



JUDICIAL COUNCIL
OF CALIFORNIA

COURT EXECUTIVES
ADVISORY COMMITTEE

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COURT EXECUTIVES ADVISORY COMMITTEE (CEAC)

RECORDS MANAGEMENT SUBCOMMITTEE

MINUTES OF OPEN MEETING

August 18, 2014

4:00-5:00 P.M.

Conference Call

Advisory Body Members Present: Richard Feldstein (Chair), Alan Carlson, Jake Chatters, Pat Patterson, Tricia Penrose, and Kim Turner,

Advisory Body Members Absent: Kevin J. Lane and Robert Oyung

Judicial Staff Present: Tara Lundstrom, Patrick O'Donnell, Marlene Smith, and Josely Yangco-Fronza

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 4:08 p.m., and took roll call.

Written Comments Received

No written comments were received.

Approval of Minutes

No minutes to approve.

DISCUSSION AND ACTION ITEMS (ITEMS 1-4)

Item 1

Trial Court Records Manual (TCRM) Revisions

Electronic Signatures

Patrick O'Donnell provided background information on discussions regarding electronic signatures. The need to develop the standards and guidelines on electronic signatures becomes apparent and important as more and more courts conduct business electronically. Both the Court Technology Advisory Committee (CTAC) and CEAC agreed to work together in developing these standards and guidelines and have included this project in their annual agendas.

Jake Chatters informed the group that CTAC has deferred the development of these standards and guidelines to this subcommittee. Moving forward, the subcommittee will need to define electronic and digital signatures that will sequentially help determine the necessary level of security and authentication needed. The project goal is to make the processes for the courts less complicated and less burdensome than what currently exists.

The subcommittee created an ad hoc subgroup to develop the standards and guidelines on E-signatures for the next update of the TCRM.

Capital Case Exhibits

The subcommittee agreed that there is sufficient oversight on managing exhibits at this time and to defer the development of best practices and guidelines related to capital case exhibits to future updates of the TCRM.

Item 2

California Rules of Court, rule 10.855. Superior Court Records Sampling Program

The subcommittee discussed the issues courts are encountering with the current superior court sampling program. Based on the sampling survey, responding courts support the elimination of the sampling program or significantly modifying its requirements to make it less burdensome for the courts. If the program is kept, the members suggested providing better guidance on what records to keep and how to keep it.

The subcommittee created an ad hoc subgroup to review and propose revisions to the sampling program rule.

Item 3

Review Government Code Section 68150(c)

The subcommittee reviewed and discussed disparity between rule 10.856 and GC section 68150(c) in providing notice of destruction on limited jurisdiction cases. To resolve the conflict between the rule and statute, Ms. Penrose recommended modifying the verbiage of the statute to add “*destruction*” to read, “*The Judicial Council shall adopt rules to establish the standards or guidelines for the creation, maintenance, reproduction, **destruction**, or preservation of court records, including records that must be preserved permanently...*”

Due to the time and effort needed to change the statute, the subcommittee agreed to defer changes at a later time to include additional clean up to GC 68152 and consolidate the changes into one bill.

Item 4

Working Group Work Plan – Discussion of Next Steps

The Chair confirmed the members for each of the ad hoc subgroup. Staff will coordinate with each subgroup to develop milestones and timelines for each project and schedule future meetings.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:55 p.m.

Approved by the advisory body on July 23, 2015.