



JUDICIAL COUNCIL OF CALIFORNIA

COURT TECHNOLOGY
ADVISORY COMMITTEE

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JOINT APPELLATE TECHNOLOGY SUBCOMMITTEE

MINUTES OF OPEN MEETING

February 9, 2015
3:00 PM – 5:00 PM

Teleconference

Advisory Body Members Present: Hon. Louis Mauro, Chair; Hon. Peter Siggins; Mr. Kevin Green; Mr. Joseph Lane; Mr. Frank McGuire; Ms. Kimberly Stewart.

Advisory Body Members Absent: Mr. Don Willenburg

Others Present: Ms. Heather Anderson; Mr. Patrick O'Donnell, Ms. Tara Lundstrom; and Ms. Julie Bagoye

OPEN SESSION

Call to Order and Roll Call

Justice Mauro called the meeting to order at 3:00 PM, and roll call was taken. He noted there were no public comments received prior to this meeting.

Approval of Minutes

The subcommittee reviewed and approved the minutes of the January 26, 2015, Joint Appellate Technology Subcommittee (JATS) meeting.

Item 1

Public Access to Electronic Appellate Court Records

Discussion: Heather Anderson, Supervising Attorney, Judicial Council staff, Legal Services

Ms. Anderson led the continued discussion regarding the proposal, picking up on page 11 of the second draft.

Rule 8.83(e) - Rule 8.83(e) in the second draft addressed remote access to electronic records in extraordinary criminal cases. The subcommittee discussed whether it would be helpful to the appellate courts to include a provision such as this, which would be similar to the trial court rules. The subcommittee decided to keep the provision, to expand it to include extraordinary civil cases, and to recommend that the invitation to comment seek specific input on whether this provision would be helpful. The subcommittee also decided to make the following changes to this draft provision:

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- Modify the language of subdivision (2) to remove the reference to the court redacting information; and
- Clarify some of the internal cross-references.

With these changes, the subcommittee recommended approval of this provision.

8.83(f) – The subcommittee recommended approval of this provision without change.

8.83(g) - The subcommittee recommended approval of this provision without change.

8.83(h) - The subcommittee modified this provision to read, in relevant part “made by a member of the public.” With this change, the subcommittee recommended approval of this provision.

8.83(i) - The subcommittee recommended moving the content of this provision into the advisory committee comment.

Rule 8.84 - The subcommittee recommended approval of this rule without change.

Rule 8.85 - The subcommittee recommended deleting this rule from the draft, but noting this deletion in the invitation to comment.

Rule 8.86 - The subcommittee recommended approval of this rule without change.

Future action:

- Ms. Anderson will prepare a final version of the draft rules incorporating all of the revisions agreed to by the subcommittee. It will be circulated among the group via email for comment and if follow-up discussion is required, this draft will be placed on the agenda for the February 26, 2015 meeting. A final proposal will be submitted to CTAC and the Appellate Advisory Committee (AAC). If approved by CTAC and AAC, the proposal would be submitted to the Judicial Council Rules & Projects Committee with a recommendation that it be circulated for public comment during the regular spring 2015 annual comment period.
- The subcommittee will meet again on February 26, 2015, to commence its work on a new project, Rule Modernization, draft materials to be distributed.

A D J O U R N M E N T

The meeting was adjourned at 4:10 PM.