



Judicial Council of California

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Subject Text

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Title

Judicial Council: 2017 Legislative Priorities (Action Required)

Summary

Each year, the Judicial Council authorizes sponsorship of legislation to further key council objectives and establishes priorities for the upcoming legislative year. Last year, the council's legislative priorities focused on investment in the judicial branch and securing critically needed judgeships. The Policy Coordination and Liaison Committee recommends a similar approach for the 2017 legislative year.

Recommendation

PCLC recommends that the Judicial Council consider the following as Judicial Council legislative priorities in 2017:

1. Advocate for continued investment in the judicial branch to include a method for stable and reliable funding for courts to address annual cost increases in baseline operations and plan for the future; and for sufficient additional resources to improve physical access to the courts by keeping courts open, to expand access by increasing the ability of court users to conduct branch business online, and to restore programs and services, including dependency counsel funding, that were reduced over the past few years. This priority also includes seeking the extension of sunset dates on increased fees implemented in the fiscal year (FY) 2012-2013 budget, as follows:
 - a. \$40 increase to first paper filing fees for unlimited civil cases, where the amount in dispute is more than \$25,000 (Gov. Code, § 70602.6)
 - b. \$40 increase to various probate and family law fees (Gov. Code, § 70602.6)
 - c. \$20 increase to various motion fees (Gov. Code, §§ 70617, 70657, 70677)
 - d. \$450 increase to the complex case fee (Gov. Code, § 70616)
 - e. \$40 probate fee enacted in 2013, expiring on January 1, 2019 (Gov. Code, § 70662)
2. Increase the number of judgeships and judicial officers in superior courts with the greatest need.
 - a. Seek funding for 12 of the 50 authorized, but unfunded, judgeships to be allocated to the courts with the greatest need based on the most recently approved Judicial Needs Assessment.
 - b. Seek funding for two additional justices in Division Two of the Fourth Appellate District (Inyo, Riverside, and San Bernardino Counties), one in FY 2017-2018 and the second in FY 2018-2019.
 - c. Advocate for legislative ratification of the Judicial Council's authority to convert 16 subordinate judicial officer (SJO) positions to judgeships in eligible courts, and sponsor legislation for legislative ratification of the council's authority to convert up to 10 additional SJO positions to judgeships, in eligible courts, if the conversion will result in an additional judge sitting in a family or juvenile law assignment that was previously presided over by an SJO.
 - d. Work with the Administration and Legislature to resolve the concerns raised in the Governor's veto message of SB 229 (Roth, 2015), regarding vacant judgeships in courts with more authorized judges than their assessed judicial need.

3. Seek sufficient funding for the courthouse construction projects authorized by SB 1407 (Perata, Stats. 2008, ch. 311).
4. Seek legislative authorization for the disposition of the Chico, Corning, and San Diego courthouses as previously authorized by the Judicial Council and any remaining properties subsequently approved by the council in 2016. Also, identify the account or fund into which sales proceeds would be deposited--in this case, the Immediate and Critical Needs Account (ICNA) of the State Court Facilities Construction Fund, which funds the most critical judicial branch facilities projects--but with the understanding that the Legislature may choose to direct those sales proceeds elsewhere.
5. Continue to sponsor or support legislation to improve judicial branch operational efficiencies, including cost savings and cost recovery measures.
6. Advocate for a three-branch solution to ensure the fairness and efficiency of California's fines, fees, penalties and assessments structure.
7. Delegate to PCLC the authority to take positions or provide comments on behalf of the Judicial Council on proposed legislation (state and federal) and administrative rules or regulations, after evaluating input from council advisory bodies, council staff, and the courts, provided that the input is consistent with the council's established policies and precedents.

Speakers

Mr. Cory Jasperson, Governmental Affairs