



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: March 10, 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))

Item 1

Call to order, roll call, and welcome

Item 2

Chair's report

Item 3

Review of draft minutes of November 17, 2014 meeting

Item 4

Report of legislation of interest to appellate courts

Item 5

Evidentiary Objections in Summary Judgment Proceedings: Consider developing proposed rule amendments addressing ruling on objections in summary judgment proceedings.

Item 6

Electronic service: Consider whether to recommend rule amendments to clarify that a court may be served electronically if the court consents to receive this form of service.

Item 7

Court records: Consider whether to recommend adoption of new rules to address public access to electronic court records.

Item 8

Modernize Appellate Court Rules for E-Filing and E-Business: Review 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to ensure consistency with e-filing practice; evaluate, identify and prioritize potential rule modifications where outdated policy challenges or prevents e-business, and Consider rule modifications to remove requirements for paper versions of documents

Item 9

Case management conferences: Consider whether to recommend 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

Item 10

Designation of the record: Consider whether to recommend 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

Item 11

Appendixes: Consider whether to recommend amendments to rule 8.124 to eliminate the preference for preparation of a joint appendix.

Item 12

Required content of record in criminal appeals: Consider whether to recommend amendments to rule 8.320 to require that opening statements be included in the reporter’s transcripts in felony appeals.

Item 13

Required content of record in juvenile appeals - Consider whether to recommend amendments to the rules regarding the record on appeal in juvenile cases to clarify requirements for inclusion of items relating to Indian Child Welfare Act compliance and to add items to the reporter’s transcript.

Item 14

Costs on appeal: Consider whether to recommend (1) 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) revisions to the memorandum of costs form (form MC-013), to better reflect costs that are typically claimed

Item 15

Transfer of appellate division cases - Consider whether to recommend a rule amendment requiring a party petitioning to transfer an appellate division case to the

Court of Appeal to attach a copy of the trial court's denial of the party's request to certify the case for transfer.

Item 16

Writs on Small Claims Matters: Develop procedural rules and forms for writ proceedings relating to actions by small claims division other than post-judgment enforcement orders.

II. ADJOURNMENT

Adjourn Closed Session