



JUDICIAL COUNCIL OF CALIFORNIA

APPELLATE ADVISORY
COMMITTEE

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APPELLATE ADVISORY COMMITTEE

CLOSED MEETING AGENDA

Closed to the Public (Cal. Rules of Court, rule 10.75(c)(3) (Rules Committees))

Dates: August 3 and 4, 2015

Time: 10:00 AM

Meeting materials will not be posted on the advisory body web page on the California Courts website. Materials are only posted for open meetings. (Cal. Rules of Court, rule 10.75(h).)

I. CLOSED SESSION (CAL. RULES OF COURT, RULE 10.75(C)(3) (RULES COMMITTEES))

August 3, 2015

Item 1

Call to order, roll call, and welcome

Item 2

Chair's report

Item 3

Review of draft minutes of March 10, 2015 meeting

Item 4

Report of legislation of interest to appellate courts

Item 5

Evidentiary Objections in Summary Judgment Proceedings: Review public comments on proposed rule amendments addressing ruling on objections in summary judgment proceedings and decide whether to recommend adoption of amendments.

Item 6

Case management conferences: Review public comments on proposed amendments to rule 8.248 that would permit a justice who participated in a case management conference in an appeal to participate in the determination of that appeal and decide whether to recommend adoption of amendments.

Item 7

Designation of the record: Review public comments on proposed revisions to the forms for designating the record in civil appeals (Forms APP-003, APP-010, APP-103, and APP-110) to: (1) change the requirement that a fee waiver application or order be “attached” to a requirement that it be submitted with the designation; and (2) to clarify when the respondent must deposit a fee for additional items designated for inclusion in the record on appeal. Decide whether to recommend adoption of revisions.

Item 8

Appendixes: Review public comments on proposed amendments to rule 8.124 to eliminate the preference for preparation of a joint appendix and decide whether to recommend adoption of amendments.

Item 9

Required content of record in criminal appeals: Review public comments on proposed amendments to rule 8.320 to require that opening statements be included in the reporter’s transcripts in felony appeals and decide whether to recommend adoption of amendments.

Item 10

Costs on appeal: Review public comments on (1) proposed amendments to rule 8.278 to change the deadline for filing a memorandum of costs from 40 days after the clerk sends notice of issuance of the remittitur to 40 days after issuance of the remittitur; and (2) proposed revisions to the memorandum of costs form (form MC-013), to better reflect costs that are typically claimed. Decide whether to recommend adoption of rule amendments and form revisions.

Item 11

Writs on Small Claims Matters: Review public comments on proposed procedural rules and forms for writ proceedings relating to actions by small claims division other than post-judgment enforcement orders and decide whether to recommend adoption of rules and forms.

August 4, 2015

Item 12

Electronic service: Review public comments on proposed rule amendments to clarify that a court may be served electronically if the court consents to receive this form of service and decide whether to recommend adoption of amendments.

Item 13

Electronic Court records: Review public comments on proposed new rules to address public access to electronic court records and decide whether to recommend adoption of new rules.

Item 14

Modernize Appellate Court Rules for E-Filing and E-Business: Review public comments on proposed amendments to appellate rules to ensure consistency with e-filing practice; evaluate, identify and prioritize potential rule modifications where outdated policy challenges or prevents e-business, and decide whether to recommend adoption of amendments.

II. ADJOURNMENT

Adjourn Closed Session