicial Council and Governor's Office, and discussed helpful practices for ongoing and reopening court operations.
- Budget Services provided a briefing on guidance and resources available to assist the trial courts in applying for Federal Emergency Management Agency reimbursement for COVID-related emergency response activities.

### **Tribal Court–State Court Forum**

- Featured presentations on addressing the needs of Native American victims of human trafficking, the Urban Native American Wellness Court, and juvenile wellness courts.

## **Judicial Branch Education**

### **Summary**

#### **Judicial Education**

Eleven in-person programs/courses were cancelled due to COVID-19.

#### **Court Staff Education**

Fourteen in-person programs/courses were cancelled due to COVID-19.

#### **Distance Education**

##### **Online Courses**

1. Introduction to Mental Health Cases
2. Jurisdiction in Family Law Cases
3. Settling Civil Cases

##### **Podcasts**

4. Criminal Law Update: *People v. Duenas*: Ability to Pay in Setting Fines & Fees
5. Digital Judge - Security, Privacy and Zoom bombing: Videoconferencing for Judges

6. Digital Judge - Digital Note-Taking, Part 2
7. Family Law Legal Update: Child and Spousal Support
8. Family Law Legal Update: Property/Fees and Sanctions and Procedural Issues
9. Family Law Legal Update: Parentage and the Uniform Child Custody Jurisdiction and Enforcement Act
10. Digital Judge - Videoconferencing: Judges Already Have Models for Assessing Technological Access to Justice

#### 10-Minute Mentor

11. Military Families: Custody, Mental Health and Substance Abuse Issues, and Domestic Violence Firearm Relinquishment
12. Military Families: Spousal Support and Retirement

#### Video

13. Why Do We Have Probate Court?

#### Webinars

14. AB 1058 Child Support Program Webinar: Guideline Calculator Training
15. AB 1058 Child Support Rolling Time Study
16. Annual Revenue Distribution Training
17. Collaborative Court Coordinators
18. Fairness in Content and Delivery for Faculty
19. Family Court Services
20. How to Use Remote Webinar Technology to Teach Adults Effectively (Parts 1&2)
21. Initiating Remote Settlement Conferences
22. Managing Remotely: Empathy, Effectiveness and Efficiency—Webinar
23. Maintaining Connections and Quality Family Time During the COVID-19 Crisis (Parts 1&2)
24. Overview of Laws and Policies Child Welfare During COVID-19
25. Priming for Mandatory Classes
26. Using Microsoft Teams to Stay Connected

#### **Publication Update**

27. 2020 Civil Proceedings Benchbook: Before Trial

#### Details

##### **AB 1058 Child Support**

- Guideline Calculator Training webinar using interactive scenarios on how to calculate support.
- Rolling Time Study Webinar: Training for accounting staff in participating and testing courts on the AB 1058 Rolling Time Study to review changes to the reporting tool and process of submitting accounting forms to the Judicial Council for reimbursements.

### **Annual Revenue Distribution**

Training usually conducted in-person for approximately 200 people was shifted online due to COVID-19 for participants to access at their convenience.

### **Collaborative Courts**

Online forum for collaborative court judicial officers and coordinator staff to share challenges and experiences during the COVID-19 crisis, including responses and promising practices for monitoring participants and communicating with court partners.

### **Criminal Law Update: Ability to Pay in Settling Fines & Fees**

Discussion of the 2019 *People v. Dueñas* decision and subsequent cases that recognize a criminal defendant's right to an ability-to-pay hearing before the imposition of fines and fees.

### **Digital Judge: Security, Privacy, and Zoom Bombing: Videoconferencing for Judges**

Security and convenience trade-offs that major videoconferencing platforms offer for judicial work.

### **Digital Judge: Digital Note-Taking, Part 2**

Note-taking on the bench using common digital applications.

### **Digital Judge: Videoconferencing**

Overview of videoconferencing as the latest in a series of technological challenges and opportunities for judges and the courts (excerpt from longer Digital Judge podcast).

### **Fairness in Content and Delivery for Faculty**

Discussion of issues of fairness and implicit bias in presenting and designing education.

### **Family Court Services**

Webinar for family court services directors, managers, supervisors, and court administrators on the progress of the New Court Professional Onboarding Toolkit, new courses, upcoming training opportunities, and the operational impact of the shelter-in-place orders on family court services programs as well as system changes being developing around returning to work in courthouses.

### **How to Use Remote Webinar Technology to Teach Adults Effectively (Parts 1&2)**

Discuss and demonstrate sound instructional design using WebEx functions (especially chat and polling), how to overcome the typical silence in remote classes, and other instructional issues as well as good presentational techniques for the medium.

### **Initiating Remote Settlement Conferences**

To ease the building pressure of civil cases stalled for the foreseeable future, many courts are considering conducting settlement conferences remotely. This webinar will help with case assessment, ground rules, the technology, and the mechanics of a productive, remote mediation settlement conference.

**Introduction to Mental Health Cases**

Tutorial to familiarize court personnel with common mental health proceedings handled by the superior courts.

**Jurisdiction in Family Law Cases**

Overview of jurisdiction in family cases and a practical method of analyzing these issues when they arise.

**Maintaining Connections and Quality Family Time During COVID-19 Crisis, Part 1**

Webinar on the current directives from the Department of Health & Human Services; Administration of Children and Families, and the California Department of Children Services, including information for judges when addressing visitation during this time, and an overview of the need for continued advocacy surrounding reasonable efforts and reunification. The webinar was attended by more than 1,000 participants.

**Maintaining Connections and Visitation, Part 2**

A continuation of the laws and best practices for family time and visitation during the COVID-19 epidemic. The webinar was attended by more than 500 participants.

**Managing Remotely: Empathy, Effectiveness and Efficiency Webinar**

Managing remotely and techniques for staying empathetic, efficient, and effective in remote communications.

**Military Families: Custody, Mental Health and Substance Abuse Issues, and Domestic Violence Firearm Relinquishment**

Discussion of custody, mental health, and substance abuse issues, and domestic violence firearm relinquishment as they relate to military families.

**Military Families: Spousal Support and Retirement**

Discussion of spousal support and retirement issues as they relate to military families.

**Overview of Laws and Policies on Child Welfare During COVID-19 Webinar**

Policy guidance, executive orders, and laws that pertain to child welfare and probation workers, probation youth, schools, regional centers, behavioral health services and therapists, and nonminor dependents in extended foster care. The webinar was attended by over 472 participants including judicial officers, attorneys, Court Appointed Special Advocates, and other stakeholders.

**Priming for Mandatory Classes**

Faculty development webinar on how to prime participants and predispose them to learn in mandatory classes.

**Providing Remote Services in Family Court Services**

Webinar for Family Court Services professionals.

**Settling Civil Cases**

Discussion and demonstration of tips and techniques judicial officers can use in resolving cases without trials.

**Using Microsoft Teams to Stay Connected**

How to use Microsoft Teams to communicate and collaborate more efficiently and effectively.

**Why Do We Have Probate Court?**

Ethical and historical roots of the probate court.



## Staffing Metrics

As of April 30, 2020

	Executive Division				Leadership Services Division		Operations & Programs Division					Administrative Division				
STAFFING	Audit Services	Executive Office	Governmental Affairs	Public Affairs	Leadership Support Services	Legal Services	Business Mgmt Services	Center for Families, Children and the Courts	Center for Judicial Education & Research	Criminal Justice Services	Information Technology	Branch Accounting & Procurement	Budget Services	Facilities Services	Human Resources	Judicial Council
Authorized Position (FTE)	14.00	12.00	10.00	9.00	65.80	55.00	18.00	86.10	48.50	30.00	141.00	146.00	37.00	142.00	52.00	866.40
Filled Authorized Position (FTE)	9.00	10.80	7.00	7.00	59.80	44.00	17.00	68.35	40.00	23.80	100.00	132.00	27.00	117.00	46.00	708.75
Headcount - Employees	9	11	7	7	61	45	17	69	40	24	100	132	27	117	46	712.00
Vacancy (FTE)	5.00	1.20	3.00	2.00	6.00	11.00	1.00	17.75	8.50	6.20	41.00	14.00	10.00	25.00	6.00	157.65
Vacancy Rate (FTE)	35.7%	10.0%	30.0%	22.2%	9.1%	20.0%	5.6%	20.6%	17.5%	20.7%	29.1%	9.6%	27.0%	17.6%	11.5%	18.20%
Judicial Council Temp Employee (909)	0	3	0	0	0	0	0	0	0	0	0	0	0	2	0	5.00
*Employment Agency Temporary Worker (FTE)	0	0	0	0	0	0	0	1	0	0	1	3	0	1	1	7.00
Contractors (FTE)	0.0	0.0	0.0	0.0	0.0	1.0	1.0	0.0	0.0	0.0	39.50	0.0	0.0	0.0	0.0	41.50
<b>TOTAL WORKFORCE</b> (based on FTE, 909s, Agency Temps & Contractors)	9.00	13.80	7.00	7.00	59.80	45.00	18.00	69.35	40.00	23.80	140.50	135.00	27.00	120.00	47.00	762.25

See following page for definition of terms.

**Definitions:**

<b>Authorized Position (FTE)</b>	Authorized positions include all regular ongoing positions approved in the Budget Act for that year. The number is based on the position's approved full time equivalency.
<b>Filled Authorized Position (FTE)</b>	Filled authorized positions are the number of authorized positions filled based on the employee's full time equivalency.
<b>Headcount</b>	The actual count of persons employed by the Judicial Council, regardless of FTE. This number could be more than the FTE count due to part-time employees being counted as "1". This count does not include Judicial Council Temporary Employees (909) or Employment Agency Temporary Workers.
<b>Vacancy (FTE)</b>	The number of vacancies is the number of authorized positions minus the number of filled authorized positions.
<b>Vacancy Rate (FTE)</b>	Vacancy Rate is calculated by dividing the number of authorized positions by the number of vacant authorized positions. This number excludes temporary employees ("909" funded employees). See definition of temporary employees below.
<b>Judicial Council Temporary Employees (909)</b>	<p>The "909 category is the State Controller code used to reference a temporary position or a temporary employee.</p> <p>909 Position - it is a position that may not be funded through the Budget Act and it is categorized by the Office of the State Controller as a temporary position used in the absence of an authorized position. 909 positions may be occupied by regular full-time employees due to the unavailability of an authorized vacant position. 909 Employee - An employee whose salary is not funded through the Budget Act. 909 employees may receive benefits if employed at least half-time and the term of employment is for more than six months. Types of "909" Temporary Employees include: Retired Annuitants: A retired annuitant is a retiree who is hired by his or her former employer or by another employer that participates in the same retirement system as the former employer. This includes a former participant in a state retirement system who has previously retired and who is currently receiving retirement benefits. Temporary: Employees employed on a temporary basis - they do not receive full benefits (but do receive CalPERS retirement service credit).</p>
<b>Employment Agency Temporary Worker (FTE)</b>	These are workers from an employment agency. They are employees of the employment agency that provide short-term support.
<b>Contractor (FTE)</b>	Individuals augmenting the work of the organization and providing services for a limited period of time or on a specific project, where a particular skill set is required that is either (1) not within an existing classification and/or job description or (2) where recruitment issues require the use of a contractor.
<b>Full Time Equivalency (FTE)</b>	Full Time Equivalency is the number of total maximum compensable hours designated in a year divided by actual hours worked in a year. For example, the work year is defined as 2,080 hours; one employee occupying a paid full time job all year would consume one FTE. One employee working for 1,040 hours each would consume .5 FTE.
<b>Time Base</b>	<p>Full time: Employee is scheduled to work 40 hours per week. Receives full benefits.</p> <p>Part time: Employee is scheduled to work less than 40 hours per week. Employees that work more than 20 hours per week receive full benefits.</p> <p>Intermittent: Employees have no established work schedule and work on an as-needed basis that varies from one pay period to the next. Eligibility for certain benefits may be limited for these employees.</p>
<b>Regular Employee</b>	Commonly referred to as "permanent employees" – They receive full benefits.
<b>Limited Term</b>	Limited Term Position – It is a position that is funded through the Budget Act with a specific end date. The position is counted as an authorized position. Employee in limited term positions may be regular or temporary.

## Judicial Appointments and Vacancies Report

**Judicial Appointments:** There have been 14 judicial appointments since the January Judicial Council meeting. Superior Court Appointments: Alameda (2), Los Angeles (3), Orange (2), Sacramento (2), San Bernardino (1), San Mateo (2), Santa Clara (1), and Yolo (1).

**Judicial Vacancies:** The statewide judicial officer vacancy rate is approximately 5.5 percent as of April 30, 2020.

### Number of Judgeships Authorized, Filled, and Vacant as of April 30, 2020

TYPE OF COURT	NUMBER OF COURTS	NUMBER OF JUDGESHIPS					
		Authorized	Filled	Vacant	Vacant (Unfunded AB 159 positions)	<i>Filled (Last Month)</i>	<i>Vacant (Last Month)</i>
Supreme Court	1	7	7	0	0	7	0
Courts of Appeal	6	106	105	1	0	105	1
Superior Courts	58	1,743	1,648	72	23	1,642	101
<b>All Courts</b>	<b>65</b>	<b>1,856</b>	<b>1,760</b>	<b>96</b>		<b>1,754</b>	<b>102</b>

\*50 new (AB 159) judgeships were authorized, but not funded in 2008; funding was provided for two of the judgeships in the 2018 Budget Act and for a further 25 positions in the 2019 Budget Act.

### JUDICIAL VACANCIES: APPELLATE COURTS

Appellate District	Vacancies	Reason for Vacancy	Justice to be Replaced	Last Day In Office
Fourth Appellate District, Division One	1	Retirement	Hon. Gilbert Nares	8/30/2019
<b>TOTAL VACANCIES</b>	<b>1</b>			

### JUDICIAL VACANCIES: SUPERIOR COURTS

County	Vacancies	Reason for Vacancy	Judge to be Replaced	Last Day in Office
Alameda	1	Retirement	Hon. Wynne S. Carvill	11/18/2019
Contra Costa	1	Retirement	Hon. John H. Sugiyama	4/30/2020
El Dorado	1	Retirement	Hon. Warren C. Stracener	1/9/2020

Fresno	3	Retirement	Hon. Don Penner	11/22/2019
Fresno		Newly created position	Vacancy	9/24/2019
Fresno		Newly created position	Vacancy	9/24/2019
Kern	3	Newly created position	Vacancy	9/24/2019
Kern		Newly created position	Vacancy	9/24/2019
Kern		Retirement	Hon. Steven M. Katz	9/20/2019
Kings	1	Newly created position	Vacancy	9/24/2019
Los Angeles	15	Retirement	Hon. Richard Edward Rico	4/15/2020
Los Angeles		Retirement	Hon. Charles F. Palmer	3/31/2020
Los Angeles		Retirement	Hon. Randolph Rogers	3/31/2020
Los Angeles		Retirement	Hon. Leslie A. Swain	3/6/2020
Los Angeles		Retirement	Hon. Abraham Khan	2/29/2020
Los Angeles		Retirement	Hon. Katherine Mader	2/19/2020
Los Angeles		Retirement	Hon. Daniel P. Ramirez	2/15/2020
Los Angeles		Retirement	Hon. Richard R. Romero	2/15/2020
Los Angeles		Retirement	Hon. Edward A. Ferns	12/31/2019
Los Angeles		Retirement	Hon. Thomas T. Lewis	12/17/2019
Los Angeles		Commissioner Conversion	Vacancy	12/17/2019
Los Angeles		Retirement	Hon. B. Scott Silverman	11/8/2019
Los Angeles		Retirement	Hon. Georgina T. Rizk	9/30/2019
Los Angeles		Retirement	Hon. Scott M. Gordon	8/16/2019
Los Angeles		Retirement	Hon. Marvin M. Lager	4/5/2019
Madera	1	Retirement	Hon. Joseph A. Soldani	6/30/2019
Mendocino	1	Retirement	Hon. John A. Behnke	1/15/2020
Merced	1	Newly created position	Vacancy	9/24/2019
Orange	3	Retirement	Hon. Geoffrey T. Glass	6/21/2019
Orange		Retirement	Hon. Franz E. Miller	4/29/2019
Orange		Retirement	Hon. David R. Chaffee	3/4/2019
Riverside	7	Retirement	Hon. Becky Lynn Dugan	4/22/2020
Riverside		Retirement	Hon. Michael B. Donner	9/30/2019
Riverside		Newly created position	Vacancy	9/24/2019

Riverside		Newly created position	Vacancy	9/24/2019
Riverside		Newly created position	Vacancy	9/24/2019
Riverside		Newly created position	Vacancy	9/24/2019
Riverside		Newly created position	Vacancy	9/24/2019
Sacramento	4	Retirement	Hon. Raoul M. Thorbourne	4/30/2020
Sacramento		Retirement	Hon. David W. Abbott	3/31/2020
Sacramento		Newly created position	Vacancy	9/24/2019
Sacramento		Newly created position	Vacancy	9/24/2019
San Bernardino	6	Retirement	Hon. Raymond L. Haight III	2/9/2020
San Bernardino		Newly created position	Vacancy	9/24/2019
San Bernardino		Newly created position	Vacancy	9/24/2019
San Bernardino		Newly created position	Vacancy	9/24/2019
San Bernardino		Newly created position	Vacancy	9/24/2019
San Bernardino		Newly created position	Vacancy	9/24/2019
San Diego	5	Retirement	Hon. Stephanie Sontag	4/14/2020
San Diego		Retirement	Hon. Adrienne A. Orfield	4/7/2020
San Diego		Retirement	Hon. Lantz Lewis	3/31/2020
San Diego		Retirement	Hon. Gale E. Kaneshiro	2/29/2020
San Diego		Retirement	Hon. Louis R. Hanoian	2/20/2020
San Francisco	2	Elevated	Hon. Teri L. Jackson	1/21/2020
San Francisco		Retirement	Hon. Carol Yaggy	4/10/2019
San Joaquin	1	Retirement	Hon. Phillip R. Urie	12/31/2019
San Mateo	1	Retirement	Hon. Mark R. Forcum	9/10/2019
Santa Clara	5	Retirement	Hon. Sharon A. Chatman	4/21/2020
Santa Clara		Retirement	Hon. Michele McKay McCoy	3/10/2020
Santa Clara		Retirement	Hon. Edward Frederick Lee	2/29/2020
Santa Clara		Retirement	Hon. Joshua Weinstein	9/3/2019
Santa Clara		Retirement	Hon. Rise Jones Pichon	4/18/2019
Shasta	1	Newly created position	Vacancy	9/24/2019
Solano	2	Retirement	Hon. Michael Mattice	3/25/2020
Solano		Retirement	Hon. Robert C. Fracchia	2/27/2020

Sonoma	2	Retirement	Hon. Allan D. Hardcastle	4/3/2020
Sonoma		Retirement	Hon. Robert S. Boyd	6/3/2019
Stanislaus	2	Retirement	Hon. Roger M. Beauchesne	12/31/2019
Stanislaus		Newly created position	Vacancy	9/24/2019
Tulare	1	Newly created position	Vacancy	9/24/2019
Tuolumne	1	Retirement	Hon. James A. Boscoe	12/31/2019
Ventura	1	Newly created position	Vacancy	9/24/2019
<b>TOTAL VACANCIES</b>	<b>72</b>			

## Number of Judgeships Authorized, Filled, and Vacant, April 2018–April 2020 (two years) \*

Number of Judgeships Authorized, Filled and Vacant as of the End of Each Month: From April 18 through April 2020 (two years)*								
	Superior Courts				Courts of Appeal			
Month	Authorized	Filled	Vacancy	Vacancy Rate	Authorized	Filled	Vacancy	Vacancy Rate
Apr-18	1,732	1,617	115	6.6%	105	93	12	11.4%
May-18	1,732	1,608	124	7.2%	105	93	12	11.4%
Jun-18	1,732	1,627	105	6.1%	105	97	8	7.6%
Jul-18	1,732	1,633	99	5.7%	105	101	4	3.8%
Aug-18	1,732	1,618	114	6.6%	105	100	5	4.8%
Sep-18	1,743	1,619	124	7.1%	106	100	6	5.7%
Oct-18	1,743	1,658	85	4.9%	106	103	3	2.8%
Nov-18	1,743	1,663	80	4.6%	106	106	0	0.0%
Dec-18	1,743	1,679	64	3.7%	106	106	0	0.0%
Jan-19	1,743	1,687	56	3.2%	106	106	0	0.0%
Feb-19	1,743	1,688	55	3.2%	106	105	1	0.9%
Mar-19	1,743	1,683	60	3.4%	106	105	1	0.9%
Apr-19	1,743	1,675	68	3.9%	106	105	1	0.9%
May-19	1,743	1,675	68	3.9%	106	105	1	0.9%
Jun-19	1,743	1,672	71	4.1%	106	105	1	0.9%
Jul-19	1,743	1,667	68	3.9%	106	105	1	0.9%
Aug-19	1,743	1,662	81	4.6%	106	104	2	1.9%
Sep-19	1,743	1,660	83	4.8%	106	104	2	1.9%
Oct-19	1,743	1,668	75	4.3%	106	104	2	1.9%
Nov-19	1,743	1,664	79	4.5%	106	104	2	1.9%
Dec-19	1,743	1,661	82	4.7%	106	104	2	1.9%
Jan-20	1,743	1,658	85	4.9%	106	105	1	0.9%
Feb-20	1,743	1,650	93	5.3%	106	105	1	0.9%
Mar-20	1,743	1,642	101	5.8%	106	105	1	0.9%
Apr-20	1,743	1,648	95	5.5%	106	105	1	0.9%

\* As of May 4, 2020.

Note: Growth in number of Authorized Judicial Positions reflects SJO conversions, as well as newly funded positions via the 2019 Budget Act.

Since 2007, 156 SJO positions have been converted to judgeships.

## Percent of Judgeship Vacancies in the Superior Courts, April 2018–April 2020

