

Assembly Bill No. 2745

Passed the Assembly August 21, 2014

Chief Clerk of the Assembly

Passed the Senate August 19, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 2452 of the Family Code, to amend Sections 69614 and 69614.2 of, and to add Section 69618 to, the Government Code, relating to courts.

LEGISLATIVE COUNSEL’S DIGEST

AB 2745, Committee on Judiciary. Courts.

(1) Existing law authorizes courts to order a family centered case resolution to provide judicial assistance and management to parties in actions for dissolution of marriage. Existing law requires a court-ordered family centered case resolution plan to conform with due process requirements and authorizes the plan to include, among other things, an early neutral case evaluation and alternative dispute resolution, as specified. Existing law requires the Judicial Council to adopt a statewide rule of court to implement these provisions by January 1, 2012, and also authorizes the council, by rule, to modify the procedures described above.

This bill would instead authorize the Judicial Council, by rule, to increase the procedures described above.

(2) Existing law specifies the number of judges of the superior court for each county, and allocates additional judgeships to the various counties in accordance with uniform standards for factually determining additional need in each county, as approved by the Judicial Council, and other specified criteria. Existing law provides for the conversion of 146 subordinate judicial officer positions in eligible superior courts upon the occurrence of specified conditions, including that the proposed action is ratified by the Legislature, except that no more than 16 positions may be converted to judgeships in any fiscal year. Notwithstanding this provision, existing law authorizes up to 10 additional subordinate judicial officer positions to be converted to judgeships in any fiscal year if the conversions will result in a judge being assigned to a family law or juvenile law assignment previously presided over by a subordinate judicial officer and the proposed action is ratified by the Legislature.

This bill would ratify the authority of the Judicial Council to convert 10 subordinate judicial officer positions to judgeships in

the 2014–15 fiscal year when the conversion will result in a judge being assigned to a family law or juvenile law assignment previously presided over by a subordinate judicial officer.

The people of the State of California do enact as follows:

SECTION 1. Section 2452 of the Family Code is amended to read:

2452. The Judicial Council may, by rule, increase the procedures set forth in this chapter.

SEC. 2. Section 69614 of the Government Code is amended to read:

69614. (a) Upon appropriation by the Legislature in the 2006–07 fiscal year, there shall be 50 additional judges allocated to the various superior courts pursuant to the uniform criteria described in subdivision (b) for determining the need for additional superior court judges.

(b) The judges shall be allocated, in accordance with the uniform standards for factually determining additional judicial need in each county, as updated and approved by the Judicial Council, pursuant to the Update of Judicial Needs Study, based on the following criteria:

- (1) Court filings data averaged over a period of three years.
- (2) Workload standards that represent the average amount of time of bench and nonbench work required to resolve each case type.
- (3) A ranking methodology that provides consideration for courts that have the greatest need relative to their current complement of judicial officers.

(c) (1) The Judicial Council shall report to the Legislature and the Governor on or before November 1 of every even-numbered year on the factually determined need for new judgeships in each superior court using the uniform criteria for allocation of judgeships described in subdivision (b), as updated and applied to the average of the prior three years' filings.

(2) On or before November 30, 2011, the Judicial Council shall provide to the Legislature a special assessment of the need for new judgeships in the family law and juvenile law assignments for each superior court.

(3) The Judicial Council shall report, beginning with the report due to the Legislature on November 1, 2012, on the implementation and effect of subparagraph (C) of paragraph (1) of subdivision (c) of Section 69615.

SEC. 3. Section 69614.2 of the Government Code is amended to read:

69614.2. Upon appropriation by the Legislature in the 2007–08 fiscal year, there shall be 50 additional judges allocated to the various county superior courts, pursuant to the uniform criteria described in subdivision (b) of Section 69614, as updated and approved by the Judicial Council.

SEC. 4. Section 69618 is added to the Government Code, to read:

69618. (a) The Legislature hereby ratifies the authority of the Judicial Council to convert 10 subordinate judicial officer positions to judgeships in the 2014–15 fiscal year when the conversion will result in a judge being assigned to a family law or juvenile law assignment previously presided over by a subordinate judicial officer, pursuant to subparagraph (C) of paragraph (1) of subdivision (c) of Section 69615.

(b) The action described in subdivision (a) shall be in addition to any action that may be taken pursuant to the authority described in subparagraph (B) of paragraph (1) of subdivision (c) of Section 69615 to convert up to 16 subordinate judicial officer positions to judgeships.

Approved _____, 2014

Governor