



Judicial Council of California

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Title

Judicial Administration: Public Access to Administrative Decisions of Trial Courts (Action Required)

Summary

The Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee recommend the amendment of California Rules of Court, rule 10.620, to repeal the provisions that apply the rule’s requirements for public notice and input to the decisions of trial courts to close court facilities or reduce the hours of a court location, as these provisions are inconsistent with statutory requirements. Amendments to Government Code section 68106, which took effect on January 1, 2012, created new requirements for public notice and comment when trial courts decide to close court facilities or reduce hours. These requirements are inconsistent with the requirements of rule 10.620, and trial courts have faced confusion in determining how notice is to be provided. The recommendations in this report are intended to resolve this confusion, leaving Government Code section 68106 as the sole authority governing decisions to close court facilities or reduce hours.

Recommendation

The Trial Court Presiding Judges Advisory Committee (TCPJAC) and Court Executives Advisory Committee (CEAC) recommend that, effective January 1, 2016, the Judicial Council make the following changes to rule 10.620 of the California Rules of Court:

1. Amend subdivision (b) to update two references to the Administrative Office of the Courts to refer instead to the Administrative Director in one instance and the Judicial Council in the other.
2. Amend subdivision (d) to change the reference to the Administrative Office of the Courts in paragraph (1) to refer instead to Judicial Council staff, and to repeal current paragraph (3), which requires courts to seek public input regarding court closures and reductions in service, and renumber current paragraph (4) as (3).
3. Repeal current paragraph (5) of subdivision (f), which applies the public notice requirements of the rule to court closures or reductions in service, and renumber current paragraph (6) as (5).
4. Add an Advisory Committee Comment noting that the provisions of rule 10.620 do not apply where statutes specify another procedure for giving public notice and allowing public input.