



Judicial Council of California

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Subject Text

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Title

Judicial Administration: Public Disclosure of Settlement Agreements (Action Required)

Summary

On April 10, 2018, Chief Justice Tani G. Cantil-Sakauye asked the Judicial Council to take immediate action to revise the court rule on public records to clarify that settlement agreements to resolve sexual harassment and discrimination complaints against judicial officers must be publicly disclosed in response to records requests. She created a working group to review and make recommendations to modify the rule to achieve this goal. The working group recommends that the Judicial Council amend California Rules of Court, rule 10.500, on public access to judicial administrative records, to clarify that settlement agreements must be disclosed in response to public records requests and that the names of judicial officers may not be redacted from those agreements.

Recommendation

The Rule 10.500 Working Group recommends that the Judicial Council, effective June 1, 2018, amend rule 10.500(f)(7), to clarify that:

1. Judicial branch entities, in response to judicial administrative records requests, must disclose any settlement agreement for which public funds were spent in payment of the settlement, including any settlement agreement arising from claims or complaints of sexual harassment or sexual discrimination;
2. The names of judicial officers may not be redacted from the settlement agreement produced; and
3. The names of complainants and witnesses, and any other information that would identify complainants or witnesses, may be redacted.

Speakers

Hon. Marsha G. Slough, Chair, Rule 10.500 Working Group