



# Judicial Council of California

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May 17, 2024

## Subject Details (With Text)

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**File #:** 17-209      **Version:** 1

**Type:** Legislative Proposal      **Status:** Passed

**File created:** 10/13/2017      **In control:** Judicial Council

**On agenda:** 11/17/2017      **Final action:** 11/17/2017

**Title:** Judicial Council: 2018 Legislative Priorities (Action Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 20171117-17-209

Date	Ver.	Action By	Action	Result
11/17/2017	1	Judicial Council	approved	Pass

### Title

#### Judicial Council: 2018 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. For the last several years, the council's legislative priorities have focused on implementation of efficiencies in the courts, investment in the judicial branch, and securing critically needed judgeships. The Policy Coordination and Liaison Committee recommends a similar approach for the 2018 legislative year to the Judicial Council.

#### Recommendation

The Policy Coordination and Liaison Committee (PCLC) recommends that the Judicial Council take the following actions as Judicial Council legislative priorities in 2018:

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 (1) improve physical access to the courts by keeping courts open, (2) expand access by increasing the ability of court users to conduct branch business online, and (3) restore programs and services 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) 2012-13 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 2017-18 and the second in FY 2018-19.

- 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.
3. Seek sufficient funding for the courthouse construction projects authorized by Senate Bill 1407 (Perata; Stats. 2008, ch. 311).
4. Seek legislative authorization for the disposition of the West Los Angeles courthouse as previously authorized by the Judicial Council and any remaining properties subsequently approved by the council in 2018 in a fair market value transaction, with the proceeds to be directed to the Immediate Critical Needs Account of the State Court Facilities Construction Fund established by Senate Bill 1407 (Perata; Stats. 2008, ch. 311) or any other Judicial Council facilities fund authorized by the Legislature.
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. Work to ensure that any solutions include sufficient revenue backfill for the branch.
7. Advocate for legislation to implement the recommendations of the Commission the Future of California's Court System as recommended by the Judicial Council and its advisory bodies.
  - a. **Civil adjudication of minor traffic infractions.** The Chief Justice appointed the Futures Traffic Working Group to collaborate with the Judicial Council's Traffic Advisory Committee, the Civil and Small Claims Advisory Committee, the Advisory Committee on Providing Access and Fairness, and the Criminal Law Advisory Committee, to develop for Judicial Council consideration a proposal to implement and evaluate a civil model for adjudication of minor vehicle infractions.
  - b. **Revision of civil case tiers and streamlined civil procedures.** The Judicial Council's Civil and Small Claims Advisory Committee is directed to assess and make recommendations to the Judicial Council on advancing a legislative proposal for increasing the maximum jurisdictional dollar amounts for limited civil cases to \$50,000, creating a new intermediate civil case track with a maximum jurisdictional dollar amount of \$250,000, and streamlining methods for litigating and managing all types of civil cases.
  - c. **Assistance for self-represented litigants.** The Judicial Council's Advisory Committee on Providing Access and Fairness is directed to develop a proposal for Judicial Council consideration of the structure, content, and resource requirements for an education program to aid the growing number of self-represented litigants (SRLs) in small claims and civil cases where SRLs are most common.
  - d. **Expansion of technology in the courts.** The Judicial Council's Information Technology Advisory Committee is directed to consider, for presentation to the Judicial Council, the feasibility of and resource requirements for developing and implementing a pilot project to allow remote appearances by parties, counsel, and witnesses for most noncriminal court proceedings. Further, the committee is directed to explore available technologies and make recommendations to the Judicial Council on the potential for a pilot project using voice-to-text language interpretation services at court filing and service counters and in self-help centers. Finally, the committee is directed to explore and make recommendations to the council on the potential for a pilot project using intelligent chat technology to provide information and self-help services.
8. Advocate for legislation to implement the recommendations of the Pretrial Detention Reform Work Group.
9. 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**

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