

California Courts News Transcript

Title: Judicial Council Meeting Highlights

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This judicial council meeting featured spirited debate about several issues. The implementation committee of the Commission for Impartial Courts asked the council to endorse 12 recommendations before forwarding them to the Supreme Court for action. The intention was to guide and regulate candidate conduct during election campaigns.

Hon. Douglas Miller, Subcommittee on Judicial Campaign Conduct *"We're trying to talk about preserving the non partisan character of judicial elections and to avoid what we've all seen, the coercive influence of partisanship."*

The most controversial recommendation would restrict from whom judicial candidates could seek and use endorsements.

Hon. Terry Friedman (Ret.), Judicial Arbitration and Mediation Services *"I entirely agree with the underlying sentiment that motivated this well meaning recommendation, I think that it raises lots of practical problems, I worry about the constitutionality."*

The council unanimously declined to endorse that recommendation and mandatory ethical training for candidates. They took no position on creating a list of prohibited campaign conduct.

There was also an array of opinions on the Council's voting policy, which has been in place for many years. Measures pass with a majority vote of a quorum. Currently there are 20 voting members because there's on vacancy. So as few as 6 council members could determine significant fiscal and public policy issues. They considered changing that to a majority of the membership – not just a quorum majority. That would require 11 "yes" votes to pass measures.

Hon Tani Cantil-Sakauye, Associate Justice, Court of Appeal *"I would move to table the voting policy to come back at maybe the next council meeting, which maybe gives us an opportunity to look at the law in this area."*

Hon. Ronald M. George, Chief Justice of California *"All in favor of the motion to table? Aye. Opposed?" (silence) Minutes will reflect Justice Huffman's abstention from that vote."*

Justice Cantil says she looks forward to exploring the possibilities for broadening the process.

Hon Tani Cantil-Sakauye, Associate Justice, Court of Appeal *"I completely agree that the policy decisions of the judicial council need to be as inclusive as possible. So there are a lot of policy considerations that need to be explored and diversity and different options for being all inclusive with making sure that when we vote we have as many members as possible bringing their points of view."*

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Council members were also supportive of the new advisory group just formed by the Chief Justice. It's the "Committee on Financial Accountability and Efficiency for the Judicial Branch." The goal is to ensure transparency and accountability in the use of public resources.

Hon. Michael Vicencia, Los Angeles Superior Court *"This can be a great opportunity for the Council to show everyone within the branch that they take oversight seriously."*

The membership list of that committee and other details about Council business are on the website.

I'm Leanne Kozak reporting in San Francisco for California Courts News.