



# Judicial Council of California

## Meeting Minutes

### Judicial Council

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Friday, July 21, 2023

9:35 AM

San Francisco

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

Chief Justice Patricia Guerrero, 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:** 22 - Chief Justice Patricia Guerrero, Justice Carol A. Corrigan, Administrative Presiding Justice Brad R. Hill, Justice Carin T. Fujisaki, Justice Marsha G. Slough, Presiding Judge Kimberly Merrifield, Judge Marla O. Anderson, Judge Maria Lucy Armendariz, Judge C. Todd Bottke, Judge Kevin C. Brazile, Judge Kyle S. Brodie, Judge Judith K. Dulcich, Judge Harold W. Hopp, Judge David Rosenberg, Commissioner Glenn Mondo, Ms. Rebecca J. Fleming, Mr. David D. Fu, Ms. Rachel W. Hill, Mr. Shawn C. Landry, Ms. Gretchen Nelson, Mr. Maxwell V. Pritt, and Mr. David H. Yamasaki
- Absent:** 5 - Judge Jonathan B. Conklin, Judge Samuel K. Feng, Judge Ann C. Moorman, Senator Thomas J. Umberg, and Assembly Member Brian Maienschein

#### **Call to Order**

Chief Justice Patricia Guerrero, Chair of the Judicial Council, called the open session to order at 9:35 a.m. in the Judicial Council Board Room.

#### **Public Comment**

Written comments were provided to the council members and filed in the record. Mr. Navi Dhillon, Ms. Ellen Heiman, Ms. Paisely Shoemaker, and Mr. Ron Strand presented comments on item 23-004 *Court Facilities | Judicial Branch Five-Year Infrastructure Plan and Capital Outlay Budget Change Proposals for Fiscal Year 2024-25*.

## Chief Justice's Report

Chief Justice Patricia Guerrero reported on her activities since the last council meeting.

## Acting Administrative Director's Report

[23-124](#)

### Acting Administrative Director's Report

Acting Administrative Director Millicent Tidwell reported on the council's activities since the last council meeting.

## Judicial Council Internal Committee Presentations and Reports

23-084

### Presentation | Legislation Committee

[23-123](#)

### Written Reports

## CONSENT AGENDA

### Approval of the Consent Agenda

A motion to approve all of the following items on the Consent Agenda was made by Justice Corrigan and seconded by Judge Anderson. The motion was adopted.

[23-118](#)

### Minutes of May 12, 2023, Judicial Council Meeting

[23-121](#)

### Allocations and Reimbursements to Trial Courts | Funding for Court Reporters (Action Required)

**Summary:** Senate Bill 170 (Stats. 2021, ch. 240), which amended the Budget Act of 2021, included \$30 million ongoing General Fund to the Judicial Council for establishing a methodology to allocate funding to all trial courts to increase the number of court reporters in family law and civil cases. The budget language in the Budget Act of 2022 and ongoing expanded the use of this funding. However, these changes do not impact how these funds are allocated to the courts. The Trial Court Budget Advisory Committee recommends approving a proportional allocation of the ongoing \$30 million to all trial courts for fiscal year 2023-24.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council approve the \$30 million allocation to each trial court as outlined in Attachment A.

[23-035](#)**Allocations and Reimbursements to Trial Courts | Pretrial Release Funding and Allocation Methodology (Action Required)**

**Summary:** The Trial Court Budget Advisory Committee recommends approving the fiscal year 2023-24 pretrial release funding of \$68.95 million General Fund for the trial courts. This allocation is in accordance with methodologies outlined in Assembly Bill 221, including minimum funding floors. Funding through the pretrial release program provides for the implementation and operation of ongoing court programs and practices that promote the safe, efficient, fair, and timely pretrial release of individuals booked into jail.

**Recommendation:** The Trial Court Budget Advisory Committee unanimously recommends approval of the recommendation that the Judicial Council approve fiscal year 2023-24 pretrial release allocations of \$68.95 million General Fund for the trial courts in accordance with methodologies outlined in Assembly Bill 221 and including minimum funding floors.

[23-119](#)**Child Support | Updating AB 1058 Program Funding Methodologies and Adopting Fiscal Year 2023-24 Funding Allocations (Action Required)**

**Summary:** The Trial Court Budget Advisory Committee recommends reallocating funds for the Assembly Bill 1058 Child Support Commissioner and Family Law Facilitator Program based on the current funding methodologies, with updated workload and population data. The Child Support Commissioner program workload-based funding methodology was implemented in fiscal year (FY) 2019-20, the Family Law Facilitator program population-based funding methodology was implemented in FY 2021-22, and the underlying data for both are updated every two years. The committee also recommends approving base and federal drawdown allocations for the Assembly Bill 1058 Child Support Commissioner and Family Law Facilitator Program for FY 2023-24. The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council, which requires the council to annually approve the Assembly Bill 1058 Program funding allocations.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 21, 2023:

1. Approve the recommended base allocation for the Child Support Commissioner program for FY 2023-24 and FY 2024-25, as described below and stated in Attachment A, maintaining the current funding methodology approved by the council in 2019, with updated workload data;
2. Approve the recommended base allocation for the Family Law Facilitator program for FY 2023-24 and FY 2024-25, as described below and stated in Attachment B, maintaining the current funding methodology approved by the council in 2021, with updated population data; and

3. Approve the committee's recommendation for FY 2023-24 Assembly Bill 1058 Program court funding comprised of the base funding allocations derived from recommendations 1 and 2 and the federal drawdown funding based on the methodology adopted by the Judicial Council in January 2019, as stated in Attachments C1 and C2.

[23-004](#)**Court Facilities | Judicial Branch Five-Year Infrastructure Plan and Capital Outlay Budget Change Proposals for Fiscal Year 2024-25 (Action Required)**

**Summary:** The Court Facilities Advisory Committee recommends approval of the *Judicial Branch Five-Year Infrastructure Plan* and six capital outlay budget change proposals for fiscal year 2024-25 for their submission to the state Department of Finance. The five-year plan forms the basis for capital project funding requests for the upcoming and outlying fiscal years, and the budget change proposals reflect funding requested for the phases of the projects in year 1 (fiscal year 2024-25) of the plan.

**Recommendation:** The Court Facilities Advisory Committee recommends that the Judicial Council, effective July 21, 2023:

1. Approve the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024-25*;
2. Approve the six capital outlay budget change proposals for fiscal year 2024-25; and
3. Direct staff to submit the plan and the six budget change proposals to the state Department of Finance.

[23-104](#)**Juvenile Law | Court Appointed Special Advocate Funding Methodology, Program Expansion, and Fiscal Year 2023-2024 Allocations (Action Required)**

**Summary:** The Family and Juvenile Law Advisory Committee recommends allocation of \$2.713 million for fiscal year (FY) 2023-24 for the Court Appointed Special Advocate (CASA) Local Assistance program, and two updates to the funding allocation methodology. The judicial branch budget for Judicial Council CASA grants for FY 2023-24 is \$2.713 million, which includes a \$500,000 augmentation. The allocations would fund 45 CASA programs serving 52 counties.

**Recommendation:** The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2023:

1. Continue the allocation of the \$500,000 funding augmentation as base funding for FY 2023-24 using the four-tiered base funding methodology approved by the council on September 21, 2018;
2. Amend the methodology to allow for expansion of the CASA Local Assistance program to permit existing programs to expand to serve new courts without a program; and
3. Allocate \$2.713 million for FY 2023-24 to the CASA programs based on the recommended amended methodology.

[23-128](#)**Rules and Forms | Annual Cost of Living Adjustment (Action Required)**

**Summary:** The Code of Civil Procedure requires the Judicial Council to publish a list of the current dollar amounts of exemptions from judgment. The Code of Civil Procedure also provides that the dollar amount of one such exemption is based on an amount that is adjusted effective July 1. Accordingly, Judicial Council staff recommend revising the form that contains the list of dollar amounts of exemptions from judgment to reflect the updated figure.

**Recommendation:** Judicial Council staff recommend that the Judicial Council, effective July 24, 2023, revise *Current Dollar Amounts of Exemptions From Enforcement of Judgments* (form EJ-156) to reflect increases in the minimum basic standard of care for a family of four.

[23-114](#)**Rules and Forms | Judicial Branch Administration: Procedures for Submitting Contentions Regarding Administration of the Courts of Appeal (Action Required)**

**Summary:** The Administrative Presiding Justices Advisory Committee recommends adopting a new rule to establish procedures for submitting to the administrative presiding justices (APJs) contentions that an APJ or presiding justice has not properly addressed or managed an important matter related to the administration of a Court of Appeal or a division of a Court of Appeal. This proposal is based on a recommendation from the Appellate Caseflow Workgroup and would advance the efficient, effective, and proper administration of the Courts of Appeal.

**Recommendation:** The Administrative Presiding Justices Advisory Committee recommends that the Judicial Council, effective September 1, 2023, adopt new rule 10.1014 to:

- Provide a procedure by which any person may submit a contention to the administrative presiding justices regarding an APJ or presiding justice related to the administration of a Court of Appeal or a division of a Court of Appeal;
- Provide authority for the APJs to collectively review and address such contentions;
- Require the cooperation of justices who are the subject of contentions under review; and
- Address the confidentiality of submitted contentions.

[23-101](#)**Rules and Forms | Order on Petition for Relief From Financial Obligations During Military Service (Action Required)**

**Summary:** The Civil and Small Claims Advisory Committee recommends the revision of a Judicial Council form to reflect statutory amendments prohibiting the accrual of interest on deferred financial obligations for members of the United States military reserves or the National Guard who are called to active duty.

**Recommendation:** Judicial Council staff recommend that the Judicial Council, effective July 24, 2023, revise *Order on Petition for Relief From Financial Obligations During Military Service* (form MIL-020) to reflect recent changes to Military and Veterans Code section 409.3, as enacted in Senate Bill 1311 (Stats 2022, ch. 620).

### [23-066](#)

#### **Sargent Shriver Civil Counsel Act | Selection of Pilot Projects (Action Required)**

**Summary:** The Sargent Shriver Civil Counsel Act Implementation Committee recommends approval of 14 three-year grants for a total of \$48,328,296 to qualified legal services providers and court partners for the administration of pilot projects that provide legal representation and improved court services to low-income parties, regardless of their citizenship or immigration status. The projects would provide legal services consistent with the Sargent Shriver Civil Counsel Act (as amended by Assem. Bill 2193; Stats. 2022, ch. 486) in civil matters involving housing-related matters, domestic violence and civil harassment restraining orders, probate conservatorships, guardianships of the person, elder abuse, or actions by a parent to obtain legal or physical custody of a child.

**Recommendation:** The Sargent Shriver Civil Counsel Act Implementation Committee recommends that the Judicial Council, effective October 1, 2023, approve 14 grants for a total of \$48,328,296 to qualified legal services providers and court partners for the administration of pilot projects. These grants are awarded for a three-year period beginning October 1, 2023, and ending September 30, 2026.

### [23-120](#)

#### **Trial Court Budget | Fiscal Year 2023-24 Allocation of Community Assistance, Recovery, and Empowerment (CARE) Act Funding (Action Required)**

**Summary:** The Trial Court Budget Advisory Committee (TCBAC) recommends allocation to courts of the \$20 million for fiscal year 2023-24 included in the 2023 Budget Act for implementation of the Community Assistance, Recovery, and Empowerment (CARE) Act. The allocation may change based on final appropriations included in the signed Budget Act of 2023 (Sen. Bill 101; Stats. 2023, ch. 12). The TCBAC presented this recommendation to the Judicial Branch Budget Committee on May 17, 2023, and the Budget Committee approved it for consideration by the Judicial Council.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 1, 2023:

1. Approve, for Cohort One courts implementing the CARE Act, an allocation that employs the Workload Formula with a base of 25 CARE Act cases, calculated at \$93,225, for fiscal year (FY) 2023-24;
2. Approve, for Cohort One courts implementing the CARE Act, an allocation that employs the Workload Formula with a base of \$98,000, prorated to the amount that Cohort One courts are estimated to receive in FY 2024-25 when all courts are implementing the CARE Act;

3. Approve, for Cohort Two courts, an allocation that employs the Workload Formula with a base of \$98,000, prorated to the amount that remains after the allocation described in Recommendation 2 and after reduction by 0.5 percent to hold as a reserve for Cohort One courts that require additional program funding, with any unspent funding from the court allocations and this reserve redistributed through the reallocation process via the approved methodology; and
4. Direct Judicial Council staff to survey Cohort One courts by February 2024 and bring a reallocation proposal to the TCBAC for March 2024 Judicial Council action.

[23-076](#)**Trial Court Budget | Fiscal Year 2023-24 Allocation of Court-Appointed Juvenile Dependency Counsel Funding (Action Required)**

**Summary:** The Trial Court Budget Advisory Committee recommends allocation of \$186.7 million for fiscal year (FY) 2023-24 from the ongoing Trial Court Trust Fund to the trial courts for court-appointed juvenile dependency counsel. The allocation may change based on final appropriations included in the signed Budget Act of 2023 (Sen. Bill 101; Stats. 2023, ch.12).

**Recommendation:** The Trial Court Budget Advisory Committee (TCBAC) recommends that the Judicial Council, effective July 1, 2023, allocate \$186.7 million for fiscal year 2023-24 to the trial courts for court-appointed juvenile dependency counsel costs.

[23-058](#)**Trial Court Budget | State Trial Court Improvement and Modernization Fund Allocations for 2023-24 (Action Required)**

**Summary:** The Trial Court Budget Advisory Committee recommends approving allocations for 2023-24 from the State Trial Court Improvement and Modernization Fund in the amount of \$45.153 million. Assuming approval of the allocations, and with current revenue projections, the State Trial Court Improvement and Modernization Fund will end 2023-24 with a fund balance of \$31.731 million, of which approximately \$3.119 million will be unrestricted.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 21, 2023, approve a total of \$45.153 million in allocations for 2023-24 from the State Trial Court Improvement and Modernization Fund, as follows:

1. \$372,000 to Audit Services, an increase of \$18,000;
2. \$292,000 to Branch Accounting and Procurement, an increase of \$123,000;
3. \$9,000 to Business Management Services, no change;
4. \$35,000 to Budget Services, a decrease of \$115,000;
5. \$6.28 million to Center for Families, Children & the Courts, a decrease of \$149,000;
6. \$1.202 million to Center for Judicial Education and Research, a decrease of \$503,000;
7. \$9,000 to Criminal Justice Services, no change;

8. \$23,000 to Human Resources, an increase of \$23,000 (there was no 2022-23 allocation);
9. \$34.129 million to Information Technology, an increase of \$252,000;
10. \$871,000 to Legal Services, an increase of \$1,000; and
11. \$1.931 million to Leadership Support Services, an increase of \$119,000.

### [23-122](#)

#### **Trial Courts | Statement of Investment Policy and Investment Activities (Action Required)**

**Summary:** Branch Accounting and Procurement staff recommend approving an updated *Statement of Investment Policy and Investment Activities for Trial Courts* to name the Director of Branch Accounting and Procurement as “Treasurer” of invested trial court funds and to make other non-substantive changes. Treasury Services, which reports to Branch Accounting and Procurement, is responsible for managing investment activities on behalf of the trial courts. This group historically had a shared management structure between Budget Services and Branch Accounting and Procurement but is now solely under Branch Accounting and Procurement.

**Recommendation:** Branch Accounting and Procurement staff request that the Judicial Council, effective July 21, 2023, approve revisions to the *Statement of Investment Policy and Investment Activities for Trial Courts* that name the Director of Branch Accounting and Procurement as “Treasurer” of invested trial court funds, update existing naming conventions, and make other non-substantive changes. No change to eligible investments is being proposed.

### [23-034](#)

#### **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 approval of six new and nine amended requests of Trial Court Trust Fund (TCTF) funds to be held on behalf of the trial courts, totaling \$7.5 million from nine trial courts. Under the Judicial Council-adopted process, courts can request that a reduction in their TCTF allocations be retained in the TCTF as restricted fund balance for the benefit of those courts. The funds are then allocated back to the courts by the Judicial Council for the purposes stated in their approved requests.

**Recommendation:** Based on actions taken at its meeting on April 20, 2023, the Fiscal Planning Subcommittee of the Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 21, 2023, approve:

1. New funding requests, totaling \$4.1 million (Attachment A), as follows:
  - \$913,000 request from Alameda Superior Court for implementation and deployment of the eCourt Project and migration of its case management system (Attachment B);
  - \$18,000 request from Lake Superior Court for case management system configuration (Attachment C);
  - \$30,000 request from Lake Superior Court for case management system interfacing with probation (Attachment D);



- \$1 million request from Ventura Superior Court for a case management system upgrade (Attachment E);
  - \$838,000 request from Riverside Superior Court for the purchase of court responsible items for the new Indio Juvenile and Family Courthouse (Attachment F); and
  - \$1.3 million request from Riverside Superior Court for the purchase of court responsible items for the new Menifee Courthouse (Attachment G); and
2. Amended requests, totaling \$3.4 million (Attachment H), as follows:
- Request of Sutter Superior Court to extend the period for technology enhancements and facility modifications from 2022-23 to 2023-24, totaling \$605,000 (Attachment I);
  - Request of Sutter Superior Court to reduce its original request amount by \$151 and extend the period for facility upgrades from 2022-23 to 2023-24, totaling \$560,000 (Attachment J);
  - Request of San Benito Superior Court to repurpose funds to also include facility upgrades through fiscal year 2024-25, totaling \$1.5 million (Attachment K);
  - Request of Lake Superior Court to extend the period for case management system interfacing from 2022-23 to 2023-24, totaling \$41,000 (Attachment L);
  - Request of Sierra Superior Court to extend the period for facility upgrades from 2022-23 to 2023-24, totaling \$30,000 (Attachment M);
  - Request of Placer Superior Court to repurpose the balance of \$64,000 to upgrade audio/video systems for remote hearings through fiscal year 2022-23 (Attachment N);
  - Request of Placer Superior Court to repurpose the balance of \$197,000 to upgrade audio/video systems for remote hearings through fiscal year 2022-23 (Attachment O);
  - Request of Placer Superior Court to repurpose the balance of \$73,000 to upgrade audio/video systems for remote hearings through fiscal year 2022-23 (Attachment P); and
  - Request of San Luis Obispo Superior Court to repurpose \$297,000 to make facility upgrades to construct four offices through 2023-24 (Attachment Q).

## DISCUSSION AGENDA

### [23-033](#)

#### **Trial Court Budget | Allocations from the Trial Court Trust Fund and Trial Court Allocations for 2023-24 (Action Required)**

**Summary:** For 2023-24, the Trial Court Budget Advisory Committee recommends the Judicial Council allocate \$3.024 billion to the trial courts, including \$2.816 billion from the Trial Court Trust Fund, which includes new funding of \$74.1 million inflationary funding and \$207.8 million from the state General Fund for employee benefits; pretrial funding; implementation of the Community Assistance, Recovery, and Empowerment Act; and for support of operation of the trial courts.

The Trial Court Budget Advisory Committee also recommends the Judicial Council approve the Workload Formula allocation of \$2.522 billion based on recommended methodologies as well as methodologies approved by the Judicial Council. Assuming approval of the allocations, current revenue projections, and estimated savings from 2022-23 appropriations, the Trial Court Trust Fund will end 2023-24 with a fund balance of \$201.2 million, of which approximately \$128.5 million will be unrestricted.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council, effective July 21, 2023:

1. Approve base, discretionary, and non-discretionary program allocations in the amount of \$3.024 billion (Attachment B, column AE), which includes the following:
  - a. An allocation of \$74.1 million in inflationary funding to the trial courts as a 3 percent increase over each court's 2022-23 Workload Formula allocation (Attachment B, column D); and
  - b. An allocation of \$118.8 million General Fund for employee benefit cost increases associated with retirement, employee health, and retiree health benefits for the period 2010-11 through 2011-12 and for support of operation of the trial courts (Attachment B, columns T and U); and
2. Approve a Workload Formula allocation of \$2.522 billion based on the methodology approved by the Judicial Council (Attachment C, column Y).

**A motion to approve the recommendation was made by Mr. Yamasaki and seconded by Judge Brodie. The motion was adopted.**

### [23-032](#)

#### **Judicial Branch Budget | 2024-25 Budget Change Proposals for Supreme Court, Courts of Appeal, Superior Courts, Habeas Corpus Resource Center, Judicial Branch Facilities Program, and Judicial Council (Action Required)**

**Summary:** To continue responsible reinvestment in the judicial branch and allow for greater access to justice for California's citizens, the Judicial Branch Budget Committee recommends submitting 10 budget change proposals to the California Department of Finance for consideration in the fiscal year 2024-25 Governor's Budget.

**Recommendation:** The Judicial Branch Budget Committee recommends that the Judicial Council, effective July 21, 2023, approve the following fiscal year 2024-25 budget change proposals (not in priority order) for submission to the California Department of Finance in September 2023:

1. Statutory Statewide External Audit Program--\$1.3 million General Fund;
2. Courts of Appeal Court-Appointed Counsel Program--\$5.5 million General Fund;
3. Trial Courts and Courts of Appeal Facilities Operations and Maintenance--\$68.0 million General Fund and \$16.1 million Court Facilities Trust Fund reimbursement authority;
4. Trial Court and Appellate Court Facility Modifications--\$47.3 million General Fund and \$11.4 million State Court Facilities Construction Fund reimbursement authority;
5. Capital Outlay Funding 2024-25 through 2028-29--\$128.3 million General Fund;
6. Court-Based Self-Help Centers--Continuation of Operating Funds--\$33.4 million General Fund;
7. Habeas Corpus Resource Center Case Team Staffing and Establishment of Los Angeles Office--\$9.0 million General Fund;
8. Trial Court Inflationary Adjustment--\$73.1 million General Fund;
9. Statewide 50 New Trial Court Judgeships--\$621.1 million General Fund; and
10. Maintaining a Sufficient Pool of Competency-to-Stand-Trial Court Evaluators--\$12.3 million General Fund.

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

### [23-111](#)

#### **Court Facilities | Revised Courthouse Naming Policy (Action Required)**

**Summary:** The Court Facilities Advisory Committee and its Subcommittee on Courthouse Names recommend adoption of the revised *Courthouse Naming Policy*. Changes over time necessitate an update to the policy since it was adopted by the Judicial Council in 2014.

**Recommendation:** The Court Facilities Advisory Committee and its Subcommittee on Courthouse Names recommend that the Judicial Council, effective July 21, 2023, adopt the revised *Courthouse Naming Policy*.

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

[23-115](#)**Judicial Branch Administration | Tactical Plan for Technology 2023-2024 (Action Required)**

**Summary:** The Technology Committee and the Information Technology Advisory Committee recommend adopting the updated *Tactical Plan for Technology 2023-2024*. The updated plan, prepared by the Tactical Plan Update Workstream, was developed by reviewing the *Strategic Plan for Technology* to ensure alignment with branchwide goals, evaluating the status of existing initiatives, and considering new initiatives. Guided by the technology strategic plan, the tactical plan describes the focused efforts on technology solutions that further the administration of justice and meet the needs of the people of California.

**Recommendation:** The Technology Committee and the Information Technology Advisory Committee recommend that the Judicial Council, effective July 24, 2023, adopt the *Tactical Plan for Technology 2023-2024* to supersede the 2021-2022 plan. This is the fourth update of the judicial branch tactical plan for technology since it was established within the *Technology Governance and Funding Model*, effective October 2014.

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

[23-113](#)**Judicial Branch Technology | IT Modernization Funding, Fiscal Year 2023-24 (Action Required)**

**Summary:** The Budget Act of 2022 appropriated funding for judicial branch technology modernization. The Judicial Council has directed the Technology Committee to recommend funding allocations and provide regular updates on approved allocations. The Technology Committee recommends allocating approximately \$12.5 million to trial and appellate courts for fiscal year (FY) 2023-24, as itemized in the attached summary. The recommended allocations would support projects that align with the judicial branch's technology goals, while allowing individual courts to expand their use of technology to best meet their particular business needs.

**Recommendation:** The Technology Committee recommends that the Judicial Council, effective July 24, 2023, allocate approximately \$12.5 million to trial and appellate courts in FY 2023-24 for judicial branch technology modernization.

**A motion to approve the recommendation was made by Mr. Yamasaki and seconded by Judge Rosenberg. The motion was adopted.**

[23-007](#)**Pretrial Pilot Program | Final Report to the Legislature  
(Action Required)**

**Summary:** The Budget Act of 2019 (Assem. Bill 74; Stats. 2019, ch. 23) earmarked \$75 million to the Judicial Council to launch and evaluate two-year pretrial projects in local trial courts. As directed by the Legislature, the projects aim to increase the safe and efficient release of arrestees before trial, use the least restrictive monitoring practices possible while protecting public safety and ensuring court appearances, validate and expand the use of risk assessment tools, and assess any bias. Criminal Justice Services staff recommend that the Judicial Council receive *Pretrial Pilot Program: Final Report to the Legislature* and direct the Acting Administrative Director to submit this report to the Joint Legislative Budget Committee and the Department of Finance, as required by the Budget Act of 2019. This is the final legislative report on the pilot program and documents the implementation and outcomes of the program. It also presents aggregate data on public safety as measured by arrests for new crimes during the pretrial period, rates of failure to appear at a court hearing as required, validity of the tools as measured by the accuracy of the risk assessment tools in predicting failures to appear in court and new arrests, and whether the accuracy of the tool's predictions varies by race or ethnicity, gender, or other factors.

**Recommendation:** Criminal Justice Services staff recommend that the Judicial Council, effective July 21, 2023:

1. Receive *Pretrial Pilot Program: Final Report to the Legislature*; and
2. Direct the Acting Administrative Director to submit this report to the Joint Legislative Budget Committee and the Department of Finance.

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

**INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**[23-030](#)**Report to the Legislature | Electronic Recording Equipment**

**Summary:** Pursuant to Government Code section 69958, the Judicial Council is required 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 July 1 to December 31, 2022, seven courts reported a combined total of \$667,467 for equipment or related items. On or before June 30, 2023, the Judicial Council's Budget Services staff submitted the *Report of Electronic Recording Equipment Purchased or Leased by Superior Courts (July 1 through December 31, 2022)*. This report also includes supplemental information for the reporting period of January 1 through June 30, 2022.

[23-105](#) **Report to the Legislature | FY 2022-23 Funding for California Court Appointed Special Advocate Association**

**Summary:** On or before July 1, 2023, staff for the Judicial Council’s Center for Families, Children & the Courts submitted to the Legislature *Report on California Court Appointed Special Advocate Association Funding Allocations and Program Development: Year One*, in accordance with the requirements stated in the Budget Act of 2022.

[23-117](#) **Report to the Legislature | Trial Court Interpreters Program Expenditure Report for Fiscal Year 2021-22**

**Summary:** On June 30, 2023, the Judicial Council’s Language Access Services submitted the annual report on trial court interpreter expenditures to the Legislature and the Department of Finance. This report is required by the Budget Act of 2021 (Sen. Bill 170; Stats. 2021, ch. 240).

[23-031](#) **Trial Courts | Quarterly Investment Report for First Quarter 2023**

**Summary:** This quarterly investment report covers the period from January 1, 2023, through March 31, 2023, 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 the Resolutions Regarding Investment Activities for the Trial Courts, approved by the Judicial Council on February 27, 2004.

## Appointment Orders

[23-126](#) **Appointment Orders since the last business meeting.**

## Adjournment

With the meeting’s business completed, the Chief Justice adjourned the meeting at approximately 12:10 p.m.

*Respectfully submitted by Acting Administrative Director Millicent Tidwell, Secretary to the Judicial Council, on September 19, 2023.*