

Judicial Council of California • Administrative Office of the Courts

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IN VITATION TO COMMENT
SP13-10

Title	Action Requested
Judicial Administration: Rules for Advisory Groups	Review and Submit Comments by December 20, 2013
Proposed Rules, Forms, Standards, or Statutes Adopt Cal. Rules of Court, rules 10.16, 10.60, 10.61, and 10.62; amend rules 10.10, 10.30, 10.34, 10.48, and 10.55; and repeal rule 10.49	Proposed Effective Date
Proposed by	Contact
Rules and Projects Committee Hon. Harry E. Hull, Jr., Chair Executive and Planning Committee Hon. Douglas P. Miller, Chair Technology Committee Hon. James E. Herman, Chair	Susan R. McMullan, 415-865-7990 susan.mcmullan@jud.ca.gov

Executive Summary and Origin

This proposal would adopt California Rules of Court for a Judicial Council internal committee and three advisory committees; amend two rules for existing advisory committees, one rule addressing internal committees generally, and two rules addressing advisory committees generally; and repeal one rule. At its meeting on April 25, 2013, the Judicial Council approved the *Report and Recommendations to Improve the Governance, Structure, and Organization of Judicial Council Advisory Groups*,¹ submitted by the Rules and Projects Committee (RUPRO), the Executive and Planning Committee (E&P), and the Technology Committee (JCTC). Among the recommendations were the establishment by rule of two advisory committees: the Court Facilities Advisory Committee and the Trial Court Budget Advisory Committee. The *Report and Recommendations* also recommended certain changes to the Access and Fairness Advisory Committee² and the Court Executives Advisory Committee that necessitate rule amendments and the repeal of rule 10.49, which addresses the Conference of Court Executives. In addition, rules

¹ The report is available at www.courts.ca.gov/documents/jc-20130426-item4.pdf.

² On adoption of the rule amendment, this committee would be known as the Advisory Committee on Providing Access and Fairness in the Courts.

are needed for the Judicial Council Technology Committee and the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch.

Background

The council initiative for reviewing the governance, structure, and organization of the council's advisory groups had its genesis in its June 2011 planning meeting. In August 2011, E&P made this recommendation to the council:

The Judicial Council will review the structure and organization of its advisory groups, including its advisory committees and task forces, and their subcommittees and advisory groups.³

The Proposal

This proposal would establish by rule of court the JCTC and set out its responsibilities for technological issues relating to the branch and the courts. In addition, the proposal would establish by rule of court three new advisory committees⁴ to provide policy recommendations and advice to the council on topics the Chief Justice or the council specifies using the individual and collective experience, opinions, and wisdom of their members. (See Cal. Rules of Court, rule 10.30(b).) Consistent with the rules for all advisory committees, the proposed rules for the three new advisory committees include provisions addressing the advisory committee's area of focus and membership. Where appropriate, the proposed rules include additional areas of responsibility and, where necessary, additional information about the nominations process and member selection and appointment, if those procedures differ from the procedures set out in rules 10.31 and 10.32.

Existing rules 10.30–10.34 address, respectively, Judicial Council advisory bodies, advisory committee membership and terms, nominations and appointments to advisory committees, advisory committee meetings, and duties and responsibilities of advisory committees. Unless otherwise stated or other provisions addressing these matters appear in proposed rules 10.60 and 10.61, these rules would apply to the new rules establishing the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch, the Court Facilities Advisory Committee, and the Trial Court Budget Advisory Committee.

Rules for the Access and Fairness Advisory Committee and the Court Executives Advisory Committee would be amended to align the rules with the recommendations approved by the

³ Judicial Council of Cal., mins. (Aug. 25–26, 2011), p. 7, report from the chair of E&P, <http://www.courts.ca.gov/documents/jc-20110826-minutes.pdf>. See also Judicial Council of Cal., E&P mins. (Aug. 12, 2011), <http://www.courts.ca.gov/documents/jc-121311-comrep.pdf>.

⁴ The recommendations approved by the council in the *Report and Recommendations to Improve the Governance, Structure, and Organization of Judicial Council Advisory Groups* include the establishment by rule of two other advisory groups—the Tribal Court-State Court Forum and the Court Security Advisory Committee. The council is expected to adopt rules for these groups effective October 25, 2013.

council in April 2013. A rule addressing internal committees generally and two rules addressing advisory committees generally also would be amended to make them consistent with the council recommendations.

Rule 10.49 (Conference of Court Executives) would be repealed because the amendment of rule 10.48 (Court Executives Advisory Committee) would make all court executive officers members of the Court Executives Advisory Committee, thereby making the Conference of Court Executives unnecessary as a separate advisory body.

New Rules

Rule 10.16 (Technology Committee). At its March 27, 2012, meeting, the council voted to stop deployment of the California Court Case Management System (CCMS V4) as a statewide court technology solution. At that time the council directed the CCMS Internal Committee, in partnership with the trial courts, to develop timelines and recommendations to the council for various matters involving technology in the courts. On June 22, 2012, the council approved the CCMS Internal Committee's recommendation to change its name to the Technology Committee.⁵ The report recommending this action described the committee's role as overseeing the council's policies on technology and advising the council on technology-related policy decisions.

Proposed rule 10.15 would provide that the JCTC oversees the council's policies concerning technology and is responsible for coordinating with the Administrative Director of the Courts, council internal and advisory committees, the courts, justice partners, and stakeholders on technological issues relating to the branch and the courts. It would also provide that the JCTC, in collaboration or consultation with the Policy Coordination and Liaison Committee, coordinates with other branches of government on technology issues. The JCTC will report to the council on technology issues; assess technology needs; develop recommendations for standards and systems; and, similar to E&P and RUPRO, oversee certain advisory committees and task forces.

Rule 10.60 (Court Facilities Advisory Committee). Proposed rule 10.60 would formally establish the Court Facilities Advisory Committee by rule of court and provide that its area of focus is to make recommendations to the council concerning the judicial branch capital program for the trial and appellate courts. This broad language reflects the committee's comprehensive role in making recommendations about court facilities. The rule would provide that membership must include at least one member from each of the following categories:

1. Appellate court justice;
2. Appellate court clerk/administrator;
3. Superior court judge;

⁵ Judicial Council of Cal., *Technology: Report from the Technology Committee* (June 22, 2012).

4. Court executive officer;
5. Lawyer;
6. Local government official or administrator;
7. Public member with expertise in real estate acquisition, construction, architecture, cost estimating, or facilities management and operations; and
8. The chair and vice-chair of the Trial Court Facility Modification Advisory Committee, as nonvoting members

Rule 10.61 (Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch). Proposed rule 10.61 would formally establish by rule of court the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch. The rule would provide that the committee's area of focus is to make recommendations to the council on practices that will promote financial accountability and efficiency in the judicial branch. Additional duties of the committee contained in the proposed rule are to:

1. Make recommendations annually to the council concerning any budget change proposals for funding of the Administrative Office of the Courts (AOC) and any proposed changes to the annual compensation plan for the AOC;
2. Review all audit reports of the judicial branch, recommend council acceptance of audit reports, and where appropriate, make recommendations to the council on individual or systemic issues;
3. Report to the council on AOC contracts that meet established criteria to ensure that the contracts are in support of judicial branch policy; and
4. Review proposed updates and revisions to the *Judicial Branch Contracting Manual*.

Under the proposed rule, the committee would be composed of appellate court justices, superior court judges, and court executive officers. In the proposed rule, an advisory committee comment would describe the committee's purpose.

Rule 10.62 (Trial Court Budget Advisory Committee). The Trial Court Budget Advisory Committee's area of focus under proposed rule 10.62 is to make recommendations to the council on the preparation, development, and implementation of the budget for the trial courts and to provide input to the council on policy issues affecting trial court funding. Additional committee duties listed in the proposed rule are to make recommendations to the council on:

1. Trial court budget priorities to guide the development of the budget for the upcoming fiscal year;
2. The allocation of trial court funding, to include any changes to existing methodologies for allocating trial court budget augmentations and reductions; and
3. Budget policies and procedures, as appropriate.

The rule would provide that membership consists of an equal number of trial court presiding judges and court executive officers reflecting diverse aspects of state trial courts, including urban, suburban, and rural locales; the size and adequacy of budgets; and the number of authorized judgeships. Under the proposed rule, a presiding judge and a court executive officer from the same court may serve and a presiding judge is qualified to complete his or her term on the advisory committee even if his or her term as presiding judge of a trial court ends.

Amended Rules

Rule 10.55 (Advisory Committee on Providing Access and Fairness in the Courts). The rule providing for the Access and Fairness Advisory Committee would be amended to rename the committee the Advisory Committee on Providing Access and Fairness in the Courts and to make other clarifying changes. To acknowledge that the committee's area of focus will continue to encompass diversity in the judicial branch, that area would be added to subdivision (a). To better recognize the scope of its duties, subdivision (b) of the rule would be amended to provide, as additional duties, making recommendations to the council (1) on ways to maintain and improve self-help services in the courts, and (2) on guidelines and procedures for self-help centers. A technical correction would be made to subdivision (b)(3) to provide that the committee makes recommendations on proposals for the education and training of judicial officers and court staff to the Governing Committee of the Center for Judicial Education and Research, rather than to the AOC office known as CJER.

The proposed rule changes implement various council actions. The *Report and Recommendations to Improve the Governance, Structure, and Organization of Judicial Council Advisory Groups*, approved by the council in April 2013, included a recommendation that the Self-Represented Litigants Task Force complete as many of its projects as possible by September 1, 2013, and that its remaining projects be merged with the Access and Fairness Advisory Committee. To encompass the task force's area of focus, the rule would be amended to specifically provide that one of the committee's cochairs is responsible for leading the advisory committee's work in the area of issues—including economic, education, and language challenges—confronted by self-represented litigants and litigants of limited or moderate income. The rule would provide for a second area, led by the other committee cochair, on physical, programmatic, and language access; fairness in the courts; and diversity in the judicial branch.

The rule would be amended to add the following to the existing categories of membership:

1. Lawyer with expertise or interest in additional access, fairness, and diversity issues addressed by the committee;
2. Lawyer from a trial court self-help center;
3. Legal services lawyer; and
4. Court executive officer or trial court manager who has experience with self-represented litigants.

Rules 10.48 (Court Executives Advisory Committee). The *Report and Recommendations to Improve the Governance, Structure, and Organization of Judicial Council Advisory Groups* included a recommendation to combine the Conference of Court Executives and the Court Executives Advisory Committee into one group with an executive committee. The newly created group would not include an appellate court administrator position because the California Appellate Court Clerks Association meets separately and works with the Administrative Presiding Judges Advisory Committee.

Proposed amended rule 10.48 would eliminate reference to the Conference of Court Executives and provide that the committee consists of the court executive officer of each superior court. The rule would provide for an executive committee that acts on behalf of the full advisory committee. The executive committee would be made up of the following members:

1. The nine court executive officers or interim/acting court executive officers from the nine trial courts that have 49 or more judges;
2. Four court executive officers from trial courts that have 16 to 47 judges;
3. Two court executive officers from trial courts that have 6 to 15 judges;
4. Two court executive officers from trial courts that have 2 to 5 judges; and
5. One court executive officer from the trial courts as an at-large member appointed by the committee chair to a one-year term.

For positions on the executive committee, the rule would provide a nomination process that allows the executive committee to submit three nominations for each vacancy to E&P. The rule would specifically provide for executive committee meetings approximately every two months, with some meetings held in conjunction with the statewide meetings of the full advisory committee.

Rules 10.10, 10.30, and 10.34. Rule 10.10, which identifies internal committees of the council, would be amended to add the Technology Committee.

Rule 10.30, on council advisory bodies, would be amended to provide that an advisory body may form subcommittees with the approval of the internal committee that has oversight responsibility for the advisory body. The current rule does not explicitly require the advisory committee to obtain the approval of the oversight committee to create a subcommittee. The *Report and Recommendations to Improve the Governance, Structure, and Organization of Judicial Council Advisory Groups* recommends that an advisory group solicit the approval of its council oversight committee before creating subcommittees or adding new projects.

Similarly, to align rule 10.34, on the duties and responsibilities of advisory bodies, with the above recommendation, that rule would be amended to provide that to pursue matters in addition to those specified in its annual charge (i.e., additional projects), an advisory committee must have the approval of the internal committee that has oversight responsibility for the advisory committee.

Repealed Rule

Rule 10.49 (Conference of Court Executives). This proposal would repeal rule 10.49, addressing the Conference of Court Executives, because that group would be merged with the Court Executives Advisory Committee under amended rule 10.48.

Alternatives Considered

During the recent review by three of the council's internal committees—RUPRO, E&P, and JCTC—which resulted in the *Report and Recommendations to Improve the Governance, Structure, and Organization of Judicial Council Advisory Groups*, the committees evaluated ways to achieve the following objectives:

1. Create efficiencies by consolidating certain committee activities and reducing overlapping responsibilities;
2. Reduce the costs associated with committee operations, which includes gaining a better understanding of the resources and staff support reasonably needed by the council's advisory groups;
3. Strengthen Judicial Council oversight of the groups that had not been directly overseen by the council, such as subcommittees and subgroups that had been created by the council's advisory groups; and
4. Create formal standing advisory committees to succeed task forces and working groups when the continued assistance of those groups is needed.

The internal committees concluded that establishing as standing advisory committees the Court Facilities Advisory Committee and the Trial Court Budget Advisory Committee would assist in

achieving these objectives. In addition, the internal committees recognized the need for a rule of court for the JCTC and the Advisory Committee on Financial Accountability and Efficiency.

Implementation Requirements, Costs, and Operational Impacts

Internal and advisory committee costs include the costs of members' travel, meals, and lodging (if needed) for in-person meetings and the costs of telephone and video conferences. Other costs include staff time. The Judicial Council has determined that the subject areas of the three new advisory committees are ones in which both the council and the judicial branch would benefit from policy recommendations and advice. It has also determined that to establish advisory groups of members with diverse experience to provide recommendations and advice in the needed subject areas is appropriate. For the JCTC, the council has determined that it needs an internal committee, governed by a rule, to provide oversight of the council's policies concerning technology.

Request for Specific Comments

In addition to comments on the proposal as a whole, the Rules and Projects Committee, the Executive and Planning Committee, and the Technology Committee are interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

Attachments and Links

1. Proposed Cal. Rules of Court, rules 10.10, 10.16, 10.30, 10.34, 10.48, 10.49, 10.55, and 10.60–10.62, at pages 9–20

Rules 10.16, 10.60, 10.61, and 10.62 of the California Rules of Court would be adopted, rules 10.10, 10.30, 10.34, 10.48, and 10.55 would be amended, and rule 10.49 would be repealed, effective February 21, 2014, to read:

1 **Rule 10.10. Judicial Council internal committees**

2 **(a) Judicial Council internal committees**

5 The internal committees are:

7 (1) Executive and Planning Committee;

9 (2) Policy Coordination and Liaison Committee;

11 (3) Rules and Projects Committee; ~~and~~

13 (4) Litigation Management Committee; ~~and~~

15 (5) Technology Committee.

17 (b)-(g) * * *

19 **Rule 10.16. Technology Committee**

21 **(a) Technology policies**

23 The Technology Committee oversees the council's policies concerning technology.
24 The committee is responsible for determining that council policies are complied
25 with and that specific projects proceed on schedule and within scope and budget.

27 **(b) Coordination**

29 The committee coordinates the activities of the Administrative Director of the
30 Courts, council internal committees and advisory committees, the courts, justice
31 partners, and stakeholders on matters relating to court technology. The committee
32 also, in collaboration or consultation with the Policy Coordination and Liaison
33 Committee, coordinates with other branches of government on technology issues.

35 **(c) Reports**

37 The committee seeks reports and recommendations from the Administrative
38 Director, the courts, and stakeholders on technology issues. It ensures that
39 technology reports to the council are clear, are comprehensive, and provide relevant
40 options so that the council can make effective final technology policy decisions.

(d) Technology needs, standards, and systems

The committee will, in partnership with the courts, develop timelines and recommendations to the council for:

- (1) Establishing an approach and vision for implementing technology that serves the courts, litigants, attorneys, justice partners, and the public, while considering available resources and technology needs;
 - (2) Improving judicial branch technology governance to best serve the implementation of technological solutions;
 - (3) Establishing a strategic technology plan for the judicial branch and the courts;
 - (4) Developing technology standards; and,
 - (5) Developing standardized requests for proposals, identifying appropriate vendors, and encouraging the courts to leverage their collective economic purchasing power in acquiring technological systems.

(e) Oversight of advisory committees and task forces

For those advisory committees and task forces over which it has been assigned oversight by the Chief Justice, the Technology Committee ensures that the activities of each are consistent with the council's goals and policies. To achieve these outcomes, the committee:

- (1) Communicates the council's annual charge to each; and
 - (2) Reviews an annual agenda for each to determine whether the annual agenda is consistent with its charge and with the priorities established by the council.

Rule 10.30. Judicial Council advisory bodies

(a)-(b) * * *

(c) Subcommittees

With the approval of the internal committee with oversight responsibility for the advisory body, an advisory body may form subcommittees, composed entirely of members, to carry out the body's duties, subject to available resources.

1 **(d)–(g)** * * *

2

3 **Rule 10.34. Duties and responsibilities of advisory committees**

4

5 **(a)–(e)** * * *

6

7 **(f) Review of annual agendas**

8

9 **(1)–(2)** * * *

10

11 **(3)** An advisory committee may To pursue matters in addition to those specified
12 in its annual charge, an advisory committee must have the approval of the
13 internal committee with oversight responsibility for the advisory committee.
14 as long as The matters are must be consistent with the advisory committee's
15 general charge, as set forth in the rules of court, its approved annual agenda,
16 and the council's long-range strategic plan. The additional matters must also
17 be within the committee's authorized budget and available resources, as
18 specified by the council or the Administrative Director of the Courts.

19

20 **Rule 10.48. Court Executives Advisory Committee**

21

22 **(a) Area of focus**

23

24 The committee makes recommendations to the council on policy issues affecting
25 the trial courts.

26

27 **(b) Additional duties**

28

29 In addition to the duties specified in rule 10.34, the committee must:

- 30
- 31 **(1)** Recommend methods and policies to improve trial court administrators'
32 access to and participation in council decision making;
- 33
- 34 **(2)** Review and comment on legislation, rules, forms, standards, studies, and
35 recommendations concerning court administration proposed to the council;
- 36
- 37 **(3)** Review and make proposals concerning the Judicial Branch Statistical
38 Information System or other large-scope data collection efforts;
- 39
- 40 **(4)** Suggest methods and policies to increase communication between the council
41 and the trial courts; and

1 (5) Serve as the Executive Committee for the Conference of Court Executives, as
2 described in rule 10.49; and

4 (6)(5)Meet periodically with the Administrative Office of the Courts' directors
5 executive team to enhance branch communications.

7 (e) **Consultation with the Conference of Court Executives**

9 To assist it in formulating proposals and recommendations to the council, the
10 committee may seek the advice of the Conference of Court Executives.

12 (d)(c) **Membership**

14 The committee consists of the following members; court executive officer of each
15 superior court.

17 (1) Nine executive officers from trial courts that have 48 or more judges;

19 (2) Four executive officers from trial courts that have 16 to 47 judges;

21 (3) Two executive officers from trial courts that have 6 to 15 judges;

23 (4) Two executive officers from trial courts that have 2 to 5 judges;

25 (5) One member from the six clerk/administrators of the Courts of Appeal
26 selected from three nominations made by the Appellate Court Clerks
27 Association; and

29 (6) One at large member appointed from the trial courts by the committee chair
30 to a one year term.

32 (d) **Executive Committee**

34 The advisory committee may establish an Executive Committee that, in addition to
35 other powers provided by the advisory committee, acts on behalf of the full
36 advisory committee. To assist it in formulating proposals and making
37 recommendations to the council, the Executive Committee may seek the advice of
38 the advisory committee. The Executive Committee consists of the following
39 members:

41 (1) The nine court executive officers or interim/acting court executive officers
42 from the nine trial courts that have 49 or more judges;

- 1 (2) Four court executive officers from trial courts that have 16 to 47 judges;
2
3 (3) Two court executive officers from trial courts that have 6 to 15 judges;
4
5 (4) Two court executive officers from trial courts that have 2 to 5 judges; and
6
7 (5) One court executive officer from the trial courts as an at-large member
8 appointed by the committee chair to a one-year term.

9

10 **(e) Nominations**

- 11
- 12 (1) The Conference of Court Executives advisory committee must submit to the
13 Court Executives Advisory Committee nominations for each vacancy on the
14 committee Executive Committee. The Court Executives Advisory Committee
15 Executive Committee will recommend three nominees for each committee
16 Executive Committee vacancy from the nominations received and submit its
17 recommendations to the Executive and Planning Committee of the Judicial
18 Council. The list of nominees must enable the Chief Justice to appoint a
19 committee an Executive Committee that reflects a variety of experience,
20 expertise, and types locales (e.g., urban, suburban, and rural) that is
21 geographically balanced. Membership on this committee the Executive
22 Committee does not preclude appointment to any other advisory committee
23 or task force.
- 24
- 25 (2) The Executive Committee must review and recommend to the Executive and
26 Planning Committee of the Judicial Council the following:
- 27
- 28 (A) Members of the Executive Committee;
- 29
- 30 (B) Nonvoting court administrator members of the Judicial Council; and
- 31
- 32 (C) Members of other advisory committees who are court executives or
33 judicial administrators.

34

35 **(f) Chair and vice-chair**

36

37 The Chief Justice may appoint the chair and vice-chair of the advisory committee
38 for up to a two-year term from the current or incoming membership of the Court
39 Executives Advisory Committee Executive Committee. The chair and vice chair of
40 the advisory committee serve as the chair and vice chair of the Executive
41 Committee established by subdivision (d).

1 **(g) Meetings**

2
3 The Executive Committee will meet approximately every two months, which
4 includes the statewide meetings with the advisory committee. The advisory
5 committee will meet during at least two statewide meetings per year.

6
7 **Rule 10.49. Conference of Court Executives**

8
9 **(a) Function**

10
11 The functions of the Conference of Court Executives are to:

- 12
13 (1) Increase the opportunities for court executive officers to participate in the
14 Judicial Council decision making process; and
- 15
16 (2) Provide a forum for the education of court executives.

17
18 **(b) Duties**

19
20 The Conference of Court Executives must:

- 21
22 (1) Provide information and advice, when requested, to the Court Executives
23 Advisory Committee; and
- 24
25 (2) Conduct educational sessions for its members on matters related to court
26 management, such as legislation, training, information management, judicial
27 branch policy issues, professional development, best practices, and current
28 issues facing the trial courts.

29
30 **(c) Membership**

31
32 All court executive officers and clerk/administrators of the Courts of Appeal are
33 members of the Conference of Court Executives. A court executive who is unable
34 to participate in a meeting may designate his or her deputy to vote in his or her
35 place.

36
37 **(d) Chair and vice chair**

38
39 The chair and vice chair of the Court Executives Advisory Committee are the chair
40 and vice chair of the conference.

41
42 **(e) Executive Committee**

1 The conference's Executive Committee is the Court Executives Advisory
2 Committee. The Executive Committee must:

- 3
- 4 (1) Establish the schedule and agenda for meetings; and
5
- 6 (2) As necessary, appoint subcommittees consisting of principal and associate
7 members of the conference.

8

9 (f) **Nominations subcommittee**

10

11 The Court Executives Advisory Committee must submit to the Executive and
12 Planning Committee of the Judicial Council nominations for members of the
13 committee, the advisory members of the Judicial Council who are court executives,
14 and members of other advisory committees who are court executives or judicial
15 administrators.

16

17 (g) **Meetings**

18

19 The conference must meet during at least two statewide meetings a year. One
20 meeting must be held at the annual California Judicial Administration Conference.
21 The conference must also meet at least two times a year by region for court
22 administration updates, focused discussions, and educational opportunities.

23

24 (h) **Reimbursement for meetings**

25

26 Reimbursement for meeting travel per diem expenses for conference members will
27 be subject to availability of funds.

28

29 **Rule 10.55. Access and Fairness Advisory Committee on Providing Access and**
30 **Fairness in the Courts**

31

32 (a) **Area of focus**

33

34 The committee makes recommendations for improving access to the judicial
35 system, and fairness in the state courts, and diversity in the judicial branch.

36

37 (b) **Additional duties**

38

39 In addition to the duties described in rule 10.34, the committee must recommend:

- 40
- 41 (1) To the council, ways to maintain and improve self-help services in the courts;

1 (2) To the council, guidelines and procedures for self-help centers as described in
2 rule 10.960; and

3
4 (3) To the Governing Committee of the Center for Judicial Education and
5 Research, proposals for the education and training of judicial officers and
6 court staff.

7
8 **(c) Membership**

9
10 The committee must include at least one member from each of the following
11 categories:

12 (1) Appellate justice;

13 (2) Trial court judicial officer;

14 (3) Lawyer with expertise or interest in disability issues;

15 (4) Lawyer with expertise or interest in additional access, fairness, and diversity
16 issues addressed by the committee;

17 ~~(4)(5)~~Other lawyer Lawyer from a trial court self-help center;

18 (6) Legal services lawyer;

19 (7) Court executive officer or trial court manager who has experience with self-
20 represented litigants;

21 ~~(5)~~(8)Judicial administrator; and

22 ~~(6)~~(9)Public member.

23
24 **(d) Cochairs**

25 The Chief Justice appoints two advisory committee members to serve as cochairs.
26 Each cochair is responsible for leading the advisory committee's work in the
27 following areas:

28
29 (1) Physical, programmatic, and language access; fairness in the courts; and
30 diversity in the judicial branch; and

31
32 (2) Issues confronted by self-represented litigants and those of limited or
33 moderate income, including economic, education, and language challenges.

1
2 **Judicial Council Comment**
3

4 The advisory committee's area of focus includes assisting courts to improve access and
5 fairness by recommending methods and tools to identify and address physical,
6 programmatic, and language access; fairness in the courts; and diversity in the judicial
7 branch, as well as addressing issues that affect the ability of litigants to access the courts
8 including economic, education, and language challenges.
9

10 **Rule 10.60. Court Facilities Advisory Committee**
11

12 **(a) Area of focus**
13

14 The committee makes recommendations to the council concerning the judicial
15 branch capital program for the trial and appellate courts.
16

17 **(b) Membership**
18

19 The committee must include at least one member from each of the following
20 categories:
21

22 (1) Appellate court justice;
23

24 (2) Appellate court clerk/administrator;
25

26 (3) Superior court judge;
27

28 (4) Court executive officer;
29

30 (5) Lawyer;
31

32 (6) Local government official or administrator;
33

34 (7) Public member with expertise in real estate acquisition, construction,
35 architecture, cost estimating, or facilities management and operations; and
36

37 (8) The chair and vice-chair of the Trial Court Facility Modification Advisory
38 Committee, as non-voting members.
39

40 **Rule 10.61. Advisory Committee on Financial Accountability and Efficiency for the**
41 **Judicial Branch**
42

(a) Area of focus

The committee makes recommendations to the council on practices that will promote financial accountability and efficiency in the judicial branch.

(b) Additional duties

In addition to the duties specified in rule 10.34, the committee must:

- (1) Make recommendations annually to the council concerning any budget change proposals for funding of the Administrative Office of the Courts (AOC) and any proposed changes to the annual compensation plan for the AOC;
 - (2) Review all audit reports of the judicial branch, recommend council acceptance of audit reports, and, where appropriate, make recommendations to the council on individual or systemic issues;
 - (3) Report to the council on AOC contracts that meet established criteria to ensure that the contracts are in support of judicial branch policy; and
 - (4) Review proposed updates and revisions to the *Judicial Branch Contracting Manual*.

(c) Membership

The committee must include members in the following categories:

- (1) Appellate court justices;
 - (2) Superior court judges; and
 - (4) Court executive officers.

The California Judges Association will recommend three nominees for a superior court judge position and submit its recommendations to the Executive and Planning Committee of the Judicial Council.

Advisory Committee Comment

The purpose of the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch is to promote transparency, accountability, efficiency, and understanding of the AOC and the judicial branch. The advisory committee fosters the best use of the work,

1 information, and recommendations provided by the AOC, and it promotes increased
2 understanding of the AOC's mission, responsibilities, accomplishments, and challenges.

3

4 **Rule 10.62. Trial Court Budget Advisory Committee**

5

6 **(a) Area of focus**

7

8 The Trial Court Budget Advisory Committee makes recommendations to the
9 council on the preparation, development, and implementation of the budget for the
10 trial courts and provides input to the council on policy issues affecting trial court
11 funding.

12

13 **(b) Additional duties**

14

15 In addition to the duties specified in rule 10.34, the committee may make
16 recommendations to the council on:

- 17
- 18 (1) Trial court budget priorities to guide the development of the budget for the
19 upcoming fiscal year;
- 20
- 21 (2) The allocation of trial court funding, to include any changes to existing
22 methodologies for allocating trial court budget augmentations and reductions;
23 and
- 24
- 25 (3) Budget policies and procedures, as appropriate.

26

27 **(c) Membership**

- 28
- 29 (1) The advisory committee consists of an equal number of trial court presiding
30 judges and court executive officers reflecting diverse aspects of state trial
31 courts, including urban, suburban, and rural locales; the size and adequacy of
32 budgets; and the number of authorized judgeships.
- 33
- 34 (2) A presiding judge and court executive officer may be from the same court.
- 35
- 36 (3) The chairs of the Trial Court Presiding Judges Advisory Committee and the
37 Court Executives Advisory Committee serve as ex officio voting members.
- 38
- 39 (4) Notwithstanding rule 10.31(e), a presiding judge is qualified to complete his
40 or her term on the advisory committee even if his or her term as presiding
41 judge of a trial court ends.

1 (5) The Administrative Office of the Courts' chief of staff, chief administrative
2 officer, chief operating officer, and director of the fiscal services office serve
3 as non-voting members.

4

5 **(d) Cochairs**

6

7 The Chief Justice appoints a presiding judge and the Director of the Fiscal Services
8 Office to serve as cochairs.