

Court Technology Advisory Committee (CTAC)

Public Business Meeting
July 10, 2015 Teleconference

Hon. Terence L. Bruiniers
Chair, Court Tech Advisory Committee



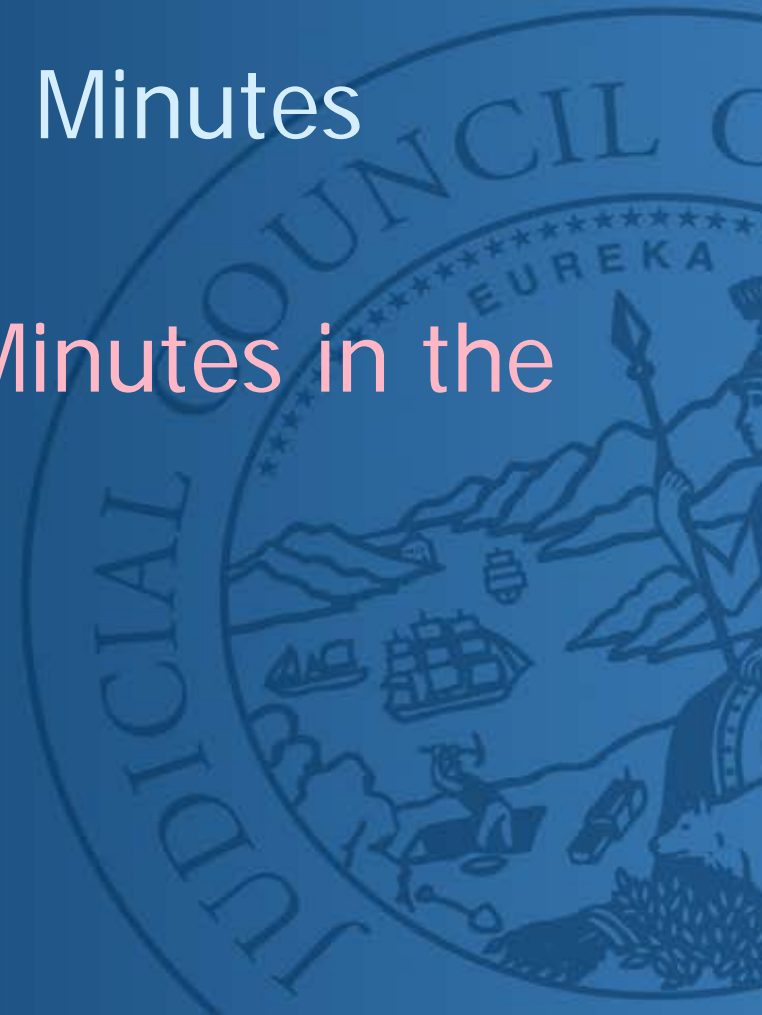
Open Meeting

I. Call to Order, Roll Call

Approval of March 27 Minutes
(Open Session)

Refer to the DRAFT Minutes in the materials.

II. Public Comment



Item 1. Chair Report

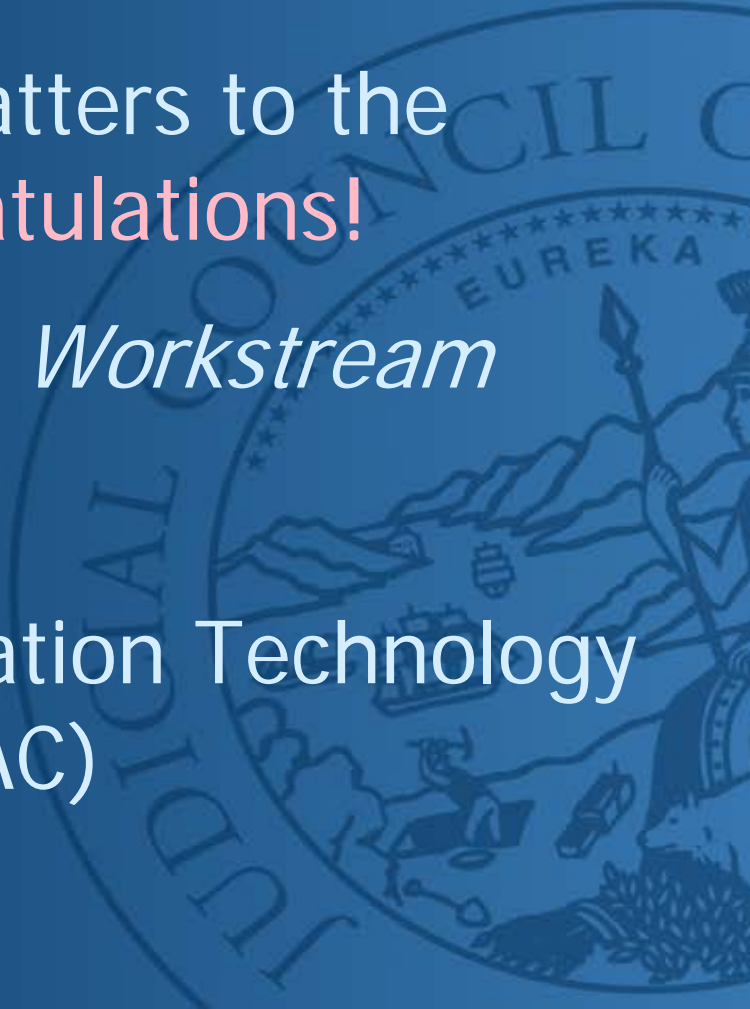
Hon. Terence L. Bruiniers

Chair, Court Technology Advisory
Committee

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Chair Report

1. CTAC Nominations Update
 2. Appointment of Jake Chatters to the Judicial Council – **Congratulations!**
 3. Next Generation Hosting *Workstream*
 4. BCP Recommendations
 5. Transition to the Information Technology Advisory Committee (ITAC)
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WORKSTREAM REPORTS

Item 2. Data Exchange Workstream

Mr. David Yamasaki

Executive Sponsor

Update includes slides and supplemental materials. Also, refer to Status Report Project 1.

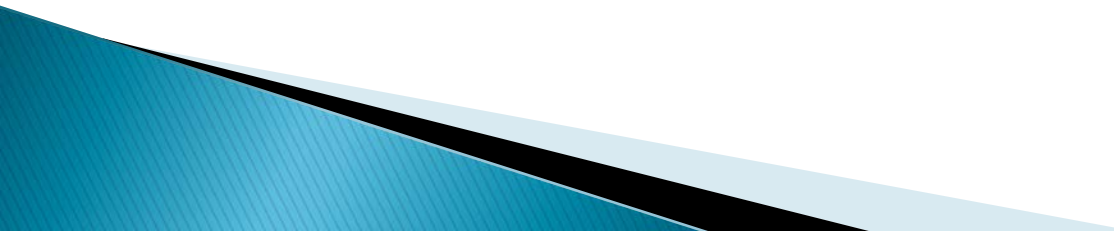
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Data Exchange Workstream Status Report

David H.Yamasaki, Executive Sponsor
Workstream Chair
July 10, 2015

Data Exchange Workstream Leadership Team

- ▶ David Yamasaki, Executive Sponsor, DX Chair
 - ▶ Judge Robert Freedman, Vice-Chair
 - ▶ Alan Crouse, CIO San Bernardino Superior Court, Technical Lead
 - ▶ Neil Payne, Judicial Council Staff
 - ▶ Jackie Woods, Judicial Council Staff
- 

Data Exchange Workstream

Participants

Hon. Jeffrey Barton, Superior Court of San Diego County

Hon. Shelia Hanson, Superior Court of Orange County

Hon. Gary Nadler, Superior Court of Sonoma County

Mr. Jake Chatters, Superior Court of Placer County

Mr. Paras Gupta, Superior Court of Monterey County

Mr. Greg Harding, Superior Court of Placer County

Mr. Brett Howard, Superior Court of Orange County

Mr. Snorri Ogata, Superior Court of Los Angeles County

Mr. Robert Oyung, Superior Court of Santa Clara County

Mr. Pat Patterson, Superior Court of Ventura County

Ms. Heather Pettit, Superior Court of Contra Costa County

Mr. Chris Stewart, Superior Court of Sacramento County

Ms. Chelle Uecker, Superior Court of San Bernardino County

Ms. Jeanette Vannoy, Superior Court of Napa County

Mr. Deon Whitfield, Superior Court of Tulare County

Data Exchange Workstream Participants (continued)

California Justice Partners

California District Attorney Association
California Highway Patrol
California Police Chiefs Association
Department of Child Support Services
Department of Corrections and
Rehabilitation
Department of Justice
Department of Social Services
Department of Motor Vehicles
Office of Systems Integration
Probation Information Technology Assoc.

Case Management System Vendors

Journal Technologies
Justice Systems
Thompson Reuters
Tyler Technologies

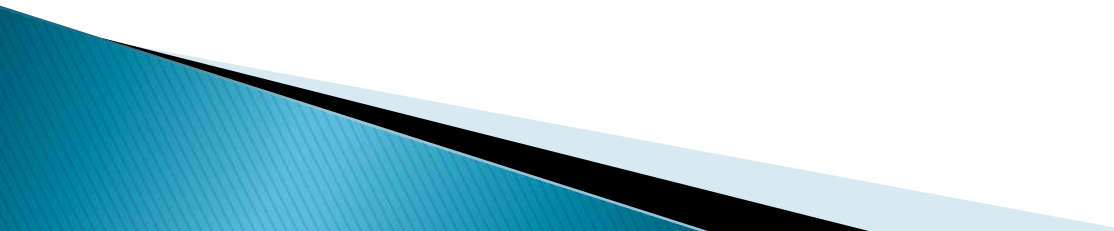
Project Description

- ▶ Activities Completed
- ▶ Program Report
- ▶ Next Steps
 - Documentation of Technical Protocols and Discussion Teams
 - Development of Governance Guidelines

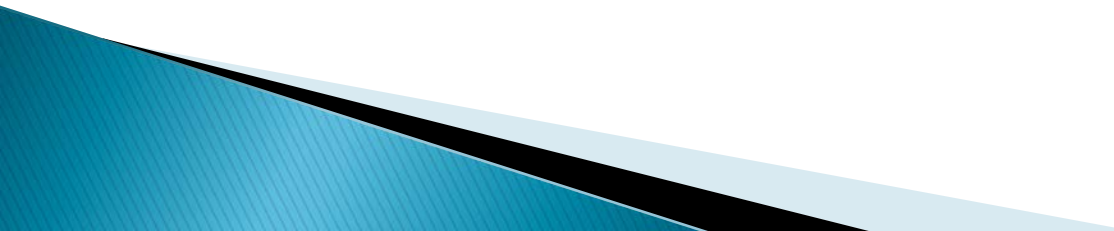
Activities Completed

- ▶ Convened on eight separate occasions
- ▶ Primary objectives:
 - Review with participants scope of project and key objectives;
 - Facilitate exchange of information;
 - Review current state

Deliverables

- ▶ Established 5 workstream principles:
 - Limit the types of exchange approaches;
 - Use of standards-based solutions;
 - Establish prospective solutions;
 - Leverage and reuse solutions where possible;
 - Safeguard integrity and privacy of data
- 

A Focus Toward Near and Long Term Versions

- ▶ Near Term Keys:
 - Single standards between each justice partner and the judicial branch;
 - Designate key court leads to act as point of contact for all CMS vendors and justice partners;
 - Collect required documents to support partner exchange;
 - Establish a brokerage for modifications to the standard exchanges
- 

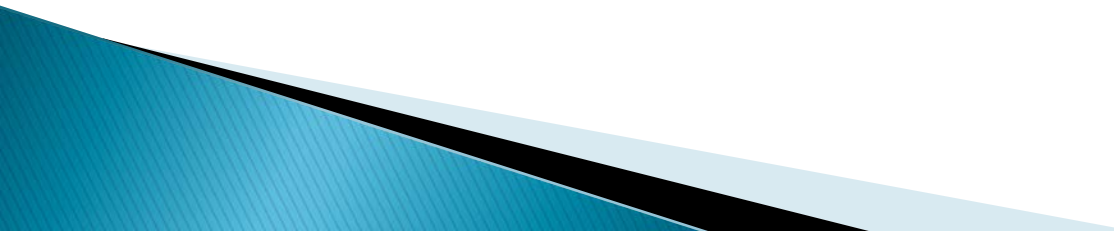
Long Term Focus

- ▶ Long Term Keys:
 - Identify technical standards for subsequent data exchange developments;
 - Establish a formal governance process;
 - Maintain a repository of required materials to develop standardized exchanges

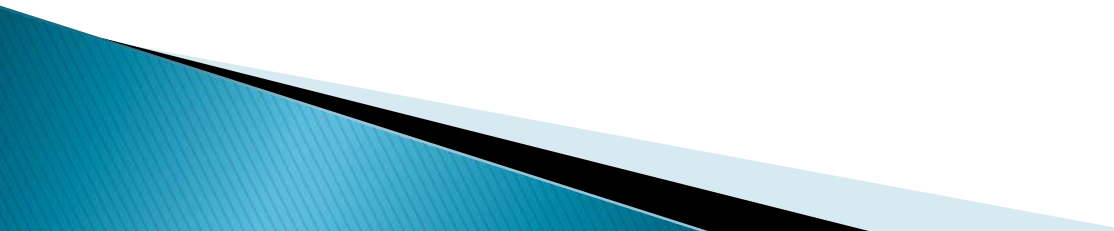
Justice Partner WebEx Reports

- ▶ Presenting Justice Partners:
 - Department of Justice (DOJ)
 - California Highway Patrol (CHP)
 - California Department of Corrections and Rehabilitation (CDCR)
 - Department of Child Support Services (DCSS)
 - Department of Motor Vehicles (DMV)

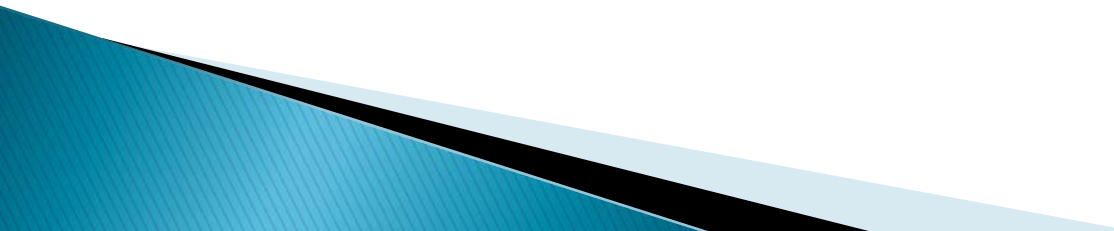
Justice Partner Reporting Details

- ▶ DOJ (New solution for Automated Transaction Disposition Reporting (ADTR))
 - ▶ CHP (E-Citations, scope of technical specifications nearly complete)
 - ▶ DCSS (Exchange solution with 9 courts, planned roll out over following 2 years)
- 

Justice Partner Reporting Details (continued)

- ▶ **CDCR** (Developing specifications for NIEM compliant data warehouse, seeking partnership with judicial branch for short term exchanges)
 - ▶ **DMV** (Near term use of State's data center, no significant enhancements planned for near term)
- 

Partnering Next Steps

- ▶ Designate court leads to host between designated justice partners with each partnering vendor
 - ▶ Lead to capture current state and technical solutions being developed
 - ▶ Identification of anticipated completion for technical solution
 - ▶ Assemble all results into central repository for system wide information sharing
- 

Data Exchange Workstream

- ▶ Next Steps:
 - Convene members to review elements for the proposed creation of data exchange principles and guidelines;
 - Obtain CTAC input on proposed go forward activities and strategies

Data Exchange Workstream

Supplemental Materials

Included in the materials portion of this e-binder are:

- [DRAFT DX Workstream Report](#)
- [Vendor Sessions Template](#)



WORKSTREAM REPORTS

Item 3. E-Filing Workstream

Hon. Sheila F. Hanson

Executive Sponsor

Mr. Rob Oyung

Executive Sponsor

Refer to Status Report Project 2. There are no additional slides for this report.

WORKSTREAM REPORTS

Item 4. Remote Courtroom Video Workstream

Hon. Terence L. Bruiniers

Executive Sponsor

Refer to Status Report Project 3. Continue
to next slide for this report.

Remote Video Workstream

- Update on LAP Technological Solutions Subcommittee
 - Reports to the Language Access Plan Implementation Task Force (ITF) (<http://www.courts.ca.gov/LAP.htm>)
 - Chaired by Justice Bruiniers
 - Responsible for 8 recommendations, including VRI pilot

The materials section of this e-binder includes the [Technological Solutions Subcommittee Workplan](#).

WORKSTREAM REPORTS

Item 5. Information Security Framework Workstream

Mr. Rob Oyung
Executive Sponsor

Refer to Status Report Project 5.
Continue to next slide for materials.



Information Security Exchange Workstream

Supplemental Materials

Included in the materials portion of this e-binder is the:

- [IT Security Framework Overview](#) (slides)

Note: These will not be reviewed during the CTAC meeting and are included as an information only.

WORKSTREAM REPORTS

Item 6. Next Generation Hosting Workstream

Mr. Brian Cotta

Co-Executive Sponsor

Refer to Status Report Project 4. Continue
to next slide for this report.



CTAC Next Generation Hosting Workstream

Scope and Work Plan Updated Proposal

DRAFT – 6/15/15



CTAC Next Generation Hosting Workstream

Charge/Goals

- ï Outline industry best practices for hosting in an educational manner.
- ï Produce a roadmap tool for use by courts in evaluating options.
- ï Consider educational summit on hosting options, and hold summit if appropriate.
- ï Identify requirements for centralized hosting.
- ï Recommend a branch-level hosting strategy.



Key Tasks

1. Define industry best practices for hosting.
2. Develop matrix of solutions with pros, cons, and example applications hosted and costs.
3. Produce educational document with tool for use by courts in individual evaluation.
4. Hold a one-day summit on hosting (if deemed necessary and appropriate).
5. Determine interest and support for possible solutions at branch level.
6. Develop recommendation for branch-level hosting model.



Approach: Phase 1

Phase 1: Develop Educational Information and Hold Summit

1. Define top four to five solutions in the industry.
2. Define the pros and cons of each solution.
3. Provide examples of court applications that could use each solution.
4. Provide example cost information by solution.
5. Include roadmapping tool to assist courts in evaluating local needs and identifying hosting solutions for themselves.
6. Produce Next Generation Hosting Information Tool (containing items 1-5, above).
7. Determine if a summit on the topic is necessary, and if so, hold the summit.



Approach: Phase 2

Phase 2: Define Branch-Level Hosting Requirements

1. Identify strategies that could be implemented or utilized across the branch.
2. Survey courts (all levels) on types of applications they envision being hosted at more central level.
3. Capture hosting requirements based on Judicial Council decisions on branch-wide applications.
4. Define service level requirements for branch-level host site.
5. Produce Next Generation Hosting Final Report and Requirements.



CTAC Next Generation Hosting Workstream

Deliverables

1. Next Generation Hosting Information Tool ([refer to slide 4](#)).
2. Hold Hosting Summit, if appropriate.
3. Next Generation Hosting Final Report and Requirements.



CTAC Next Generation Hosting Workstream

Timeline: Phase 1

Phase 1: Develop Educational Information and Hold Summit

June 2015

- Obtain approval for workstream

July – October 2015

- Inventory of industry best practices / uses / costs

November – December 2015

- Prepare Educational Tool // Summit Materials

January 2016

- Hold Hosting Summit, if appropriate



Timeline: Phase 2

Phase 2: Define Branch-Level Hosting Requirements

February – April 2016

- Survey courts on applications for branch-level hosting
- Identify previous policy decisions that establish branch-level need
- Determine service level requirements

May – June 2016

- Draft report for internal comments

July – September 2016

- Formal comment period

October 2016

- Final report

November 2016

- Requirements turned over to JCC staff for preparation of any needed BCP

SUBCOMMITTEE REPORTS

Item 7. Projects Subcommittee

Hon. Robert B. Freedman
Chair

Refer to Status Report Projects 4, 6, 8.
Continue to next slide for this report.
(Action Requested)

SRL E-Services Portal Update

- Published report of findings and recommendation
 - Refer to "*The Role of Technology in Legal Access Initiatives*" document (provided separately)

Action Requested

- Consider recommendation that CTAC establish an **SRL E-Services Portal Workstream** charged with:
 - Developing requirements to establish a statewide SRL portal that is e-delivery/e-filing-ready based upon collaborative work with the E-Filing Workstream. In addition to e-delivery/e-filing capability, other key functionality of the portal will include document assembly, interactive FAQ, and triage, directing the self-represented litigant through the process. The portal will prioritize directing litigants to their courts for services that exist locally.

Projects Subcommittee

Disaster Recovery and Next Generation Hosting Survey Update

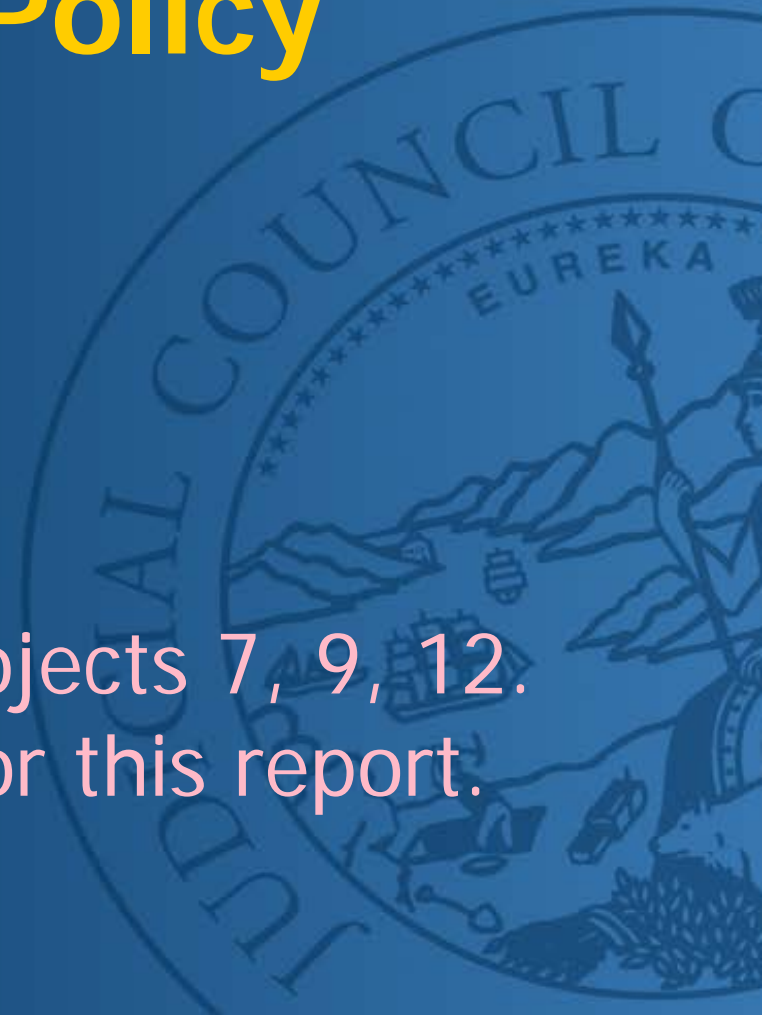
- Survey closed June 19; 49 respondents
- Projects Chair following up with courts for improved response rate
- Staff will analyze data; expect to provide a report of findings by the October CTAC meeting

SUBCOMMITTEE REPORTS

Item 8. Rules & Policy Subcommittee

Hon. Peter J. Siggins
Chair

Refer to Status Report Projects 7, 9, 12.
Continue to next slide for this report.
(Action Requested)



Rules & Policy Subcommittee

1. Rules for Remote Video Proceedings in Traffic Cases (Action Requested)

Updates following public comment to proposal to amend rule 4.220 and revise corresponding forms:

- To allow courts to continue conducting RVP in traffic cases after January 1, 2016; and
- To implement rule 4.105, the rule recently adopted on an urgency basis to address concerns about court procedures for deposit of bail in traffic cases

The materials portion of this e-binder includes the [proposed amendment to rule 4.220](#).

Rules & Policy Subcommittee

2. Planning special August teleconference

- To consider rule proposals following public comment; and
- To review E-Signatures Standards for inclusion in the Trial Court Records Manual.

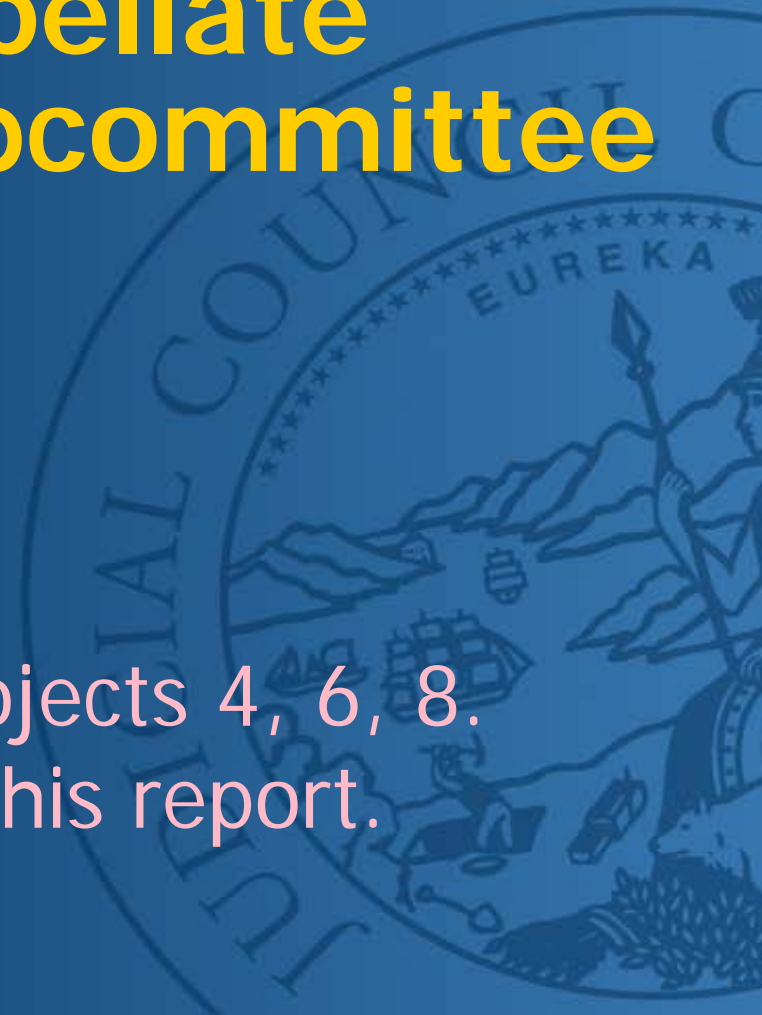


SUBCOMMITTEE REPORTS

Item 9. Joint Appellate Technology Subcommittee

Hon. Louis R. Mauro
Chair

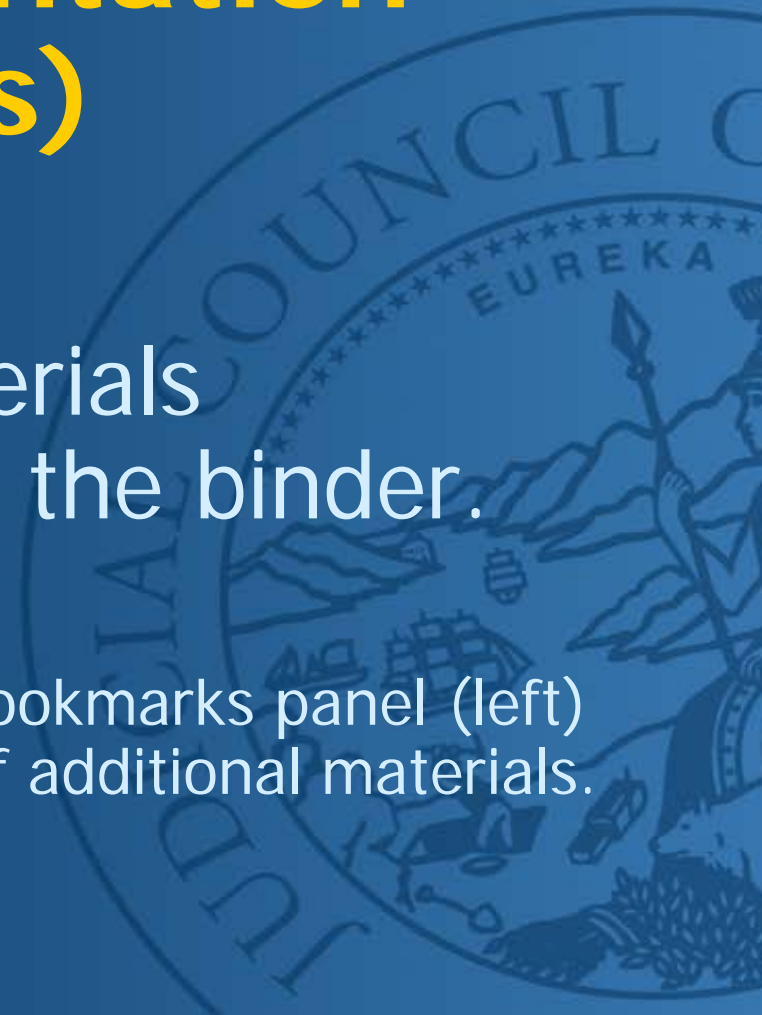
Refer to Status Report Projects 4, 6, 8.
There are no slides for this report.



End of Presentation (Slides)

Meeting Materials
follow this slide in the binder.

Please refer to the PDF Binder Bookmarks panel (left)
to view and navigate the list of additional materials.



Annual Agenda

Project 1. CMS Data Exchanges

Develop Standardized Approaches to CMS Interfaces and Data Exchanges with Critical State Justice Partners

CTAC Resource(s):

CTAC Workstream, Executive Sponsor: David Yamasaki

JCC Staff Resource(s):

IT (Neil Payne, Jackie Woods)

Workstream Project Manager: Undefined

MAJOR TASKS	STATUS	UPDATES
(a) Identify specific justice partners exchanges required and court interface needs.	In Progress	Primary requirements and needs identified; will be further confirmed and expanded via detailed discussions between justice partners and CMS vendors.
(b) Establish standards for, and define where feasible, common exchange(s), consistent with national standards, and secure methods to share those exchanges for courts wishing to implement them.	In Progress	Justice partner focus sessions complete. Next phase focuses on CMS vendors working more directly with justice partners to refine data. Designated court representatives will lead sessions, capture/share development, and identify issues for resolution.
(c) Work with CMS vendors to facilitate timely implementation of standardized exchanges where needed, consistent with existing court deployment schedules.	In Progress	Continues to be a topic of discussion during the Workstream meetings.
(d) Develop governance processes to ensure continuing development and maintenance of statewide data exchanges established, and to maintain on-going communication and cooperation with our justice partners and CMS vendors in this effort.	In Progress	Based upon information gathered, will begin defining the aspect of governance and how it shall be structured in July 2015.

Annual Agenda
Project 2. E-Filing

Update E-Filing Standards, and Develop Provider Certification, Deployment Strategy, and Rules Evaluation

CTAC Resource(s):

- (a)-(c): CTAC Workstream, Executive Co-Sponsors: Hon. Sheila F. Hanson and Rob Oyung
- (d): Rules & Policy Subcommittee

JCC Staff Resource(s):

IT (Edmund Herbert, Manny Floresca), Legal Services (Patrick O'Donnell, Tara Lundstrom)

Workstream Project Manager: Snorri Ogata

MAJOR TASKS	STATUS	UPDATES
(a) Update the technical standards for court e-filing, namely, the XML specification and related schema.	Not Started	To be included in final recommendation.
(b) Develop the E-Filing Service Provider (EFSP) selection/certification process.	In Progress	See item (c) below.
(c) Develop the roadmap for an e-filing deployment strategy, approach, and branch solutions/alternatives.	In Progress	E-filing Summit held May 22. Over 70 attendees in person and via phone. Workstream participants being identified. Analysis of different models being evaluated to be completed in August. Final recommendations targeted for end of November 2015.
(d) Evaluate current e-filing rules, including provisions for mandatory e-filing.	Not Started	Assessment targeted for completion end of November 2015.

Annual Agenda

Project 3. Remote Courtroom Video

Develop Remote Courtroom Video Standards, a Pilot Program, and Update to Rules

CTAC Resource(s):

(a)-(b): CTAC Workstream, Executive Sponsor: Hon. Terence L. Bruiniers

(c): CTAC Rules & Policy Subcommittee

JCC Staff Resource(s):

IT (Fati Farmanfarmaian, Nate Moore), Legal Services (Patrick O'Donnell, Tara Lundstrom)

Workstream Project Manager: Undefined

MAJOR TASKS	STATUS	UPDATES
(a) Develop technical standards for remote courtroom video.	Not Started	Justice Bruiniers appointed as chair of the Technological Solutions Subcommittee to the Language Access Plan Implementation Task Force. Formed in June.
(b) Define and implement, in cooperation with the Access & Fairness and Interpreter’s Advisory Committees, a Video Remote Interpreting Pilot Program for foreign languages.	In Progress	Technological Solutions Subcommittee charge includes this task. Once a pilot is better defined, chair will staff a workstream to coordinate with the subcommittee/task force.
(c) Seek extension of Rule of Court 4.220 (Remote Video Proceedings in Traffic Infraction Cases). Consider Expansion to other case types.	In Progress	Rule proposal advanced for public comment, which closed in June. CTAC will consider responses during July 10 meeting.

Annual Agenda

Project 4. Next Generation Hosting Strategy Assessment

Assessment of Alternatives for Transition to Next-Generation Branchwide Hosting Model

CTAC Resource(s):

CTAC Projects Subcommittee; workstreams may be required to complete the longer term components

JCC Staff Resource(s):

IT (Fati Farmanfarmaian, Kathy Fink, Raj Talla, Michael Derr), Court Operations Services (Karen Viscia)

MAJOR TASKS	STATUS	UPDATES
(a) Complete hosting needs assessment, develop implementation recommendations, including an evaluation of alternatives and costs.	In Progress	Two-part survey distributed June 1 to Court Information Officers and IT Directors. June 19 deadline extended so that chair could follow-up with courts individually and gain full participation. Request was sent to 53 counties; received 49 responses.
Note: Limited scope due to resource constraints; additional tasks to be considered in future annual agenda.		

Annual Agenda

Project 4 (new). Next Generation Hosting Strategy Workstream (new)

Assessment of Alternatives for Transition to Next-Generation Branchwide Hosting Model

CTAC Resource(s):

CTAC Workstream, Executive Co-Sponsors: Jake Chatters and Brian Cotta

JCC Staff Resource(s):

IT (TBD)

Workstream Project Manager: Heather Pettit

MAJOR TASKS	STATUS	UPDATES
(a) Define workstream project schedule and detailed tasks; gain approval of workstream membership	In Progress	Project approved in May to move forward as a workstream. Soliciting volunteers for approval by ITAC Chair in July.
(b) Outline industry best practices for hosting (including solution matrix with pros, cons, example applications, and costs).	Not Started	Will begin work in July and expect completion in October 2015.
(c) Produce a roadmap tool for use by courts in evaluating options.	Not Started	Expect to develop in November-December 2015.
(d) Consider educational summit on hosting options, and hold summit if appropriate.	Not Started	Expected in January 2016, if needed.
(e) Identify requirements for centralized hosting.	Not Started Not Started	Will be proposed as next step for CTAC's 2016 annual agenda.

Annual Agenda

Project 5. Information Security Framework

Document and Adopt Court Information Systems Security Policy Framework

CTAC Resource(s):

CTAC Workstream, Executive Sponsor: Rob Oyung

JCC Staff Resource(s):

IT (Michael Derr)

Workstream Project Manager: Rob Oyung

MAJOR TASKS	STATUS	UPDATES
(a) Finish the work that was started on the Court Information Systems Security Policy Framework.	In Progress	Drafted “How to Use the Framework” document. Updated to include initial comments from CEOs and CIOs. Distributed broadly inside the branch (CEOs, CIOs, PJs, CTAC, JCTC) for input. Comments due July 20 for approval by CTAC and JCTC thereafter.
(b) Initially adopt the framework at a select group of pilot courts.	Completed	The 7 courts participating in the workstream piloted the framework and performed an initial assessment. 75% of the framework is already completely or partially implemented at those courts.
(c) Adopt the framework at the remaining courts, as needed.	Not Started	Expected August 2015.

Annual Agenda

Project 6. Disaster Recovery Framework Assessment

Survey and Assessment for Court Disaster Recovery Framework and Pilot

CTAC Resource(s):

CTAC Projects Subcommittee

JCC Staff Resource(s):

IT (Fati Farmanfarmaian, Kathy Fink, Raj Talla, Michael Derr)

MAJOR TASKS	STATUS	UPDATES
(a) Survey and provide a disaster recovery needs assessment and gap analysis for the major technology components in the trial and appellate courts.	In Progress	Two-part survey distributed June 1 to Court Information Officers and IT Directors. June 19 deadline extended so that chair could follow-up with courts individually and gain full participation. Request was sent to 53 counties; received 49 responses.
Note: Limited scope due to resource constraints; additional tasks to be considered in future annual agenda.		

Annual Agenda
Project 7. Privacy Policy

Develop Branch & Model Court Privacy Policies on Electronic Court Records and Access

CTAC Resource(s):

CTAC Rules & Policy Subcommittee

JCC Staff Resource(s):

IT (Manny Floresca), Legal Services (Patrick O'Donnell, Tara Lundstrom)

MAJOR TASKS	STATUS	UPDATES
(a) Continue development of a comprehensive statewide privacy policy addressing electronic access to court records and data to align with both state and federal requirements.	In Progress	Draft model under development. Staff working with Judge Culver on approach. Forming subgroup including members and possibly court volunteers to help draft and review when ready.
(b) Continue development of a model (local) court privacy policy, outlining the key contents and provisions to address within a local court's specific policy.	Not Started	

Annual Agenda

Project 8. SRL E-Services Portal

Evaluate Feasibility and Desirability of Establishing a Branch Self-Represented Litigants (SRL) E-Services Portal

CTAC Resource(s):

CTAC Projects Subcommittee; workstreams may be required to complete the longer term components

JCC Staff Resource(s):

IT (Fati Farmanfarmaian), Legal Services (Patrick O'Donnell, Tara Lundstrom), and CFCC (Karen Cannata, Diana Glick)

MAJOR TASKS	STATUS	UPDATES
(a) Determine and validate both litigant needs (including LEP litigants) and court requirements.	In Progress	TurboCourt Pro Se Portal informational demo completed for chair and subcommittee chair. HotDocs demo to be scheduled.
(b) Identify available existing technology and infrastructure components to leverage.	In Progress	CCFC staff circulated preliminary report to the Projects Subcommittee: "The Critical Role of the State Judiciary in Increasing Access for Self-Represented Litigants: Self-Help Access 360°" chronicling findings and recommendation for next steps.
(c) Identify information resources to assist litigants.	Not Started	
Note: Limited scope due to resource constraints; additional tasks to be considered in future annual agenda.		

Annual Agenda
Project 9. E-Signatures

Develop Standards for Electronic Signatures

CTAC Resource(s):

CTAC Rules & Policy Subcommittee

JCC Staff Resource(s):

IT (Manny Floresca), Legal Services (Patrick O'Donnell, Tara Lundstrom)

MAJOR TASKS	STATUS	UPDATES
(a) Develop procedures and standards for use of electronic and digital signatures for court documents, as specified in Government Code section 68150(g), for inclusion in the Court Records Manual.	In Progress	Standards drafted in cooperation with CEAC subgroup. Expecting approval from CEAC in coming weeks, with plans to share with CTAC in August.
(b) Recommend rule proposal incorporating standards into Rules of Court, as appropriate.	Not Started	
Note: This project is distinct from developing standards for court (digital) records certification, i.e., the authentication of court documents and the true certification thereof (per CTAC's 2013 annual agenda review meeting).		

Annual Agenda

Project 10. Tactical Plan for Technology

Update Tactical Plan for Technology for Effective Date 2016-2018

CTAC Resource(s):

Chair and full committee

JCC Staff Resource(s):

IT (Jamel Jones)

MAJOR TASKS	STATUS	UPDATES
(a) Review and update the Tactical Plan for Technology.	On Hold	Expect to begin this work in 2016.
(b) Circulate for branch and public comment.	On Hold	
(c) Finalize and submit for approval.	On Hold	

Annual Agenda

Project 11. Policy & Rules for E-Access to Appellate Court Records

Develop Branch Policy and Rules on Public Access to Electronic Appellate Court Records

CTAC Resource(s):

Joint Appellate Technology Subcommittee

JCC Staff Resource(s):

IT (Julie Bagoye), Legal Services (Patrick O'Donnell, Tara Lundstrom)

MAJOR TASKS	STATUS	UPDATES
(a) Develop a comprehensive statewide policy addressing reasonable public access to electronic appellate court records to align with access rules for the trial courts.	In Progress	JATS' recommendations for rules on access to electronic court records is complete. Rule proposals are in progress (see below).
(b) Draft rule proposal to incorporate standards into Rules of Court, as appropriate.	In Progress	JATS developed proposed rules (8.0-8.5) on electronic access to appellate court records. CTAC reviewed and recommended public comment circulation, which closed June 17. CTAC will consider responses in August.
Note: This project corresponds to the Appellate Advisory Committee agenda item #8.		

Annual Agenda

Project 12. Rules for Electronic Service

Evaluate Amendment to Rules of Court to Allow Electronic Service Upon Courts if the Court Consents

CTAC Resource(s):

Joint Appellate Technology Subcommittee and the CTAC Rules & Policy Subcommittee

JCC Staff Resource(s):

IT (Julie Bagoye, Manny Floresca), Legal Services (Patrick O'Donnell, Tara Lundstrom)

MAJOR TASKS	STATUS	UPDATES
(a) 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.	In Progress	In January, CTAC recommended amendments to rules 2.251 and 8.71 be circulated for public comment, which closed June 17. CTAC will consider responses in August.
Note: This project applies at both the appellate and trial court levels. Also, this project is intended to correspond to the Appellate Advisory Committee agenda item #9.		

Annual Agenda

Project 13. Modernize Rules of Court

Modernize Trial and Appellate Court Rules to Support E-Business

CTAC Resource(s):

CTAC Rules & Policy Subcommittee and the Joint Appellate Technology Subcommittee

JCC Staff Resource(s):

IT (Manny Floresca, Julie Bagoye), Legal Services (Patrick O'Donnell, Tara Lundstrom)

MAJOR TASKS	STATUS	UPDATES
(a) In collaboration with other advisory committees, review rules and statutes in a systematic manner and develop recommendations for comprehensive changes to align with modern business practices (e.g., eliminating paper dependencies).	In Progress	Rule proposal circulated for public comment; that cycle closed in June. CTAC will review comments during August meeting.
Note: This project corresponds to the Appellate Advisory Committee agenda item #10, as well as on the annual agendas of the additional (subject matter) advisory bodies listed under Resources.		

Annual Agenda

Project 14. Collaborations and Information Exchange

Liaise with Advisory Bodies and the Branch on Technology Initiatives, Rules and Implementations

CTAC Resource(s):

Liaisons

JCC Staff Resource(s):

IT (Jamel Jones)

MAJOR TASKS	STATUS	UPDATES
(a) Share the Judicial Branch Technology Report with advisory bodies and attend liaison committee meetings.	In Progress	Liaisons are in progress of attending meetings, as appropriate.
(b) Identify opportunities to collaborate and share liaison feedback to CTAC, the JCTC, the Judicial Council, and the branch, as appropriate.	In Progress	Liaisons will provide oral reports during the July CTAC meeting.

CALIFORNIA JUDICIAL BRANCH

Data Exchange Workstream

6/28/2015
DRAFT v0.4

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DRAFT

INTRODUCTION

On December 5, 2014, the Court Technology Advisory Committee established the Data Exchange Workstream under the Executive Sponsorship of David Yamasaki.

This document presents the judicial branch blueprint for the development of data exchanges with its partner agencies. This effort comes at a pivotal time; as the branch implements new case management systems in the majority of trial courts. This opportunity to achieve the benefits of significantly improved efficiency and consistency of information sharing has never before occurred in California and may be decades before it recurs.

The implementation of standard data exchanges provide many benefits:

- They are efficient and cost effective to implement and support;
- The exchanges promote error reduction, responsiveness, and correction turnaround;
- Accuracy and currency of the information shared is increased; and
- Provides a foundation for future mandates and improvements.

As described in the Court Technology Strategic Plan, implementation of new technology is critical to address a devastating reduction in judicial branch funding. This effort establishes a roadmap for the adoption of data exchange solutions that further the administration of justice and meet the needs of the people of California.

These are the results from the Data Exchange Workstream, which included justice partner agencies, case management system vendors, judicial officers, court executive officers, and court information technology officers.

The proposed next steps recognize that many local trial courts have entered into contracts with case management system vendors for the delivery of systems along specified timeline with existing deliverables to be achieved. The efforts of this workstream balance the need to assist in achieving those contract milestones with the broader, long-term need to standardize data exchange approaches state-wide across systems. By the very nature of these objectives, the workstream recommendations are divided into short-term and longer-term action steps.

The ultimate success of this workstream depends on working as an information technology (IT) community that can form consortia to leverage and optimize resources to achieve its goals and overall branch objectives. The result will be a judicial branch where the courts act as innovation centers for the benefit of the legal community and public, increasing the efficiency and timeliness of data access across the entire justice community.

Business Context

The California court system is the largest in the nation, with 1,937 judges and justices, 1,825 of which are authorized for the trial courts. There are approximately 19,000 court employees throughout the State; 16,600 of which are employed by the trial courts. In 2013 there were 7,810 cases filed in Supreme Court; 22,140 in the Courts of Appeal, and 7,726,000 cases filed in the Trial Courts. The court system serves over 38 million people. The state

Constitution vests the judicial power of California in the Supreme Court, Courts of Appeal, and the Superior Courts. The Constitution also provides for the formation and functions of the Judicial Council, the policymaking body for the state courts and other agencies.

The judicial branch has diversity in geography, court size, and case types. The smallest superior court has two judicial officers serving a population of just over 1,000 people while the largest has 587 judicial officers serving a population of almost 10 million people. Courts have varying fiscal health and capabilities, and budget cuts have drastically affected their ability to invest in technology.

The judicial branch interacts with and depends on data flows with several state agencies. These agencies underwent similar budget reductions in the recent recession and are similarly seeking increased efficiencies through standardized data exchanges. There is demand for integrated justice and a need to adapt to constant change in the environment. However, existing processes and exchanges may still be paper-based, or were written to address a singular transfer based upon an existing technology rather than a more advanced integrated, digital, environment.

Existing Condition

At the formation of the Data Exchange Workstream, there was a plethora of data exchange mechanisms, standards, formats and approaches. Data exchange between the judicial branch and each justice partner was accomplished in a different manner. Often there were multiple data exchange approaches with the same justice partner implemented with different superior courts at different points in time. As a result, case management vendors were struggling to understand and implement the various ‘flavors’ of each exchange to meet the requirements of their customers and the justice partner. The development and support of multiple ‘standards’ for the same exchange would be expensive and inefficient for the vendors, justice partners and the judicial branch, and inconsistent with the vision for the future.

Project Approach

The data exchange workstream began with a series of face-to-face meetings in Sacramento and San Francisco. These meetings served to introduce the participants from across the courts, justice partners and case management system vendors and confirm that a common interest existed for the creation of data exchange standards. These initial meetings also led to the creation of a set of workstream principles, and, in combination with a survey of participants, the determination that there was significant consensus on the technical specifications to be used in future data exchanges.

The face-to-face meetings recognized that there were many possible data exchanges to examine. These include exchanges with local agencies such as: District Attorney; Public Defender; Probation; local law enforcement agencies; collection agencies; etc. There are also many internal exchanges between courts, and with the Judicial Council: case transfers; appeals filings; Judicial Branch Statistical Information System (JBSIS); etc. The workstream determined it would focus initial efforts on data exchanges between the courts and five agencies that are accessed by all courts: Department of Justice; California Highway Patrol;

Department of Child Support Services; California Department of Corrections and Rehabilitation; and the Department of Motor Vehicles.

Following the face-to-face meetings, a series of webinars, each focused on one of the key justice partner exchanges, was held to drive out detail on that exchange and determine a short and long term plan for that justice partner.

Workstream Principles

Guiding principles establish a set of considerations for technology project decision-makers. The February 2, 2015 workstream meeting established the following principles:

- Limit exchange approaches
- Use standard-based solutions
- Exchange solutions will be prospective
- Leverage and reuse solutions where possible
- Safeguard integrity and privacy of data

Proposed Future State - Global

The proposed future state is split into near-term and long-term versions.

Near-term future state:

In the near-term the Data Exchange Workstream can assist to:

1. Identify a single data exchange standard between each justice partner and the judicial branch to use as a development target for case management system vendors;
2. Provide a lead court to act as a point of contact for all case management system vendors and justice partners for each justice partner exchange;
3. Collect the required documentation to support exchange development;
4. Document the current implementation status of each exchange by each vendor;
5. Establish a brokerage for modifications to the standard exchanges;
6. Finalize the 'goal state' for the long-term data exchange standards.

Long-term future state:

In the longer-term, the Data Exchange Workstream can:

1. Identify the technical standards to be used for the implementation of all data exchanges between the judicial branch and justice partners;
2. Establish a formal governance process for exchange updates and modifications;
3. Maintain a repository of required materials that support development of standardized exchanges;
4. Promote the technical standards as the default standards for local data exchanges.

Governance:

Much of the workstream discussion has been focused on the technical requirements for establishing a data exchange. But for the long-term success of this effort, a more formalized governance approach will also be required. Recognizing we have several, very large,

cooperating justice partners with their own priorities, timelines and budget priorities; 58 relatively independent superior courts (there are co-dependencies between some courts); six courts of appeal and the supreme court; managing the relationships and change over time will be a significant challenge. A governance structure is required which commits executive leadership to maintaining the goals of this data exchange effort in the face of changing technical and business needs over time.

Proposed Future State – By Justice Partner

Department Of Justice

Exchange description:

The initial Department of Justice (DOJ) exchange involves the transfer of data from the courts to the DOJ on alleged and convicted offenses. This information is part of a broad data capture effort at the DOJ. Defendant, offense and conviction information is sent to DOJ. Error messages are returned to the courts, as necessary.

Near-term future state:

The DOJ has worked to develop two subsequent exchanges, however they have indicated that their older, Automated Transaction Disposition Reporting (ATDR) version of the exchange will be used for new implementations during the next two years; while they analyze their needs for the next data exchange mechanism. This is quite an old exchange, incorporating none of the technical specifications expected for the long-term, and does not fully support the DOJ's business processes. DOJ anticipates 12- 24 months of analysis before initiating an arrest and disposition reporting modernization project in 2017.

Long-term future state:

Work with DOJ to implement a new exchange based on the adopted long term technical specification.

California Highway Patrol

Exchange description:

The initial California Highway Patrol (CHP) exchange involves the filing of new cases from the CHP into the courts. This exchange is part of the state-wide implementation of electronic citation devices. Defendant, offense and vehicle information is sent to the courts. The courts respond with a success/error message on each citation to the CHP.

Near-term future state:

The CHP is working with the Superior Court in Sacramento to complete the development of a new data exchange for citations. The previous version is operational in three courts.

The new exchange is based upon many of the proposed technical specifications and is nearly complete. This will be the exchange available during the next two years.

Long-term future state:

Work with CHP to implement the remaining technical specifications in a future version of the exchange.

Department of Child Support Services

Exchange description:

The initial Department of Child Support Services (DCSS) exchange involves the electronic filing of case information, from the DCSS into the courts. This exchange is part of the state-wide implementation of electronic case filing. New filing, subsequent filing, proposed orders, proof of service, etc. can all be electronically sent to the courts. The courts respond with a success/error message on each filing and stamped forms can also be returned, when appropriate. Nine courts are currently implemented on this exchange.

Near-term future state:

The Department of Child Support Services (DCSS) is actively seeking to expand implementations. This will be the exchange available during the next two years.

Long-term future state:

Work with DCSS to implement the remaining technical specifications in a future version of the exchange.

California Department of Corrections and Rehabilitation

Exchange description:

There is no current California Department of Corrections and Rehabilitation (CDCR) exchange with the courts. However, there is significant interest by all parties in automating the 'prison commitment packet'.

Near-term future state:

The CDCR has been working internally to develop a fully defined, NIEM-compliant, data warehouse. This offers an excellent opportunity to partner with the CDCR to implement a standards compliant data exchange in the short term.

Long-term future state:

Deploy new, standards compliant data exchange across all courts.

Department of Motor Vehicles

Exchange descriptions:

There are currently two Department of Motor Vehicles (DMV) exchanges with the courts:

Driver's license and vehicle registration, and
Traffic School Completion.

The Driver's license and vehicle registration exchange is critical to the processing of traffic cases in courts and is accessed throughout the day. The traffic school completion exchange provides the courts proof of traffic school completion, directly from the traffic schools.

Near-term future state:

The DMV supports a very large network of data consumers for Driver's license and vehicle registration exchange; including many governmental agencies, and private sector service providers. The current data exchange mechanisms are quite old and meet none of the proposed technical standards. The existing LU 6.2 and screen-scrape exchanges will be the only exchanges available during the next two years. The state data center provides hosting and technical support for both DMV exchanges.

The Traffic School Completion exchange is used by the courts and the private sector traffic school providers. It is much newer and employs more current technology, incorporating most of the proposed technical standards, other than NIEM compliance.

Long-term future state:

Work with DMV to implement updated exchanges incorporating the technical specifications.

Next Steps

To facilitate the goals of the data exchange workstream, the following steps can be initiated:

- a. Selection of a court to act as the technical lead for each of the five primary justice partner exchanges: DMV, DOJ, CHP, DCSS and CDCR;
- b. Justice Partner/Vendor meetings to resolve issues and moves forward. Over a period of four week, all should have one interaction to answer those questions identified. DMV meets with Tyler then next vendor etc. The lead court will set up the meeting times. All lead courts and justice partners will meet with their respective vendor communities.
 1. DMV- Los Angeles County Superior Court
 2. DOJ – San Bernardino County Superior Court
 3. CDCR – Santa Clara County Superior Court
 4. CHP – Sacramento County Superior Court

5. DCSS – Orange County Superior Court
- c. Establish a repository containing the documentation on the short-term data exchange standard for each justice partner;
 - d. Develop the business case for data exchange standards. This may include consultation with federal government agencies, the National Center for State Courts, the Integrated Justice Information Systems (IJIS) Institute, etc.;
 - e. Draft initial long-term technical data exchange specification;
 - f. Draft initial governance/brokerage discussion document;
 - g. Promote the implementation of the short-term data exchange standards for each justice partner;
 - h. Initiate a data exchange implementation project with CDCR using the long-term data exchange technical specification.

CONCLUSION

The establishment of standardized data exchange models will facilitate the exchange of information between all of the entities that have been identified as partners for this endeavor. Until this time, Courts, Vendors and Justice Partner agencies have relied upon independent communications to develop methods to share information that were sensitive to local needs and local resources. While these considerations are of value, the entire trial court and justice partner community can ensure that respective needs for information can continue and at the same time work closely with the vendor community to incorporate advanced standards for the exchange of information efficiently and securely.

Our initial timeline to complete this process was set at approximately 18 months, but as we continue to share information collectively regarding ongoing developments, it appears that the effort has covered much ground that could result in a product in advance of this schedule. We remain hopeful that as deployments continue and standards become more common, further gains will be seen.

Appendix A: Data Exchange Workstream Membership

Lead Project Staff

Mr. David H. Yamasaki
Chief Executive Officer
Superior Court of California,
County of Santa Clara
191 North First Street
San Jose, CA 95113

Hon. Robert B. Freedman
Judge of the Superior Court of California,
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Oakland, CA 94612

Mr. Alan Crouse
Chief Information Officer
Superior Court of California,
County of San Bernardino
247 W 3rd Street, Floor 11
San Bernardino, CA 92415

Committee Staff

Mr. R. Neil Payne
Information Technology Office
Judicial Council of California

Ms. Jackie Woods
Information Technology Office
Judicial Council of California

Trial Court Workstream Participants

Hon. Jeffrey Barton, Superior Court of San Diego County
Hon. Shelia Hanson, Superior Court of Orange County
Hon. Gary Nadler, Superior Court of Sonoma County
Mr. Jake Chatters, Superior Court of Placer County
Mr. Paras Gupta, Superior Court of Monterey County
Mr. Greg Harding, Superior Court of Placer County
Mr. Brett Howard, Superior Court of Orange County
Mr. Snorri Ogata, Superior Court of Los Angeles County
Mr. Robert Oyung, Superior Court of Santa Clara County
Mr. Pat Patterson, Superior Court of Ventura County
Ms. Heather Pettit, Superior Court of Contra Costa County
Mr. Chris Stewart, Superior Court of Sacramento County
Ms. Chelle Uecker, Superior Court of San Bernardino County
Ms. Jeanette Vannoy, Superior Court of Napa County
Mr. Deon Whitfield, Superior Court of Tulare County

California Justice Partner Participants

California District Attorney Association
California Highway Patrol
California Police Chiefs Association
Department of Child Support Services
Department of Corrections and Rehabilitation
Department of Justice
Department of Social Services
Department of Motor Vehicles
Office of Systems Integration
Probation Information Technology Assoc.

Case Management System Vendors Participants

Journal Technologies
Justice Systems
Thompson Reuters
Tyler Technologies

Appendix B: Proposed Long-Term Data Exchange Standards

To facilitate the standardized exchange of data between the judicial branch and its justice partners, the following framework of technical standards shall be adopted for the development of new data exchanges:

1. Exchanges shall use the National Information Exchange Model (NIEM)/Electronic Court Filing (ECF) as a standard way of defining the contents of messages being exchanged;
2. Exchanges shall be implemented using a web services architecture for data exchange;
3. Exchanges shall use SSL/TLS (Secure Sockets Layer/Transport Layer Security) at the current commercially implemented release for communications security.

Appendix C: Discussion Points for Establishment of Governance

Overview of Governance:

Governance can be a way to interactively bring the state partners together with the courts and their vendors to enable the exchanging of data that is beneficial to all.

Governance of some sort will be required to maintain the long term consistency and oversight of data exchanges.

A “governance team” (GT), may not have authority to make decisions that will be adhered to unless the partners in the statewide effort agree to be bound by a charter, a set of rules, or other form of documented criteria.

Role of Governance:

As this effort is voluntary, between multiple, disparate agencies, the role and responsibility for the governance team would require some agreement between the parties. This could fall somewhere in the continuum between advisory/consultative and control/oversight:

- The structure and function is one of advice and guidance, with the methodology one of encouragement and inclusion for the purpose of arriving at consensus.
- The structure and function is one that manages and insists upon very limited, common solutions and adherence to the policies and standards.

A number of nominal models exist, including:

- A forum for discussion
- Advisory
- Recommending
- Policymaking
- Standards Stewardship
- Implementation Stewardship

This effort is driven by the mutual desire of the parties to achieve benefits. There is no over-riding mandate to participate.

Possible Governance Team Tasks:

Overall: Establish a data exchange (DX) governance structure that would best serve the implementation of the existing and future technology and processes.

- Manage a current state partner, court, vendor contact list.
- Create a mechanism to maintain and support current and future adopted standards.
- Develop a statewide comprehensive and time sensitive communication strategy and mechanism to update all parties involved in standards, DX implementations, technical improvements, and relationships.

- Develop and support a process that includes standard procedures for statewide initiatives associated with case management system implementations that include data exchanges.
- Seek and support the resolution of issues identified by the courts, justice partners, and vendors as they relate to the ongoing CMS implementations.

Potential Governance Team Members

There are a number of potential members for the Governance Team:

- Judicial Council or Information Technology Advisory Committee representatives
- Court judicial officers
- Court management
- Justice partner management
- Case management system vendor management
- Judicial Council staff management

The governance team may be further segmented to support technical and management/administration aspects of the overall task:

- Executive Membership
 - Designated permanent participants who represent and speak with authority for their organization.
- Working Groups or Subcommittees – working on behalf of primary team.
 - May be members and/or general staff from courts, etc. and/or Subject Matter Experts from various sources.
 - Would have a specific focus that may be short term or long term.

Appendix D: Initial Description of Potential Benefits

Premise / Basis for Achieving Benefits:

- The data packet for an exchange is based upon standards that define the methods and the data rules.
- The data packet is transported (delivered, received, retrieved) utilizing a method that provides immediate notification pertaining to success or failure.
- The integration and/or application services provide timely validation and error notification.
- A single set of nationally based, non-proprietary data, transport, and security standards are utilized.

These benefits are achieved through:

- **Cost reduction.**
 - Resource reduction compared to manual or semi-manual processes.
 - Standardization and modern methods require less initial development and support later upgrade efforts.
 - Data rules built into the exchange payload mean less development and support effort and automated validation by the providers and consumers of the data.
 - Modern communication services / techniques provide more immediate success and error responses and efficient resolution.
- **Timeliness, completeness, and accuracy.**
 - Efficient and standardized processes provide timely, accurate, and complete updates of databases, as well as more complete and accurate data retrieved by the courts and their justice partners.
 - When errors are encountered, the tools provide mechanisms for quick response and correction.
- **Modern, consistent, transparent, and predictable.**
 - The standardized tools provide a consistent and predictable development and upgrade path for mandated changes or beneficial enhancements, relating to both data exchanges and applications by vendors, courts, and justice partners.
 - Isolates the data exchange partner from the specific technology of the other partner's application.
 - Provides an opportunity for consistent improvement in order to avoid obsolescence and increasing support costs.

- **Provide the foundation to support future generations of toolsets.**
 - The standardized tools provide the opportunity to implement versioning in order for each court to move to new standards when funding, resources, and prioritization allows.

DRAFT

Data Exchange Workstream Justice Partner & Vendor Discussions

Please complete a new form for each session with a justice partner and vendor. The below fields will expand as needed.

Date of session: 34T

CIO Name:

Court:

Justice Partner Name:

Project Lead:

Vendor Name:

Project Lead:

1. **Approach being taken for the data standards:**
2. **Approach being taken for the connectivity:**
3. **Security considerations being engineered:**
4. **Outstanding unresolved issues:**
5. **Outcomes or Work products:**
6. **Project schedule with estimated completion date:**

Additional comments:

LAP Implementation Task Force (ITF) – Technological Solutions Subcommittee

Chair: Justice Terence Bruiniers; Members: Tracy Clark, Judge Jonathan Conklin, Janet Hudec, Justice Miguel Márquez, Ivette Peña (also on Budget and LAP Monitoring Subcommittee), and Leah Wilson

Subcommittee Staff: Jenny Phu, Anne Marx

Action: Subcommittee to discuss recommendations to help develop a work plan regarding their assigned recommendations, so ITF can prepare an overall LAP implementation plan (Phase 1) for presentation to the Judicial Council.

Phase 1 LAP Recommendations (work is to commence in 2015)	Potential costs	Is the recommendation achievable in Phase 1 (by June 2016) without additional staff/funding? (Yes/No)	What steps and resources (i.e., additional staff/funding) would be necessary for accomplishment of this recommendation?	What priority # should this project be on the ITF’s Annual Agenda for 2015? (The Annual Agenda should include projects that can be completed in one year (June 2015–June 2016))
#16. Pilot for Spoken Language VRI (Phase 1)	No Cost RFP	Yes – with \$0 RFP	<ul style="list-style-type: none"> • Execute Zero-Cost RFP within 90 -120 days • Set minimum tech requirements / local infrastructure for possible pilot courts 	Priority 1
#15. Use of Video for Remote Interpreting (VRI) (Phase 1)	In conjunction with Recommendation #16, No Cost RFP to start, projection of costs for statewide use TBD	No		Priority 1

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#14. Remote interpreting minimum technology requirements courtroom (Phase 1)	In conjunction with Recommendation #16, No Cost RFP to start, projection of costs for statewide use TBD	Yes	<ul style="list-style-type: none"> • Begin with minimum technical requirements, using NSCS / COSCA published technical standards • Refine during and after pilot project 	Priority 1
#13. Remote interpreting in the courtroom (Phase 1)		Yes	<ul style="list-style-type: none"> • Minimum technical requirements to be set as above • Infrastructure needs to be defined • Best practices/operational guidelines as established by LAP 	Priority 2

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Subcommittee Staff: Jenny Phu, Anne Marx

Action: Subcommittee to discuss recommendations to help develop a work plan regarding their assigned recommendations, so ITF can prepare an overall LAP implementation plan (Phase 1) for presentation to the Judicial Council.

Phase 1 LAP Recommendations (work is to commence in 2015)	Potential costs	Is the recommendation achievable in Phase 1 (by June 2016) without additional staff/funding? (Yes/No)	What steps and resources (i.e., additional staff/funding) would be necessary for accomplishment of this recommendation?	What priority # should this project be on the ITF’s Annual Agenda for 2015? (The Annual Agenda should include projects that can be completed in one year (June 2015–June 2016))
#12. Preference for in-person interpreters (Phase 1)		Yes	<ul style="list-style-type: none"> • Resembles current preferences • Policy discussion 	Priority 2
#1. Language access needs identification (Phase 1)	Initial discussion is no cost, implementation is potential high cost.	No	<ul style="list-style-type: none"> • Will need to project cost for implementation with CMS vendors • Request cost models from Tyler Technologies (Odyssey) • Funding for development of new data fields will likely be necessary 	Priority 1
#2. Requests for language services (Phases 1 and 2)		No	<ul style="list-style-type: none"> • Can Survey What CMS courts are using • Must Identify LEP touch points 	Priority 2

LAP Implementation Task Force (ITF) – Technological Solutions Subcommittee

Chair: Justice Terence Bruiniers; Members: Tracy Clark, Judge Jonathan Conklin, Janet Hudec, Justice Miguel Márquez, Ivette Peña (also on Budget and LAP Monitoring Subcommittee), and Leah Wilson

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#3. Protocol for justice partners to communicate language needs (Phase 1)		No	<ul style="list-style-type: none"> • Encourage Local courts to collect data in an automated way / Identifying Justice Partners (Civil vs Criminal) • Expand state level data exchanges to capture this kind of data / Each agency protocol is different and complex • Very limited ability to influence local level data exchanges 	Priority 2

IT Security Framework Overview

June 2015

CTAC Workstream

- Sponsor: Robert Oyung
- Members:
 - Paras Gupta, CIO Monterey
 - Brett Howard, CIO Orange
 - Dorothy McCarthy, CIO Marin
 - Jim Brock, CIO Santa Barbara
 - Russ Catalan, CIO Humboldt
 - Pat Patterson, CIO Ventura
 - Michael Derr, Judicial Council IT
 - Raul Ortega, Judicial Council IT

Project Scope

- Publish a “how to use” guide for trial courts.
- Identifies specific sections in the Information Systems Controls Framework published by the Judicial Council that are most relevant to the trial courts.

IT Security Framework

- A model that courts can choose to adopt, NOT mandated.
- Provides context for a local court when they create their local IT security policies.
- Demonstrates that local policies are in alignment with an agreed upon framework.
- Framework is modular and individual sections can be ignored if they do not apply to a local court's specific environment.
- Does not require any funding to implement the framework.
- Local policies that the court decides to implement may require local funding.

“How to Use” Guide Example

- Information Systems Controls Framework document contains 187 sections.
- Workstream has identified 84 sections most relevant to trial courts.

Access Control			
5.1	Access Control Policy and Procedures	Document an access control policy.	Policy
5.2	Account Management	Identify account managers and create, modify, and disable system accounts based on authorized access	Process
5.6	Least Privilege	Provide only necessary access	Process
5.7	Unsuccessful Logon Attempts	Enforce a limit of invalid logon attempts when appropriate	Technical
5.9	Concurrent Session Control	Limit the number of concurrent session when appropriate	Technical
5.10	Session Lock	Automatically lock session after a defined period	Technical
5.11	Session Termination	Automatically terminate session when appropriate	Technical
5.13	Remote Access	Establish remote access security policy	Policy

Non-IT Example

Domain: Physical Security

Framework recommendation

Court facilities should be secure

Local court policy

Non-public accessible areas can only be entered through a locked entrance

Local court implementation

Option 1: Install locks with physical keys

Option 2: Install keypad lock

Option 3: Install locks with card key readers

- A local court can decide if they wish to adopt the framework recommendation.
- The local court determines the local court policy.
- The local court determines how to implement the policy.
- The local court identifies if resources exist to implement the local policy.

IT Example

Domain: Access control for mobile devices

Framework recommendation

Establish usage restrictions and configuration and connection requirements for branch entity-controlled mobile devices

Local court policy

Mobile devices must enforce a lock screen PIN.
Only email and calendar synchronization allowed.
Direct access to court network and other court applications prohibited.

Local court implementation

Option 1: Court IT configures court mobile devices per policy
Option 2: Software and configuration settings downloaded by end-user
Option 3: Mobile device management software manages device remotely

- A local court can decide if they wish to adopt the framework recommendation.
- The local court determines the local court policy.
- The local court determines how to implement the policy.
- The local court identifies if resources exist to implement the local policy.

IT Security Framework

What it is

- A model that courts can leverage.
- Provides context for a local court's IT security policies.
- Modular – courts can refer to only the sections that are relevant to them.
- Additional documentation to justify the local policy decisions made by a court.

What it is not

- A mandated set of policies.
- A specific list of technologies that should be implemented.
- Requirements for local court policies to be in compliance.

Timeline

Milestone	Completion Date (2015)
First draft of “How to Use” guide	April 22
Distribute to CIO for review	May 8
CIO complete review of the guide	May 22
Distribute to CEO for review	May 26
CEO complete review of the guide	June 15
Distribute for Judicial Branch internal review (PJ, CEO, CIO, CTAC, JCTC)	June 29
Complete internal Judicial Branch review	July 20
CTAC approval of final document	Late July
JCTC approval of final document	August



JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date

July 2, 2015

Action Requested

Please review for July 10 meeting

To

Court Technology Advisory Committee

Deadline

July 10, 2015

From

Patrick O'Donnell, Managing Attorney
Tara Lundstrom, Attorney
Legal Services

Contact

Tara Lundstrom
415-865-7650 phone
tara.lundstrom@jud.ca.gov

Subject

Proposed amendment to rule 4.220 and
revisions to forms TR-500-INFO, TR-505,
and TR-510

Background

Rule 4.220 authorizes trial courts to establish remote video pilot projects in cases involving traffic infraction violations. The rule remains in effect until January 1, 2016, unless the council amends the rule. Earlier this year, Court Technology Advisory Committee (CTAC) and the Traffic Advisory Committee (TAC) recommended circulating for public comment a rules proposal that would amend rule 4.220 by removing the sunset language in the rule and converting it to a standing rule of court. The proposal was circulated for public comment, with the comment period ending on June 17, 2015.

In the interim, the Judicial Council adopted rule 4.105 on an urgency basis to address concerns about court procedures for deposit of bail when defendants challenge traffic citations in court.¹

¹ The Judicial Council report for this proposal, titled *Traffic Law: Appearances in Court for Infractions Without Deposit of Bail*, is available at <http://www.courts.ca.gov/documents/jc-20150608-item1.pdf>.

Rule 4.105(d) provides that trial courts must inform defendants of the option to appear in court without the deposit of bail in any instructions or other materials courts provide for the public that relate to bail for traffic infractions, including any written instructions and forms. It also requires that all implementing changes to written instructions and forms take effect “as soon as reasonably possible, but no later than September 15, 2015.”

On June 23, TAC reviewed rule 4.220 and corresponding forms (forms TR-500-INFO, TR-505, and TR-510) and recommended changes to the rule and forms to implement rule 4.105. Because any changes must be in effect on or before September 15, 2015, TAC recommended submitting this rules proposal to the Judicial Council during its August 21 meeting. Due to time constraints, the changes implementing rule 4.105 will not be circulated for public comment.

In advance of CTAC’s Rules and Policy Subcommittee meeting on July 1, the Superior Court of Fresno County submitted comments to the proposed rule amendment and form revisions. After reviewing public comments, the comments of the Superior Court of Fresno County, and the rule amendments and form revisions proposed by TAC to implement rule 4.105, the subcommittee voted to recommend this rules proposal to CTAC. In light of TAC’s subject matter expertise, the subcommittee deferred to TAC to address whether to incorporate the comments submitted by the Superior Court of Fresno County into the rules proposal.

On July 2, TAC met and reviewed the comments submitted by the Superior Court of Fresno County. Its recommendations have been incorporated into the draft council report and rules proposal attached to this memorandum.

Discussion

Before CTAC for its review is a draft report to the Judicial Council. The draft report recommends amending rule 4.220 and revising corresponding forms (1) to convert the rule to a standing rule of court, and (2) to implement rule 4.105. Attached to the draft report is a chart containing the comments received in response to the Invitation to Comment and proposed responses to the comments; proposed amendments to rule 4.220; and proposed revisions to forms TR-500-INFO, TR-505, and TR-510. The proposed changes to the rules and forms include those recommended by TAC and the Rules and Policy Subcommittee to implement rule 4.105.

Only five comments were received in response to the Invitation to Comment. Four commentators stated their support of the proposal without amendment. The Superior Court of Riverside County agreed with the proposal with modification. It suggested that Judicial Council approval should not be required for courts to implement remote video proceedings (RVP). However, the rules proposal has already incorporated this suggestion. In converting the rule to a standing rule of court, it would eliminate the requirement that the council approve RVP pilot projects and would

instead require only that the court notify the council when it adopts a local rule implementing RVP in traffic infraction cases. No comments were received in response to the specific request for comments on the costs and benefits of maintaining the rule's semi-annual reporting requirement and whether the reporting requirement should sunset after a certain period of years.

In addition, the Superior Court of Fresno County recommended making several changes to rule 4.220 and forms TR-500-INFO, TR-505, and TR-510. It recommended amending subdivision (e)(2) of rule 4.220 to refer to "arraignment only" in lieu of "arraignment on a date that is separate from a trial date." In conversations with the court, it explained that the current language was unclear and made differentiating between subdivisions (e)(2) and (e)(3) difficult. The court would also amend references to "at court" to "in court" on form TR-500-INFO and advise defendants of additional possible consequences for failing to appear—i.e., that the court may issue a warrant for the defendant's arrest, forfeit any posted bail, and hold the trial in the defendant's absence—under part 2(e) of forms TR-505 and TR-510.

TAC reviewed the comments submitted by the Superior Court of Fresno County. It decided not to pursue the court's proposal to change rule 4.220(e)(2), but agreed with the court that form TR-500-INFO should be revised and that additional advisals should be added to part 2(e) of forms TR-505 and TR-510. It recommended adding language to both forms to include these advisals, although it slightly modified the language to recognize that if a defendant fails to appear, a court could either issue an arrest warrant or impose a civil assessment, but could not do both. All rule amendments and form revisions recommended by TAC to address the court's comments have been incorporated into the draft report and rules proposal.

Committee's task

The committee is tasked with reviewing the public comments and the rules proposal (including additional proposed changes to rule 4.220 and corresponding forms to implement rule 4.105), and:

- Asking staff or subcommittee members for further information and analysis;
- Recommending to RUPRO that all or part of the proposal be submitted to the Judicial Council for consideration during its August 21 meeting; or
- Rejecting the proposal.

Attachments

- Draft report to the Judicial Council with attachments (comment chart, proposed amendments to rule 4.220, and proposed revisions to forms TR-500-INFO, TR-505, and TR-510)
- Cal. Rules of Court, rule 4.105,
http://www.courts.ca.gov/cms/rules/index.cfm?title=four&linkid=rule4_105



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: August 21, 2015

Title	Agenda Item Type
Trial Courts: Permanent Authorization for Remote Video Proceedings and Implementation of Rule 4.105 in Traffic Infraction Cases	Action Required
	Effective Date
	September 1, 2015
Rules, Forms, Standards, or Statutes Affected	Date of Report
Amend Cal. Rules of Court, rule 4.220; revise forms TR-500-INFO, TR-505, and TR-510	July 2, 2015
Recommended by	Contact
Traffic Advisory Committee	Courtney Tucker, 415-865-7611 courtney.tucker@jud.ca.gov
Hon. Mark S. Borrell, Chair	Tara Lundstrom, 415-865-7650 tara.lundstrom@jud.ca.gov
Court Technology Advisory Committee	
Hon. Terence L. Bruiniers, Chair	

Executive Summary

The Traffic Advisory Committee and Court Technology Advisory Committee recommend amending rule 4.220 of the California Rules of Court and revising corresponding forms (TR-500-INFO, TR-505, and TR-510) to convert the rule into a standing rule of court and to implement new rule 4.105.

Rule 4.220 authorizes trial courts to establish remote video pilot projects in cases involving traffic infraction violations. This proposal would allow trial courts to continue conducting remote video proceedings (RVP) in eligible traffic cases after January 1, 2016, when the rule would otherwise sunset. It would also make changes to the rule and to corresponding forms to implement rule 4.105—the rule recently adopted on an urgency basis to address concerns about court procedures for deposit of bail when defendants challenge traffic citations in court. Because

rule 4.105 requires that all implementing changes to instructions and forms take effect “as soon as reasonably possible, but no later than September 15, 2015,” the Judicial Council’s consideration of this proposal has been expedited and changes related to rule 4.105 were not circulated for public comment. To comply with rule 4.105, the effective date of all changes would be September 1, 2015.

Recommendation

The Traffic Advisory Committee and Court Technology Advisory Committee recommend:

1. Amending rule 4.220; and
2. Revising *Instructions to Defendant for Remote Video Proceedings* (form TR-500-INFO), *Notice of Waiver of Rights and Request for Remote Video Arraignment and Trial* (form TR-505), and *Notice of Waiver of Rights and Request for Remote Video Proceeding* (form TR-510).

Amended rule 4.220 and revised forms TR-500-INFO, TR-500, and TR-510 are attached at pages 9 to 17.

Previous Council Action

The Judicial Council adopted rule 4.220 and corresponding forms, effective February 1, 2013, to January 1, 2016. The Traffic Advisory Committee (TAC) and Court Technology Advisory Committee (CTAC) recommended rule 4.220 based on a suggestion from the Superior Court of Fresno County. Seeking to ameliorate the impact of multiple court closures on the public, the court saw RVP as an effective way to continue offering services to outlying areas.

In trial courts that institute RVP pilot projects under rule 4.220, defendants in eligible cases may elect to appear at trial by two-way video from remote locations designated by the court. Under the rule, RVP is authorized in cases involving alleged infractions of the Vehicle Code or any local ordinance adopted under the Vehicle Code, excluding alcohol and drug infractions under article 2 of chapter 12 of division 11 of the Vehicle Code and cases filed with an informal juvenile and traffic court under Welfare and Institutions Code sections 255 and 256. Participation in the RVP pilot project is voluntary; the defendant must request to proceed by RVP and submit a signed notice of rights and waiver form to the court (form TR-505 or form TR-510).

The Superior Court of Fresno County applied for and received council approval for an RVP pilot project under rule 4.220. It then adopted a local rule establishing the pilot project that became effective March 1, 2013. The court began offering RVP in April at two remote sites located in Mendota and Coalinga. To date, the Superior Court of Fresno County is the only court to have requested and received council authorization for an RVP pilot project.

On June 8, 2015, the Judicial Council adopted rule 4.105 on an urgency basis to address concerns about court procedures for deposit of bail when defendants challenge infraction

citations in court. Rule 4.105 states that courts must allow traffic infraction defendants to appear for arraignment and trial without the deposit of bail, unless a specified exception applies. It also requires courts to inform traffic infraction defendants of the option to appear in court without the deposit of bail in any instructions or other materials provided to the public that relate to bail for traffic infractions, including written instructions and forms. Implementation of the rule's notice requirements is to occur "as soon as reasonably possible, but no later than September 15, 2015."

Rationale for Recommendation

This rules proposal has two components: (1) amendments to rule 4.220 and revisions to form TR-500-INFO that would convert the rule to a standing rule of court, and (2) additional amendments to the rule and revisions to forms TR-500-INFO, TR-505, and TR-510 that would implement new rule 4.105.

Because the council has required that all changes to written instructions and forms implementing rule 4.105 be in effect by September 1, 2015, these amendments and revisions were not circulated for public comment.

Permanent authorization for RVP

The Superior Court of Fresno County has submitted four semiannual reports describing its experience under the pilot project. RVP usage has steadily increased since the court initiated the pilot project, although these cases still represent a small fraction of the total number of citations issued near the remote sites. Technical issues have been infrequent and minor, and they have been resolved promptly by onsite court staff. Postappearance surveys reflect the participants' overall high satisfaction with RVP and the quality of the services provided. Based on its positive experience under the pilot project, the Superior Court of Fresno County has requested that rule 4.220 be amended to allow it to continue offering RVP in eligible cases after January 1, 2016.

Unless rule 4.220 is amended, the Superior Court of Fresno County and other trial courts would no longer be authorized to offer RVP in traffic infraction cases after January 1, 2016. This proposal is necessary to allow courts to continue conducting RVP in eligible cases. It would not make any substantive changes to the rule's procedural requirements or the scope of RVP proceedings.

Eliminate sunset and convert to standing rule of court

This proposal would eliminate the sunset language in rule 4.220 and convert it into a standing rule. Trial courts could offer RVP in eligible cases after they have adopted a local rule permitting RVP and have notified the Judicial Council. Trial courts would no longer be required to request and receive council authorization for pilot projects implementing RVP.

Specifically, subdivision (q), which currently provides the effective dates for the rule, would be removed, as would other references to effective dates in subdivisions (a)(1) and (c). Subdivision (a), which provides the authorization for RVP, would be amended by removing subpart (2)

because this subpart requires that courts request and receive council authorization to conduct pilot projects. Other “pilot project” references would also be stricken from subdivisions (a), (c), (e), (o), and (p). In addition, language would be added to subdivision (p) to provide that courts must notify the council that they will begin offering RVP under the rule.

Retain current reporting requirement

The reporting requirement in subdivision (p) would be retained. Under subdivision (p), trial courts “must institute procedures as required by the Judicial Council for collecting and evaluating information about that court’s pilot project and must prepare semiannual reports to the Judicial Council that include an assessment of the costs and benefits of the project.”

Under the current guidelines, these reports contain information about the number and types of RVP conducted for arraignments, trials, and other proceedings; the locations and facilities used to conduct RVP; details on the type of technology used to conduct RVP; the number of appeals from RVP and the outcome of the appeals; and the number of cases where the law enforcement officer appeared at court instead of at the remote location with the defendant. They should also include information that would help the council evaluate whether it should modify rule 4.220 or expand RVP to other case types.

Retaining this semiannual reporting requirement would enable the council to continue monitoring the use of this new technology in the courts. This information and data will provide valuable feedback to the council as it considers whether to expand RVP to other case types.

Retain current procedural requirements and scope

This proposal would not make substantive changes to the procedural requirements under the rule for implementing RVP at the trial courts, nor does it expand RVP to other case types. The Superior Court of Fresno County has expressed its satisfaction with the current requirements and has not sought any modification to the RVP procedure set forth in the rule. Its semiannual reports do not reflect any issues with the implementation of this procedure.

Make minor changes to form TR-500-INFO

Form TR-500-INFO provides information and instructions to defendants about RVP, including how to request RVP, the opportunity to appeal the court’s ruling, and which rights the defendant will be waiving by requesting to appear in RVP. This proposal would make the language of the form consistent with the amendments to rule 4.220 by removing references to a “pilot project.”

Implementation of rule 4.105

Rule 4.105(b) provides that courts must allow a defendant to appear for arraignment and trial without the deposit of bail, unless one of three exceptions applies. These exceptions are: (1)

courts must require the deposit of bail when the defendant elects a statutory procedure¹ that requires the deposit of bail; (2) courts may require the deposit of bail when the defendant does not sign a written promise to appear as required by the court; and (3) courts may require a deposit of bail before trial if the court finds, based on the circumstances of a particular case, that the defendant is unlikely to appear as ordered without a deposit of bail and the court expressly states the reasons for the finding. (Cal. Rules of Court, rule 4.105(c).)

In addition, rule 4.105(d) provides that courts must inform defendants of the option to appear in court without the deposit of bail in any instructions or other materials courts provide for the public that relate to bail for traffic infractions, including any written instructions and forms.

Amend rule 4.220 to cross-reference rule 4.105

This proposal contains one proposed amendment to rule 4.220 related to implementing rule 4.105. Subdivision (f) of rule 4.220 governs the deposit of bail for RVP. This proposal would replace the language in subdivision (f) describing the applicable procedures for depositing bail with a cross-reference to rule 4.105. Adding the cross-reference—in lieu of incorporating language from rule 4.105 directly into subdivision (f)—would facilitate any future amendments to the procedures for depositing bail. Any amendments to rule 4.105 would automatically apply to the deposit of bail in RVP, thereby guaranteeing uniform bail procedures irrespective of whether the defendant appears in court or by remote video.

Make implementing changes to forms TR-500-INFO, TR-505, and TR-510

This proposal would also implement rule 4.105 by making changes to forms TR-500-INFO, TR-505, and TR-510. All three forms would be revised to notify defendants of their rights to appear for arraignment without depositing bail and to request that a court trial be scheduled without bail. Additional changes are described in the following.

Form TR-500-INFO provides information and instructions to defendants about RVP. The proposed changes would revise form TR-500-INFO to inform defendants that the court may require the deposit of bail to schedule a trial and that bail should accompany the request for RVP as ordered by the court.

Form TR-505 is required when defendants request to appear by RVP for arraignment and trial on the same day. It is used to notify defendants of their rights and for defendants to waive certain rights. This proposal would revise form TR-505 to require the defendant to waive the “right to appear in person in court on separate days for arraignment without deposit of bail and for trial without deposit of bail unless ordered by the court.”

¹ For example, Penal Code section 40519(a) authorizes defendants who have received a written notice to appear to declare their intention to plead not guilty and deposit bail before the notice to appear date for purposes of electing to schedule an arraignment and trial on the same date or on separate dates.

This proposal would also make implementing changes to form TR-510, which is required when defendants request to appear for arraignment or trial on separate days. It is used to notify defendants of their rights and for defendants to waive certain rights. This proposal would add a space to form TR-510 where the court, if it decides to require bail for trial, must specify its reasons. This revision implements subdivision (c)(3) of rule 4.105, which provides that courts must state its reasons for requiring the deposit of bail before trial.

Lastly, this proposal would make minor revisions to forms TR-500-INFO, TR-505, and TR-510 to incorporate the comments received by the Superior Court of Fresno County, as described below.

Comments, Alternatives Considered, and Policy Implications

Only part of this rules proposal was circulated for public comment. Because rule 4.105 was adopted by the Judicial Council on an urgent basis and requires that implementing changes be in effect by September 1, 2015, those changes were not circulated for public comment.

The circulated rules proposal addressed only those changes related to converting rule 4.220 to a standing rule of court. Five comments were received in response to the circulated rules proposal. Four commentators stated their support of the proposal without amendment.

The Superior Court of Riverside County agreed with the proposal with modification. It stated that courts “should have the discretion to implement without needing approval of the Judicial Council” because approval “makes implementation more burdensome and time consuming” and “eliminates discretion of [the] trial court.” The committee agrees that council approval would be burdensome for trial courts. Nevertheless, the committee has not modified this proposal since it already addresses the court’s concerns. The proposed amendments would eliminate the requirement that courts request and receive council approval before implementing RVP. Instead, courts would only have to notify the council. The committees reasoned that providing notice would not unduly burden the courts while ensuring that the council remains apprised of any courts that decide to offer RVP in traffic infraction cases.

In response to the proposed changes to implement rule 4.105, the Superior Court of Fresno County reviewed and recommended additional amendments to rule 4.220 and revisions to forms TR-500-INFO, TR-500, and TR-510. These included amending subdivision (e)(2) of rule 4.220 to replace references to “arraignment on a date that is separate from a trial date” with “arraignment only.” The committees decided not to pursue this proposal because the current language in the rule is more consistent with the formatting and language of the Vehicle Code and is less susceptible to confusion.

In addition, the Superior Court of Fresno County would replace the phrase “at court” with “in court” on form TR-500-INFO and would advising defendants of additional possible consequences for failing to appear under part 2(e) of forms TR-505 and TR-510. The committees agree with the court’s recommended revisions to the forms, but slightly modified the suggested

language to forms TR-505 and TR-510 to clarify that if a defendant fails to appear, a court may either issue an arrest warrant or impose a civil assessment, but cannot do both.

Alternatives

TAC and CTAC considered three alternatives related to converting the rule to a standing rule of court. Because rule 4.105 requires implementing changes, the committees did not consider alternatives to the proposed amendments and form revisions related to rule 4.105.

Alternative 1: Eliminate notice and semiannual reporting requirements.

The first alternative would amend rule 4.220 by removing not only the sunset language, but also any requirement that trial courts provide notice and semiannual reports to the Judicial Council. This alternative has the benefit of reducing the time that trial courts must spend preparing and submitting notices and semiannual reports to the council, and that the council and its staff must devote to reviewing them. In light of this concern, the advisory committees specifically requested comments regarding the costs and benefits of retaining the semiannual reporting requirement, and whether subdivision (p) of rule 4.220 should be amended to include a sunset provision, such that courts would only be required to submit semiannual reports for a certain period of years. No comments were submitted in response to this request.

Implementing the first alternative would limit the council's oversight of RVP at the trial court level. The council and its staff would have no effective means of knowing which trial courts are conducting RVP or of gathering information and data about the implementation of RVP by trial courts, including any issues, concerns, and creative solutions. Such information and data presented in the semiannual reports could prove useful to the advisory committees as they review possibilities for expanding RVP at the trial courts.

Alternative 2: Extend pilot project

The second alternative would amend rule 4.220 by extending the effective date for an additional period of years, but not eliminating the sunset language. This alternative would continue the provisional nature of the rule for an additional period of years. This option would give the council an opportunity to carefully review each court's request for a pilot project. In comparison with the above proposal, however, this alternative would result in an additional cost to trial courts as they would need to prepare and present an application to the Judicial Council for its approval before they could start offering RVP in traffic infraction cases. It would also require that the council and its staff spend time reviewing these applications and, if desired, amend the rule to extend or eliminate the effective date at a later time. The benefit of this additional oversight is minimal in light of the notice and semiannual reporting requirements contained in the above proposal.

Alternative 3: Allow rule to sunset

The last alternative is not to seek an amendment to the rule and allow it to sunset. Weighing in favor of this approach is the fact that only one trial court has requested and implemented an RVP pilot project since rule 4.220 was adopted two years ago. So far, no other courts have expressed

an interest in establishing a pilot project to the advisory committees or Judicial Council staff. Yet, this alternative would effectively end the Superior Court of Fresno County's RVP program on January 1, 2016. The Superior Court of Fresno County has successfully implemented the pilot project, has reported its overall satisfaction with the project, and has expressed an interest in continuing to offer these services in outlying areas. Moreover, this alternative would prevent other courts from conducting RVP in traffic cases in the future. As trial courts are forced to close courthouses in the face of budget constraints, they may follow the Superior Court of Fresno County's lead and elect to offer RVP in remote locations in an effort to increase public access.

Implementation Requirements, Costs, and Operational Impacts

Implementation of this proposal will allow the Superior Court of Fresno County to continue offering this service, which has preserved access to the public in outlying areas and resulted in efficiencies and cost savings for the court. It will require the court to make revised forms available to the public, which may incur minor costs. Otherwise, it will have no effect on the court since it is currently preparing and submitting semiannual reports.

For other trial courts that may decide to offer RVP under the rule in the future, the implementation costs will decrease slightly. These courts will no longer be required to apply for and receive Judicial Council approval before offering RVP in eligible cases under the rule. Instead, they will only need to notify the council. Otherwise, implementation and its associated costs will remain the same as they are under the current rule. Collaboration between courts, local cities and counties, law enforcement, and members of the public will be required.

There will be a need for planning and the allocation of resources—including physical locations, technology, and staffing. There will also be a need to train public employees to act as deputy clerks and provide security for the remote video trials at the local community facilities and to provide information to the public. These additional expenses may be offset by savings for the courts in terms of reduced maintenance of court facilities, and for the public and law enforcement in terms of reduced travel time and expense. Because implementation is voluntary, each court will determine if the benefits outweigh the costs in deciding whether to offer RVP.

Attachments and Links

1. Cal. Rules of Court, rule 4.220, at pages 9–14
2. Form TR-500-INFO, at page 15
3. Form TR-505, at page 16
4. Form TR-510, at page 17
5. Comment Chart, at page 18

Rule 4.220 of the California Rules of Court would be amended, effective September 1, 2015, to read:

1 **Rule 4.220. Remote video proceedings in traffic infraction cases**

2
3 **(a) Authorization for ~~pilot project~~ remote video proceedings**

4
5 ~~(1) With the approval of the Judicial Council, a~~ A superior court may establish by
6 local rule a ~~pilot project through December 31, 2015, to~~ permit arraignments, trials,
7 and related proceedings concerning the traffic infractions specified in (b) to be
8 conducted by two-way remote video communication methods under the conditions
9 stated below.

10
11 ~~(2) To obtain approval of the Judicial Council to conduct a pilot project for~~
12 ~~remote video proceedings under this rule, a court must submit an application~~
13 ~~to the council that includes details on what procedures and forms the court~~
14 ~~intends to institute for processing cases in the pilot project.~~

15
16 **(b) Definitions**

17
18 For the purposes of this rule:

19
20 (1) “Infraction” means any alleged infraction involving a violation of the Vehicle
21 Code or any local ordinance adopted under the Vehicle Code, other than an
22 infraction cited under article 2 (commencing with section 23152) of chapter
23 12 of division 11 of the Vehicle Code, except that the procedures for remote
24 video trials authorized by this rule do not apply to any case in which an
25 informal juvenile and traffic court exercises jurisdiction over a violation
26 under sections 255 and 256 of the Welfare and Institutions Code.

27
28 (2) “Remote video proceeding” means an arraignment, trial, or related
29 proceeding conducted by two-way electronic audiovisual communication
30 between the defendant, any witnesses, and the court in lieu of the physical
31 presence of both the defendant and any witnesses in the courtroom.

32
33 (3) “Due date” means the last date on which the defendant’s appearance is timely
34 under this rule.

35
36 **(c) Application**

37
38 This rule establishes the minimum procedural requirements and options for courts
39 that conduct a ~~pilot project for~~ remote video proceedings for cases in which a
40 defendant is charged with an infraction as defined in (b) and the defendant’s
41 requests to proceed according to this rule ~~is for a trial or related proceeding that is~~
42 ~~set for a date after January 31, 2013.~~

1 (d) **Designation of locations and presence of court clerk**

- 2
- 3 (1) The court must designate the location or locations at which defendants may
- 4 appear with any witnesses for a remote video proceeding in traffic infraction
- 5 cases.
- 6
- 7 (2) The locations must be in a public place, and the remote video proceedings
- 8 must be viewable by the public at the remote location as well as at the
- 9 courthouse.
- 10
- 11 (3) A court clerk must be present at the remote location for all remote video
- 12 proceedings.
- 13

14 (e) ~~Scope of court pilot project~~ **Required procedures and forms and request by**

15 **defendant**

16

17 A court that conducts remote video proceedings under this rule must comply with

18 the following procedures and required forms in this section ~~must be included in~~

19 ~~the court's pilot project for remote video proceedings.~~ In addition to following the

20 standard provisions for processing traffic infraction cases, the defendant may

21 request to proceed by remote video proceeding as provided below.

22

23 (1) *Arraignment and trial on the same date*

24

25 The following procedures apply to a remote video proceeding when the court

26 grants a defendant's request to have an arraignment and trial on the same

27 date:

28

29 (A) The defendant must review a copy of the *Instructions to Defendant for*

30 *Remote Video Proceeding* (form TR-500-INFO).

31

32 (B) To proceed by remote video arraignment and trial, the defendant must

33 sign and file a *Notice and Waiver of Rights and Request for Remote*

34 *Video Arraignment and Trial* (form TR-505) with the clerk by the

35 appearance date indicated on the *Notice to Appear* or a continuation of

36 that date granted by the court and must deposit bail when filing the

37 form.

38

39 (C) A defendant who is dissatisfied with the judgment in a remote video

40 trial may appeal the judgment under rules 8.901–8.902.

41

42 (2) *Arraignment on a date that is separate from a trial date*

43

1 The following procedures apply to a remote video proceeding when the court
2 grants a defendant's request to have an arraignment that is set for a date that
3 is separate from the trial date:
4

5 (A) The defendant must review a copy of the *Instructions to Defendant for*
6 *Remote Video Proceeding* (form TR-500-INFO).
7

8 (B) To proceed by remote video arraignment on a date that is separate from
9 a trial date, the defendant must sign and file a *Notice and Waiver of*
10 *Rights and Request for Remote Video Proceeding* (form TR-510) with
11 the clerk by the appearance date indicated on the *Notice to Appear* or a
12 continuation of that date granted by the court.
13

14 (3) *Trial on a date that is separate from the date of arraignment*
15

16 The following procedures apply to a remote video proceeding when the court
17 grants a defendant's request at arraignment to have a trial set for a date that is
18 separate from the date of the arraignment:
19

20 (A) The defendant must review a copy of the *Instructions to Defendant for*
21 *Remote Video Proceeding* (form TR-500-INFO).
22

23 (B) To proceed by remote video trial, the defendant must sign and file a
24 *Notice and Waiver of Rights and Request for Remote Video Proceeding*
25 (form TR-510) with the clerk by the appearance date indicated on the
26 *Notice to Appear* or a continuation of that date granted by the court and
27 deposit bail with the form as required by the court under section (f).
28

29 (C) A defendant who is dissatisfied with the judgment in a remote video
30 trial may appeal the judgment under rules 8.901–8.902.
31

32 (4) *Judicial Council forms for remote video proceedings*
33

34 The following forms must be made available by the court and used by the
35 defendant to implement the procedures that are required by a court's pilot
36 project under this rule:
37

38 (A) *Instructions to Defendant for Remote Video Proceeding* (form TR-500-
39 INFO);
40

41 (B) *Notice and Waiver of Rights and Request for Remote Video*
42 *Arraignment and Trial* (form TR-505); and
43

1 (C) *Notice and Waiver of Rights and Request for Remote Video Proceeding*
2 (form TR-510).

3
4 **(f) Deposit of bail**

5
6 ~~(1) If a defendant requests to proceed by remote video arraignment and trial as~~
7 ~~provided in section (e)(1), the defendant must deposit bail, at the same time~~
8 ~~the request is filed, in the amount established in the uniform traffic penalty~~
9 ~~schedule under Vehicle Code section 40310.~~

10
11 ~~(2) If a defendant requests to proceed by remote video proceeding for a trial as~~
12 ~~provided in section (e)(3), the judicial officer may require deposit of bail, at~~
13 ~~the same time the request for remote video proceeding is filed, in the amount~~
14 ~~established in the uniform traffic penalty schedule under Vehicle Code~~
15 ~~section 40310.~~

16
17 Procedures for deposit of bail to process requests for remote video proceedings
18 must follow rule 4.105.

19
20 **(g) Appearance of witnesses**

21
22 On receipt of the defendant's waiver of rights and request to appear for trial as
23 specified in section (e)(1) or (e)(3), the court may permit law enforcement officers
24 and other witnesses to testify at the remote location or in court and be cross-
25 examined by the defendant from the remote location.

26
27 **(h) Authority of court to require physical presence of defendant and witnesses**

28
29 Nothing in this rule is intended to limit the authority of the court to issue an order
30 requiring the defendant or any witnesses to be physically present in the courtroom
31 in any proceeding or portion of a proceeding if the court finds that circumstances
32 require the physical presence of the defendant or witness in the courtroom.

33
34 **(i) Extending due date for remote video trial**

35
36 If the clerk receives the defendant's written request for a remote video arraignment
37 and trial on form TR-505 or remote video trial on form TR-510 by the appearance
38 date indicated on the *Notice to Appear* and the request is granted, the clerk must,
39 within 10 court days after receiving the defendant's request, extend the appearance
40 date by 25 calendar days and must provide notice to the defendant of the extended
41 due date on the *Notice and Waiver of Rights and Request for Remote Video*
42 *Arraignment and Trial* (form TR-505) or *Notice and Waiver of Rights and Request*

1 for *Remote Video Proceeding* (form TR-510) with a copy of any required local
2 forms.

3
4 **(j) Notice to arresting officer**

5
6 If a court grants the defendant’s request for a remote video proceeding after receipt
7 of the defendant’s *Notice and Waiver of Rights and Request for Remote Video*
8 *Arrestment and Trial* (form TR-505) or *Notice and Waiver of Rights and Request*
9 *for Remote Video Proceeding* (form TR-510) and bail deposit, if required, the clerk
10 must deliver, mail, or e-mail a notice of the remote video proceedings to the
11 arresting or citing law enforcement officer. The notice to the officer must specify
12 the location and date for the remote video proceeding and provide an option for the
13 officer to request at least five calendar days before the appearance date to appear in
14 court instead of at the remote location.

15
16 **(k) Due dates and time limits**

17
18 Due dates and time limits must be as stated in this rule, unless extended by the
19 court. The court may extend any date, and the court need not state the reasons for
20 granting or denying an extension on the record or in the minutes.

21
22 **(l) Ineligible defendants**

23
24 If the defendant requests a remote video proceeding and the court determines that
25 the defendant is ineligible, the clerk must extend the due date by 25 calendar days
26 and notify the defendant of the determination and the new due date.

27
28 **(m) Noncompliance**

29
30 If the defendant fails to comply with this rule (including depositing the bail amount
31 when required, signing and filing all required forms, and complying with all time
32 limits and due dates), the court may deny a request for a remote video proceeding
33 and may proceed as otherwise provided by statute.

34
35 **(n) Fines, assessments, or penalties**

36
37 This rule does not prevent or preclude the court from imposing on a defendant who
38 is found guilty any lawful fine, assessment, or other penalty, and the court is not
39 limited to imposing money penalties in the bail amount, unless the bail amount is
40 the maximum and the only lawful penalty.

41
42 **(o) Local rules and forms**

43

1 A court establishing a remote video ~~trial project~~ proceedings under this rule may
2 adopt such local rules and additional forms as may be necessary or appropriate to
3 implement the rule and the court's local procedures not inconsistent with this rule.
4

5 **(p) Notice and collection of information and reports on remote video proceedings**
6 **pilot project**

7
8 Each court that establishes a local rule authorizing remote video proceedings ~~a pilot~~
9 ~~project~~ under this rule must notify the Judicial Council, institute procedures as
10 required by the ~~Judicial~~ council for collecting and evaluating information about that
11 court's ~~pilot project~~ program, and ~~must~~ prepare semiannual reports to the ~~Judicial~~
12 council that include an assessment of the costs and benefits of ~~the project~~ remote
13 video proceedings at that court.
14

15 **(q) Effective dates**

16
17 This rule is adopted effective February 1, 2013, and remains in effect only until
18 January 1, 2016, and as of that date is repealed, unless a rule adopted before
19 January 1, 2016, repeals or extends that date.

INSTRUCTIONS TO DEFENDANT FOR REMOTE VIDEO PROCEEDING

A court **may by local rule** permit remote video arraignments and trials for traffic infraction cases. (Cal. Rules of Court, rule 4.220.) If the court where your case is filed **permits remote video proceedings (RVP)**, you may be able to appear by video as allowed by local rule at a remote location designated by the court without having to appear in person at court. **RVP** are available in cases involving Vehicle Code infractions or local ordinances adopted under the Vehicle Code. The procedure does not apply to traffic offenses that involve drugs or alcohol or are filed in Informal Juvenile and Traffic Court. The procedure provides a convenient process for resolving cases by consideration of disputed facts and evidence with the use of two-way audiovisual communication between the court and a local facility. Defendants who **request** to appear by RVP must waive (give up) certain rights that apply to trial of criminal offenses, including traffic infractions. The instructions below explain procedures for requesting RVP for traffic infraction cases:

1. To request arraignment and trial on the same day, you may file a *Notice and Waiver of Rights and Request for Remote Video Arraignment and Trial* (form TR-505). To request RVP for arraignment or trial on separate days, you may file a *Notice and Waiver of Rights and Request for Remote Video Proceeding* (form TR-510).
2. Return the completed and signed form to the clerk with payment of bail as ordered by the court. A completed form TR-505 or TR-510 with a deposit of the required bail payment must be received by the clerk by the appearance date on the Notice to Appear citation or continuation date granted by the court. If the form is received after the due date or without deposit of bail as required, the court may require a court appearance or bail deposit to schedule **a trial**. **Failure to file the form and deposit bail as required by the due date may subject you to other charges, penalties, assessments, and actions, including a civil assessment under Penal Code section 1214.1 of up to \$300 and a hold on your driver's license.**
3. When the clerk receives a timely request for RVP with payment of the **bail as ordered** by the court, the court will rule on the request and provide notice of the court's decision on eligibility for RVP. If the court denies the request, the court may order you to respond within 10 court days of the notice of the order to schedule an arraignment or trial or appear in court. If the court approves the request, the court will notify you and the officer of the extended date and location to appear. The court may grant a request by the officer that issued the ticket and any other witnesses to appear in court to testify and be cross-examined while you appear at the remote location.
4. After a remote video trial is completed, if you are dissatisfied with the court's judgment, you may file an appeal under California Rules of Court, rules 8.901–8.902 within 30 days of the judgment. A new trial ("trial de novo") is not allowed. Always include your citation number in any correspondence with the court.
5. **IMPORTANT:** You have the right to appear **in court** for an in-person arraignment **without deposit of bail** and trial at the court. If you appear **in** court for your case, your rights include:
 - The right to be represented by an attorney employed by you;
 - The right to request court orders without cost to subpoena and compel the attendance of witnesses and the production of evidence on your behalf;
 - The right to appear in person in court before a judicial officer for an arraignment to be informed of the charges against you, to be advised of your rights, and to enter a plea **without deposit of bail**;
 - The right to request that a **court** trial be scheduled **without bail** for a date that is after your arraignment in court;
 - The right to have a speedy trial;
 - The right to be physically present in court at all stages of the proceedings including, but not limited to, presentation of testimony and evidence and arguments on questions of law at trial and sentencing; and
 - The right to have the witnesses testify under oath in court and to confront and cross-examine witnesses in court.

By voluntarily requesting to appear for arraignment and/or trial by RVP, you will agree to waive (give up):

- Your right to appear in person in court before a judicial officer for arraignment and/or trial;
- Your right to a speedy trial within 45 days; and
- Your right to be physically present in court for trial and sentencing and all stages of the proceedings, including, but not limited to, presentation of testimony and evidence and arguments on questions of law, and confrontation and cross-examination in person of the officer that issued the ticket and other witnesses.

NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY DRAFT- NOT ADOPTED BY JUDICIAL COUNCIL
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT (Name):	
NOTICE AND WAIVER OF RIGHTS AND REQUEST FOR REMOTE VIDEO ARRAIGNMENT AND TRIAL (Veh. Code, § 40901 and 40519(a))	CITATION NUMBER /CASE NUMBER: BAIL AMOUNT DUE DATE (For filing form)

1. Notice to Defendant of Rights:

- You have the right to appear in person in court before a judicial officer for arraignment, to be informed of the charges against you, to be advised of your rights, and to enter a plea **without deposit of bail.**
- You have the right to request **at arraignment** that a **court** trial be scheduled for a date after your arraignment.
- You have the right to a speedy trial within 45 days of submitting your request for a trial.
- You have the right to be physically present in court for trial and sentencing and all other stages of the proceedings including, but not limited to, presentation of testimony and evidence and arguments on questions of law.
- You have the right to have witnesses testify under oath in court and to confront and cross-examine them in court.

2. Waiver of Rights and Request for Remote Video Arraignment and Trial with Deposit of Bail:

a. I, (print name): _____, am the defendant in this traffic infraction case and understand that my rights include those listed above and also the right to hire an attorney and subpoena witnesses. I understand that a remote video proceeding (RVP) uses two-way electronic audiovisual communication between the court and me at the remote location instead of having me physically appear in the courtroom. By requesting RVP, I agree to appear at the designated off-site location and agree that the court may order me to appear in my case by RVP for any related proceedings. By requesting that the court allow me to proceed without being physically present in the courtroom and appear for all proceedings by RVP, I voluntarily elect to waive (give up) the following rights:

INITIALS

- My right to appear in person in court **on separate days** for arraignment **without deposit of bail** and **for** trial **without deposit of bail unless ordered by the court;**
- My right to a speedy trial within 45 days; and
- My right to be physically present in the court for trial and sentencing and all other stages of the proceedings, including, but not limited to, presentation of testimony and evidence and arguments on questions of law, and confrontation and cross-examination of witnesses in court.

I have read the *Instructions to Defendant for Remote Video Proceedings* (form TR-500-INFO) and request to appear by RVP in this case. I understand that the court may permit the officer that issued the ticket and any other witnesses to appear in court to testify and be cross-examined while I appear at the remote location and may deny my request at any time and order me to be present in the courtroom for any proceedings conducted in this case.

- b. I enclose bail of \$ _____.
- c. I need an interpreter: Yes No (language): _____
- d. I have an attorney to represent me: Yes No (name of attorney): _____

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct. I promise to appear for all proceedings ordered by the court in this case. I understand that if I do not appear as promised the court may **forfeit any bail that you posted; hold the trial in your absence;** impose a civil assessment of up to \$300 under Penal Code 1214.1 **or issue a warrant for your arrest;** and report the failure to appear to the Department of Motor Vehicles for a hold on my license.

Date: _____ ▶ _____
(Defendant's Phone Number) (Defendant's Street Address/City/State/ZIP) (Defendant's E-mail Address)

DEFENDANT'S SIGNATURE

Please return this form to the court clerk in person or mail to: [Court location]

TO BE COMPLETED BY CLERK

Date: _____ Approved by: _____
DEPUTY CLERK

Hearing set for (type of hearing): _____ on (date): _____ at (time): _____
 Location: [off-site location] [off-site location]

NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY <h2 style="margin: 0;">DRAFT- NOT ADOPTED BY JUDICIAL COUNCIL</h2>		
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT (Name):	CITATION NUMBER /CASE NUMBER: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%; padding: 2px;"> Is Bail Required By Court? <input type="checkbox"/> Yes <input type="checkbox"/> No </td> <td style="width:40%; padding: 2px;"> Due Date (For Form) </td> </tr> </table>	Is Bail Required By Court? <input type="checkbox"/> Yes <input type="checkbox"/> No	Due Date (For Form)
Is Bail Required By Court? <input type="checkbox"/> Yes <input type="checkbox"/> No		Due Date (For Form)	
NOTICE AND WAIVER OF RIGHTS AND REQUEST FOR REMOTE VIDEO PROCEEDING (Veh. Code, § 40901)			

1. Notice to Defendant of Rights:

- You have the right to appear in person in court before a judicial officer **without deposit of bail** for an arraignment to be informed of the charges against you, be advised of your rights, **and** to enter a plea, **and request that a trial be scheduled without deposit of bail.**
- You have the right to request **with deposit of bail** that a trial be scheduled for the same date as your arraignment.
- You have the right to a speedy trial within 45 days of submitting your request for a trial.
- You have the right to be physically present in court for trial and sentencing and all other stages of the proceedings including, but not limited to, presentation of testimony and evidence and arguments on questions of law.
- You have the right to have witnesses testify under oath in court and to confront and cross-examine them in court.

2. Waiver of Rights and Request for Remote Video Arraignment or Trial Under Rule: _____

- a. I, (*print name*) _____ am the defendant in this traffic infraction case and understand that my rights include those listed above and also the right to hire an attorney and subpoena witnesses. I understand that a remote video proceeding (RVP) uses two-way electronic audiovisual communication between the court and me at the remote location instead of having me physically appear in the courtroom. By requesting RVP I agree to appear at the designated off-site location and agree that the court may order me to appear in my case by RVP for any related proceedings. By requesting that the court allow me to proceed without being physically present in court and appear for all proceedings by RVP, I voluntarily elect to waive (give up) the following rights for (*check one*) arraignment trial:
- My right to appear for arraignment in person in court before a judicial officer and have a trial on the same day;
 - My trial right to a speedy trial within 45 days; and
 - My trial right after arraignment to be physically present in the court for trial and sentencing and all other stages of the proceedings, including, but not limited to, presentation of testimony and evidence and arguments on questions of law, and confrontation and cross-examination of witnesses in court.
- I have read the *Instructions to Defendant for Remote Video Proceedings* (form TR-500-INFO) and request to appear by RVP in this case. I understand that the court may permit the officer that issued the ticket and any other witnesses to appear in court to testify and be cross-examined while I appear at the remote location and may deny my request at any time and order me to be present in the courtroom for any proceedings conducted in this case.
- b. If bail is required for trial: \$ _____ is enclosed. **Reason for bail:** _____
- c. I need an interpreter: Yes No (*Language*): _____
- d. I have an attorney to represent me: Yes No (*Name of attorney*): _____
- e. I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct. I promise to appear for all proceedings ordered by the court in this case. I understand that if I do not appear as promised the court may **forfeit any bail that you posted; hold the trial in your absence;** impose a civil assessment of up to \$300 under Penal Code 1214.1 **or issue a warrant for your arrest;** and report the failure to appear to the Department of Motor Vehicles for a hold on my license.

Date: _____ ▶ _____
Defendant's Signature

_____ _____ _____
Defendant's Phone Number Defendant's Street Address/City/State/ZIP Defendant's E-mail Address

Please return this form to the court clerk in person or mail to:

[Court location]

TO BE COMPLETED BY CLERK

Date: _____ Approved by: _____
Deputy Clerk

Hearing set for: _____ on _____ at _____
Type of Hearing Date Time

Location: [off-site location] [off-site location]

SPR15-31**Trial Courts: Permanent Authorization for Remote Video Proceedings in Traffic Infraction Cases** (amend rule 4.220; revise form TR-500-INFO)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	*PROPOSED Committee Response
1.	Law Offices of Azar Elihu Azar Elihu, Attorney Los Angeles	A	No narrative comments submitted.	
2.	Orange County Bar Association By Ashleigh Aitken, President Newport Beach	A	No narrative comments submitted.	
3.	Superior Court of Los Angeles Los Angeles	A	No narrative comments submitted.	
4.	Superior Court of Riverside County By Marita Ford Riverside	AM	Court's should have the discretion to implement without needing approval of the Judicial Council; makes implementation more burdensome and time consuming; eliminates discretion of trial court.	CTAC and TAC agree. In fact, this rules proposal would eliminate this requirement. Superior courts would not need Judicial Council approval before implementing RVP in traffic infraction cases. Instead, courts would only have to notify the council, which would be less burdensome and time consuming for the courts.
5.	Superior Court of San Diego County By Michael M. Roddy, Executive Officer San Diego	A	No narrative comments submitted.	



JUDICIAL COUNCIL OF CALIFORNIA

COURT TECHNOLOGY
ADVISORY COMMITTEE

www.courts.ca.gov/ctac.htm
ctac@jud.ca.gov

COURT TECHNOLOGY ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

March 27, 2015

10:00 AM to 11:20 AM

Teleconference

Advisory Body Members Present: Hon. Terence L. Bruiniers, Chair; Hon. Robert B. Freedman, Vice Chair; Hon. Jeffrey B. Barton; Mr. Jake Chatters; Mr. Brian Cotta; Prof. Dorothy J. Glancy; Hon. Sheila F. Hanson; Hon. Louis R. Mauro; Ms. Alison Merrilees in for Hon. Mark Stone; Mr. Robert Oyung; Mr. Pat Patterson; Hon. Alan G. Perkins; Hon. Peter J. Siggins; Mr. Don Willenburg; Mr. David H. Yamasaki; Hon. Theodore C. Zayner

Advisory Body Members Absent: Hon. Kyle S. Brodie; Hon. Julie R. Culver; Hon. Hannah-Beth Jackson; Hon. Samantha P. Jessner; Hon. James Mize;

Others Present: Hon. Daniel J. Buckley; Hon. Kimberly Gaab; Hon. Marsha Slough; Mr. Rick Feldstein; Hon. James E. Herman; Mr. Curt Soderlund; Mr. Mark Dusman; Ms. Renea Stewart; Ms. Kathy Fink; Ms. Fati Farmanfarmaian; Ms. Jamel Jones; Mr. Patrick O'Donnell; Ms. Tara Lundstrom; Ms. Heather Anderson; Mr. Manny Floresca; Ms. Jackie Woods; Mr. Neil Payne, Ms. Jessica Craven

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:00 AM, and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the January 23, 2015, public Court Technology Advisory Committee meeting.

Public Comment

The chair announced there were no public comments received.

DISCUSSION AND ACTION ITEMS (ITEMS 1-6)

Item 1

Opening Remarks and Chair Report

Update: Hon. Terence L. Bruiniers welcomed Assembly Member Mark Stone from the 29th District, Santa Cruz, Santa Clara, and Monterey counties. Assembly Member Stone

chairs the Assembly Judiciary Committee and is a leader in environmental protection, child welfare, and public safety. Justice Bruiniers also welcomed two new liaisons appointed by other committees. CJER Governing Committee appointed Hon. Kimberly Gaab, from Fresno County and TCPJAC appointed Hon. Daniel Buckley, who previously served on CTAC.

Item 2

New Joint Trial Court Technology Subcommittee

Update: Hon. Marsha Slough and Mr. Rick Feldstein introduced the new technology subcommittee of the Court Executive Advisory Committee (CEAC) and Trial Court Presiding Judges Advisory Committee (TCPJAC). This subcommittee membership will include eight total, four each of presiding judges and court executive officers. CTAC member Jake Chatters is on this subcommittee as well. Their main focus will be to provide early feedback to advisory committees, such as CTAC on technology projects. They will be a resource for these advisory committees on statewide technology and able to address issues before they go to the higher body of governance structure.

Item 3

Rules Modernization Project – Phase 1 (Annual Agenda Project #13)

Action

Requested Hon. Peter J. Siggins is asking CTAC to consider rule proposals to modernize the California Rules of Court to facilitate e-filing, e-service, and e-business. The proposed amendments are part of an ongoing comprehensive review of court rules intended to be only non-controversial technical changes to the rules.

Motion to Recommend to RUPRO that the Judicial Council's Rules and Projects Committee (RUPRO) Approve Circulation of the Proposed Amendments to Titles 2, 3, 4, 5, 7, and 8.

Motion was approved.

Item 4

Data Exchange Workstream Status Report (Annual Agenda Project #1)

Update: Mr. David Yamasaki reported the Data Exchange Workstream project continues to move forward and is in the process of holding WebEx sessions with the key justice partners (DOJ, DMV, DCSS, CHP, and CDCR) to discuss their current exchange status and future objectives. These sessions are helping to capture topics as well as identify specific goals. The workstream team is optimistic this project will adhere to the 10 month timeline. Judge Freedman invited and welcomed CTAC members interested in joining this effort.

Item 5

E-Filing Workstream Status Report (Annual Agenda Project #2)

Update: Hon. Shelia F. Hanson and Mr. Robert Oyung provided an update on this workstream. Mr. Snorri Ogata is going to be the project manager. There will be a kick off summit

held in San Francisco in May 2015. This summit will be to launch and make decisions on e-filing implementation and identify what the courts recommend. Also looking at policy, governance and technology solutions. Various groups, such as presiding judges, court executive and information officers will be invited to participate and join the project team. The goal is to have recommendations by February 2016.

Item 6

Remote Video Workstream Status Report (Annual Agenda Project #3)

Update: Justice Bruiniers provided an update on this project. This workstream has not yet been formed. The Chief announced Justice Bruiniers' appointment to the Language Access Plan Task Force. He is still waiting to see what the Language Access Taskforce is doing with remote video as he doesn't want this project to interfere. One expected role of this task force is to develop technology standards for remote video in the courtroom, which is also assigned to this workstream.

Included in the CTAC materials was the Fresno Remote Video Report from December 2014.

Finally, the traffic rule extension approved at the previous CTAC meeting will be going out for public comment which will close in June (i.e., Rule of Court 4.220 Remote Video Proceedings in Traffic Infraction Cases).

Item 7

Next Generation Hosting Strategy Assessment

Update: Mr. Jake Chatters provided an update on this assessment. This is a complete hosting needs assessment, develop implementation recommendations, including an evaluation of alternatives and costs. This team expects to identify scope within the next week. Of note, this is a limited scope due to resource constraints; additional tasks will be considered in future annual agenda. The team has completed an initial draft survey to go out of the courts.

Item 8

Information Security Framework Status Report (Annual Agenda Project #5)

Update: Mr. Rob Oyung provided an update to CTAC. The workstream has completed their review of the Judicial Council Information Technology Framework document. It was reviewed for use in the trial courts and those areas considered useful were identified. The trial court version of the framework will have a broader review in May before being published in August.

Item 9

CTAC Rules & Policy Subcommittee Report (Annual Agenda Projects #7, 9, 12)

Update: Hon. Peter J. Siggins provided an update to CTAC. The rules modernization will continue with the second phase that includes asking the Appellate Advisory Committee for substantive changes regarding electronic charges.

The subcommittee should be able to work on the privacy policy now that modernization project is underway. Kick-off meeting to be scheduled with stakeholders to discuss Privacy Policy requirements.

Item 10

CTAC Projects Subcommittee Report (Annual Agenda Projects #4, 6, 8)

Update: Hon. Robert B. Freedman provided an update to CTAC. Draft of the disaster recovery survey was reviewed by the subcommittee members and others. It should be ready shortly to be sent out to the trial courts.

SRL portal update: TurboCourt Pro Se Portal demo completed for chair and subcommittee chair. HotDocs demo to be scheduled. CCFC staff conducted preliminary survey of court existing online services and other support for self-represented litigants. IT staff gathered preliminary report of existing JCC infrastructure.

Completed an initial draft of survey; refining further before distributing to courts.

Item 11

Joint Appellate Technology Subcommittee Report (Annual Agenda Projects #11, 12)

Action

Requested: Hon. Louis R. Mauro provided an update to CTAC. JATS' recommendations for rules on access to electronic court records is complete. Rule proposals are in progress (see below). JATS developed proposed rules on access to appellate court records. Rules 8.0 through 8.5 are ready for review and approval by CTAC and for circulation for public comment.

Motion to Recommend that the Judicial Council's Rules and Projects Committee (RUPRO) Approve the Circulation of the Proposed Amendments to Titles 8.80 through 8.85.

Motion was approved.

A D J O U R N M E N T

Adjourn to Nonpublic Session at 12:00 PM

Approved by the advisory body on .