



JUDICIAL COUNCIL OF CALIFORNIA

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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

May 17, 2017

To: Hon. Douglas P. Miller, Chair, Executive and Planning Committee
Hon. Kenneth K. So, Chair, Policy Coordination and Liaison Committee
Hon. Harry E. Hull, Jr., Chair, Rules and Projects Committee
Hon. Marsha G. Slough, Chair, Technology Committee
Hon. David M. Rubin, Chair, Judicial Branch Budget Committee
Mr. Martin Hoshino, Administrative Director

Re: Addressing the recommendations of the Commission on the Future of
California's Court System

Dear Justice Miller, Judge So, Justice Hull, Justice Slough, Judge Rubin, and Mr. Hoshino:

On April 26, 2017, I received the final report of the Commission on the Future of California's Court System (Futures Commission). The report sets forth recommendations for legal and structural reforms for the judicial branch of government to improve access to justice and to better serve current and future generations of Californians.

My charge to the Futures Commission was to cast a wide net to capture and to explore transformative ideas for the judicial branch with due attention to the reality of what is both practical and achievable. I commend the commission members for successfully keeping to that charge in bringing forward recommendations addressing civil and small claims, criminal and traffic law and procedures, family and juvenile law, fiscal and administrative operations, and technology.

In April 2016, the commission delivered an interim report proposing a method to reallocate vacant judgeships to courts with the greatest workload needs. I referred this proposal to the Judicial Council for consideration. The council took prompt action to draft and sponsor proposed legislation that would authorize it to make such reallocations. The Governor has included a judgeship reallocation proposal in his 2017–2018 budget proposal, and the council is working with the Legislature and the Administration to move the proposal forward.

Now having reviewed and considered the commission's full report, I am directing Judicial Council action on its final recommendations.

Judicial Council Action on Recommendations

The recommendations in the final report are worthy of consideration and evaluation.

Implementation of certain proposals falls firmly within the purview of the judicial branch; others require the support of our sister branches of government and justice system partners and stakeholders. I recognize, however, that consideration must be given to how and when recommendations may be implemented relative to opportunity as well as resources. I am, therefore, directing immediate Judicial Council action on several of the recommendations as follows:

- ***Civil adjudication of minor traffic infractions.*** The Judicial Council's Traffic Advisory Committee, in collaboration with the Civil and Small Claims Advisory Committee, the Advisory Committee on Providing Access and Fairness, and the Criminal Law Advisory Committee, is directed to develop for Judicial Council consideration a proposal to implement and evaluate a civil model for adjudication of minor vehicle infractions. The proposal should include recommendations for statutory and rule changes as well as appropriate standardized processes to free up court and law enforcement resources and simplify procedures for defendants. Input on the proposal should be sought from law enforcement, the Department of Motor Vehicles, organizations representing the interests of low-income Californians, and other stakeholders. Further, the committee is directed to explore, evaluate, and recommend options for online processing for all phases of traffic infractions.
- ***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, and creating a new intermediate civil case track with a maximum jurisdictional dollar amount of \$250,000. Further, the committee is directed to propose for council consideration the streamlining of methods for litigating and managing all types of civil cases. The committee is directed to work with various bar groups and legal aid providers to ensure the fairness and equity of any proposal to modify existing jurisdictional amounts and civil procedures, in addition to working with trial court leadership to ensure the courts' ability to implement such changes.
- ***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. This proposal should include options for improving access to local court-based assistance for SRLs. Further, in consultation with local and statewide self-help providers, Judicial Council staff is directed to develop a proposal to facilitate the provision of specialized state-level resources for SRLs. The proposal should rely to the extent feasible on existing resources and technology for the coordinated deployment of information, tools, and technical assistance for courts and justice system partners in their role as self-help providers.

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- ***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. The committee should seek input for these efforts from pertinent council advisory committees and stakeholders. Where pilot projects are implemented, the committee is directed to report back on outcomes and make recommendations for statewide expansion.

I am requesting that each lead committee submit a status report on the assigned recommendations to its Judicial Council internal oversight committee at the end of the third quarter of 2017.

For the balance of the recommendations, I am directing the Executive and Planning Committee to make assignments to the appropriate council advisory committees for consideration. This should occur within the established annual agenda process for committees, taking into account current commitments and available resources.

The commission's report represents an important investment by the judicial branch in its future. It reflects the branch's openness to seek and receive input from the public and from stakeholder groups on how we can make our court system better. I look forward to timely progress by the Judicial Council in considering and acting on these assignments.

Sincerely,



Tani G. Cantil-Sakauye
Chief Justice of California and
Chair of the Judicial Council