



JUDICIAL COUNCIL OF CALIFORNIA

APPELLATE ADVISORY
COMMITTEE

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APPELLATE ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

July 19, 2019

2:00 p.m.

**Advisory Body
Members Present:**

Hon. Louis Mauro, chair; Hon. Kathleen M. Banke, vice-chair; Ms. Laura Arnold, Mr. Kevin Green, Mr. Jonathan Grossman, Hon. Adrienne M. Grover, Hon. Joan K. Irion, Mr. Daniel M. Kolkey, Hon. Leondra R. Kruger, Ms. Heather MacKay, Ms. Mary K. McComb, Mr. Jorge Navarrete, Ms. Milica Novakovic, Ms. Beth Robbins, Hon. Laurence D. Rubin, Mr. Timothy Schooley, Ms. Mary-Christine Sungaila, and Hon. M. Bruce Smith

**Advisory Body
Members Absent:**

Hon. Kent M. Kellegrew, Mr. Jeffrey Laurence, Hon. Stephen D. Schuett

Others Present:

Ms. Christy Simons, Ms. Sarah Abbott, Mr. Eric Long, Mr. Cory Jasperson, and Ms. Adetunji Olunde

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 2:00 p.m., and roll was called.

Chair's Report

Justice Mauro acknowledged the staff and attorneys working for the committee for their efforts. He thanked the committee members whose terms are ending for their service, and acknowledged in particular Judge Kellegrew, Ms. Arnold, and Mr. Kolkey, who are leaving the committee in September.

The committee received one public comment. It relates to item 10 and will be considered with that item.

Approval of Minutes

Minutes of the February 21, 2019 Appellate Advisory Committee meeting were approved with minor corrections.

DISCUSSION AND ACTION ITEMS (ITEMS 1–10)

Item 1

Legislative Update (Information Only)

Mr. Cory Jasperson provided the committee an update on pending legislation that is of interest to the committee.

Item 2

Liaison Reports (Information Only)

Ms. Adetunji Olude, Liaison from the Center for Judicial Education and Research, updated the committee on new distance education offerings on the website CJERonline, including programs on the new felony murder rule and Prop 66. There will be an appellate staff institute in fall 2019 and institutes for justices and attorneys in early 2020. The 2020 Appellate Justices Institute will include the core ethics course.

Appellate Division Subcommittee (Hon. Kent Kellegrew, Chair)

Item 3

Form of Filed Documents in the Appellate Division (Action required)

The committee reviewed the public comments and the appellate division subcommittee's recommendations for responding to the comments.

Action:

The committee voted to recommend adoption of this proposal as circulated, as recommended by the appellate division subcommittee.

Item 4

Oral Argument in the Appellate Division (Action required)

The committee reviewed the public comments and the appellate division subcommittee's recommendations for responding to the comments.

Action:

The committee voted to recommend adoption of this proposal as modified, as recommended by the appellate division subcommittee.

Appellate Rules Subcommittee (Mr. Daniel Kolkey, Chair)

Item 5

Notice of Appeal and the Record in Civil Commitment Cases (Action required)

The committee reviewed the public comments and the rules subcommittee's recommendations for responding to the comments. The committee discussed whether to make changes to the caption on the proposed new form so that it may be used for all superior

court case types that may include a civil commitment. The committee reviewed various options and requested that staff research further modifications to the caption area of the form.

Action:

The committee voted to recommend adoption of the proposal as modified, as recommended by the rules subcommittee, and requested that staff research further modifications to the caption area of the form. The committee delegated authority to the chair to approve the final version of the form.

Item 6

Word Limits for Petitions for Rehearing in Unlimited Civil Cases (Action required)

The committee reviewed the public comments and the rules subcommittee's recommendations for responding to the comments.

Action:

The committee voted to recommend adoption of this proposal as circulated, as recommended by the rules subcommittee.

Item 7

Advisement of Appellate Rights in Juvenile Cases (Action required)

The committee reviewed the public comments and the rules subcommittee's recommendations for responding to the comments.

Action:

The committee voted to recommend adoption of this proposal as modified, as recommended by the rules subcommittee.

Item 8

Access to Juvenile Case Files in Appellate Court Proceedings (Action required)

The committee reviewed the extensive public comments and the issues raised, including due process concerns, questions regarding content of and access to briefs, and timing issues related to petitions for access to records under Welfare and Institutions Code section 827. The committee considered the rules subcommittee's recommendation that the proposal be deferred for additional work in light of the comments.

Action:

The committee voted to defer the proposal for further consideration and modification, with the goal of circulating a revised proposal in the next rules cycle.

Joint Appellate Technology Subcommittee (JATS) (Hon. Louis R. Mauro, Chair)

Item 9

Service Copy of a Petition for Review (Action required)

The committee reviewed the public comments and JATS's recommendations for responding to the comments.

Action:

The committee voted to recommend adoption of this proposal as circulated, as recommended by JATS.

Item 10

Uniform Formatting Rules for Electronic Documents (Action required)

The committee reviewed the public comments and JATS's recommendations for responding to the comments. The committee discussed whether the bookmarking requirements could result in large filings being rejected for noncompliance and whether the rules should include a provision for resubmission of such a filing. The committee agreed that the chair, assisted by staff, would consider possible further modifications.

Action:

The committee voted to recommend adoption of the proposal as modified. The committee delegated authority to the chair to determine whether to include a provision regarding resubmission following the rejection of a filing for noncompliance with the rules.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 4:00 p.m.

Approved by the advisory body on enter date.

Appellate Advisory Committee
Annual Agenda¹—2019-2020
Approved by RUPRO: [Date]

I. COMMITTEE INFORMATION

Chair:	Hon. Louis R. Mauro, Associate Justice of the Court of Appeal, Third Appellate District
Lead Staff:	Christy Simons, Attorney, Legal Services
Committee's Charge/Membership: Rule 10.40 of the California Rules of Court states the charge of the Appellate Advisory Committee (AAC), which is to make recommendations to the Judicial Council for improving the administration of justice in appellate proceedings and to make proposals on training for justices and appellate support staff to the Governing Committee of the Center for Judicial Education and Research. Rule 10.34 sets forth additional duties of the committee. The Appellate Advisory Committee currently has 21 members. The attached terms of service chart provides the composition of the committee.	
Subcommittees/Working Groups²: 1. Rules Subcommittee 2. Appellate Division Subcommittee 3. Legislative Subcommittee 4. Privacy Subcommittee 5. Joint Ad Hoc CEQA Fees Subcommittee 6. Joint Appellate Technology Subcommittee [<i>Recommend this subcommittee be disbanded</i>]	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³	
1.	<i>Appointment of counsel in misdemeanor appeals</i>	<i>Priority 1(b)⁴</i>
		<i>Strategic Plan Goals III, IV⁵</i>
<p>Project Summary⁶: Amend rule 8.851 to conform to the California Supreme Court’s opinion in <i>Gardner v. Superior Court</i> (2019) 6 Cal.5th 998, which held that a misdemeanor defendant has a right to appointed counsel to respond to a pretrial prosecution appeal. Rule 8.851 currently provides for the appointment of counsel for post-conviction defendants only. Also consider revising form CR-133, <i>Request for Lawyer in Misdemeanor Appeal</i>, to clarify that a defendant need not be the appellant to use the form to request appointment of counsel. Subcommittee: Appellate Division.</p> <p>Status/Timeline: Current priority 1 project; was deferred pending Supreme Court action. Anticipated effective date of September 1, 2020 for rule and form.</p> <p>Fiscal Impact/Resources: Fiscal impact of appointing counsel in more misdemeanor appeals is unknown/Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: N/A</p>		

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁵ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

⁶ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	New or One-Time Projects ³	
2.	<i>CEQA rules</i>	<p data-bbox="1654 217 1978 289">Priority 1(a) See footnote 4</p> <p data-bbox="1654 305 1978 386">Strategic Plan Goal III See footnote 5</p>
<p data-bbox="176 399 1978 581">Project Summary: Assembly bills 1826, 734, and 987 add new projects to those for which expedited procedures are set forth under the rules of court (rules 3.2200 et seq. in the trial court and rules 8.700-8.705 in the appellate court) for challenges made under CEQA. The pertinent rules must be amended as appropriate to include the new projects. In addition, two of the bills require the Judicial Council to adopt rules regarding costs that must be paid by a project applicant/developer to the court for expedited handling of the case. Subcommittee: Joint Ad Hoc CEQA Fees Subcommittee.</p> <p data-bbox="176 626 1978 695">Status/Timeline: Current priority 1 project. The goal is to have the rules approved by the Judicial Council at its January 2020 meeting and go into effect at that time.</p> <p data-bbox="176 740 1978 773">Fiscal Impact/Resources: Committee staff, staff to Civil and Small Claims Advisory Committee, Governmental Affairs</p> <p data-bbox="176 818 1978 886">Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p data-bbox="176 919 1978 951">AC Collaboration: Civil and Small Claims Advisory Committee</p>		
3.	<i>Pilot program to reduce indexing of unpublished appellate opinions</i>	<p data-bbox="1654 1029 1978 1101">Priority 1(e) See footnote 4</p> <p data-bbox="1654 1133 1978 1198">Strategic Plan Goals III, IV See footnote 5</p>
<p data-bbox="176 1227 1978 1438">Project Summary: Review data, evaluate results, draft a report, and develop recommendations to the Administrative Presiding Justices Advisory Committee (APJAC) and/or the Judicial Council. This program to reduce indexing of unpublished appellate opinions to better protect personal privacy without affecting public access to the opinions on the courts website was approved by RUPRO in the 2017 and 2018 annual agendas. The project is part of the privacy subcommittee’s charge to consider whether to recommend amendments to the rules or court or other actions to better protect the privacy of victims, witnesses, and others who are described in or otherwise affected by appellate opinions. Subcommittee: Privacy.</p>		

#	New or One-Time Projects ³	
	<p>Status/Timeline: Current priority 1 project. Report to be presented to the APJAC in December 2019</p> <p>Fiscal Impact/Resources: Committee staff, IT staff</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: N/A</p>	
4.	<p>Access to juvenile case files</p>	<p>Priority 1(e) See footnote 4</p> <p>Strategic Plan Goals I, III See footnote 5</p>
	<p>Project Summary: Implement legislation (AB 1617 (Bloom) Juvenile case files: inspection (Ch. 992, Statutes of 2018)) that allows certain parties involved in appeals of juvenile court orders, who previously had been granted access to the juvenile case file pursuant to a court order, to access the case file for proceedings in the appellate courts. Requires the Judicial Council to adopt rules to implement this provision. Subcommittee: Joint Ad Hoc Juvenile Case Files Subcommittee.</p> <p>Status/Timeline: Based on extensive public comment this spring, the committees deferred the proposal to permit further changes. A revised proposal is expected to circulate in winter 2020. Anticipated effective date of September 1, 2020 for rule and forms.</p> <p>Fiscal Impact/Resources: Committee staff and Family and Juvenile Law Advisory Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: Joint proposal with Family and Juvenile Law Advisory Committee</p>	
5.	<p>Revision of Judicial Council forms with a gender identity question or term</p>	<p>Priority 2(b) See footnote 4</p> <p>Strategic Plan Goals I, III, IV See footnote 5</p>

#	New or One-Time Projects³	
	<p>Project Summary: Review forms within the committee’s purview to identify gender terms. Propose revisions to those forms to replace gender terms with neutral terms. Project required by RUPRO. Subcommittee: Rules.</p> <p>Status/Timeline: New project; completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: Unless the revisions are technical changes under rule 10.22(d)(2), the proposal will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: Consulted with Criminal Law Advisory Committee and Family and Juvenile Law Advisory Committee regarding appellate forms in criminal and juvenile proceedings.</p>	
6.	Consent to electronic service	<p>Priority 2(a) See footnote 4</p> <p>Strategic Plan Goal III See footnote 5</p>
	<p>Project Summary: Amend rules 8.72, 8.74, and 8.78 to conform to section 1010.6 of the Code of Civil Procedure, which was recently amended and provides that the act of electronic filing does not constitute consent to electronic service. Subcommittee: Rules.</p> <p>Status/Timeline: New project; completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: N/A</p>	

#	New or One-Time Projects³	
7.	<i>Clarify the filing date of an electronically filed document</i>	<p><i>Priority 2(b)</i> See footnote 4</p> <p><i>Strategic Plan Goal III</i> See footnote 5</p>
<p><i>Project Summary:</i> Amend rule 8.77 to clarify that an e-filed document received by the court before midnight that meets the filing requirements is deemed to have been filed that day. This project addresses an ambiguity in the rule that has resulted in inconsistent treatment of e-filed documents that are received after business hours. Source of the project: California Lawyers Association. Subcommittee: Rules.</p> <p><i>Status/Timeline:</i> Current priority 2 project with a completion date of January 1, 2021</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p><i>AC Collaboration:</i> N/A</p>		
8.	<i>Finality of appellate division opinions certified for publication</i>	<p><i>Priority 2(b)</i> See footnote 4</p> <p><i>Strategic Plan Goal III</i> See footnote 5</p>
<p><i>Project Summary:</i> Currently, if the appellate division certifies a written opinion for publication or partial publication after its decision is filed and before its decision becomes final in that court, the finality period runs from the date the order for publication is sent by the court clerk to the parties. Under this rule, the appellate division loses jurisdiction before the opinion is posted on the published opinions page of the courts website because of the time for the Court of Appeal to consider transfer of the cause. As a result, the appellate division cannot address any modification requests received after posting. Consider amending rule 8.888 so that the 30 day finality period runs from the date the opinion is posted on the published opinions page. Source of the project: committee member. Subcommittee: Appellate Division.</p> <p><i>Status/Timeline:</i> New project; completion date of January 1, 2021</p>		

#	New or One-Time Projects³	
	<p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: N/A</p>	
9.	Use of an appendix in limited civil cases	<p>Priority 2(b) See footnote 4</p> <hr/> <p>Strategic Plan Goals III, IV See footnote 5</p>
	<p>Project Summary: Consider amending the rules governing the record on appeal in limited civil cases to allow an appendix as a record of the written documents from the trial court proceedings as an alternative to a clerk’s transcript. Source of the project: committee member. Subcommittee: Appellate Division.</p> <p>Status/Timeline: New project; completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: N/A</p>	
10.	Record retention in criminal appeals	<p>Priority 2(b) See footnote 4</p> <hr/> <p>Strategic Plan Goals III, IV See footnote 5</p>
	<p>Project Summary: Consider amending rule 10.1028 to extend the time for keeping reporters’ transcripts in criminal appeals. The rule currently requires that the original reporter’s transcript be kept for 20 years, but this is not long enough to account for longer sentences and</p>	

#	New or One-Time Projects³	
	<p>lengthy appellate processes. Also consider whether to require a digital copy. Source of the project: Supreme Court attorney and former Clerk/Executive Officer of a District Court of Appeal. Subcommittee: Rules.</p> <p>Status/Timeline: Current priority 2 project with a completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: Consult with Criminal Law Advisory Committee</p>	
11.	Method of notice to the court reporter	<p>Priority 2(b) See footnote 4</p> <p>Strategic Plan Goal III See footnote 5</p>
	<p>Project Summary: Consider amending rules 8.405, 8.450, and 8.454 to remove or modify the requirement that the clerk notify the court reporter “by telephone and in writing” to prepare a transcript. This language may be outdated or inconsistent with other rules requiring notification by the clerk. Source of the project: Director of Juvenile Operations, Los Angeles Superior Court. Subcommittee: Rules.</p> <p>Status/Timeline: Current priority 2 project with a completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: Consult with Family and Juvenile Law Advisory Committee regarding juvenile appellate rules.</p>	
12.	Clarify rule 8.70	<p>Priority 2(b) See footnote 4</p>

#	New or One-Time Projects³	
		Strategic Plan Goal III See footnote 5
	<p>Project Summary: Consider amending rule 8.70 to correct issues including redundancy, a typographical error, and non-parallel structure. Source of the project: committee chair.</p> <p>Status/Timeline: Current priority 2 project; revised completion date of January 1, 2022</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: N/A</p>	
13.	Amendments to rule 8.83 regarding public access to electronic court records	Priority 2(b) See footnote 4 Strategic Plan Goals III, IV See footnote 5
	<p>Project Summary: Consider amendments to rule 8.83 based on DMS implementation and other developments, such as adding new (b)(1)(C) to permit remote public access to briefs, and adding a provision to (c)(2) requiring that records be properly redacted. Receive status reports regarding the tagging of documents in the DMS to ensure that remote public access to those records (via courts.ca.gov, etc.) remains consistent with the protections under rule 8.83. Source of the project: committee chair and Assistant Clerk/Executive Officer of a District Court of Appeal. Subcommittee: Privacy.</p> <p>Status/Timeline: New project; completion date of January 1, 2022</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p>	

#	New or One-Time Projects³	
	<i>AC Collaboration:</i> N/A	
14.	<p><i>Change of address form for appellate courts</i></p> <p><i>Project Summary:</i> Develop a form for change of address or other contact information for parties and attorneys to file in appellate courts, similar to trial court form MC-040. Source of the project: committee members. Subcommittee: Rules.</p> <p><i>Status/Timeline:</i> New project; completion date of January 1, 2022</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p><i>AC Collaboration:</i> N/A</p>	<p><i>Priority 2(b)</i> See footnote 4</p> <hr/> <p><i>Strategic Plan Goal III</i> See footnote 5</p>
15.	<p><i>Service of paper copies of briefs in the Supreme Court</i></p> <p><i>Project Summary:</i> Consider amending rule 8.212 to eliminate the requirement that a party serve paper copies of its brief on the Supreme Court. The rule requires a party who files a brief in paper form in the Court of Appeal also to submit an electronic copy. If it would cause undue hardship for the party to submit an electronic copy of the brief to the Court of Appeal, the rule provides that the party may instead serve four paper copies of the brief on the Supreme Court. Source of the project: Clerk/Executive Officer of a District Court of Appeal. Subcommittee: Rules.</p> <p><i>Status/Timeline:</i> New project; completion date of January 1, 2022</p>	<p><i>Priority 2(b)</i> See footnote 4</p> <hr/> <p><i>Strategic Plan Goal III</i> See footnote 5</p>

#	New or One-Time Projects ³	
	<p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: California Supreme Court. All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: N/A</p>	
16.	<p>Supreme Court review of a ruling on a writ petition</p>	<p>Priority 2(b) See footnote 4</p> <hr/> <p>Strategic Plan Goals III, IV See footnote 5</p>
	<p>Project Summary: Consider developing a rule of court to clarify the proper procedure for a party seeking review of a ruling by the Court of Appeal on a writ petition. Under a court-created rule based on the court’s decision in <i>Hagan v. Superior Court of Los Angeles County</i> (1962) 57 Cal.2d 767, the party must file a petition for review in the Supreme Court, and should not file a “new” original petition in that court. Incorporating the <i>Hagan</i> rule into the California Rules of Court could help avoid recurring confusion over the proper procedure for seeking Supreme Court review. Source of the project: Supreme Court. Subcommittee: Rules.</p> <p>Status/Timeline: New project; completion date of January 1, 2022</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: California Supreme Court. All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> <p>AC Collaboration: N/A</p>	
17.	<p>Consider whether to amend rule 8.90 regarding the use of names in appellate court opinions.</p>	<p>Priority 2(b) See footnote 4</p>

#	New or One-Time Projects ³
	<div data-bbox="1654 215 1934 285" data-label="Text"> <p><i>Strategic Plan Goals III, IV See footnote 5</i></p> </div> <div data-bbox="176 311 1944 418" data-label="Text"> <p>Project Summary: Consider whether any amendments to rule 8.90 (which took effect January 1, 2017) should be proposed to insure it is a balanced approach to protecting individual privacy interests in appellate opinions. Consider providing additional guidance on the use of protective nondisclosure. Source of the project: committee chair and privacy subcommittee chair. Subcommittee: Privacy.</p> </div> <div data-bbox="176 466 1167 500" data-label="Text"> <p>Status/Timeline: Current project; revised completion date of January 1, 2022</p> </div> <div data-bbox="176 539 735 573" data-label="Text"> <p>Fiscal Impact/Resources: Committee staff</p> </div> <div data-bbox="176 612 1833 682" data-label="Text"> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comment from individuals, appellate law related stakeholders, legal services groups, bar organizations, court executives, and presiding justices and judges.</p> </div> <div data-bbox="176 721 489 755" data-label="Text"> <p>AC Collaboration: N/A</p> </div>

#	Ongoing Projects and Activities	
1.	Improve Rules and Forms	<p>Priority 1 See footnote 4</p> <p>Strategic Plan Goals III, IV See footnote 5</p>
<p>Project Summary Working through the Rules Subcommittee, review case law changes that impact appellate courts and appellate procedure and suggestions from committee members, judicial officers, court staff, the bar, and the public concerning appellate rules and forms and appellate administration. Make recommendations to the Judicial Council for necessary changes to appellate rules, standards, and forms (rule 10.21).</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff; potentially others depending on the project</p> <p>Internal/External Stakeholders: Depends on the project</p> <p>AC Collaboration: As appropriate, depending on the project</p>		
2.	Review Pending Legislation	<p>Priority 1 See footnote 4</p> <p>Strategic Plan Goals III, IV See footnote 5</p>
<p>Project Summary Working through the Legislative Subcommittee, review pending legislation affecting appellate procedure and court administration and make recommendations to the Policy Coordination and Liaison Committee as to whether the Judicial Council should support or oppose the legislation (rule 10.34).</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff, Governmental Affairs</p> <p>Internal/External Stakeholders: California Legislature</p> <p>AC Collaboration: N/A</p>		

#	Ongoing Projects and Activities	
3.	<p><i>Review of Enacted Legislation</i></p>	<p><i>Priority 1</i> See footnote 4</p>
<p><i>Project Summary</i> Review all enacted legislation referred to the committee by the Judicial Council’s Governmental Affairs office that may have an impact on appellate procedure and court administration, and, where appropriate, propose to the Judicial Council rules and forms to implement the legislation or to bring rules and forms into conformity with it.</p> <p><i>Status/Timeline</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, Governmental Affairs</p> <p><i>Internal/External Stakeholders:</i> N/A</p> <p><i>AC Collaboration:</i> As appropriate, depending on the legislation</p>		<p><i>Strategic Plan Goals III, IV</i> See footnote 5</p>
4.	<p><i>Provide subject matter expertise</i></p>	<p><i>Priority 2(b)</i> See footnote 4</p>
<p><i>Project Summary</i> Serve as subject matter resource for other advisory groups to avoid duplication of efforts and contribute to the development of recommendations for council action. Such efforts may include providing appellate procedural expertise and review to working groups, advisory committees, and subcommittees as needed.</p> <p><i>Status/Timeline</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> N/A</p>		<p><i>Strategic Plan Goal III</i> See footnote 5</p>

#	Ongoing Projects and Activities	
	<i>AC Collaboration:</i> As appropriate depending on the project for which advice or consultation was requested.	
5.	<i>Rules and Forms: Miscellaneous Technical Changes</i>	<i>Priority 2(a)</i> See footnote 4
	<p><i>Project Summary</i> Develop rule and form changes as necessary to correct technical errors meeting the criteria of rule 10.22(d)(2): “a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy....”</p> <p><i>Status/Timeline</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> N/A</p> <p><i>AC Collaboration:</i> N/A</p>	
	<i>Strategic Plan Goal III</i> See footnote 5	

III. LIST OF 2018-2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Advisement of appellate rights in juvenile cases. Rule changes and a new form to provide parents and guardians who are not present at a juvenile court hearing with information regarding their appellate rights. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
2.	Oral argument in the appellate division. Rule changes and new and revised forms to improve oral argument procedures for courts and litigants. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
3.	Uniform formatting rules for electronic documents. Rule changes to provide guidance on formatting electronic documents for filing in the appellate courts. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
4.	Record on appeal and notice of appeal in civil commitment cases. A new rule to establish the contents of the record on appeal and a new form notice of appeal for this case type. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
5.	Word limits for briefs in petitions for rehearing. Rule amendment to reduce the maximum length of petitions for rehearing and answers thereto in unlimited civil cases. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
6.	Format of motions and applications. New and amended rules to provide guidance on formatting documents for filing in the appellate division. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
7.	Rules Modernization. Rule change to eliminate an outdated requirement to provide separate service copies of petitions for review that are now automatically provided through e-filing. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.