



JUDICIAL COUNCIL
OF CALIFORNIA

TRIBAL COURT-STATE COURT FORUM

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

TRIBAL COURT-STATE COURT FORUM

OPEN MEETING AGENDA

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

Date: December 14, 2017
Time: 12:15–1:15 p.m.
Location: Conference Call
Public Call-In Number 1-877-820-7831 and enter Listen Only Passcode: 4133250

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

Public Comment

This meeting will be conducted by teleconference. As such, the public may only submit written comments for this meeting.

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to forum@jud.ca.gov or mailed or delivered to 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Ann Gilmour. Only written comments received by 12:15 p.m. on December 13, 2017 will be provided to advisory body members.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-6)

Item 1

Approval of Minutes for October 12, 2017 Meeting

Item 2

Cochairs Report

- Welcome New Members
- December 6th National Forum Report Back from Justice Perluss
- Annual Agenda Review

Item 3:

Report Back from the Information and Technology Advisory Committee

Presenter: Hon. Joseph Wiseman

Item 4:

Report on National Level Developments and National American Indian Court Judges Association

Presenter: Hon. Richard Blake

Item 5:

Keeping Kids In School – Regional Convening Involving Tribal Communities

Presenter: Christine Cleary, Attorney, Judicial Council's Center for Families, Children & the Courts

Item 6

Recent and Upcoming Conferences

Presenter: Vida Castaneda

IV. ADJOURNMENT

Adjourn



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TRIBAL COURT-STATE COURT FORUM

MINUTES OF OPEN MEETING

October 12, 2017
12:15-1:15 p.m.
By Conference Call

**Advisory Body
Members Present:**

Hon. Abby Abinanti, Co-chair, Hon. Dennis M. Perluss, Co-chair, Hon. Donald Armento, Hon. Hilary A. Chittick, Hon. Gail Dekreon, Hon. Mark Juhas, Hon. Lawrence C. King, Hon. Patricia Lenzi, Hon. Mark Radoff, Hon. David Riemenschneider, and Hon. John Sugiyama

**Advisory Body
Members Absent:**

Hon. April Attebury, Hon. Richard Blake, Hon. Leonard Edwards(Ret.), Hon. Kimberly Gaab, Hon. Susanne Kingsbury, Hon. William Kockenmeister, Hon. Anthony Lee, Hon. Lester Marston, Hon. Sunshine Sykes, Hon. Juan Ulloa, and Hon. Claudette White, Hon. Christine Williams, Hon. Christopher Wilson, and Hon. Joseph Wiseman,

Others Present:

Ms. Carolynn Bernabe, Ms. Vida Castaneda, Ms. Lisa Chavez, Ms. Charlene Depner, Ms. Audrey Fancy, Ms. Ann Gilmour, Ms. Bonnie Hough, and Mr. Seprieono Locario

OPEN MEETING

Call to Order and Roll Call

The co-chairs called the meeting to order at 12:17 p.m.

Approval of Minutes

The forum approved the August 17, 2017 meeting minutes.

DISCUSSION AND ACTION ITEMS (ITEMS 2-8)

Item 2

Cochairs Report

- Update on Status of [Annual Agenda](#)

The forum proposed an amendment to its annual agenda authorizing the forum to review the California ICWA Compliance Task Force report and that the Forum be allowed to make recommendations on implementation where appropriate. The request to amend the Forum annual agenda was approved by the Executive and Planning Committee at their August meeting.

- Forum Appointments – Welcome to Members (*deferred to next meeting*)

Item 3

Substance Abuse and Mental Health Services Administration (SAMHSA)

Tribal Training and Technical Assistance Center

Presentation on services available to tribes and accessing those services

Presenter: Seprieono Locario

Mr. Seprieono Locario provided background information on [the Substance Abuse and Mental Health Services Administration](#) (SAMHSA), an agency within the U.S. Department of Health and Human Services that leads public health efforts to advance the behavioral health of the nation. SAMHSA provides leadership and resources on prevention, treatment, recovery from mental and substance use disorders, and recovery support services for behavioral health. SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

The Tribal TTA Center offers training and technical assistance (TTA) on behalf of SAMHSA on mental and substance use disorders, suicide prevention, and mental health promotion. TTA work with federally recognized tribes, other American Indian and Alaska Native (AI/AN) communities, SAMHSA tribal grantees, and organizations serving Indian Country.

Mr. Locario directed forum members to access SAMHSA's website for more information about funding and other resources for tribes, who they serve, how to request TTA, and collaborative partnerships with other TTA providers and federal agencies servicing tribes. SAMHSA makes grant funds available through the TTA Centers. Onsite and virtual training centers are available for tribes.

Item 4

VAWEP/VOCA Grant - Planning Meeting Report Back & Upcoming Grant Year

Presenter: Lisa Chavez, Senior Analyst, Judicial Council Center for Families, Children & the Courts

Ms. Lisa Chavez shared information about the Violence Against Women Education Project (VAWEP) grant and the Victims of Crime Act (VOCA) grant. She provided background of the VAWEP and VOCA grant. The purpose of the VAWEP grant is to develop and provide training to tribal and state court personnel on domestic violence, sexual assault, stalking, dating violence, and human trafficking. The grant has been available for the last 20 years. It is an annual grant that runs on the federal fiscal year, October 1 to September 30, in which 25% is set aside for tribal projects. The purpose of the VOCA grant is to develop and provide training to tribal and state court personnel on Marsy's Law and the enforcement of protective orders. This is a new grant program this year, an 18-month grant beginning January 2017 to August 2018. There is not a tribal set-aside percentage.

There are several grant objectives for VAWEP and VOCA:

1. *Education* - develop education for court personnel on the grant related topics. The grant will fund the faculty, and participant travel. It will also provide multidisciplinary trainings to build collaboration with justice partners. It will provide various education credits for attending the course.

2. *Publications* – update information, forms, bench guides as the law changes. For example, this year we updated the Tribal Domestic Violence chapter in Judges Guide to Domestic Violence.
3. *Produce a fact sheet*
4. *Provide technical assistance and support courts with grant related projects*
5. *Hold two committee meetings* - one committee for both VAWEP and VOCA. The purpose of the meeting is to guide project staff in identifying the training needs, review grant objectives and set priorities for the coming year. The committee is led by the Family and Juvenile Law Advisory Committee cochairs, Judges Jerilyn Borack and Mark Juhas. Per grant requirements, the committee consists of judicial officers, attorneys, district attorney representatives, victim advocates, tribal representatives, and other subject matter experts (SME's). Judge Christine Williams serves as the liaison from the forum to the VAWEP committee. Ms. Lynda Smallenberger, who heads a tribal service organization for tribal victims of domestic violence (DV), also serves as member of the VAWEP committee. The committee held a meeting on August 29 in which they gathered insight to guide and improve education.

Last year Ms. Jennifer Walter, Ms. Ann Gilmour and Ms. Vida Castaneda, staff to the forum, organized several trainings, participated in two resource fairs and provided technical assistance to the tribal courts. They provided two Tribal DV trainings on enforcement of protective orders to judicial officers in October. Several trainings at the forum in-person meeting in February, and two trainings provided at the Family Law Self-Help Conference in July, *Assisting and Understanding Victims in the Native American Community* and *Providing Effective Self-Help Services to the Tribal Community*, 12 scholarships provided to tribal advocates. This grant year staff hopes to expand its reach by providing Tribal DV education at Beyond the Bench and Cow County as well.

Ms. Chavez and Judge Juhas, encouraged tribal court judges to let Ann and Vida know if there are any VAWEP or VOCA related projects that could be supported by grant funding (if they comply with the grant guidelines). The grant funding could support:

- *Publications* - updating material or printing additional copies
- *Technical assistance* – i.e. to adapt judicial council forms or assist in court security
- *Supplies* – scanners for onboarding with CCPOR or other supplies to support DVRO's
- *Attend a training* – i.e. getting someone certified for tribal BIP program; DV advocate training and certification
- *Designing Hotdocs* – which is a document assembly program (like TurboTax) to assist individuals to complete court forms. This can be adapted to include tribal forms.

Ms. Chavez look forward to expanding tribal education and meeting the needs of tribal courts by assisting in grant-funded projects.

Item 5

Report Back from the Information and Technology Advisory Committee (*Deferred to next meeting*)

Presenter: Hon. Joseph Wiseman

Item 6

Indian Child Welfare Act Regulations, Guidelines and Task Force Report

Discussion of implementation issues.

Presenter: Ann Gilmour

The Family and Juvenile Law (FamJuv) Advisory Committee and the Probate and Mental Health (PMH) Advisory Committee provided assistance in formulation of the recommendations for implementing California's new ICWA federal regulations and guidelines, ICWA Compliance Task Force report recommendations on court issues and making recommendations on rules and forms proposal, legislative proposal, and updating legislative materials for the forum to consider proposing to the Judicial Council. Ms. Gilmour solicits forum volunteers to participate in discussing a number of issues.

Item 7

Recent and Upcoming Conferences

Presenter: Vida Castaneda

- [*Native American Day at the Capitol*](#)

The annual Native American Day held on September 22, 2017 was a success! This year marked the 50th anniversary of the event. The theme focused on Tribal Sovereignty: past, present and future. There were an array of fabulous speakers at the event, including Attorney General Becerra. Elders and veterans were honored. The staff at the Judicial Council's Center for Families, Children & the Courts Tribal/State Programs unit hosted a resources table featuring an array of handouts and brochures. Staff met wonderful members of the public and agency partners. Mark Espinosa, who is the director of the Youth Regional Treatment Center, requested mention of his new facility named the Desert Sage Youth Wellness Center, located in Hemet, California. The wellness center is open to Native American youth ages 12-17 with substance abuse and co-occurring disorders. Its staff is trained in trauma informed care and in dialectic behavioral therapy. For more information on the Desert Sage Youth Wellness Center, please contact Mark Espinosa at (916)930-3981 or email him at mark.espinosa@ihs.gov.

- [*The Los Angeles County American Indian/Alaska Native Mental Health Conference 2017*](#)

This year's theme is *Bridging the Gaps—Systems, Cultures, and Generations*. The conference will be held on Tuesday, November 14, 2017 from 8:00 a.m. to 5:00 p.m. at the California Endowment Center, located at 1000 N. Alameda Street in Los Angeles, California. The conference is presented by the Los Angeles County Board of Supervisors, Los Angeles County Department of Mental Health, and the American Indian/Alaska Native Underserved Cultural Communities Subcommittee. The conference brochure will be emailed to the forum after today's meeting or contact conference organizer at (213) 251-6854,

AIANMHConference@dmh.lacounty.gov. Please note the conference requires registration beforehand. The form is included in their conference brochure. There is a \$35 registration fee for those who will be having lunch at the conference, or you may opt out and dine at café on site. The morning plenary speaker, Jennie Joe, Ph.D., M.P.H., Navajo, is currently a Professor Emerita in the Department of Family and Community Medicine at the University of Arizona. The afternoon plenary speaker, J. Carlos Rivera, C.A.D.C.-II, Pomo, is the Executive Director at White Bison, Inc. located in Colorado Springs, Colorado. The conference will also feature an array of workshops designated to wellness, healing from trauma and networking.

- [*Beyond the Bench 24: Uniting for a Better Future*](#) is the Judicial Council CFCC's largest conference coming up in December. There will be pre-conference workshops on December 18 with the main conference occurring from December 19-20 at the Manchester Grand Hyatt in San Diego, California. There will be a variety of workshops focused on core legal issues and justice topics related to children and families. Information about this conference will be available in the forum's E-Update, as well as the California Courts website. For more detailed information, feel free to contact Vida Castaneda at vida.castaneda@jud.ca.gov.

Item 8

Other Business

The next forum call is on December 14, 2017 at 12:15 p.m.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:13 p.m.

Pending approval by the advisory body on December 14, 2017.

Emerging Strategies in Tribal State Collaboration: Enforcement of Tribal Protection Orders

December 6, 2017
9:00AM – 5:00PM
Renaissance Hotel
Palm Springs, California

The Tribal Law and Policy Institute, with funding from the Bureau of Justice Assistance, is hosting a meeting to highlight strategies that tribes and states have utilized to enforce tribal protection orders. The meeting will include panels from four jurisdictions (both PL 280 and non-280) that have emerging strategies that have proved successful.



Who Should Attend: Tribal and state court personnel, law enforcement, advocates and anyone interested in increasing safety in Indian country.

For updated information, contact Heather Valdez Freedman at heather@tlpi.org or 323-650-5467.

Registration not required, but encouraged. Click [here to register](#) or go to: www.WalkingOnCommonGround.org



Tribal Law and Policy Institute | www.home.tlpi.org | 323-650-5467




Collaboration Improves Recognition & Enforcement of Tribal Protection Orders

TLPI Conference ~ December 6, 2017
Palm Springs, California




1



Agenda

- The Challenge and Solution in California, PL 280 State <http://www.courts.ca.gov/14851.htm>
- Our Journey to Recognition and Enforcement
- Call to Action
- Provide Leadership
- Engage in Community Planning
- Implement Policies
- Institutionalize Practices
- Share Orders in Databases



2




Our Journey to Enforcement

- Advancing shared interests behind Full Faith and Credit
- Establishing cross-jurisdictional relationship
- Engaging cross-jurisdictionally to maximize services that are culturally appropriate




3





Call to Individual & Collective Action

Native Americans have the highest rate of victimization of any group in the U.S. These numbers must be viewed within the context of historical oppression and complicated jurisdictional framework.

They are a call to action for all of us because we have mutual interests and intertwined futures.


What follows are the steps that we took together.



NATIONAL COUNCIL OF CALIFORNIA TRIBES
4



Leadership


- California Tribal Court-State Court Forum
- California State Sheriffs' Association
- California Department of Justice
- U.S. Department of Justice



NATIONAL COUNCIL OF CALIFORNIA TRIBES
5



Intentional Community Planning

- Forum grounded in shared values and decisions are by consensus
- Statewide needs assessment
- Local cross-court educational exchanges
- Local partnerships to increase advocacy and other victim services on tribal lands – see S.T.E.P.S. to Justice- Domestic Violence




NATIONAL COUNCIL OF CALIFORNIA TRIBES
6



Policies

- Codify full faith and credit in state statutes
- Reinforce through law enforcement policy
 - California Department of Justice Bulletin
- Establish protocols, such as:
 - Reciprocal enforcement of tribal court and state court protection orders, which led to rule 5.386
 - Formalization of service protocols, including those for referrals and services
 - Development of safety protocols for Native victims of domestic violence


7

Sharing Information

- Court Database- tribal court and state court judges can view each other's orders.
- DOJ Database- three tribal police departments have access: Cahto Tribe, Coyote Valley Tribe, and Sycuan Band of Kumeyaay Nation
- Tribal protection orders are not viewed in the DOJ database unless tribes have access or their tribal protection orders are registered in state court.

8



Institutionalized Practices

- Court Practices
 - Tribal court order includes DOJ Bulletin and fillable forms for victims
- Law Enforcement Agreements
 - Dispatch, booking, and direct filing
- Education
 - Judicial Benchguide
 - Federal Indian Law Toolkits
 - Law Enforcement Tools and Application

9



Benefits: Collaboration Between Sovereigns

- Improves Recognition and Enforcement
- Improves Public Safety
- Improves Access to Justice in Culturally Appropriate Ways
- Increases Court-Connected Services and Resources
- Improves Chances for Restoration/Healing
- Innovates Better Outcomes for all Citizens


10



Resources

- Since 2005, California Judicial Council's tribal/state programs unit focuses on inter-jurisdictional issues
www.courts.ca.gov/programs-tribal.htm
- Since 2010, California's Forum recommends policies to the Judicial Council
www.courts.ca.gov/3065.htm & www.courts.ca.gov/forum.htm
- Contact: Ann Gilmour manages unit and is lead counsel for forum,
ann.gilmour@jud.ca.gov

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Thank YOU!

- Hon. Richard Blake, Chief Judge, Hoopa Valley Tribal Court, hoopajudge2006@aol.com
- Hon. Dennis M. Perluss, Presiding Justice of the Court of Appeal, Second Appellate District, dennis.perluss@jud.ca.gov
- Sheriff Tom Allman, Mendocino County Sheriff, allmant@co.mendocino.ca.us
- Ann Gilmour, Attorney, Forum, ann.gilmour@jud.ca.gov
- Olin Jones, Jones Consulting, ojonesconsults@gmail.com
- Jennifer Walter, Walter Consulting, jwalter@coastside.net

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Tribal Court–State Court Forum (Forum)
Annual Agenda¹—2018
Approved by E&P:

I. COMMITTEE INFORMATION

Chair:	Hon. Abby Abinanti, Chief Judge, Yurok Tribal Court Hon. Dennis M. Perluss, Presiding Justice, Court of Appeal, Second Appellate District, Division Seven
Lead Staff:	Ms. Ann Gilmour, Attorney, Center for Families, Children & the Courts
Committee’s Charge/Membership: Rule 10.60 of the California Rules of Court states the charge of the Forum, which is to make recommendations to the Judicial Council for improving the administration of justice in all proceedings in which the authority to exercise jurisdiction by the state judicial branch and the tribal justice systems overlap. In addition to the general duties and responsibilities applicable to all advisory committees as described in rule 10.34, the forum must: <ol style="list-style-type: none">1. Identify issues of mutual importance to tribal and state justice systems, including those concerning the working relationship between tribal and state courts in California;2. Make recommendations relating to the recognition and enforcement of court orders that cross jurisdictional lines, the determination of jurisdiction for cases, and the sharing of services among jurisdictions;3. Identify, develop, and share with tribal and state courts local rules of court, protocols, standing orders, and other agreements that promote tribal court–state court coordination and cooperation, the use of concurrent jurisdiction, and the transfer of cases between jurisdictions;4. Recommend appropriate activities needed to support local tribal court–state court collaborations; and5. Make proposals to the Governing Committee of the Center for Judicial Education and Research on educational publications and programming for judges and judicial support staff. Rule 10.60 sets forth additional duties of the committee.	

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

The Forum currently has 25 members, (with three vacancies – a representative from the Civil and Small Claims Advisory Committee; a representative of the Executive Branch and a trial court judge from a county with a tribal court).

- Thirteen tribal court judges (nominated by their tribal leadership, representing 16 of the 23 tribal courts currently operating in California; these courts serve approximately 27 tribes)
- Director of the California Department of Social Services Office of Tribal Affairs.
- One appellate justice
- Seven chairs or their designees of the following Judicial Council advisory committees:
 - Access and Fairness Advisory Committee
 - Governing Committee of the Center for Judicial Education and Research (CJER)
 - Civil and Small Claims Advisory Committee (this position is currently vacant)
 - Criminal Law Advisory Committee
 - Family and Juvenile Law Advisory Committee
 - Probate and Mental Health Advisory Committee
 - Traffic Advisory Committee
- Five trial court judicial officers (currently one of these positions is vacant)
- One retired judge (advisory)

The attached term of services chart provides the composition of the committee.

Subcommittees/Working Groups²:

Existing from the 2017 Annual Agenda

Participate in the joint ad hoc rules and forms subcommittee to implement Tactical Plan for Technology, 2017-2018.

New for the 2018 Annual Agenda

Subcommittee on the Indian Child Welfare Act to review and respond to California ICWA Compliance Task Force Report (new project 1) and newly adopted federal *Regulations for State Courts and Agencies in Indian Child Custody Proceedings* and *Guidelines for Implementing the Indian Child Welfare Act* (ongoing project 2), 2018 - 2019

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

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³	
1.	Review and respond to California ICWA Compliance Task Force Report and Recommendations	<i>Priority 2⁴</i>
<p>In March of 2017, the California ICWA Compliance Task Force presented its report to California Attorney General Xavier Becerra⁵. The report includes a number of issues and recommendations related to compliance with the Indian Child Welfare Act in California. A number of the findings and recommendations relate to the work of the Judicial Branch.</p> <p><i>Status/Timeline: The Forum will undertake a review of the report recommendations related to the work of the Judicial Branch and make recommendations for action to the Judicial Council by January 1, 2019.</i></p> <p><i>Fiscal Impact/Resources: JCC staff.</i></p> <p><i>Internal/External Stakeholders: Office of Governmental Affairs, Legal Services Office, Center for Judicial Education and Research. External stakeholders include the California Department of Social Services, the California Attorney General’s Office and the California Tribal Families Coalition.</i></p> <p><i>AC Collaboration: Family and Juvenile Law Advisory Committee, Probate and Mental Health Advisory Committee, and the Center for Judicial Education and Research Education Committee with respect to recommendations that impact the work of those bodies.</i></p>		
2.	Develop a legislative proposal to facilitate recognition of tribal court orders regarding the division of marital assets as “qualified domestic relations order” within the meaning of 29 USCA §1056(d)(3)(B) for the purpose of dividing pensions and other benefits within the scope of the Employee Retirement Income Security Act (ERISA).	<i>Priority 2b</i>

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

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

⁵ Available at <https://www.caltribalfamilies.org/news/ICWAComplianceTaskForceFinalReport2017.pdf/view>

#	New or One-Time Projects ³
	<p>As part of its charge under Rule 10.60(b) (2) the Forum is to make recommendations relating to the recognition and enforcement of court orders that cross jurisdictional lines. Domestic relations is an area where tribal courts in California are increasingly exercising jurisdiction. The effectiveness of these orders is undermined when they are not fully recognized and enforced. Tribal courts report that some of their clients are having difficulty having division of marital assets orders issued with respect to pension benefits subject to ERISA recognized by plan administrators. As part of its statute governing the recognition and enforcement of foreign money judgements, Oregon has adopted a provision to recognize qualifying tribal court orders as domestic relations orders for ERISA purposes. The Judicial Council sponsored legislation in 2014 to establish the Tribal Court Civil Money Judgement Act (Code of Civil Procedure §§1730-1742). A provision could be added, similar to the Oregon provision, to clarify that qualifying tribal court orders must be considered as domestic relations orders for ERISA purposes under California law.</p> <p><i>Status/Timeline:</i> Subject to approval by Judicial Council and Legislature: likely effective date would be January 1, 2020.</p> <p><i>Fiscal Impact/Resources:</i> JCC staff, staff to the Civil and Small Claims Advisory Committee and the Office of Governmental Affairs.</p> <p><i>Internal/External Stakeholders:</i> Office of Governmental Affairs. External stakeholders could potentially include members of the family law bar and pension plan administrators.</p> <p><i>AC Collaboration:</i> Civil and Small Claims Advisory Committee.</p>

#	Ongoing Projects and Activities	
1.	<p>Policy Recommendations: Revise Pro Hac Vice Requirements for attorneys representing Indian Tribes and Indian Parents in Indian Child Welfare Act Cases</p> <p>This project was on the 2017 annual agenda as item 8(ii) at page 10. The issue gained new urgency with the release of the California ICWA Compliance Task Force Report in March of 2017 which addressed pro hac vice rules in its recommendations.⁶</p> <p><i>Status/Timeline: Anticipate that a proposal to amend Rule 9.40 will circulate during the Spring 2018 RUPRO cycle. If approved by the Judicial Council the amendment would come into effect January 1, 2019.</i></p> <p><i>Fiscal Impact/Resources: JCC staff.</i></p> <p><i>Internal/External Stakeholders: Internal Stakeholders include the liaison from the Supreme Court to the State Bar. External stakeholders include the State Bar and the California Tribal Families Coalition.</i></p> <p><i>AC Collaboration: N/A</i></p>	<p>Priority 2b</p>
2.	<p>Policy Recommendations: Review of newly adopted federal Regulations for State Courts and Agencies in Indian Child Custody Proceedings and Guidelines for Implementing the Indian Child Welfare Act.</p> <p>Review the newly adopted <i>Regulations for State Courts and Agencies in Indian Child Custody Proceedings</i> (as published in the Federal Register on June 14, 2016 (Vol. 81 FR No. 114 38778) and the updated <i>Bureau of Indian Affairs Guidelines for Implementing the Indian Child Welfare Act</i> (as published in the Federal Register on December, 30, 2016 (Vol. 81 FR No. 251 96476), for possible recommendations to the Judicial Council for sponsored legislation or legislative positions on bills that will be introduced to implement the new regulations and guidelines in California.</p> <p><i>Status/Timeline: This is an ongoing item from the Forum’s 2017 Annual Agenda. During the past year staff to the Forum have prepared analysis of the implications of the regulations and guidelines for California law and practice and have prepared an alert concerning the regulations.⁷ Several members of the Forum have volunteered to work with staff to prepare initial recommendations for interpretation and implementation of the regulations and guidelines. Those discussions are ongoing. The Forum expects to have final recommendations for the Judicial Council by January 1, 2019.</i></p>	<p>Priority 2</p>

⁶ The report of the California ICWA Compliance Task Force is available at <https://www.caltribalfamilies.org/news/ICWAComplianceTaskForceFinalReport2017.pdf/view>. See recommendation 1 at page 95.

⁷ Available at http://www.courts.ca.gov/documents/ICWA_New-federal-regulation.pdf

#	Ongoing Projects and Activities	
	<p><i>Fiscal Impact/Resources: JCC staff.</i></p> <p><i>Internal/External Stakeholders: Internal Stakeholders include the Forum, Family and Juvenile Law Advisory Committee, and the Probate and Mental Health Advisory Committee.</i></p> <p><i>AC Collaboration: Staff are coordinating with the Family and Juvenile Law Advisory Committee, and the Probate and Mental Health Advisory Committee and staff to those committees as the Indian Child Welfare Act affects the work of those committees as well.</i></p>	
3.	Policy recommendations: Judge to Judge communication between state and tribal court judges.	Priority 2
	<p>As part of the Forum’s charge under rule 10.60(1) and (2), the Forum considers whether, in different case types, it is necessary and appropriate to facilitate judge to judge communication between state and tribal courts in order to promote the recognition and enforcement of orders across jurisdictional lines. Provision for such communication is included in California Code of Civil Procedure §1740 and in Family Code §3410. As tribal courts in California expand their activities, it may be appropriate to include such provisions in relation to other case types.</p> <p><i>Status/Timeline: Ongoing</i></p> <p><i>Fiscal Impact/Resources: JCC staff</i></p> <p><i>Internal/External Stakeholders: N/A</i></p> <p><i>AC Collaboration: N/A</i></p>	
4.	Policy Recommendations: Legislation to improve the recognition and enforcement of tribal court orders.	Priority 2
	<p>As part of its mandate under Rule 10.60(b)(2) to make recommendations relating to the recognition and enforcement of court orders that cross jurisdictional lines, the Forum continuously looks for areas where legislative action would be appropriate. In the past the Forum has partnered with the Civil and Small Claims Advisory Committee to recommend legislation (SB 406) which established the Tribal Court Civil Money Judgement Act (Code of Civil Procedure §§1730-1742). As originally passed, that Act was to sunset on January 1, 2018. This past year the Forum worked with staff of the Office of Governmental Affairs to provide information to the California Law Revision Commission studying the effect of the Act and other statutes governing recognition and enforcement of foreign orders. Legislation was finalized that lifted the sunset.</p>	

#	Ongoing Projects and Activities	
	<p>This coming year the Forum will further this objective through item 3 in new projects above and will work with the Traffic Advisory Committee to determine if it would be feasible to create a proposal to improve the recognition and enforcement of tribal court traffic orders.</p> <p><i>Status/Timeline: January 1, 2019.</i></p> <p><i>Fiscal Impact/Resources: JCC staff.</i></p> <p><i>Internal/External Stakeholders: Office of Governmental Affairs</i></p> <p><i>AC Collaboration: Traffic Advisory Committee</i></p>	
5.	Policy recommendations: Ethics	Priority 2
	<p>State and tribal court judges may sit on each other's benches and hear cases in the other jurisdiction through a joint-jurisdiction court or on an ad hoc or ongoing basis. The Forum will continue to work with the California Supreme Court's Advisory Committee on the Code of Judicial Ethics and make recommendations and request advisory opinions or amendments to the canons as appropriate and necessary to facilitate such collaborations.</p> <p><i>Status/Timeline: Ongoing</i></p> <p><i>Fiscal Impact/Resources: JCC staff.</i></p> <p><i>Internal/External Stakeholders: N/A</i></p> <p><i>AC Collaboration: Advisory Committee on the Code of Judicial Ethics.</i></p>	
6.	Policy Recommendation: Tribal Access to the Child Abuse Central Index (Index)	Priority 2
	<p>The Index is used to aid law enforcement investigations and prosecutions, and to provide notification of new child abuse investigation reports involving the same suspects and/or victims. Information is also used to help screen applicants for licensing or employment in child care facilities, foster homes, and adoptive homes. The purpose of allowing access to this information on a statewide basis is to quickly</p>	

#	Ongoing Projects and Activities	
	<p>provide authorized agencies, including tribal agencies, with relevant information regarding individuals with a known or suspected history of abuse or neglect. While tribal agencies can obtain information from the Index, they cannot readily submit information to the Index. This practice poses several problems: (1) suspected or known abusers may remain in the home of a child posing safety risks; (2) unnecessary duplication of effort by agencies; (3) delays in entry into the Index due to double investigations; and (4) barriers to sharing information among tribal and nontribal agencies that should be working together to protect children. The forum will explore consulting with the Department of Justice to consider executive branch action to permit tribal access to the Index.</p> <p><i>Status/Timeline: Ongoing</i></p> <p><i>Fiscal Impact/Resources: JCC staff</i></p> <p><i>Internal/External Stakeholders: The California Department of Justice.</i></p> <p><i>AC Collaboration: Family and Juvenile Law Advisory Committee.</i></p>	
7.	<p>Policy Recommendation: Technological Initiatives</p> <p>Both federal and state law require mutual full faith and credit for domestic violence restraining orders issued by tribal and state courts. A crucial aspect of promoting the mutual recognition and enforcement of such court orders is facilitating knowledge between state and tribal courts as to the protective orders issued by their respective courts. The Forum and staff have worked to provide tribal courts with the ability to read orders contained in the California Courts Protective Order Registry (CCPOR) and to facilitate entry of appropriate orders issued by tribal courts into CCPOR.</p> <p><i>Status/Timeline: In 2017 one tribal court was trained on accessing CCPOR.</i></p> <p><i>Fiscal Impact/Resources: JCC staff, Information Technology Office staff.</i></p> <p><i>Internal/External Stakeholders: JCC staff, staff to Center for Judicial Education and Research/Center for Families, Children & the Courts Violence Against Women Education Project. External stakeholders include tribal courts.</i></p> <p><i>AC Collaboration: N/A</i></p>	<p>Priority 2</p>

#	Ongoing Projects and Activities	
	<p>(B) Since its inception the Forum has been exploring ways to improve and simplify the process of doing inquiry and providing notice in cases governed by the Indian Child Welfare Act. The Forum will continue to explore these opportunities, including whether document assembly programs might be helpful in reducing the time required and errors in ICWA inquiry and populating forms with the information gathered. The Forum will also monitor any ongoing e-notice pilot programs or other technological advances in other jurisdictions and make recommendations to the Judicial Council on replicating those in California.</p> <p><i>Status/Timeline: This is an ongoing Forum charge.</i></p> <p><i>Fiscal Impact/Resources: JCC staff; Center for Families, Children & the Courts staff with document assembly expertise.</i></p> <p><i>Internal/External Stakeholders: N/A</i></p> <p><i>AC Collaboration: N/A</i></p>	
8.	Policy Recommendation: Funding for Innovative Practices and System Improvements	Priority 2
	<p>The Forum seeks to support innovative practices and system improvements including seeking funding for such initiatives as a pilot program to facilitate tribal participation and improve outcomes in Indian Child Welfare Act cases by providing appointed counsel for tribes in these cases.</p> <p><i>Status/Timeline: Last year the Judicial Council submitted a federal grant application which would have provided inter alia funding for a pilot project to provide appointed counsel to tribes in ICWA cases. The Forum and Tribal/State Programs Unit staff will continue to seek out available funding.</i></p> <p><i>Fiscal Impact/Resources: JCC staff.</i></p> <p><i>Internal/External Stakeholders: N/A</i></p> <p><i>AC Collaboration: N/A</i></p>	
9.	Increase Tribal/State Partnerships: Sharing Resources and Communicating Information About Partnerships	Priority 2

#	Ongoing Projects and Activities	
	<p>One of the guiding principles of the Forum is to improve access to justice by providing tribal and state courts access to resources for capacity building and collaboration on an equal basis, sharing resources, and seeking out additional resources.</p> <ol style="list-style-type: none"> 1. Identify Judicial Council and other resources that may be appropriate to share with tribal courts. 2. Identify tribal justice resources that may be appropriate to share with state courts. 3. Identify grants for tribal/state court collaboration. 4. Share resources and information about partnerships through Forum E-Update, a monthly electronic newsletter. 5. Publicize these partnerships at conferences, on the Innovation Knowledge Center (IKC), and at other in-person or online venues. 6. Disseminate information to tribal court judges and state court judges on a monthly basis through the Forum E-Update, a monthly electronic newsletter with information on the following: <ul style="list-style-type: none"> ○ Grant opportunities; ○ Publications; ○ News stories; and ○ Educational events. 7. Foster tribal court/state court partnerships, such as the Superior Court of Los Angeles County’s Indian Child Welfare Act Roundtable and the Bay Area Collaborative of American Indian Resources—court-coordinated community response to ICWA cases in urban areas and the providing technical assistance to the joint-jurisdiction collaborations between the Yurok Tribe and the Superior Court of California, County of Humboldt and the Shingle Springs Band of Miwok Indians and the Superior Court of California, County of El Dorado. <p><i>Status/Timeline: Ongoing. During this year the Northern California Intertribal Court System was provided with access to a number of unlocked Judicial Council Juvenile, Family, Probate and Domestic Violence forms that the staff of the Northern California Intertribal Court System adapted for use by member courts. The adapted forms have been posted and made available to other tribal courts.</i></p> <p><i>Fiscal Impact/Resources: JCC staff.</i></p> <p><i>Internal/External Stakeholders: N/A</i></p> <p><i>AC Collaboration: N/A</i></p>	
10.	Increase Tribal/State Partnerships: Tribal/State Collaborations that Increase Resources for Courts	<i>Priority 2</i>

#	Ongoing Projects and Activities	
	<p>A primary goal of the Forum is to improve relationships between state and tribal courts and foster collaboration between those courts. There are currently two active joint-jurisdiction projects ongoing between Forum member state and tribal courts – the Superior Court of California, County of El Dorado collaborative with the Shingle Springs Band of Miwok Indians Tribal Court and the Superior Court of California, County of Humboldt collaboration with the Yurok Tribal Court.</p> <p><i>Status/Timeline: Ongoing. This year the JCC staff are supporting these collaborations by sharing resources and agreements, and offering technical assistance on collaborations. Humboldt Superior Court also received an innovation grant from the Judicial Council for the joint-jurisdiction court project.</i></p> <p><i>Fiscal Impact/Resources: Collaboration and joint-jurisdiction courts should provide fiscal savings by improving the sharing of resources across jurisdictions.</i></p> <p><i>Internal/External Stakeholders: External stakeholders include Superior Courts and Tribal Courts</i></p> <p><i>AC Collaboration: N/A</i></p>	
11.	Increase Tribal/State Partnerships: Education and Technical Assistance to Promote Partnerships and Understanding of Tribal Justice Systems	<i>Priority 2</i>
	<p>The Forum will continue to develop educational events, resources and tools and provide technical assistance to promote partnerships and understanding between state and tribal justice systems including:</p> <ol style="list-style-type: none"> 1. Make recommendation to Judicial Council staff to continue providing educational and technical assistance to local tribal and state courts to address domestic violence and child custody issues in Indian country. 2. Make recommendation to Judicial Council staff to provide technical assistance to evaluate the joint jurisdictional court and to courts wishing to replicate the model. 3. Make recommendation to the Judicial Council staff to continue developing civic learning opportunities for youth that exposes them to opportunities and careers in tribal and state courts. 4. Make recommendation to explore, at the option of tribes, opportunities for state and federal court judges to serve as a tribal court judge. 5. Develop and implement strategy to seek resources for tribal/state collaborations. 6. Continue to provide the State/Tribal Education, Partnerships, and Services (S.T.E.P.S.) to Justice—Domestic Violence and Child Welfare programs and provide local educational and technical assistance services. 	

#	Ongoing Projects and Activities	
	<p>7. Continue the first joint jurisdictional court in California. The Superior Court of El Dorado County, in partnership with the Shingle Springs Band of Miwok Indians, is operating a family wellness court and next year will provide technical assistance to evaluate the joint jurisdictional court. (See Court Manual).</p> <p>8. Establish partnership between the Superior Court of Humboldt County and the Yurok Tribal Court to develop a civics learning opportunity for youth in the region.</p> <p><i>Status/Timeline: Ongoing.</i></p> <p><i>Fiscal Impact/Resources: JCC Staff.</i></p> <p><i>Internal/External Stakeholders: Center for Judicial Education and Research</i></p> <p><i>AC Collaboration: Governing Committee of the Center for Judicial Education and Research</i></p>	
12.	Education: Judicial Education	Priority 2
	<p>CJER toolkits, located on the Judicial Resources Network, will be updated to include federal Indian law. Develop ten-minute educational video to be posted online and shared statewide with justice partners. In collaboration with the CJER Curriculum Committees, consult on and participate in making recommendations to revise the CJER online toolkits so that they integrate resources and educational materials from the forum’s online federal Indian law toolkit. Forum judges are working together with committee representatives from the following curriculum committees: (1) Access, Ethics, and Fairness, (2) Civil, (3) Criminal, (4) Family, (5) Juvenile Dependency and Delinquency, and (6) Probate.</p> <p><i>Status/Timeline: Ongoing. This year and next, Forum members and staff of the Tribal/State Programs Unit are collaborating with CJER to create a “Continuing the Dialogue” episode on the Indian Civil Rights Act of 1968. When completed, that video will be screened by CJER and housed on the Judicial Resources Network.</i></p> <p><i>Fiscal Impact/Resources: JCC staff; Center for Judicial Education and Research staff.</i></p> <p><i>Internal/External Stakeholders: N/A</i></p> <p><i>AC Collaboration: Governing Committee of the Center for Judicial Education and Research</i></p>	
13.	Education: Truth and Reconciliation	Priority 2

#	Ongoing Projects and Activities
	<p>Consider collaboration among the three branches of state government in partnership with tribal governments to promote a truth and reconciliation project that acknowledges California’s history, as described in Professor Benjamin Madley’s book, <i>An American Genocide: The United States and the California Indian Catastrophe</i>, with respect to indigenous peoples, fosters an understanding of our shared history, and lays a foundation for reconciliation, which promotes a call to action.</p> <p><i>Status/Timeline:</i> Ongoing. As a step towards the goal of <i>Statewide Truth and Reconciliation</i>, Forum members and staff of the Tribal/State Programs Unit are participating in a civic engagement project in Humboldt County which will infuse curriculum with an understanding of local Indian history.</p> <p><i>Fiscal Impact/Resources:</i> JCC staff</p> <p><i>Internal/External Stakeholders:</i> External stakeholders include Tribal Governments, Humboldt County Civic Engagement Project.</p> <p><i>AC Collaboration:</i> N/A</p>

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III. LIST OF 2017 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<p>Education: Documentary-Judicial Education JCC staff consulted on a documentary on tribal courts in California and tribal court – state court collaboration which featured a number of Forum members. That documentary “Tribal Justice” was completed in February of 2017 and was widely screened at film festivals and on PBS Point of View. http://www.pbs.org/pov/tribaljustice/</p>
2.	<p>Education: Information Bulletin and Video on duty to recognize and enforce tribal court protective orders Forum members collaborated with the California Office of the Attorney General and the Sheriffs Association to develop a ten-minute mentor video on the Information Bulletin relating to the recognition and enforcement of tribal protection orders, issued by the California Office of the Attorney General. This Information Bulletin was the culmination of work by the forum in partnership with the California Department of Justice (DOJ), the California State Sheriffs’ Association, the U.S. Attorney General’s Office, and other justice partners. Both the Information Bulletin and the explanatory video have been widely shared with justice partners and are now posted on the Tribal/State Programs Unit Website here</p>
3.	<p>Policy Recommendation: Rules and Forms – Juvenile Records The Forum worked with the Family and Juvenile Law Advisory Committee to propose an amendment to California Rules of Court, rule 5.552 to conform to the requirements of subdivision (f) of section 827 of the Welfare and Institutions Code, which was added effective January 1, 2015 to clarify the right of an Indian child’s tribe to have access to the juvenile court file of a case involving that child. At that time, no changes were made to California Rules of Court, rule 5.552, which implements section 827 of the Welfare and Institutions Code. Contrary to section 827 as amended, rule 5.552, continued to require that representatives of an Indian child’s tribe petition the juvenile court if the tribe wanted access to the juvenile court file. This inconsistency created confusion. The proposal was approved by the Judicial Council and the amended rule will come into effect January 1, 2018. <i>Effective January 1, 2018</i></p>
4.	<p>Policy Recommendation: Rules and Forms – Child Support Revise California Rule of Court, rule 5.372 in response to the need for consistent procedures for determining the orderly transfer of title IV-D child support cases from the state court to the tribal court when there is concurrent subject matter jurisdiction. Since implementation of the rule of court, over 40 cases have been considered for transfer between the state courts in Humboldt and Del Norte counties and the Yurok Tribal Court. The Yurok Tribe intends to seek transfer of cases currently under the jurisdiction of state court in the following counties: Lake, Mendocino, Shasta, Siskiyou, and Trinity. In addition, at least one other tribe located in Southern California is expected to soon begin handling title IV-D child support cases. Based on the experience with the transfers that have taken place so far, the participants of a cross-court educational exchange have suggested amendments to rule 5.732 to streamline the process, reduce confusion, and ensure consistency and efficient use of court resources. <i>Effective January 1, 2018</i></p>
5.	<p>Policy Recommendations: Recognition and Enforcement of Tribal Court Orders.</p>

#	Project Highlights and Achievements
	<p>The Forum partnered with the Civil and Small Claims Advisory Committee to sponsor legislation (SB 406) which established the <i>Tribal Court Civil Money Judgement Act</i> (Code of Civil Procedure §§1730-1742). As originally passed, that Act was to sunset on January 1, 2018. This past year the Forum worked with staff of the Office of Governmental Affairs to provide information to the California Law Revision Commission studying the effect of the Act and other statutes governing recognition and enforcement of foreign orders. Assembly Bill 905, <i>Money Judgements of Other Jurisdictions</i>, signed by the Governor on August 7, 2017 lifted the sunset on the <i>Tribal Court Civil Money Judgement Act</i>.</p>

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California Judicial Branch Technology Summit

Workstreams Update

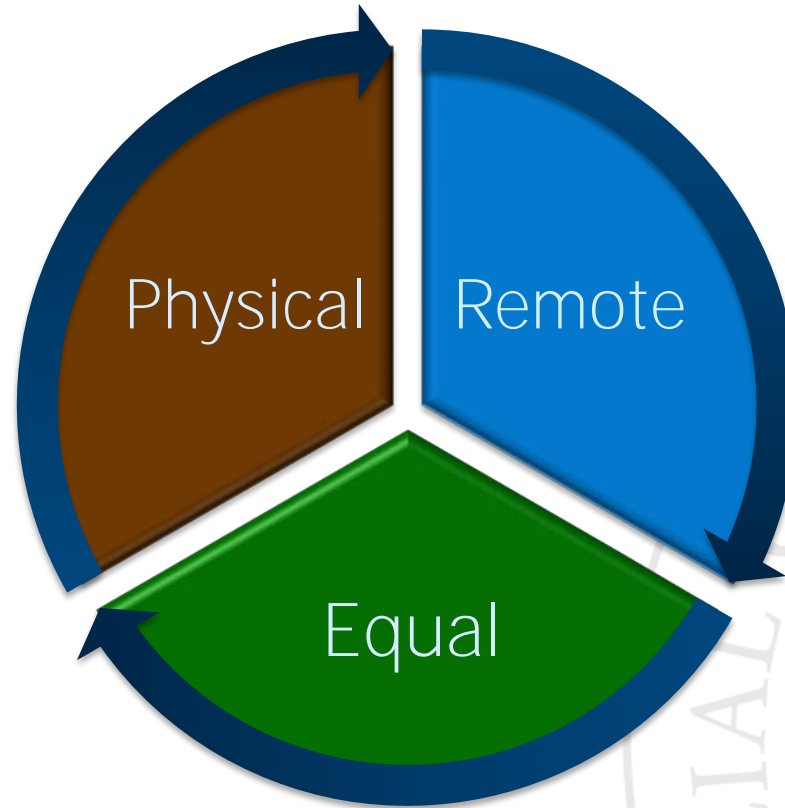


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Access 3D Vision

Safe, secure,
accessible
courts



Ability to
conduct
business
online

Serve all languages, abilities,
and needs



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Strategic Planning

Business Goals

Goals for
Branch

Goals for
Technology

Technology
Initiatives

Guiding Documents

Branch Strategic Plan

Technology Strategic
Plan
2014-2018

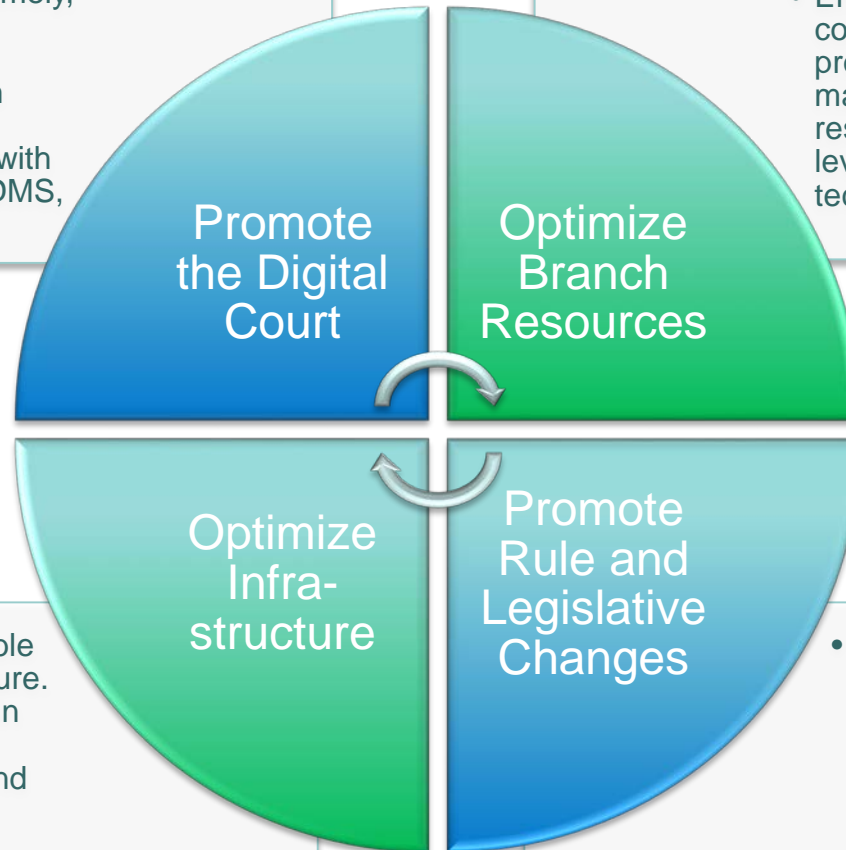
Technology Tactical Plan
2014-2016
2017-2018



Branch Technology Goals

- Improve access, administer timely, efficient justice, gain case processing efficiencies and improve public safety through electronic services for public interaction and collaboration with justice partners. E.g. CMS, DMS, e-filing, online services.

- Encourage technology innovation, collaborative court initiatives, and professional development, to maximize the use of personnel resources, technology assets, and leveraged procurement. E.g. technical communities, contracts.



- Leverage and support a reliable secure technology infrastructure. Ensure continual investment in existing infrastructure and exploration of consolidated and shared computing where appropriate. E.g. network, disaster recovery.

- Drive modernization of statutes, rules and procedures to facilitate use of technology in court operations and delivery of court services. E.g. e-filing, privacy, digital signatures.



Tactical Plan 2017-2018

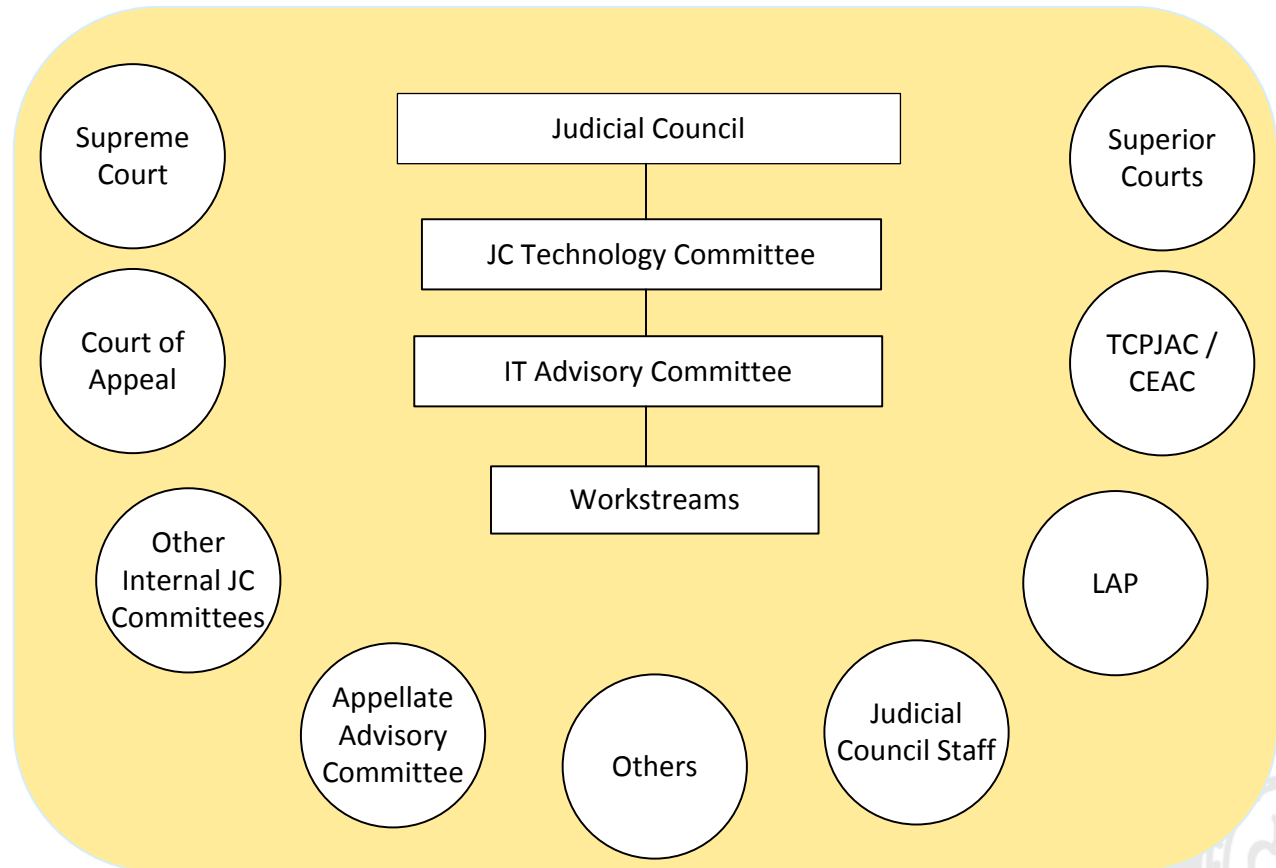
Strategic Goal	Initiative
Promote the Digital Court	Case management system (CMS) migration and deployment
	Document management system (DMS) expansion
	Courthouse video connectivity (including video remote interpreting)
	California Courts Protective Order Registry (CCPOR)
	Self-represented litigants (SRL) e-services
	Statewide e-filing program development
	E-filing deployment
	Identify and encourage projects that provide innovative services
	Digital evidence: acceptance, storage, and retention

Strategic Goal	Initiative
Optimize Branch Resources	Expand the branch IT community through increased sharing of resources, training and collaboration
Optimize Infrastructure	Review funding and procurement models for LAN/WAN initiative
	Transition to next-generation branchwide hosting model
	Court disaster recovery framework and pilot
Promote Rule and Legislative Changes	Identify new policy, rule, and legislative changes



Working as an IT Community

- Courts, Judicial Council and advisory bodies, and staff.
- Leverage the knowledge and expertise within the branch.
- Solicit participation to represent key stakeholders.



What is a workstream?

- A tightly scoped project that contributes to our overall objectives.
- A mechanism to deliver a specific result in a short timeframe (9-18 months or less).
- Results provide a framework and roadmap that trial courts can adopt in whole or in part depending upon their local business requirements and constraints.
- Participants volunteer from across the branch based on interest and expertise.
- Results are business driven.



Workstream Updates

- Next Generation Hosting
- Disaster Recovery
- Self-Represented Litigants Portal
- E-Filing



Next Generation Hosting Strategy Workstream

Executive Sponsors

Hon. Jackson Lucky

Mr. Brian Cotta

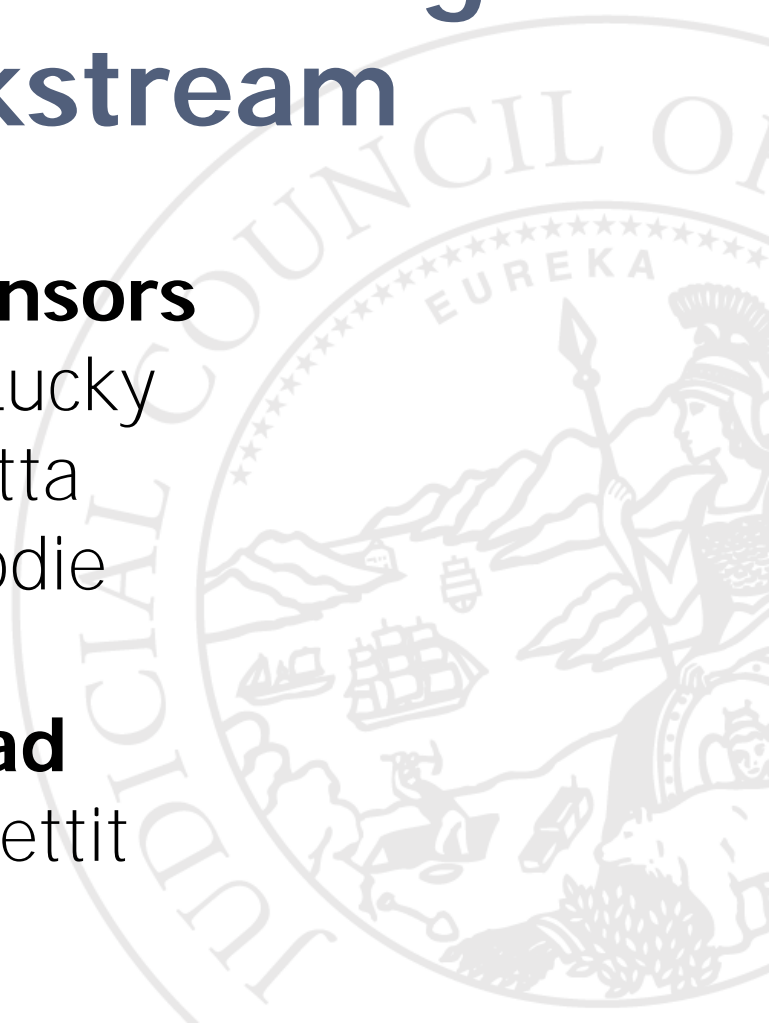
Hon. Kyle Brodie

Project Lead

Ms. Heather Pettit

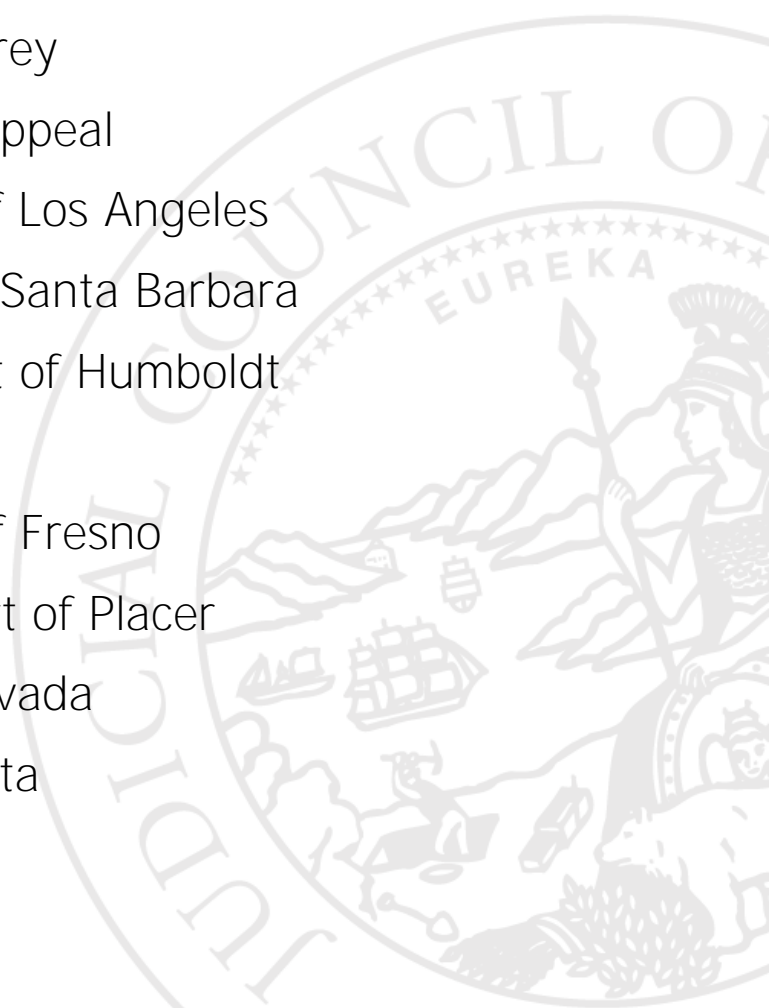


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Participants (18)

1. **Hon. Kyle Brodie**, Superior Court of San Bernardino
2. **Hon. Janet Hilde**, Superior Court of Plumas
3. **Hon. Mark Hood**, Superior Court of Monterey
4. **Hon. Bruce Smith**, Fifth District Court of Appeal
5. **Ken Bjork, Deputy CIO**, Superior Court of Los Angeles
6. **Jim Brock, IT Director**, Superior Court of Santa Barbara
7. **Russ Catalan, IT Director**, Superior Court of Humboldt
8. **Cathy Cole**, Superior Court of Sacramento
9. **Jeremy Gentry-George**, Superior Court of Fresno
10. **Greg Harding, IT Director**, Superior Court of Placer
11. **Sean Metroka, CEO**, Superior Court of Nevada
12. **Jason Piper**, Superior Court of Contra Costa



Participants (cont'd)

13. **Danny Porter, Clerk Administrator**, Sixth District Court of Appeal
14. **Gil Solorio, CEO**, Superior Court of San Benito
15. **Davin Cox**, Judicial Council Staff
16. **Donna Keating**, Judicial Council Staff
17. **Bruce Nguyen**, Judicial Council Staff
18. **Mark Yuan**, Judicial Council Staff



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About the Workstream

Our charge

Assess Alternatives for Transition to a Next-Generation Branchwide Hosting Model (cloud and local data center)

Progress to date

- Reported best practices
- Hosted educational summit
- Identified requirements
- Created a roadmap tool
- Drafted recommended branch framework document



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Sample deliverable



Framework Overview

NEW FRAMEWORK TOOLS SAMPLE INVENTORY CHECKLIST

Requirement	Recommended Service Level	Court Service Level	Applicable Solution		Estimated Amount \$\$ from Road Map			
			Local	Cloud	Year 1	Year 2	Year 3	Year 4
Systems								
Case Management	Critical							
Jury Management	Critical							
Website - Public Service Portal	Critical							
E-filing	High							
Communications/VoIP/Analog/Faxes	High							
CCPOR/CLETS	High							
DMV- Justice Partners Branch and local (Lan/Wan- Connect)	High							
IVR/Call Routing	High							
Video/Meeting/Conference Systems	Low							
Electronic/Video Recording and Playback (FTR)	Moderate							
Facilities Requirements- Assisted Listening (ADA)	Moderate							
Building Access Controls	Moderate							
E-Warrants PC Dec/Ipad/Magistrate phone	Moderate							
Court Call/Telephonic/Video appearance	Moderate							
VRI - Video Remote Interpreting	Moderate							
Physical Security- Video Surv.	Moderate							
					\$0.00	\$0.00	\$0.00	\$0.00
ESTIMATED STRATEGIC BUDGET								
					\$0.00			

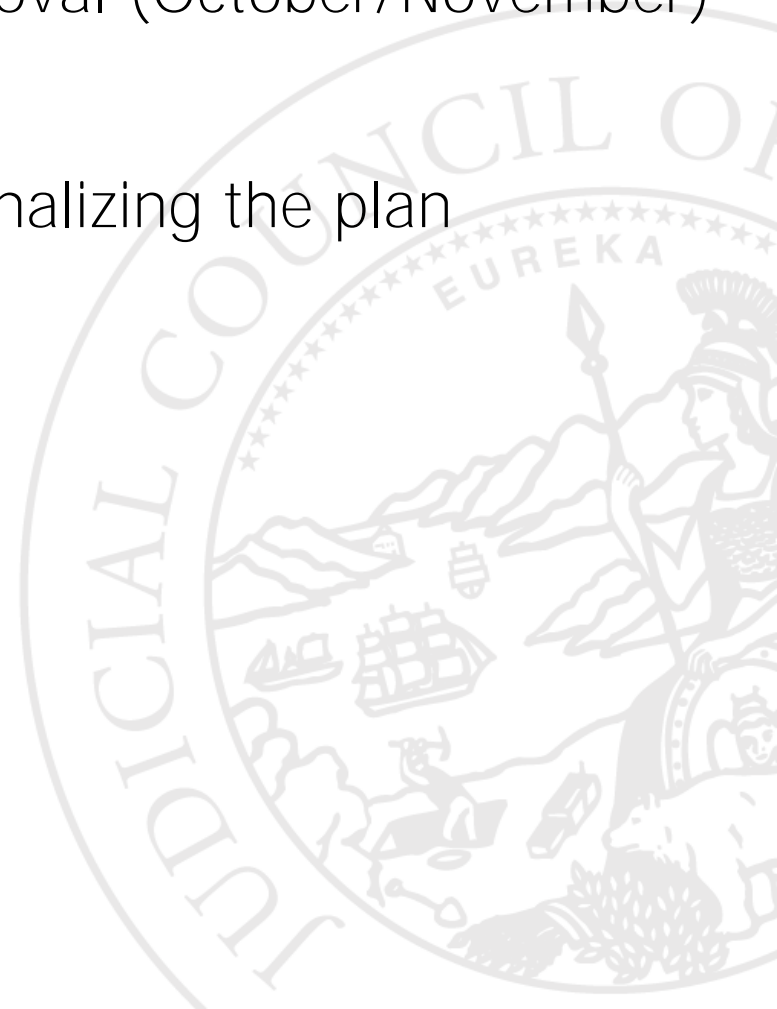


Next steps

- Distribute draft framework for comment
- Incorporate input and finalize approval (October/November)
- Publish on JRN for court use
- JC IT moves forward with operationalizing the plan



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Disaster Recovery (DR) Framework Workstream

Executive Sponsor

Hon. Alan Perkins

Mr. Brian Cotta

Project Lead

Mr. Brian Cotta



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Participants (25)

1. **Hon. James Herman**, Superior Court of Santa Barbara
2. **Ryan Burkhardt, IT Manager**, Superior Court of Sonoma
3. **Dino Camba, CSA**, Second District Court of Appeal
4. **Joe Carrasco, IT Manager**, Superior Court of San Mateo
5. **Adam Creiglow, IT Director**, Superior Court of Solano
6. **Tim Davis, Deputy CEO**, Superior Court of Kern
7. **Rick Feldstein, CEO**, Superior Court of Napa
8. **Jeremy Gentry-George, IT Director**, Superior Court of Fresno
9. **Greg Harding, IT Director**, Superior Court of Placer
10. **Richard Heltzel, (Ret.) Clerk**, U.S. Bankruptcy Court
11. **Doug Jones, SME**, Superior Court of San Luis Obispo
12. **Dean Larres, Sr. DBA**, Superior Court of San Mateo



Participants (cont'd)

13. **Daniel Melendrez, IT Manager**, Superior Court of San Bernardino
14. **Joe McAllister, CSA**, Fifth District Court of Appeal
15. **Dorothy McCarthy, IT Director**, Superior Court of Marin
16. **Scott McNitt, Network Supervisor**, Superior Court of Kern
17. **Mark Odenweller, CSA**, Third District Court of Appeal
18. **Pete Pappas, CIO**, Superior Court of Riverside
19. **Pawan Sarna, IT Manager**, Superior Court of San Mateo
20. **Gus Solidum, IT Supervisor**, Superior Court of Merced
21. **James Tran, CSA**, Second District Court of Appeal
22. **Wannes Vandenbulcke, Sr. Tech Analyst**, Superior Court of Humboldt
23. **Ricardo Vera, IT Manager**, Superior Court of Los Angeles
24. **Deon Whitfield, IT Manager**, Superior Court of Tulare
25. **Michael Derr**, Judicial Council Staff



About the Workstream

Our charge

Document and Adopt a Court Disaster Recovery (DR) Framework

Progress to date

- Surveyed courts on DR posture
- Drafted the DR framework (documents) including:
 - ❖ Recommendations & Reference Guide
 - ❖ An Adaptable Template
 - ❖ “How to Use” Guide

Decided a budget change proposal (BCP) is necessary



Sample deliverable: Build-a-Plan

1.5 Disaster Recovery Plan Phases

This disaster recovery plan establishes action steps and clear lines of responsibility for recovery efforts. The plan consists of the following phases:

- **Site evacuation.** If necessary, the disaster recovery manager (DR Manager) will order the evacuation of the [court facility] data center and turn over the control of the equipment within the facility to [alternate facility].
- **Notification (DR Team)**
- **Assessment (DR Team)**
condition
declare a
- **Strategy (DR Team)**
strategies
- **Post-declaration (DR Team)**
for notify
provides a
arrangem
- **Continuity of services and initial recovery phase.** If directed by the DR Manager, the DR Team will take action to quickly recover and continue providing the [court name] data center housed at [court facility] services to the extent allowed by conditions and, if necessary, at a degraded level until the restoration of normal operations. If conditions warrant, the DR Team will relocate and recover the [court name] data center housed at [court facility] operations at the alternate site in [location].
- **Full recovery and reconstitution of normal operations phase.** As conditions stabilize, the DR Team will take action to reestablish the [court name] data center housed at [location] operations to the [alternate location] facility. Depending on the damage that occurred, [court entity] will repair facilities, repair damaged equipment, return platforms to operation, reload applications, re-initiate network connectivity, and restore normal computer operations and associated procedures. If the site is not salvageable, an alternate site will be selected and reconstructed to a level equivalent to that of the original site.
- **Return phase.** This phase includes instructions for salvage and media reclamation activities as well as site restoration.
- **Preparedness phase.** This phase includes guidelines for updating the plan, testing the plan, and validating information within the plan (e.g., contact names, vendor names, and



Next steps

- Incorporate branch comment on framework
- Finalize for approval (October/November)
- Resurvey courts regarding their DR posture
- Prepare BCP in 2018 for FY19-20 requesting funds to pilot and assist courts



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Self-Represented Litigants (SRL) E-Services Workstream

Executive Sponsor

Hon. James Mize

Hon. Michael Groch

(Hon. Robert Freedman)

Project Lead

Mr. Brett Howard



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SRLs in perspective

- **4.3M+** come to court without an attorney
- **90%** of family law cases
- **75%** of civil cases
- **90%** of tenants in eviction cases represent themselves

Have at least one party without a lawyer



Participants (19)

1. **Hon. Robert Freedman**, Superior Court of Alameda
2. **Hon. Michael Groch**, Superior Court of San Diego
3. **Hon. Jackson Lucky**, Superior Court of Riverside
4. **Hon. Michael Mattice**, Superior Court of Solano
5. **Hon. Erica Yew**, Superior Court of Santa Clara
6. **Russ Catalan, IT Director**, Superior Court of Merced
7. **Adam Creiglow, CIO**, Superior Court of Marin
8. **Doug Jones, IT Director**, Superior Court of San Luis Obispo
9. **Maria Livingston, FLF**, Superior Court of Orange
10. **Terry McNally, CEO**, Superior Court of Kern
11. **Jeannette McSkane, Staff**, Superior Court of Orange
12. **Heather Pettit, CIO**, Superior Court of Contra Costa



Participants (Cont'd)

13. **Snorri Ogata, CEO**, Superior Court of Los Angeles
14. **Darrel Parker, CEO**, Superior Court of Santa Barbara
15. **Lollie Roberts, FLF**, Superior Court of Sacramento
16. **Mark Gelade**, Judicial Council Staff
17. **Diana Glick**, Judicial Council Staff
18. **Camilla Kieliger**, Judicial Council Staff
19. **Kyanna Williams**, Judicial Council Staff



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About the Workstream

Our charge

Develop Requirements and a Request for Proposal (RFP) for Establishing Online Branchwide Self-Represented Litigants (SRL) E-Services

Progress to date

- Researched existing online services
- Request for Information (RFI)
- Initiated the BCP process

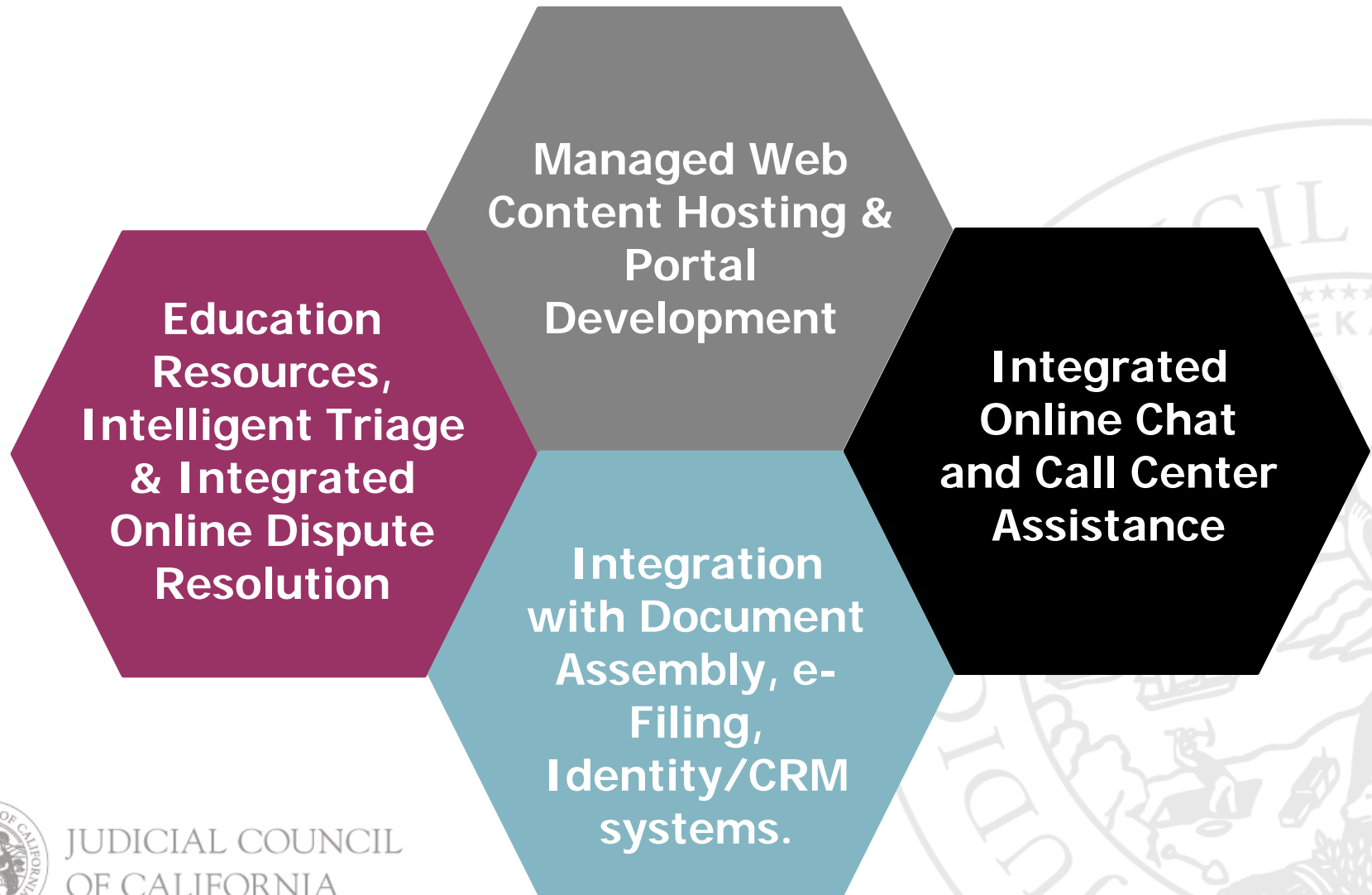


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The SRL Honeycomb

Components of a Statewide SRL e-Services Solution



Next steps

- Report findings from RFI
- Determine implementation options for branch solution
- Issue a Request for Proposal (RFP)
- Complete BCP process
- Initiate development and support



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E-Filing Strategy Workstream

Executive Sponsor

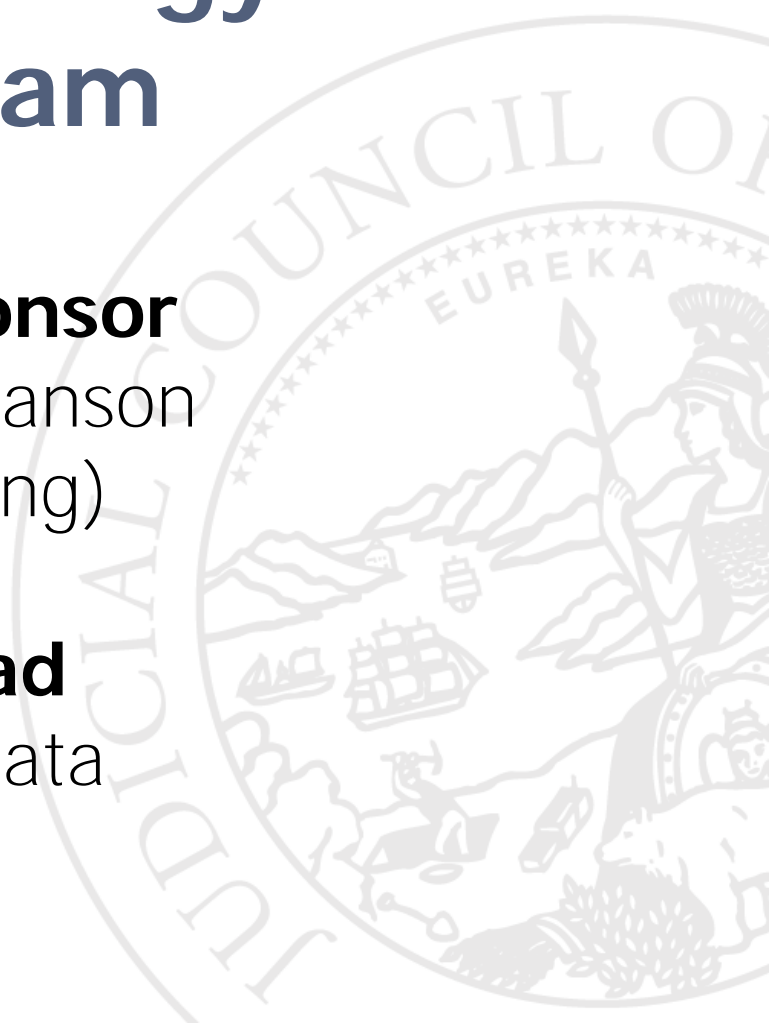
Hon. Sheila F. Hanson
(Mr. Rob Oyung)

Project Lead

Mr. Snorri Ogata

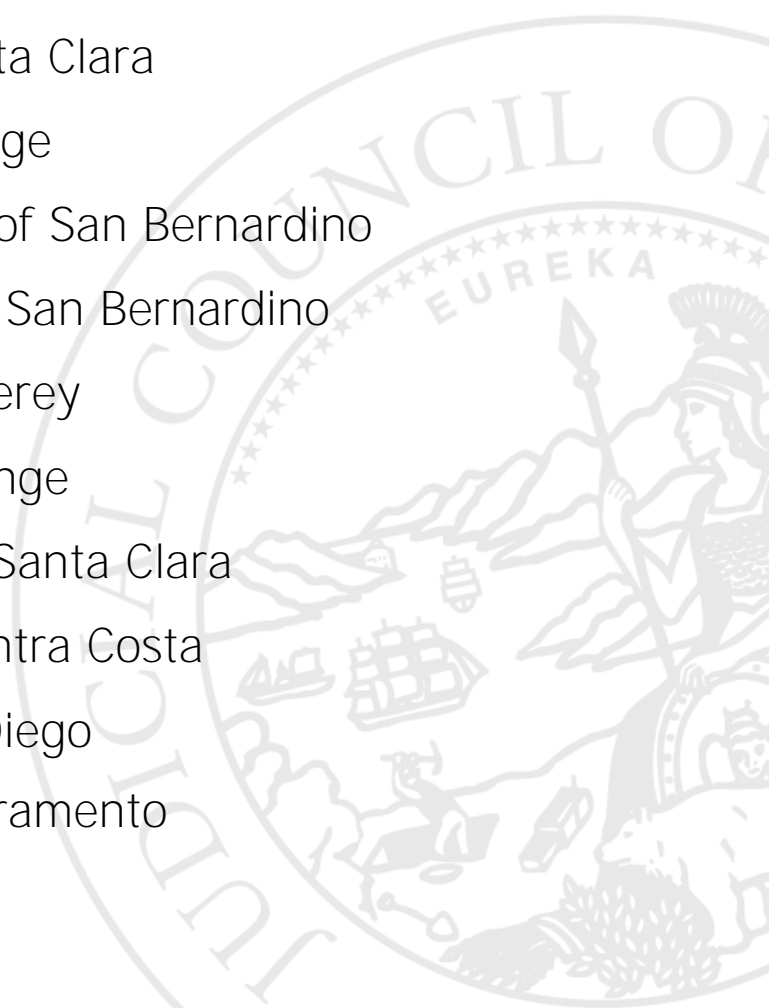


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Participants (17)

1. **Hon. Jeffrey Barton**, Superior Court of San Diego
2. **Hon. Mark Hood**, Superior Court of Monterey
3. **Hon. Aaron Persky**, Superior Court of Santa Clara
4. **Alan Carlson, CEO**, Superior Court of Orange
5. **Mary Davis, Deputy CEO**, Superior Court of San Bernardino
6. **Nancy Eberhardt, COO**, Superior Court of San Bernardino
7. **Paras Gupta, CIO**, Superior Court of Monterey
8. **Brett Howard, CIO**, Superior Court of Orange
9. **Robert Oyung, as CIO**, Superior Court of Santa Clara
10. **Heather Pettit, CIO**, Superior Court of Contra Costa
11. **Mike Roddy, CEO**, Superior Court of San Diego
12. **Chris Stewart, CIO**, Superior Court of Sacramento



Participants (Cont'd)

13. **Anh Tran, CIO**, Superior Court of San Joaquin
14. **Rick Walery, CIO**, Superior Court of San Mateo
15. **Tarah Vadini, Staff**, Superior Court of Los Angeles
15. **Edmund Herbert**, Judicial Council Staff
16. **Tara Lundstrum**, Judicial Council Staff
17. **Patrick O'Donnell**, Judicial Council Staff



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About the Workstream

Our charge

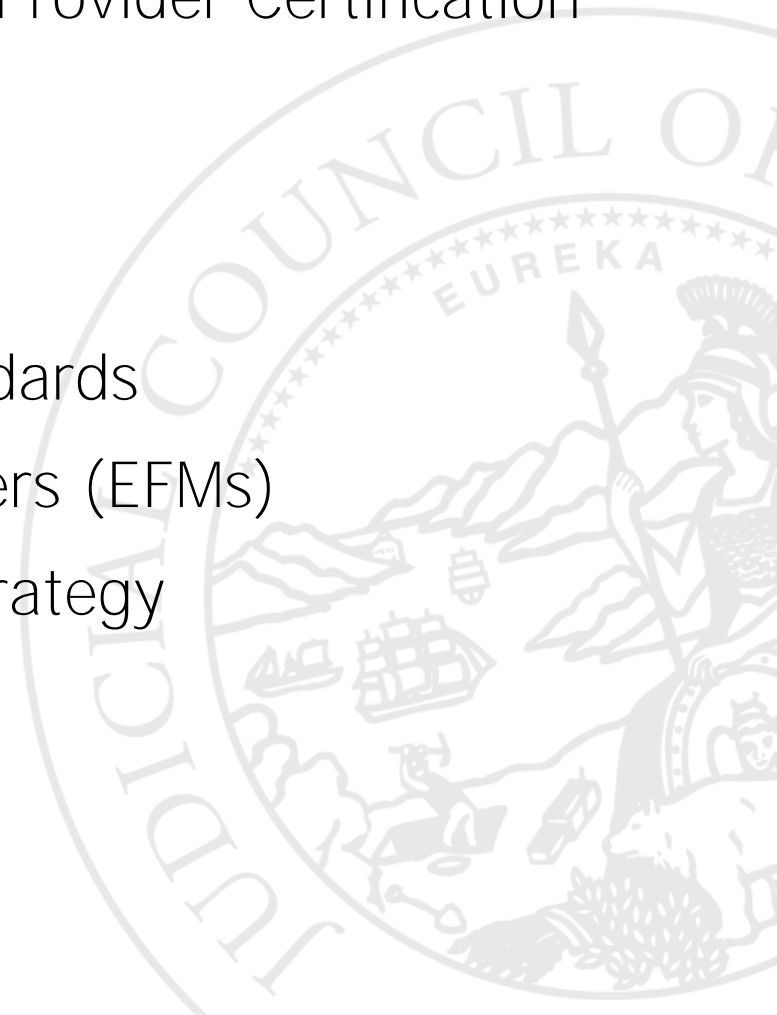
Update E-Filing Standards; Develop Provider Certification and a Deployment Strategy

Progress to date





- Approved e-filing policies and standards
- Selected statewide E-Filing Managers (EFMs)
- Developed branch roadmap and strategy



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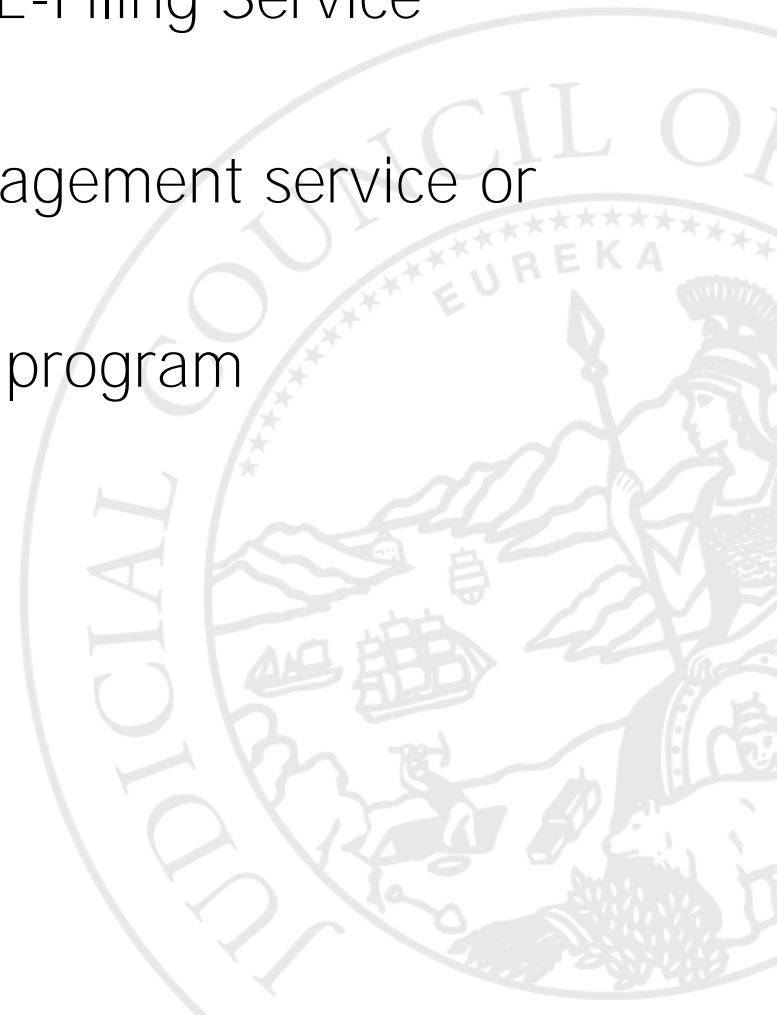


E-Filing at 50,000 Feet

Filer	EFSP	EFM	Court
<p>Lawyer, para-legal, self-represented litigant, government agency, etc.</p>	<p>E-filing Service Provider (EFSP)</p>	<p>E-filing Manager (EFM)</p>	<p>Case Management, Document Management</p>
			
<p>Initiates the process:</p> <ul style="list-style-type: none"> - Data entry - Document upload - Commit to pay 	<p>Helps gather data, documents and money to complete an e-filing transaction; trains and provides support to filer.</p>	<p>Organizes filings for clerical review. Prepares data for CMS and documents for DMS.</p>	<p>Accept/Reject. Store data in CMS. Store document in DMS. Settle charges.</p>

Next steps

- Establish contracts with our selected EFMs
- Develop a certification process for E-Filing Service Providers (EFSP)
- Identify and select an identity management service or provider
- Establish the JC IT e-filing support program



Thank you!



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REPORT TO THE JUDICIAL COUNCIL

For business meeting on March 24, 2017

Title	Agenda Item Type
Judicial Branch Administration: <i>Tactical Plan for Technology, 2017–2018</i>	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	March 24, 2017
Recommended by	Date of Report
Information Technology Advisory Committee	March 2, 2017
Hon. Sheila F. Hanson, Chair	Contact
Hon. Louis R. Mauro, Vice-Chair	Kathleen Fink, 415-865-4094
Hon. Terence L. Bruiniers, Executive	Kathleen.Fink@jud.ca.gov
Sponsor, Tactical Plan Update	Jessica Craven Goldstein, 818-558-3103
Workstream	Jessica.Craven@jud.ca.gov

Executive Summary

The Tactical Plan Update Workstream of the Information Technology Advisory Committee recommends adopting the updated *Tactical Plan for Technology, 2017–2018*. The updated plan is the result of analysis of branch business drivers, evaluation of existing initiatives, incorporation of new initiatives, and subsequent refinement following circulation for branch and public comment.

Recommendation

The Information Technology Advisory Committee, with the approval of the Judicial Council Technology Committee, recommends that the Judicial Council adopt, effective March 24, 2017, the *Tactical Plan for Technology, 2017–2018*, the first revision of the initial judicial branch [Tactical Plan for Technology, 2014–2016](#), which was established within the [Technology Governance, Strategy, and Funding Proposal](#) (Court Technology Governance and Strategic Plan), effective October 2014. The revised tactical plan is attached at pages 5–58.

Previous Council Action

The Judicial Council adopted the initial Court Technology Governance and Strategic Plan—which included the *Technology Governance and Funding Model, Strategic Plan for Technology*, and *Tactical Plan for Technology*—effective August 2014. The council then adopted the updated Court Technology Governance and Strategic Plan, effective October 2014.

Rationale for Recommendation

The [*Technology Governance and Funding Model \(October 2, 2014\)*](#) directs the Judicial Council to adopt, every two years, a *Tactical Plan for Technology* that will guide branch technology decisions. It assigns the Information Technology Advisory Committee the responsibility of developing, seeking input on, and producing the *Tactical Plan for Technology*. This document represents the first update to the *Tactical Plan for Technology* since the governance model was adopted.

As a starting point to drafting this updated plan, the workstream members identified judicial branch business drivers. The preliminary results were presented to the Trial Court Presiding Judges Advisory Committee, the Court Executives Advisory Committee, and the Court Information Technology Management Forum for feedback.

With the [*Strategic Plan for Technology, 2014–2018*](#) and the business drivers as a foundation, the existing initiatives in the *Tactical Plan for Technology, 2014–2016* were evaluated and updated. In addition, suggestions for new Tactical Plan initiatives were solicited from across the judicial branch. Taking into consideration the limited branch resources currently available, only two new initiatives were selected for inclusion in the *Tactical Plan for Technology, 2017–2018*; (1) Digital Evidence: Acceptance, Storage, and Retention; and (2) Expand Collaboration within the Branch IT Community. The complete list of updated initiatives appears on page 16 of the revised Tactical Plan.

Sections of the Tactical Plan that were developed as a part of the Strategic Plan were not changed or updated, including the Technology Vision, the Technology Principles, and the summary of the strategic technology goals. Those sections will be addressed with the update to the *Strategic Plan for Technology*.

Comments, Alternatives Considered, and Policy Implications

Branch circulation

A draft *Tactical Plan for Technology, 2017–2018* was initially circulated to judicial branch stakeholders on October 17, 2016. Stakeholders included members of the council's internal Judicial Council Technology Committee, as well as the Information Technology Advisory Committee and the Trial Court Budget Advisory Committee, along with presiding judges and justices, court executive officers, and court information technology officers.

Public comment circulation

The draft was circulated to the public for comment between December 16, 2016, and January 23, 2017. During the formal comment period, 2 commenters agreed with the proposal if modified, and 15 took no position on the proposal as a whole but provided comments on specific aspects of the proposal. See the chart of comments, attached at pages 59–75. Overall, the feedback was constructive and helped clarify ambiguities.

Issues raised by commentators

The Tactical Plan Update Workstream met to discuss and respond to comments, and revisions were incorporated where the workstream members agreed it was appropriate. A chart summarizing the comments received and the workstream members' responses is attached.

Implementation Requirements, Costs, and Operational Impacts

Projected implementation requirements and costs vary from initiative to initiative within the Tactical Plan and are noted in the Funding Requirements section describing each initiative. Where impacts to operations may be likely for the courts, Judicial Council, or justice partners, or where funding may be needed, a comprehensive business analysis will be performed for the initiative to ensure that return on investment can be maximized. Potential funding sources have also been identified within each initiative description.

Enhancing electronic access to our courts and court services and promoting more efficient business practices through information technology align with the core values of our judicial branch, with the technology vision, and with Chief Justice Tani G. Cantil-Sakauye's vision for restoring access to our courts, Access 3D. The "digital court" with the capability of 21st-century data exchange will not only allow us to do more with less but will also significantly broaden meaningful access to the courts for litigants, lawyers, justice partners, and the public.

Relevant Strategic Plan Goals and Operational Plan Objectives

The Tactical Plan represents high-priority tactical initiatives that will best meet the business needs of the judicial branch over the next two years. The plan supports Goal III, Modernization of Management and Administration, as stated in *Justice in Focus: The Strategic Plan for California's Judicial Branch* (adopted December 1, 2006). Specifically, it advances the branch's efforts toward achieving its technology goals as identified in the Strategic Plan for Technology portion of the Court Technology Governance and Strategic Plan (adopted October 27, 2014). These goals are:

- Promoting the digital court;
- Optimizing judicial branch resources;
- Optimizing judicial branch infrastructure; and
- Promoting rule and legislative changes related to technology.

Attachments and Links

1. *Tactical Plan for Technology, 2017–2018*, at pages 5–58
2. Comments chart, at pages 59–75

CALIFORNIA JUDICIAL BRANCH

Tactical Plan for Technology

2017–2018

Information Technology Advisory Committee

Tactical Plan Update Workstream

January 30, 2017

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Tactical Plan Update Workstream Membership

Hon. Terence L. Bruiniers, Chair
Associate Justice of the Court of Appeal,
First Appellate District, Division Five

Hon. Steven D. Barnes
Presiding Judge of the Superior Court of
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Hon. Daniel J. Buckley
Judge of the Superior Court of California,
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Mr. Alan Carlson
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Hon. Robert B. Freedman
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Hon. Gary Nadler
Judge of the Superior Court of California,
County of Sonoma

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Mr. Michael D. Planet
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Senior Business Applications Analyst,
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Chief Information Officer of the Superior
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Ms. Kathleen Fink
Judicial Council of California Information
Technology

Ms. Jamel Jones
Judicial Council of California Information
Technology

INTRODUCTION

This Tactical Plan for Technology (2017–2018) is the first revision of the initial judicial branch Tactical Plan for Technology (2014–2016), which was established with the Court Technology Governance and Strategic Plan effective October 2014. The Technology Governance and Funding Model states:

Recommendation 12: The Judicial Council should adopt a Tactical Plan for Technology every two years that will guide branch technology decisions.

It is the responsibility of the Information Technology Advisory Committee to facilitate the process of updating the Tactical Plan for Technology, working with judicial branch stakeholders and other advisory committees. To accomplish this, the Tactical Plan Update Workstream was established in April 2016.

As a starting point for analysis, the workstream drafted a description of judicial branch business drivers (see Appendix A) using the “value disciplines” model (which posits three value disciplines or areas in which an enterprise can focus: operational excellence, customer intimacy, and product leadership)¹ and SWOT analysis—that is, strengths, weaknesses, opportunities, and threats. SWOT is a structured planning method that evaluates those four elements of a project or organization. The preliminary results were presented to the Court Executives Advisory Committee, the Trial Court Presiding Judges Advisory Committee, and the Court Information Technology Management Forum for feedback.

The consensus on the judicial branch’s primary service value focus is operational excellence by delivering to court users more effective, efficient court processes at a lower cost. Other value disciplines, including product leadership (delivering innovative services) and customer intimacy (delivering personalized services) should also have some emphasis. However, the judicial branch should not value innovation over improving access to justice, and the goal is to deliver individual justice, not customized justice.

With the Court Technology Strategic Plan and the business drivers as a foundation, the initiatives in the 2014–2016 tactical plan were updated. For a brief description of the initiatives, see the Technology Initiatives Summary (2017–2018) on page 16 in this document. A progress report for the initiatives is attached in Appendix B.

Suggestions for new tactical plan initiatives were solicited from across the judicial branch. Taking into consideration the limited branch resources currently available, two new initiatives were selected for inclusion in the 2017–2018 tactical plan:

- Digital evidence: acceptance, storage, and retention; and
- Expand collaboration within the branch IT community.

¹ Michael Treacy and Fred Wiersema, *The Discipline of Market Leaders: Choose Your Customers, Narrow Your Focus, Dominate Your Market* (Addison-Wesley, 1995).

Technology Planning Documents

Results from the Information Technology Advisory Committee’s Tactical Plan Update Workstream in 2016 include the following document:

Document	Description
Two-year Tactical Plan for Technology (2017–2018) (this document)	Individual initiatives that will contribute to and support the Strategic Plan for Technology.

Results from the Technology Planning Task Force in 2014 include the following documents:

Document	Description
Technology Governance, Strategy, and Funding Proposal: Executive Summary	An overview of the proposed framework for the oversight of technology programs, strategic initiatives, and associated funding mechanisms. This includes a set of models, processes, and tools to ensure the effective and efficient use of information technology.
Technology Governance and Funding Model	Detailed recommendations from the Technology Planning Task Force for technology governance and funding, including suggested decision-flow processes, internal and external benchmarking data, and detailed analysis of the proposed governance and funding models.
Four-year Strategic Plan for Technology (2014–2018)	The strategic goals, objectives, and metrics for technology initiatives over the next four years.
Superseded:	
Two-year Tactical Plan for Technology (2014–2016)	Individual initiatives that will contribute to and support the Strategic Plan for Technology.

Business Context

Many of the business drivers that shaped the creation and content of the Technology Governance and Funding Model and the associated Strategic Plan for Technology and Tactical Plan for Technology reflect the complexity and diversity of the California judicial branch and the population that it serves. The California court system—the largest in the nation, with more than 2,000 judicial officers, approximately 19,000 court employees, and nearly 6.8 million cases—serves over 39 million people, 7 million of whom have limited English proficiency. The state Constitution vests the judicial power of California in the Supreme Court, Courts of Appeal, and superior courts. The Constitution also provides for the formation and functions of the Judicial Council, the policymaking body for the state courts.

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 10,000 while the largest has 585 judicial officers serving a population of almost 10 million. Courts have varying levels of fiscal health and capabilities and budget cuts have drastically affected their ability to maintain existing technology assets or invest in technology improvement. This reduced funding results in a critical need to take full advantage of the remaining scarce technical resources and expertise within the branch.

At the same time, there is a high demand for access to justice. The public and attorneys want to interact with the court as they do with other businesses—online and anytime. There is demand for integrated justice and a need to adapt to constant change in the environment. However, existing rules and legislation were written assuming a paper-based court and did not contemplate a digital, electronic one.

Technology Vision

A technology vision guides the branch to where it needs to be to promote consistency statewide while providing local court innovation to best meet the needs of California's citizens. The vision for judicial branch technology is:

Through collaboration, initiative, and innovation on a statewide and local level, the judicial branch adopts and uses technology to improve access to justice and provide a broader range and higher quality of services to the courts, litigants, lawyers, justice partners, and the public.

This vision also sets forth the framework within which the guiding principles can readily be applied.

Technology Principles

Guiding principles establish a set of considerations for technology project decision makers. They articulate the fundamental values that provide overall direction to technology programs within the justice community. As principles, they are not mandates nor do they establish conditions for technology project advancement. These guiding principles are in no way intended to obligate courts to invest in new, or to modify existing, solutions or services.

1. **Ensure Access and Fairness.** Use technologies that allow all court users to have impartial and effective access to justice.
2. **Include Self-Represented Litigants.** Provide services to those representing themselves, as well as those represented by attorneys.
3. **Preserve Traditional Access.** Promote innovative approaches for public access to the courts while accommodating persons needing access through conventional means.
4. **Design for Ease of Use.** Build services that are user-friendly, and use technology that is widely available.
5. **Provide Education and Support.** Develop and provide training and support for all technology solutions, particularly those intended for use by the public.
6. **Secure Private Information.** Design services to comply with privacy laws and to assure users that personal information is properly protected.
7. **Provide Reliable Information.** Ensure the accuracy and timeliness of information provided to judges, parties, and others.
8. **Protect from Technology Failure.** Define contingencies and remedies to guarantee that users do not forfeit legal rights when technologies fail and users are unable to operate systems successfully.
9. **Improve Court Operations.** Advance court operational practices to make full use of technology and, in turn, provide better service to court users.
10. **Plan Ahead.** Create technology solutions that are forward thinking and that enable courts to favorably adapt to changing expectations of the public and court users.
11. **Improve Branchwide Compatibility Through Technology Standards.** Provide branchwide technology standards or guidelines related to access to information or submission of documents that support the branch's goal of greater compatibility for the public and state justice partners.
12. **Consider Branchwide Collaboration and Economies of Scale.** Identify opportunities to collaborate on technologies to reduce costs, leverage expertise and training, and improve consistency.
13. **Foster Local Decisionmaking.** Develop, fund, and implement technologies to improve local business processes that may provide a model for wider implementation.
14. **Encourage Local Innovation.** When developing branchwide technologies, allow for adaptation to address local needs, foster innovation, and provide, where appropriate, a model for wider implementation.

STRATEGIC PLAN

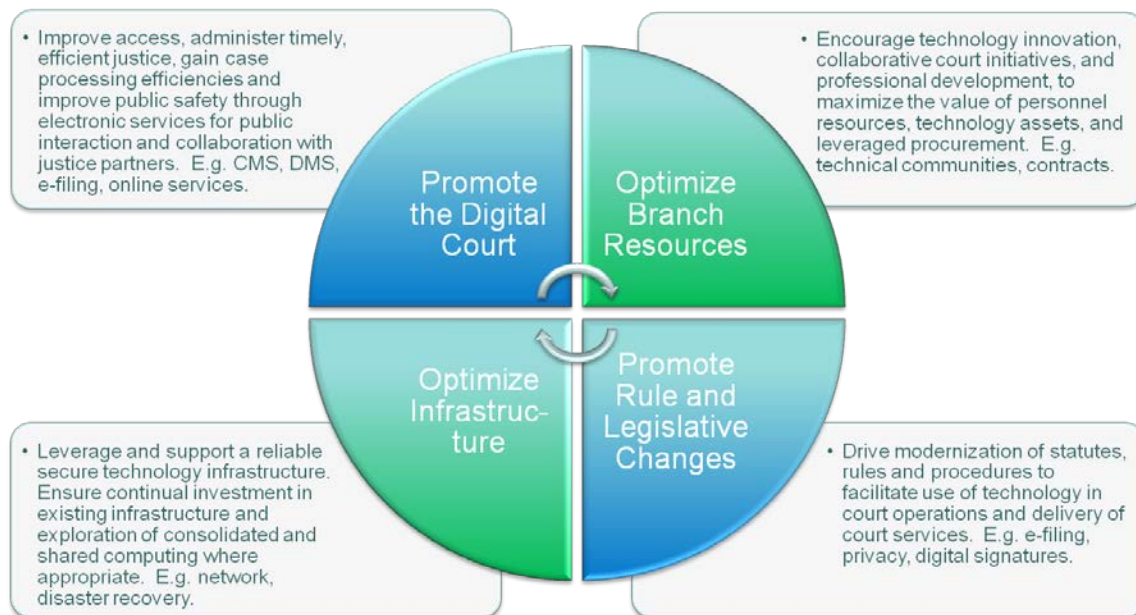
A strategic plan describes the overall goals for an organization. The associated tactical plan outlines the initiatives that provide a roadmap for achieving those goals.

The branch technology strategic plan is a cascading plan that supports the Judicial Council Strategic Plan for the branch. The branch strategic plan and goals will drive a four-year technology strategic plan, which will then drive a detailed two-year tactical plan consisting of individual projects. Before implementation, individual projects will have a clearly stated business case and cost-benefit analysis.

All of these activities will align with the overall goals of the branch.

Summary of Technology Goals (2014–2018)

The Technology Planning Task Force has identified four technology goals for the branch in support of the overall goal of providing access to justice.



Goal 1: Promote the Digital Court—Part 1: Foundation

Statement of Goal

The judicial branch will increase access to the courts, administer timely and efficient justice, gain case processing efficiencies, and improve public safety by establishing a foundation for the Digital Court throughout California.

Objectives (prioritized)

- 1.1.1. Establish a digital court foundation by implementing modern and supportable case management systems (CMS) and document management systems (DMS) where needed to allow all courts to efficiently deliver services to the public.
- 1.1.2. Ensure that courts have the ability to operate independently of local government infrastructure for critical court operations.
- 1.1.3. Facilitate or provide shared technology infrastructure for courts without local resources and/or for those courts who wish to collaborate or leverage other opportunities for shared services.
- 1.1.4. Effectively utilize the digital court foundation to enable:
 - Extended access and services to the public, including electronic filing and enhanced access for those with limited English proficiency.
 - Enhanced judicial and administrative decision-making.
 - Data and information sharing across the courts.
 - Enhanced collaboration and cooperation between and among courts.
 - Enhanced collaboration and cooperation with local and statewide justice partners.

Goal 1: Promote the Digital Court—Part 2: Access, Services, and Partnerships

Statement of Goal

The judicial branch will improve access to the courts, administer timely and efficient justice, gain case processing efficiencies, and improve public safety by implementing a comprehensive set of services for both public interaction with the courts and collaboration with branch justice partners.

Objectives (prioritized)

- 1.2.1. Provide consistent, convenient, and secure remote digital access to court information and services for court users and practitioners, including self-represented litigants and limited English proficiency litigants, regardless of geographic and jurisdictional limitations and local resource constraints.
- 1.2.2. Increase operational efficiencies by establishing new or expanding existing e-business opportunities.
- 1.2.3. Enhance public safety through expansion of statewide programs such as the California Courts Protective Order Registry (CCPOR) to include all courts.
- 1.2.4. Establish standardized, automated, and timely data exchanges with state (e.g., California Highway Patrol (CHP), Department of Justice (DOJ), Department of Child Support Services (DCSS)) and local partners (e.g., county agencies, collections providers, etc.), to promote public safety and improve overall effectiveness and efficiency of the California justice system.

Goal 2: Optimize Branch Resources

Statement of Goal

The judicial branch will maximize the potential and efficiency of its technology resources by fully supporting existing and future required infrastructure and assets, and leveraging branchwide information technology resources through procurement, collaboration, communication, and education.

Objectives (prioritized)

- 2.1. Reduce overall cost and effort when purchasing technology by forming groups and consortia to leverage procurements wherever possible.
- 2.2. Recruit, develop, and maintain a workforce with the knowledge, skill, and ability to deliver the full potential of information technology within the branch and to the public.
- 2.3. Maximize the value of limited branch resources through innovative technology solutions that can improve, enhance, and support the efficient and effective implementation and delivery of court programs, processes, and education.
- 2.4. Maximize the return on investment when leveraging existing technology assets and selecting new technologies.
- 2.5. Integrate branchwide strategic priorities into education and professional development programs for judicial officers and court staff.
- 2.6. Promote continual improvement of court practices by collaborating on court technology solutions, leverage and share technology resources, and creating tools to educate court stakeholders and the public.
- 2.7. Identify and implement technology best practices within the branch.

Goal 3: Optimize Infrastructure

Statement of Goal

The judicial branch will leverage and support a reliable, secure technology infrastructure. It will ensure continual investment in existing infrastructure and exploration of consolidated and shared computing where appropriate.

Objectives (prioritized)

- 3.1. Ensure secure and reliable data network connectivity throughout the branch.
- 3.2. Provide a consistent level of infrastructure security across the branch.
- 3.3. Determine if there is any efficiency that could be achieved through the deployment of converged voice and data technologies.
- 3.4. Develop a next-generation data center hosting model that will meet the current and anticipated future business needs of the branch.
- 3.5. Ensure that critical systems and infrastructure can be recovered in a timely manner after a disaster.

Goal 4: Promote Rule and Legislative Changes

Statement of Goal

The judicial branch will drive modernization of statutes, rules, and procedures to facilitate use of technology in court operations and delivery of court services.

Objectives (prioritized)

- 4.1. Determine if it is necessary to add new rules or legislation or modify any existing ones in anticipation of technology solutions that will be deployed in the near term.
- 4.2. Ensure current rules and legislation do not inhibit the use of current technology solutions.
- 4.3. Ensure rules and legislation support the four-year strategic plan and the two-year tactical plan.

TACTICAL PLAN

A strategic plan describes the overall goals for an organization. The associated tactical plan outlines the initiatives that provide a roadmap for achieving those goals.

The branch technology strategic plan is a cascading plan that supports the Judicial Council Strategic Plan for the branch. The branch strategic plan and goals will drive a four-year technology strategic plan, which will then drive a detailed two-year tactical plan consisting of individual projects. Every two years, the branch will update its tactical plan to support the four-year strategic plan. Before implementation, individual projects will have a clearly stated business case and cost-benefit analysis. All of these activities will align with the overall goals of the branch.

This tactical plan represents the revisions to the initial two-year Tactical Plan for Technology (2014–2016).

This 2017–2018 tactical plan contains a set of technology initiatives encompassed in a number of focused, ambitious projects with a two-year time frame for completion. These initiatives should be launched or continue in 2017 and be completed by 2018. Each initiative supports the roadmap, which propels the branch toward the four strategic goals.

Although some requests for funding of specific projects have been recently granted (e.g., budget change proposals for completing the branch LAN/WAN² deployment and transitioning courts to modern case management systems), judicial branch funding for technology continues to be inconsistent, ad hoc, and less than what is needed to fully leverage its potential. Technology investments at the branch and local levels are still severely limited, particularly as local reserves have been spent down and cannot be rebuilt. Therefore, the revised tactical plan again reflects the reality of scarce resources. Initiatives continue to focus on planning and investigation, on projects that can be self-funded or are low or no cost, and on developing budget change proposals to request state funding. Once consistent funding is restored, the judicial branch can make further progress on many initiatives not currently feasible, and can move into design, development, and deployment of more ambitious projects and programs.

Most of the tactical plan initiatives are continuing projects from the 2014–2016 plan. Two new initiatives were selected based on their ability to support the four strategic technology goals and judicial branch technology business drivers. Initiatives continue to be prioritized based on their foundational aspects, dependency on other initiatives, and amount of time required to realize benefits. For example, initiatives focused on core components of the Digital Court such as case management systems and document management systems were given a higher priority than initiatives such as developing case management system interfaces and data exchanges since these depend on completion of the core components.

A comprehensive business analysis will be performed for each initiative to ensure that the return on investment can be maximized. A collaborative and inclusive process will be used to

² Local area network and wide area network, respectively.

form project teams with members from the trial courts, appellate courts, and Judicial Council staff.

The initiatives will be governed under the model described in the Technology Governance and Funding Model. The majority of the initiatives will be managed by the Information Technology Advisory Committee, while the Judicial Council Technology Committee may identify some initiatives that they wish to oversee directly.

Timelines for initiatives have been estimated and are assumed to continue or begin in the first quarter (Q1) of calendar year 2017, but initiatives may be delayed if adequate funding or resources are not available at the scheduled start time.

Nevertheless, this tactical plan provides a roadmap and intended direction for the judicial branch in moving toward its vision to promote the Digital Court.

Technology Initiatives Summary (2017–2018)

Technology initiatives are listed in priority order within each of the strategic goals.

Strategic Goal	Initiative	Objectives Supported	Disposition for Tactical Plan 2017–18
Promote the Digital Court	Case management system (CMS) assessment and prioritization	1.1.1., 1.1.2., 1.1.3., 1.1.4.	Continuing, revised
	Document management system (DMS) expansion	1.1.1., 1.1.2., 1.1.3., 1.1.4.	Continuing, revised
	Courthouse video connectivity (including video remote interpreting)	1.2.1., 1.2.2.	Continuing, revised
	California Courts Protective Order Registry (CCPOR)	1.2.1., 1.2.2., 1.2.3.	Continuing, revised
	Implement self-represented litigants (SRL) e-services	1.2.1., 1.2.2.	Continuing, revised
	Jury management technology enhancements (trial courts)	1.1.4.	Defer for consideration in next tactical plan
	Statewide e-filing program development	1.2.1., 1.2.2.	Continuing, revised
	E-filing deployment	1.2.1., 1.2.2.	Continuing, revised
	Identify and encourage projects that provide innovative services	1.2.1., 1.2.2.	Continuing, revised
	Establish an “open source” application-sharing community	1.2.1., 1.2.2.	Defer for consideration in next tactical plan
	Develop standard CMS interfaces and data exchanges	1.2.1., 1.2.4.	Completed
Digital evidence: acceptance, storage, and retention	1.1.4, 1.2.1., 1.2.2.	New initiative	
Optimize Branch Resources	Establish hardware and software master branch purchasing/licensing agreements	2.1.	Defer for consideration in next Tactical Plan
	Expand collaboration within the branch IT community	2.2., 2.5., 2.6., 2.7.	New initiative
Optimize Infrastructure	Extend LAN/WAN initiative to remaining courts	3.1.	Continuing, revised
	Transition to next-generation branchwide hosting model	3.1., 3.4., 3.5.	Continuing, revised
	Security policy framework for court information systems	3.1., 3.2.	Completed
	Court disaster recovery framework and pilot	3.1., 3.5.	Continuing, revised
Promote Rule and Legislative Changes	Identify new policy, rule, and legislative changes	4.1., 4.3.	Continuing, revised

Detailed Description of Technology Initiatives

This section provides a detailed description of each technology initiative along with a high-level summary project template. These templates are not intended to document approved commitments but rather to act as a tool to help project teams create detailed project plans once proper funding and resources are available. Scope, deliverables, and timelines are estimated and subject to change.

Each project template contains the following sections:

- **Description**—Detailed description of the initiative along with potential business drivers, background, and history.
- **Major Tasks**—High-level list of expected major tasks and outcomes.
- **Dependencies**—Requirements that the initiative relies on for successful completion.
- **Funding Requirements**—Estimated one-time costs to launch and deploy the initiative and estimated ongoing costs for maintenance and operation.
- **Potential Funding Sources**—Suggested options for funding one-time and ongoing expenses.
- **Types of Courts Involved**—Could be based on type (trial court, appellate court), size (small, medium, large), location (northern, southern), or consortium (case management specific, etc.).
- **Sample Timeline**—List of major milestones, if known, and estimated time frame for completion.

Technology Initiatives to Promote the Digital Court

Case Management System (CMS) Migration and Deployment

Description

This project continues from the previous tactical plan and will determine a high-level approach to identifying strategies and solutions for implementing case management systems with document management functionality that support the Digital Court. The original scope of this initiative was to perform business analysis and planning and did not include the actual deployment of CMS solutions. Several CMS deployment initiatives were launched after the initial assessment was conducted and the focus has now primarily changed to migration and implementation of system deployments in progress; however, there are still courts that have not yet established a CMS modernization plan.

Major Tasks

- Update the inventory of existing case management systems within the branch.
- Determine strategy and approach for existing CMS environments.
 - Plan CMS V3 phase out using received budget change proposal funds.
 - Plan Journal Technologies/Sustain Justice Edition migrations based on pending budget change proposal.
 - Determine approach for courts that have not been able to establish a CMS modernization plan.
- Continue to leverage best practices for CMS migrations and deployments already in progress.
- Identify potential consortia for related systems.
- Determine strategies for facilitating successful consortia.
- Identify replacement cost.
- Identify available funding for prioritized projects.
- Identify resources to support courts through the project request process.

Dependencies

- Need to receive funds for Journal Technologies/Sustain Justice Edition CMS budget change proposal.
- Need to identify resources that will support the courts through the project request process.

Funding Requirements

One-Time

- Travel budget for a small number of face-to-face planning meetings to supplement regular phone conferences.

Ongoing

- None required for this assessment.

Potential Funding Sources

None required for this assessment, but budget change proposals will be necessary for funding CMS deployments and migrations.

Types of Courts Involved

All trial courts.

Sample Timeline

Milestone	Time Frame
V3 CMS planning	Q4 2016
Sustain Justice Edition CMS planning	Q2 2017
Approach for courts without a plan	Q4 2017
CMS budget change proposal	2018

Document Management System (DMS) Expansion

Description

To achieve the full benefit and efficiencies of electronic filing, a court's case management system must integrate with a document management system (DMS)/enterprise content management (ECM) system. DMS/ECM provides for a true paper-on-demand environment with configurable workflows and other operational benefits. While the majority of modern case management systems include integrated DMS, extending existing case management systems with DMS/ECM where feasible is far less expensive and disruptive than acquiring new case management systems.

DMS/ECM also provides support and operational efficiencies for trial court administration (e.g., fiscal, facilities, human resources, procurement, and the like).

Major Tasks

- Identify opportunities for acquisition and integration of DMS/ECM with existing branch and local case management systems, and for administrative use at both branch and local court levels.
 - Implement DMS/ECM for the current Appellate Court Case Management System to take full advantage of the e-filing pilot program currently underway, and to leverage that system for use by Judicial Council staff.
- Identify the most efficient and cost-effective model for implementation.
- Leverage branchwide master services agreements for document management system software procurement.
- For courts that have not yet implemented a DMS, develop educational sessions on transitioning from paper to electronic case files.

Dependencies

- Available budget for DMS acquisition through a budget change proposal (BCP).
- Coordination and alignment with CMS assessment.

Funding Requirements

One-Time

- Hardware, software, and services for DMS implementation at identified courts.

Ongoing

- Annual maintenance; periodic software and hardware upgrades.

Potential Funding Sources

- Grant funding or BCP for initial pilot programs, or vendor partnerships funded by user fees.
- Ongoing costs must be covered by each individual court's operating budget and/or user fees.

Types of Courts Involved

All courts—Supreme Court, Courts of Appeal, and superior courts.

Sample Timeline

Milestone	Time Frame
Submit BCP for appellate courts	Q4 2016
Deploy solutions	Q3 2017

Courthouse Video Connectivity

Description

The initiative will restore and enhance public access to court information and services, promote safety for court users, where allowable, and will create court cost savings and efficiencies by:

- Expanding use of remote video appearances and hearings in appropriate case types and matters;
- Expanding remote availability of certified and registered court interpreter services; and
- Expanding use of remote video outside of the courtroom (e.g., self-help center/family law facilitator and/or mediation).

Almost two decades ago, the Court Technology Task Force (predecessor to the Court Technology Advisory Committee), in its 1995 report to the Judicial Council, identified nine technology goals, including:

To promote efficiency, access, convenience, and cost reduction, interactive video technology should be incorporated into all justice proceedings and administrative functions as permitted by law and consistent with the purposes of the judicial branch.³

In August 1997, the Court Technology Advisory Committee presented a report to the Judicial Council titled *Report on the Application of Video Technology in the California Courts*. While primarily focused on the use of video arraignments, the report noted the important benefits achievable by using this technology in other areas, including motions, mental health proceedings, and other pretrial matters.

Use of telepresence technology (e.g., videoconferencing) will allow courts to provide the public with ongoing access to court proceedings at a time when court resources are being substantially reduced and courthouses are being closed.

Project 1: Remote Video Hearings - Expanded Remote Traffic Appearances

In December 2012, the Judicial Council adopted rule 4.220 of the California Rules of Court, authorizing trial courts to conduct remote video proceedings (RVP) in cases involving traffic infractions and approving a pilot project in the Superior Court of Fresno County. The authorization for remote video proceedings in rule 4.220 applies to any alleged infraction involving a violation of the Vehicle Code or any local ordinance adopted under the Vehicle Code, with certain exceptions. Rule 4.220 defines a “remote video proceeding” as an arraignment, trial, or related proceeding conducted by two-way electronic audiovisual communication between the defendant, any witnesses, and the court in lieu of the physical presence of both the defendant and any witnesses in the courtroom. (See Cal. Rules of Court, rule 4.220(b)(2).) The rule requires semiannual reports from any pilot court, including evaluations and assessments of the costs and benefits of the projects.

³ Judicial Council of Cal., *Justice in the Balance 2020: Report of the Commission on the Future of the California Courts* (1993), p. 107.

The experience gained from the pilot project of the Superior Court of Fresno County can be leveraged to:

1. Identify other courts able and willing to implement remote video traffic appearances;
2. Pursue funding and/or vendor partnerships for equipment and telecommunications infrastructure where needed;
3. Identify other appropriate case types and participants (e.g., minors, victims of violence, or pro bono attorneys) for remote video appearances; and
4. Pursue any statutory/rule changes required to allow use of remote appearance technology in additional case types.

Project 2: Video Remote Interpreting (VRI) - Remote Spoken Language Interpreting

In 2011, the Superior Courts of Riverside, Shasta, Sonoma, and Stanislaus Counties began a video remote interpreting pilot program for hearing-impaired court users, providing certified American Sign Language (ASL) court interpreters by courtroom video connection. As a result, the participating courts have increased access to certified ASL court interpreters, and interpreters can be scheduled quickly and conveniently. VRI allows use of the same interpreter in multiple court facilities in the same half-day sessions, makes more efficient use of a limited resource, and eliminates travel expenses.

Other jurisdictions have pioneered the use of remote language interpreting. Seven states have successfully implemented VRI. The Ninth Judicial Circuit in Florida provides centralized Spanish-language interpreting for over 22,000 court hearings per year in 67 courtrooms in seven court facilities covering 2,229 square miles. Certified interpreters are provided for initial appearances, arraignments, dependency and delinquency hearings and trials, traffic and misdemeanor cases, and felony pretrial hearings.

A 2013 National Call to Action report sponsored by the National Center for State Courts and the State Justice Institute addressed the critical need for courts to develop, improve, or expand resources for individuals with limited English proficiency (LEP). A key recommendation was that courts utilize remote interpreting technology to fulfill LEP needs and ensure quality services.

In August 2013, the Chief Justice announced Access 3D, her vision for improving access to justice for all Californians that involves physical, remote, and equal access to the justice system: Courts must be safe, secure, accessible, and open during hours that benefit the public; court users should be able to conduct their business online; and courts must serve people of all languages, abilities and needs, in keeping with California's diversity. Efforts to enhance language access for LEP court users are a critical component of this vision.

In January 2015, following an extensive stakeholder participation process that included public hearings and public comment, the Judicial Council adopted the [Strategic Plan for Language Access for the California Courts](#). This plan provides a comprehensive set of 75 recommendations to help create a branchwide approach to language access. Recommendation 16 proposed that the Judicial Council conduct a pilot VRI project, in alignment with the judicial branch's Tactical Plan for Technology (2014–2016).

The experience gained from the California ASL pilot programs and from use of remote language interpreting in other jurisdictions can be leveraged to:

1. Identify one or more courts willing and able to implement remote video language interpreting;
2. Pursue funding and/or vendor partnerships for equipment and telecommunications infrastructure where needed; and
3. Pursue any statutory/rule changes required.

Major Tasks

- Implement remote video language interpreting in at least one foreign language, in at least two courts as a pilot.
- Evaluate the remote video language interpreting pilot and report recommendations to the Judicial Council.

Dependencies

- Infrastructure/equipment.
- Collaboration/cooperation with other advisory committees, working groups, and other programs (Civil and Small Claims, Traffic, Court Interpreters Advisory Panel) and with the Technological Solutions Subcommittee of the Judicial Council's Language Access Plan Implementation Task Force.
- Collaboration/cooperation with local government and the public for remote traffic appearances in non-court locations.
- Collaboration/cooperation with justice partners.
- Collaboration/cooperation with other stakeholders (e.g., interpreters, bar associations).

Funding Requirements

One-Time

- Hardware, software, and telecommunications infrastructure if not currently available.
- Bandwidth/network upgrades if required.

Ongoing

- Annual maintenance and/or lease expenses for hardware and software.

Potential Funding Sources

- Grant funding or BCP for initial pilot programs, or vendor partnerships funded by user fees.
- Ongoing costs must be covered by each individual court's operating budget and/or user fees.

Types of Courts Involved

All courts serving large geographic areas, with diverse demographics, with sufficiently robust existing LAN/WAN or other supporting infrastructure.

Sample Timeline**Project 1: Expanded Remote Traffic Appearances**

Milestone	Time Frame
Project launch	Q3 2014
Identify additional participating courts and requirements (funding/IT support)	Q3 2014
Implement video appearances in additional participating courts	Q1 2015
Evaluate projects and identify expansion opportunities for additional courts/case types	Q4 2015
Prepare any necessary rule of court amendments/legislative change proposals for submission to Judicial Council	Q2 2016

Project 2: Remote Spoken Language Interpreting

Milestone	Time Frame
Define implementation guidelines/infrastructure and hardware requirements; draft any required enabling rules of court	Q1 2015
Identify pilot project courts/vendors; prepare RFP if required	Q3 2016
Select vendors; obtain Judicial Council adoption of enabling rules of court	Q3 2016
“Go-live” in one or more pilot courts	Q1 2017
Evaluate project and report to Judicial Council	Q3 2017

California Courts Protective Order Registry (CCPOR)

Description

The California Courts Protective Order Registry is a system developed and maintained by Judicial Council staff. Currently, the system is used by 43 counties to electronically process and access all restraining and protective orders and their proofs of service. Pending Trial Court Budget Advisory Committee approval for a long-term funding increase for additional storage, by the end of fiscal year 2016–2017, the Superior Courts of Orange County and Sacramento County will deploy CCPOR.

The CCPOR system provides for the participating courts:

- A statewide registry for storing data and images of restraining and protective orders;
- A service allowing judicial officers and law enforcement agencies to access and view outstanding orders, reducing the possibility of conflicting orders across departments;
- A gateway for processing orders to the Department of Justice’s California Restraining and Protective Order System (CARPOS) quickly and accurately; and
- A data exchange (specification DSP917) allowing court case management systems to send protective order data and the required Judicial Council forms to the CCPOR repository.

Two key components of CCPOR are the ability to enter and upload protective order data into the system either directly or through the data exchange and to search and retrieve that data, including electronic images of court orders. Viewing these electronic images is particularly valuable because this allows judicial officers and authorized court staff to view special conditions and notes added by judges that are not available through the California Law Enforcement Telecommunications System (CLETS). In addition, information about court orders that is entered into CCPOR is automatically transmitted to CLETS.

Major Tasks

- Develop cost projections and recommend an appropriate funding approach for each of the remaining 15 courts/counties. The funding requirements will include the hardware and software necessary to onboard into CCPOR, as well as one-time and ongoing costs (e.g., scanners for smaller courts and the additional storage needed to onboard the larger courts).
- Develop a deployment roadmap using experiences of past court CCPOR deployments. The roadmap will take into consideration the environments of the courts yet to implement CCPOR. Some courts may already have a DMS and electronic protective orders. Other courts may rely on manual processes. Funding for a court that is already scanning should support the migration of the scanned orders and associated data in the form of additional storage required for the CCPOR central repository. The roadmap will also address the unique challenges of coordinating with the larger courts as well as the local law enforcement agencies to gain the greatest benefits from CCPOR.
- Identify the sequence, time frames, and costing by rollout for the deployment of CCPOR to the 15 remaining courts.

Dependencies

- The program relies on an electronic image of each protective order. While a DMS is not required for CCPOR, courts with existing document management systems may have fewer challenges with configuration during deployment.
- Local law enforcement agencies must be willing and able to participate in the deployment of the system in each court.

Funding Requirements

One-Time

- Scanners and associated software, and storage for document images.
- Services to assist with the deployment of the system.

Ongoing

- Annual server hosting, restraining and protective order (RPO) data, and associated document image storage fees.
- Annual maintenance cost for purchased hardware and software.

Potential Funding Sources

- Grant funding, if available, or BCP for continued deployments.

Types of Courts Involved

This initiative will be focused on the 15 remaining trial courts that have not implemented CCPOR:

1. Courts that have deployed or are planning on deploying a case management system that has the DSP917 data exchange module enabled for integration with CCPOR.
2. Courts that have data conversion requirements wishing to onboard into CCPOR can leverage the DSP917 data exchange module for loading of historical and active RPOs. Both Orange County and Sacramento County superior courts would likely onboard into CCPOR using this mechanism. Additional ongoing funding is required.
3. Courts that have no CMS RPO module and no historical data to convert will need to be assessed.

Sample Timeline

Milestone	Time Frame
Initiative launch	Q4 2016
Assess remaining courts	Q1 2017
Develop funding requirements and model	Q2 2017
Secure funding	Q3 2017
Deploy next-phase courts	Q4 2017–Q4 2018
Publish project report	Q1 2019

Self-Represented Litigants (SRL) E-Services

Description

Self-represented litigants (SRLs) are an increasingly large segment of the population that our courts serve, particularly in case types such as family law. Self-represented parties often have extreme difficulty in identifying the pleading forms they require, completing them accurately and legibly, and filing them in a timely manner. Self-help resources vary widely from jurisdiction to jurisdiction and have suffered from recent budget cuts. Restrictions on the filing hours in many courts have placed significant additional burdens on both court personnel and on litigants.

The SRL E-Services initiative will envision and define a digital services strategy for SRLs that will take advantage of both existing and available branch resources to provide more convenience to the public, and provide tangible benefits and cost efficiencies to the courts. The initiative will develop a comprehensive set of business and technical requirements intended to deliver increased online assistance, greater integration of self-help resources, and greater self-reliance for those hoping to resolve legal problems without representation.

A central access point for SRLs (and for community organizations that assist them) will provide consistent information resources and can utilize already developed question-and-answer interview processes, “smart” Judicial Council forms, and document assembly tools to create complete, accurate, and legible form sets. Those forms can then be electronically filed with those courts that have the ability to accept the filings, or electronically delivered to those courts without e-filing capacity, using current branch infrastructure.

The cost of developing and implementing such a system could be largely borne by a modest service fee paid by non-indigent SRLs. Such a fee would represent far less expense for the SRL than now incurred when he or she must take time from work and travel to what may be a distant courthouse to submit documents. It is critical that the full scope of services are accessible to indigent SRLs and do not require any form of payment or credit card.

Major Tasks

- Determine and validate both litigant needs and court requirements;
- Identify existing technology and infrastructure solutions that can be leveraged;
- Identify and gather information resources to assist litigants;
- Identify pilot project participant courts;
- Develop an RFP for an SRL e-services solution to solicit vendors and identify initial costs;
- Plan and fund a scalable statewide prototype;
- Design, build, and deploy the prototype as a pilot for one case type or a limited feature set with one or more courts;
- Evaluate prototype/pilot and refine; and
- Design and execute additional phases with additional case types, features, and courts.

Dependencies

- Funding requirements, funding sources, timeline, and milestones to be determined by project team.

- Existing branch infrastructure, including California Courts Technology Center resources, the integrated services backbone (ISB), and LAN/WAN could be used to complement and supplement local court resources.
- Integration with other related projects and workstreams, including E-Filing, Intelligent Forms, and Identity Management.
- Smart forms have already been developed for many Judicial Council pleading forms, and document assembly software is already licensed at the branch level. There are a multitude of existing self-help resources at the branch and local court levels that could be coordinated and leveraged.
- Courts committing to engage in the prototype/pilot and later phases.

Funding Requirements

One-Time

- Initial design, testing, and development and deployment costs, based on a phased rollout.

Ongoing

- Operational expenses associated with maintaining new e-services; maintaining and updating forms, information, resources, and instructional materials.

Potential Funding Sources

- There may be sufficient vendor interest to allow initial development costs to be funded in whole or in part by one or more service providers. A request for information (RFI), would be required to assess interest.
- Ongoing operational costs could be supported, in whole or in part, by user fees paid by non-indigent self-represented litigants.

Types of Courts Involved

Courts with existing e-filing solutions can benefit from a simplified SRL filer interface and integration with interview software and Smart Forms. Courts without e-filing capability can benefit from e-delivery of complete, accurate, and legible pleadings.

Sample Timeline

Milestone	Time Frame
Initiative launch	Q2 2015
Business charter with high-level business requirements	Q4 2016
Functional requirements with statewide deployment plan (phased or “Big Bang”)	Q1 2017
Funding requirements and BCP or RFI	Q2 2017
Functional prototype and pilot	Q3 2017
Design and build	Q4 2017
Launch Phase 1	Q1 2018
Launch other phases	Q3 2018

Statewide E-Filing Program Development

Description

Rule 2.253(b) of the California Rules of Court allows courts to mandate electronic filing of “documents in civil actions directly with the court, or directly with the court and through one or more approved electronic filing service providers, or through more than one approved electronic filing service provider, subject to [specified conditions].”

While courts are not required to use an e-filing service provider (EFSP), many will choose this route as the EFSP will shoulder much of the workload in training users and providing technical support for e-filing transactions from the point of e-filing all the way to integration with the courts’ case and document management systems.

California courts currently support two e-filing standards for civil actions: the legacy 2GEFS (Second-Generation Electronic Filing Specifications) and the recently approved ECF/NIEM (Electronic Court Filing/National Information Exchange Model) standard. All case management system vendors looking to do business in California are being required to support the ECF/NIEM standards. The scope of this project is for ECF/NIEM EFSPs.

Onboarding (or certifying) a new EFSP is an involved process that typically moves through solicitation, selection, contracting, integrating, and testing with the court CMS, and finally implementing. Historically, each court would certify EFSPs individually for its particular CMS and jurisdiction. Today there are between 15 and 20 EFSPs doing business in some part of California.

The statewide Electronic Filing Workstream has taken the approach of selecting multiple e-filing manager (EFM) vendors to service California’s trial court e-filing needs. This multi-EFM model shifts the duty of EFSP selection and certification away from the EFM vendor and to the branch. EFSPs will be required to work with all statewide EFMs, which will be required to work with the core four CMS vendors (Tyler Technologies, Thomson Reuters, Justice Systems, and Journal Technologies).

Each EFSP will need to have contractual relationships with filers, the EFM vendors, individual trial courts, and the judicial branch. The Electronic Filing Workstream will formally define these relationships.

Major Tasks

- Complete the EFM procurement.
- Develop an operating model for court, EFM, and EFSP participation.
- Document EFSP interactions with EFMs, branch financial gateway vendors, and identify a possible statewide identity management solution.
- Develop an EFSP certification framework.

Dependencies

- Certification process must adhere to the *Judicial Branch Contracting Manual*.
- Alignment with CMS strategy required.
- Completion of the E-Filing Workstream RFP.

Funding Requirements***One-Time***

- To be determined, although a BCP placeholder request has been submitted for financial gateway integration and identity management.

Ongoing

- Judicial Council staff or trial court staff to administer the overall EFSP program.

Potential Funding Sources

- Recovered through user fees paid by filers.
- BCP funding or grant funding on an ad hoc basis.

Types of Courts Involved

This initiative is applicable to trial courts participating in the statewide E-Filing Manager agreement.

Sample Timeline

Milestone	Time Frame
EFM RFP and selection	January 2017
Financial gateway integration	June 2017
Identity management integration	June 2017
EFSP certification program	June 2017

E-Filing Deployment

Description

Electronic filing and storage of court documents is a national trend that is becoming a permanent feature of how litigants interact with the courts. When implemented, e-filing provides immediate benefits to the court through cost efficiency and accuracy and convenience to the filer. In California, a rapidly expanding number of courts are benefiting from e-filing.

A fully successful e-filing implementation is typically characterized by:

- Majority of data entry is performed by the filer through a portal.
- Filing data and attached documents are transmitted to the court using Extensible Markup Language (XML).
- A court e-filing manager (EFM) tracks all inbound and outbound transmissions and performs some validation checking.
- Remaining validations are handled through a “clerk review” process, which can be automated.
- Accepted filing data is stored in the court case management system, the document is stored in the court document management system, and the notification of acceptance is sent back to the user.
- Court filing fees are typically paid electronically directly by the filer or through an intermediary.

In May 2015 the Information Technology Advisory Committee commissioned an E-Filing Workstream to define and implement a statewide e-filing solution. The workstream is slated to complete the RFP and selection process in early 2017.

Major Tasks

- Complete the E-Filing Manager RFP and selection process.
- Develop an operating model for court, EFM, and EFSP participation.
- Determine the level of support for trial courts utilizing a CMS outside of the core four (Tyler Technologies, Thomson Reuters, Justice Systems, and Journal Technologies).
- Create and publish an e-filing implementation plan for trial courts participating in the statewide e-filing program.

Dependencies

- To achieve maximum benefit, the program relies on case and document management systems capable of supporting e-filing.
- In order to mandate e-filing, a court will need at least two e-filing service providers (EFSPs) or the court (or Judicial Council staff) will need to provide and operate an e-filing portal.
- Courts lacking a modern case and/or document management system can implement a variation of e-filing called “e-delivery.” E-delivery removes the dependency on modern case and document management systems but provides reduced benefits.

Funding Requirements

One-Time

- None identified. It is believed that the program will be funded through transactional costs.
- Court staff costs to design the new procedures for handling case flow and filing fee management.

Ongoing

- None identified.

Potential Funding Sources

- User fees paid by the filers.

Types of Courts Involved

This initiative is applicable to trial courts operating one of the core four case management systems or courts opting for standalone e-delivery solutions.

Sample Timeline

Milestone	Time Frame
Conduct RFP and vendor selection	Q4 2016
Vendor contracting	Q1 2017
EFSP integration	Q3 2017
Pilot court	Q3–4 2017
General availability for any trial court	Q4 2017

Identify and Encourage Projects that Provide Innovative Services

Description

This initiative will investigate the potential for starting projects focused on providing innovative services to the public, the State Bar, justice partners, and law enforcement agencies. These services will provide a conduit for easier access to court resources and generate automated mechanisms relating to conducting court business. In addition, these innovative services will generate efficiencies within each judicial branch entity, thereby promoting more effective utilization of branch resources and existing infrastructure.

Major Tasks

- Establish a process for fostering local court and branch innovation.
- Determine available funding resources or cost-recovery models.
- Submit proposals to utilize fiscal year 2016–2017 innovation grants.
- Examples might include:
 - A common identity management platform to enable members of the public and attorneys to register once and utilize a single login to access all services across all courts.
 - An electronic search warrants system with the versatility to be hosted centrally or deployed independently at various courts.
 - An electronic probable cause declaration system with the versatility to be hosted centrally or deployed independently at various courts.
 - Self-service kiosks to provide courthouse visitors access to services electronically.

Dependencies

The availability of branchwide innovation funds would accelerate the identification and pilot of innovative services.

The Budget Act of 2016 provided \$25 million for a Court Innovations Grant Program. The funds are designated for a competitive grant program developed and administered by the Judicial Council. The grant program will focus on proposals for high-priority innovations, modernizations, and efficiencies in the trial and appellate courts, with \$12 million to be awarded for collaborative courts, \$8 million for self-help, family, and juvenile courts, and \$5 million for other efficiencies across all types of courts. Up to five percent of the total appropriation is for the Judicial Council for the administration of the program.

Funding Requirements

One-Time

- Unknown.

Ongoing

- Unknown.

Potential Funding Sources

Initial funding through innovation grants, with ongoing funding from restoration of branch technology funding.

Types of Courts Involved

All courts—Supreme Court, Courts of Appeal, and superior courts.

Sample Timeline

Milestone	Time Frame
Project proposals	Q4 2016
Project launches	2017–2018

Digital Evidence: Acceptance, Storage, and Retention

Description

Develop statutes, rules, business practices, and technical standards governing digital evidence.

Trial exhibits are increasingly offered into evidence or are available in digital form, including data files, images of documents, audio recordings, video recordings, and digital images. Since there are few specific laws and virtually no technical standards regarding digital evidence, courts are struggling with what to do with exhibits offered in various forms (CD, DVD, thumb drive, cell phone). Ensuring the integrity of digital evidence admitted by the court may become increasingly difficult when such evidence may be subtly altered by the method of access. Although this type of evidence is not new to courts, the dramatic increase in video recordings from law enforcement body-worn cameras, surveillance cameras, and the public's prolific capturing of videos on cell phones strongly suggests courts reevaluate their approach to handling and preservation of digital evidence.

Updating the law and developing standards will improve access to justice as well as make courts more efficient. Developing technical standards and reengineering court business practices will increase the effectiveness of courts and reduce costs. It will also result in greater consistency and predictability across courts for litigants (including self-represented litigants), lawyers, and the public.

Statutes and rules need to be reviewed and amended where necessary to authorize courts to: a) accept a broad range of digital evidence, and b) require digital exhibits to be offered in standard and secure formats. Policies and business practices need to be reviewed and technical standards developed for maintaining, providing access to, retaining, and destroying digital evidence

Major Tasks

- Review existing statutes and rules of court to identify impediments to the use of digital exhibits and opportunities for improved processes;
- Survey courts for existing business practices and policies regarding acceptance and retention of digital evidence;
- Survey other courts and justice system groups for possible technical standards and business practices regarding acceptance and storage of digital evidence;
- Propose revisions to statutes and rules;
- Develop standards and recommended business practices for courts to use in handling digital exhibits, possibly using pilot projects;
- Circulate draft statute and rule revisions, suggested business practices, and technical standards for comment;
- Finalize statute proposals, rule revisions, business practices, and technical standards;
- Seek legislation, as needed;
- Adopt and promulgate rule revisions; and
- Revise the *Trial Court Records Manual* to reflect revisions of statutes, rules, and recommended policies and business practices.

Dependencies

- Rule and statute changes should align with the strategy and roadmap of the existing electronic court initiatives.

Funding Requirements

One-Time

- Funds possibly needed for consulting assistance regarding possible technical standards;
- Funds may be needed to host a “digital evidence summit” to discuss options and potential solutions;
- Costs of modifying existing document or case management systems to accept, store, and provide access to digital exhibits.

Ongoing

- Digital evidence will require greater hardware storage capacity, possibly including associated storage and retrieval software;
- New policies and business practices will be implemented by court staff on an ongoing basis.

Potential Funding Sources

One-Time

- Grant from State Justice Institute or another federal agency interested in developing standards for digital evidence—in particular, law enforcement body-worn cameras;
- Budget change proposal funding could also be sought, as this is a statewide solution.

Ongoing

- Existing court funding for staff participating in workstream;
- Funding for records retention associated with digital evidence. There could be savings, as storing exhibits electronically should be cheaper than the cost of the space needed to store physical exhibits.

Types of Courts Involved

All courts statewide—Supreme Court, Courts of Appeal, and superior courts—need a consistent, stable set of laws, rules, business practices, and technology standards to accept and exchange electronic exhibits.

Sample Timeline

Milestone	Time Frame
Initiative launch	Q1 2017
Gather information about existing laws, rules, business practices, and technical standards	Q1–2 2017
Draft revisions and circulate for comment	Q3–4 2017
Introduce legislation and seek passage	Q1–2 2018
Finalize rules, technical standards, business practices, and <i>Trial Court Records Manual</i> revisions to take effect January 1, 2018	Q3–4 2018

Technology Initiatives to Optimize Branch Resources

Expand Collaboration within the Branch IT Community

Description

This initiative is intended to identify opportunities for sharing technical resources, advancing technology leadership, and expanding collaboration throughout the judicial branch. During the tactical plan revision process, judges, CEOs, and CIOs identified that, although there are experienced technological staff branchwide, insufficient technology resources within individual courts continues to be a challenge. A skilled technologist who understands the business of the courts and court systems is a unique and treasured resource. Furthermore, the branch is competing with private industry for talent. A strategy should be developed to increase the sharing of technical resources throughout the branch by conducting a needs assessment and determining additional opportunities for how best to share these unique resources.

In addition to skilled technologists, strong information technology (IT) leaders with access to industry resources are required to achieve the branch strategic technology goals. Opportunities for education and access to industry resources for IT leaders can provide exposure to information and networks while expanding capabilities and increasing IT leadership skills. Court IT leaders will be better suited to meet the leadership and technological needs of the courts with continued professional development. A survey can be conducted to determine the needs and interests of the court and Judicial Council IT leaders. A strategy would then be developed to determine how best to pursue relevant opportunities (e.g., statewide membership in the Court IT Officers Consortium (CITOC), an annual IT summit aligned with the branchwide tactical plan, continuing education opportunities, industry research, and advisory group memberships).

Aside from the need for skilled IT resources, the branch has adopted an IT governance model that relies on collaboration. Technology initiatives managed by statewide workstreams, the Court Information Technology Management Forum (CITMF), and court-to-court collaborations have proven successful in recent years across the branch and between courts. In order to further support this collaborative model, the branch should adopt tools to work together more effectively, encourage innovation, and increase technological maturity throughout the branch. Resources and talent can be better leveraged across the branch by utilizing a statewide collaboration platform. Branch CEOs and CIOs can also help assess individual court IT capabilities through an IT peer consulting program to include informal audits, visitation programs, and the like.

Major Tasks

Resource Sharing

- Conduct an IT resource needs survey.
- Identify opportunities and priorities.
- Brainstorm strategies and costs (e.g., develop centers of excellence, shared services, and centralized resources, and augment staff with vendor support).
- Make recommendations for leveraging branch technical resources.

IT Leadership Development

- Expand CIO Executive Board membership.
- Establish branchwide CITOC membership.
- Evaluate branchwide Gartner Group membership.
- Hold an annual IT summit aligned with the branchwide tactical plan.
- Conduct an IT leadership needs survey to identify additional priorities.
- Brainstorm strategies and costs.

Increased Collaboration to Support Innovation

- Identify collaboration tools currently used within the branch.
- Identify priority collaboration needs (e.g., a central repository of IT policies, applications, and best practices).
- Increase the use of Microsoft Office 365 messaging and web conference capabilities.
- Determine CEO/CIO interest in an IT peer consulting program.
- Develop program based on interest.
- Determine costs.

Dependencies

- Branchwide support and open collaboration.
- Program management support for conducting surveys and consolidating results.
- Funding for recommended strategies.
- Common platforms and development tools.
- Sponsorship of IT leadership development and participation.

Funding Requirements***One-Time***

- Judicial Council program support to conduct the needs assessment.
- Establishment of a branch collaboration platform
- Travel for face-to-face collaboration and participation in initiative development.

Ongoing

- Judicial Council program support as required.
- Annual memberships—CITOC, CIO Executive Board, Gartner Group.
- IT summit development and coordination.
- Travel for face-to-face collaboration and participation in events (e.g., IT summit, IT peer consulting program, etc.).
- Maintenance and licensing of branch collaboration platform.

Potential Funding Sources

- Cost agreements for shared resources.
- BCP for necessary funding.

Types of Courts Involved

- All small, medium, and large courts statewide
- Trial and appellate courts
- Consortiums (e.g., case management specific, statewide initiatives, etc.)

Sample Timeline

Milestone	Time Frame
Initiative launch	Q1 2017
Draft initial assessment	Q4 2017
Final assessment report	Q3 2018

Technology Initiatives to Optimize Infrastructure

Review Funding and Procurement Models for LAN/WAN Initiative

Description

The current funding source for the LAN/WAN initiative, the State Trial Court Improvement and Modernization Fund (IMF), is operating at a structural deficit. In addition, the primary procurement vehicle, the CALNET 2 leveraged purchasing agreement, expires in 2018 with no clear follow-on option for the purchase of hardware and related maintenance and support coverage.

Major Tasks

- Working with Judicial Council Procurement staff, Department of General Services, the California Office of Technology Services's Statewide Telecommunications and Network Division (STND), and technology vendors as appropriate, identify alternative procurement models, including the CALNET 3 replacement for the CALNET 2 leveraged purchasing agreement.
- Review options, identify gaps, and select finalized procurement model.
- Identify current cost projections of all goods and services over one full lifecycle of the hardware supported by the program, to include the completion of an updated branchwide inventory.
- Compare cost projections with current funding projections for the IMF.
- Identify and submit potential funding remediation options for review and selection.
- Formally prepare and submit selected funding remediation option(s) for ratification.

Dependencies

- Current court LAN/WAN hardware inventories are required.
- Staff at the identified courts must be able to dedicate the resources necessary to support the project.

Funding Requirements

One-Time

- N/A

Ongoing

- Continuing costs for the ongoing refresh of program hardware.
- Continuing costs for the ongoing renewal of program services and maintenance and support coverage.

Potential Funding Sources

Funding to rectify the current IMF structural deficit would potentially be provided through the BCP process and, given the ongoing, steady-state status of this program, shifting funding to the General Fund.

Types of Courts Involved

This initiative is focused on all courts.

Sample Timeline

Milestone	Time Frame
Initiative launch ⁴	Q1 2017
Map out procurement options	Q2 2017
Map out funding options	Q2 2017
Establish new procurement model	Q3 2017
Prepare and submit funding requests	Q4 2017

⁴ This initiative began in Q1 2014.

Transition to Next-Generation Branchwide Hosting Model

Description

The current California Courts Technology Center (CCTC) hosting model for information technology applications and services was developed largely based on the strategy of central hosting of court case management systems and other shared applications. The branchwide strategy for the hosting of court case management systems has changed; therefore, the branch should reevaluate branch and court hosting models to ensure resources and opportunities are being utilized as effectively as possible to address the needs of courts in alignment with the new strategic direction.

As hosting models and technology evolve, the most cost-effective branchwide strategy for application and services hosting may be enabled through a combination of selective consolidation, virtualization, and implementation of secure private and public cloud environments. The goal of this tactical initiative will be to determine an updated model for branchwide hosting, including all judicial branch entities.

Major Tasks

- Complete needs assessment including branch recommended service levels, develop implementation recommendations, and determine the necessary funding changes.
- Develop toolset for courts to utilize when determining needs and funding requirements.
- Publish findings, including a hosting implementation toolset and branch-suggested service levels.
- Finalize product, service, and maintenance contract procurement with vendor partners.
- Assist judicial branch entities with decommissioning old services and implementing new services in alignment with the needs assessment and transition plan.

Dependencies

- The needs assessment should align with the strategy and roadmap for the Digital Court initiatives.

Funding Requirements

One-Time

- Initial year one purchase of products, services, and maintenance contracts as identified in the needs assessment and project plan.

Ongoing

- Continuing monthly costs for specified ongoing services and maintenance contracts initiated in year one.

Potential Funding Sources

- Branch funding for hosting services that are shared across the branch.
- Direct billing to the courts for court-specific services.

Types of Courts Involved

All courts—Supreme Court, Courts of Appeal, and superior courts. All courts and the Judicial Council will benefit from an updated branchwide hosting model tightly aligned with current and anticipated future business requirements.

Sample Timeline

Milestone	Time Frame
Initiative launch	Q4 2015
Complete needs assessment and develop implementation recommendations	Q4 2016
—Develop toolset for courts to utilize when determining needs and funding requirements	Q4 2016
—Publish findings including, hosting implementation toolset, branch suggested service levels	Q4 2016
Determine the necessary branchwide funding changes	Q1–Q2 2017
Finalize recommended product, service, and maintenance offerings with vendor partners; publish RFP for vendor services	Q1–Q2 2017
Publish new master service agreements to be utilized by all judicial branch entities for all hosting services	Q3 2017

Court Disaster Recovery Framework and Pilot

Description

While a robust and annually tested disaster recovery program has been instituted for the California Courts Technology Center, this is not the case for the Supreme Court, the appellate courts, the trial courts, and the Judicial Council, which have varying degrees of preparedness for disaster recovery of their technology resources.

This initiative would result in a framework and recommended solutions to assist judicial branch entities with a process for implementing a disaster recovery program that meets each individual organization's specific needs while leveraging resources and knowledge for the benefit of the entire branch.

The goals of the framework are:

- To suggest an overall disaster recovery model for the judicial branch to leverage in building individual organization disaster recovery plans and to identify which components, if any, would apply branchwide.
- To collaboratively develop model disaster recovery requirements, service-level agreements, and restoration/recovery priorities for each of the major technology systems within the branch (excluding those hosted at the CCTC), such as networks, infrastructure, applications, security systems, data, and the like.
- To work with one or more model courts to test or “pilot” the framework by using it to develop a court-specific disaster recovery plan.
- To provide guidance to all courts and the Judicial Council on the use of the framework and practical implementation guidelines.
- To develop a plan for implementing technology components (products and/or services) that could be leveraged by all courts for disaster recovery purposes.

Major Tasks

- Model disaster recovery requirements, standard recovery times, and priorities for each of the major technology components of the branch.
- Develop a disaster recovery framework document that could be adapted for any trial or appellate court to serve as a court's disaster recovery plan.
- Create a plan for providing technology components that could be leveraged by all courts for disaster recovery purposes.

Dependencies

- Access to resources necessary to research and gather requirements and create the deliverables.
- Many of those resources would need to be court business and technical experts, while others would be disaster recovery planning experts.

Funding Requirements

One-Time

- Funding for one or more pilot courts to test/pilot the model disaster recovery plan. Travel budget for a small number of face-to-face planning meetings to supplement regular phone conferences.

- Funding to assist the courts with adapting the framework into their local needs. The amount will depend on the number of participating courts in the initial pilot.
- Funding for the implementation of any branchwide recommendations with respect to transitioning away from existing antiquated backup/disaster recovery technologies and/or adopting certain modern technologies necessary to support each court’s mission of providing consistent and reliable IT services.

Ongoing

- Minimal ongoing funds would be necessary to maintain the framework to ensure its ongoing relevance and effectiveness and to ensure alignment with current technologies and systems deployed within the judicial branch, in addition to ensuring the recommendations continue to be centered around industry standards and best practices
- Additional funding requests would be developed out of this process for the purpose of procuring and implementing the technical components that can be leveraged by multiple courts and determining what else may be needed at the individual court level for unique court needs.

Types of Courts Involved

All courts—Supreme Court, Courts of Appeal, and superior courts. The framework should be applicable to all judicial branch entities.

Sample Timeline

Milestone	Time Frame
Initiative launch	Q2 2016
Select disaster recovery (DR) court subject matter expert (SME)	Q2 2016
Identify workstream participants and relevant SMEs throughout the judicial branch, ensuring small/large superior and appellate courts and the Judicial Council are represented	Q2 2016
Develop requirements and recovery standards and overall DR framework	Q2 2016–Q1 2017
Develop a funding request for a DR pilot program at one or more courts	Q1–Q2 2017
Test with pilot court(s)	Q3–Q4 2017
Develop funding request for DR at branch and court levels (inclusive of all judicial branch entities to support their DR implementation)	Q2–Q3 2017

Technology Initiatives to Promote Rule and Legislative Changes

Identify New Policy, Rule, and Legislative Changes

Description

To align policies, rules of court, and legislation supporting the use of technology in the courts consistent with the Strategic Plan for Technology.

Major Tasks

- Identify the highest-priority statutes and rules that require review and changes in order to facilitate the move to the digital court.
- Continue modernization of statutes, rules, and procedures to facilitate use of technology in court operations and delivery of court services.
- Develop rules, standards, and guidelines for electronic signatures on documents submitted to the trial courts, for justice partner data exchanges, for online access to court records for parties and justice partners, for court records maintained as data, and for other areas where new technologies affect court operations and access to the courts.
- Develop branch and model court privacy policies on electronic access to court records and other court-held information.
- Revise the *Trial Court Records Manual* to reflect changes in the law, new standards and guidelines, and best practices relating to court records.

Dependencies

Action by:

- Judicial Council internal committees;
- Judicial Council advisory committees;
- Judicial Council Legal Services Office;
- Judicial Council Office of Governmental Affairs; and
- External stakeholders (e.g., Legislature, law enforcement, etc.).

Funding Requirements

One-Time

- None required. This initiative requires staff support for Judicial Council internal and advisory committees for initial assessments and proposals.
- Time required for judicial officer and staff training on changes.

Ongoing

- None required. This initiative requires time for routine reviews of policies, rules, and legislation needs.

Potential Funding Sources

None required.

Types of Courts Involved

All courts—Supreme Court, Courts of Appeal, and superior courts.

Sample Timeline

Milestone	Time Frame
Develop standards and guidelines for electronic signatures on documents submitted to the trial courts	Q4 2017
Complete Phase II of the rules and legislative modernization process	Q4 2017
Update the <i>Trial Court Records Manual</i> and recommend revisions and additions	Q4 2017

Initiative Timeline Summary

Strategic Goal	Initiative	2016				2017				2018			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Promote the Digital Court	CMS Migration & Deployment	■	■	■	■	■	■	■	■	■	■	■	■
	DMS Expansion				■	■	■	■					
	Courthouse Video	■	■	■	■	■	■	■					
	CCPOR	■	■	■	■	■	■	■	■	■	■	■	■
	SRL e-Services	■	■	■	■	■	■	■	■	■	■	■	
	EFSP Selection/ Certification					■	■						
	E-Filing Deployment	■	■	■	■	■	■	■	■				
	Identify Innovative Services				■	■	■	■	■	■	■	■	■
	CMS Data Exchange— Governance & Maint.	■	■	■	■								
	Digital Evidence					■	■	■	■	■	■	■	■
Optimize Resources	IT Community & Collaboration					■	■	■	■	■	■	■	
Optimize Infrastructure	Extend LAN/WAN Initiative			■	■	■	■	■	■				
	Next-Generation Hosting Plan	■	■	■	■	■	■	■					
	Information Security Framework												
	Disaster Recovery Framework	■	■	■	■	■	■	■					
Legislative Changes	Identify New Rules & Legislation	■	■	■	■	■	■	■					

CONCLUSION

The California judicial branch is as complex and diverse as the population that it serves. The judicial branch has diversity in geography, court size, and case types. Courts have varying fiscal health and capabilities, and budget cuts have drastically affected their ability to invest in technology. This reduced funding results in a critical need to take full advantage of the remaining scarce technical resources and expertise within the branch.

At the same time, there is a high demand for access to justice. The public and attorneys want to interact with the court as they do with other businesses—online and anytime. There is demand for integrated justice and a need to adapt to constant change in the environment. However, rules and legislation were historically written to address a paper-based court rather than a digital, electronic one.

This Tactical Plan for Technology (2017–2018) and the associated Strategic Plan for Technology represent a comprehensive and cohesive technology strategy that includes clear, measurable goals and objectives at the branch level that address the diversity and challenges the branch is facing.

The proposed tactical plan recognizes the need for judicial, management, and technical experts located at the trial, appellate, and Supreme Court levels, and including Judicial Council staff, to work together as an IT community. The result will be a judicial branch where the courts act as innovation centers for the benefit of the legal community and the public, increasing access to the courts.

APPENDIX A: Judicial Branch Business Drivers

- Provide foundational technology
- Support a culture of innovation and collaboration
- Optimize the use of experienced staff branchwide
- Serve and learn from California’s tech-savvy population
- Refine and enhance the case management system ecosystem
- Reengineer processes to increase effectiveness for the branch or public
- Leverage innovation within the branch
- Address the lack of predictable funding
- Address insufficient resources
- Solidify technology management processes
- Promote branchwide sharing
- Attract private industry talent
- Support internal change management to increase technology use
- Improve technology security
- Assist the strategic planning process

APPENDIX B: Tactical Plan for Technology Progress Report (December 2016)

Executive Summary

The California Judicial Branch *Tactical Plan for Technology* outlines a set of initiatives for the branch, and specifically the Information Technology Advisory Committee (ITAC), to undertake. Each initiative spans up to two years. The *Governance and Funding Model* explains there are several methods in which initiatives may be implemented: branchwide (using a workstream team, traditional subcommittee, or hybrid of these), through court consortium, and/or locally. This document presents the progress report of the initiatives in the current [Tactical Plan for Technology \(2014-2016\)](#). Summarily, the report shows:

- The current plan consists of 17 tactical initiatives aligning to 4 branch strategic goals.
- Of all 17 tactical initiatives: 2 projects are complete; 12 are projected to continue into 2017; and 3 have not yet begun and have been deferred for consideration in the next Tactical Plan.
- ITAC is using workstreams to complete 7 initiatives.

Progress Report Summary

The following chart overviews initiative status and, if appropriate, implementation method.

Legend

Not Started = Project effort, as defined, has not begun.

Ongoing (2017+) = Effort is underway and needs to continue into calendar year 2017.

Complete = Project effort, as defined, is complete; there may be subsequent activities initiated.

	STATUS	METHOD(S)
Goal 1: Promote the Digital Court (Part I: Foundation, Part II: Access, Services, Partnerships)		
(a) Case Management System (CMS) Assessment and Prioritization	Ongoing (2017+)	Consortium
(b) Document Management System (DMS) Expansion	Ongoing (2017+)	
(c) Courthouse Video Connectivity	Ongoing (2017+)	Workstream
(d) California Courts Protective Order Registry (CCPOR)	Ongoing (2017+)	JCIT ⁵ Managed
(e) Implement a Portal for Self-Represented Litigants	Ongoing (2017+)	Workstream
(f) Jury Management Technology Enhancements (Trial Courts)	Not Started	
(g) E-Filing Service Provider (EFSP) Selection/Certification	Ongoing (2017+)	Workstream

⁵ JC IT = Judicial Council Information Technology

Legend

Not Started = Project effort, as defined, has not begun.

Ongoing (2017+) = Effort is underway and needs to continue into calendar year 2017.

Complete = Project effort, as defined, is complete; there may be subsequent activities initiated.

	STATUS	METHOD(S)
(h) E-Filing Deployment (roadmap and strategy)	Ongoing (2017+)	Workstream
(i) Identify and Encourage Projects That Provide Innovative Services	Not Started	
(j) Establish an “Open Source” Application-Sharing Community	Not Started	
(k) Develop Standard CMS Interfaces and Data Exchanges	Complete	Workstream
Goal 2: Optimize Branch Resources		
(a) Establish Hardware and Software Master Branch Purchasing/Licensing Agreements	Not Started	
Goal 3: Optimize Infrastructure		
(a) Extend LAN/WAN Initiative to Remaining Courts	Ongoing (2017+)	JCIT Managed
(b) Transition to Next-Generation Branchwide Hosting Model	Ongoing (2017+)	Workstream
(c) Security Policy Framework for Court Information Systems	Complete	Workstream
(d) Court Disaster Recovery Framework and Pilot	Ongoing (2017+)	Workstream
Goal 4: Promote Rule and Legislative Changes		
(a) Identify New Policy, Rule, and Legislation Changes	Ongoing (2017+)	Subcommittee

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

	Commentator	Position	Comment	Committee Response
1.	Mr. Robert Oyung Chief Information Officer for the Judicial Council of California	AM	The Judicial Council Information Technology (JC IT) organization is undergoing a transformation to shift some of its business focus. One area of change will be to provide ongoing operational and maintenance support for branchwide initiatives. As a result of this change, I propose that the “Standard CMS Interfaces and Data Exchanges – Phase II: Governance and Maintenance” item be removed completely from the document. The activities outlined in that section of the tactical plan have already been assigned to JC IT and a status report on that work is due in March 2017 to the Information Technology Advisory Committee (ITAC).	The workstream agrees with the commentator and will remove the initiative, “Standard CMS Interfaces and Data Exchanges – Phase II: Governance and Maintenance” from the updated Tactical Plan. The Judicial Council Information Technology office will present an operational plan for governing and maintaining the data exchanges at the March 2017 ITAC meeting.

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	Commentator	Position	Comment	Committee Response
2.	<p>Ms. Daphne Light Manager, Judicial Council of California Information Technology</p> <p>Mr Bobby Brow Principal Manager, Trial Court Administrative Services</p>	NI	<p>For Goal 2: Optimize Branch Resources, the ability for the courts to leverage existing applications that support court business operations process might be appropriate to consider. For example, there is an enterprise agreement in place for SAP (more commonly known as the Phoenix Program) that supports the FI (Financial) functions of the 58 Trial Courts but, the JC has only 12 payroll Courts deployed. The licensing is in place to assist court in these operations if the desire is there to “opt in” but, implementation resources to staff those projects aren’t. To continue to provide deployment services would directly meet the goal of improved court operations. This program also leverages the principles outlined in 2.3 as the deployment of payroll is managed by a team that has proven, repeatable, delivery.</p> <p>2.4 Maximize the return on investment when leveraging existing technology...</p> <p>The task force might consider including, for application infrastructure, the same goal outline in 3.4 under Goal 3: Optimize Infrastructure. This goal states that technology should meet, “...the current and anticipate future business needs of the branch.” Existing resources should be protected and improved to ensure best use of these resources across the state. To continue the high level support the courts now receive, past investment in programs need to be protected by planning for continued investment to fund upgrades, implementation of new integrated services, and further deployment of existing services as requested by the courts. This means</p>	<p>The workstream agrees with the commentator that leveraging existing applications and maximizing return on investment in existing technology are important to judicial branch strategic technology goals. The strategic goals outlined in the Tactical Plan are inherited from the Strategic Plan. The next review and update of the Strategic Plan (expected to begin later this year and developing the 2019-2022 plan) will include an opportunity for input and public comment on these foundational goals. The workstream recommends these comments be submitted at that time.</p>

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	Commentator	Position	Comment	Committee Response
			<p>there needs to be investments in keeping applications like HREMS/Oracle Peoplesoft (supports HR processes and Education tracking for the Appellate Courts and JCC), Phoenix/SAP (support Trial Courts FI and HR business), CAFM/Tririga (support courts' facilities management) current and supported. Building this kind of maintenance and operations in the 5 year technology map would mean there is some investment in that application infrastructure and keeping those already court leveraged system viable and strong.</p>	
3.	<p>Superior Court of California, County of Tulare by Michelle S. Martinez Assistant Court Executive Officer</p>	NI	<p>Tulare's Director of IT believes the most pressing needs and technical challenges are accounted for in the outlined tactical plan. The only comment, that he would like to add is that he would like to see the JCC attempt to purchase branch wide Microsoft licenses. The Microsoft platform is used almost exclusively by all courts. If the branch had access to Microsoft products at no or a reduced cost, I believe the courts could improve collaboration by making use of their tools. Additionally, by implementing most current and supported releases of the applications, the courts could reduce their security risk, by using software that is patched routinely, and with most known exploits resolved.</p>	<p>The workstream agrees with the commentator that branchwide licenses for Microsoft products need to be pursued. However, this is considered an operational and budget activity rather than a Tactical Plan initiative and the Judicial Council IT office will take the lead.</p>

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	Commentator	Position	Comment	Committee Response
4.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	<p>Traditional Access Should Be Maintained</p> <p>Pursuant to Guiding Principle 3, SCDLS agrees with the concept that despite the advantages of using technology, traditional access should be maintained so that users who face challenges in accessing or using the internet may still have access to court services.</p>	The workstream agrees with the commentator that traditional access must be maintained. The Guiding Principles are inherited from the Strategic Plan. The next review and update of the Strategic Plan (expected to begin later this year and developing the 2019-2022 plan) will include an opportunity for input and public comment on these foundational goals. The workstream recommends these comments be submitted at that time.
5.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	<p>E-Services Should Remain Free and Not Require a Credit Card for Indigent Users</p> <p>As a corollary to the above, E-Services should remain free and not require a credit card for indigent users. As more services move online, there is a danger of creeping costs and inaccessibility for some of the most vulnerable users owing to inability to pay or lack of a credit card or bank account. For example, although e-filing is free for indigents, e-service is not. As online becomes the de facto standard, those standards must not become inaccessible for the indigent.</p>	The workstream agrees with the commentator suggestions and has incorporated language to reflect this into the Tactical Plan update that it is recommending for adoption.

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	Commentator	Position	Comment	Committee Response
6.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	Fee Waivers for Indigent Litigants Should Be Accessible, both via Traditional Access and Online Indigent litigants who qualify for waivers of court fees should be able to access all court services without charge – including online and e-filing access - and without the need to present credit card information online. In particular, litigants who qualify for fee waivers should be able to: <ul style="list-style-type: none">● Apply for a fee waiver online, and get electronic notice of their approval or denial● Retrieve electronic copies of their court file(s) online without cost, just as they would retrieve paper copies of their file(s) without cost at a local court	The workstream agrees with the commentator suggestions and has incorporated language to reflect this into the Tactical Plan update that it is recommending for adoption.

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	Commentator	Position	Comment	Committee Response
7.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	<p>Public Education and Support for Technology Should Be Multilingual and Accessible to People with Disabilities, as Should New Services, such as E-Services for Self-Represented Litigants</p> <p>Regarding Guiding Principle 5, we are hopeful that any Advisory Committee initiatives will acknowledge, address, and balance the needs of all court users in their development and implementation. As new services are introduced, they should be multilingual and accessible to people with disabilities in conjunction with their introduction, rather than adding accessibility at a later phase. E-Services should be designed to be truly accessible. Traditional in-person access to the courts should not serve as a replacement for litigants who would prefer to use electronic services, or who are prevented from use because the services were poorly designed.</p>	<p>The workstream agrees that services should be multilingual and accessible to people with disabilities. The Guiding Principles are inherited from the Strategic Plan. The next review and update of the Strategic Plan (expected to begin later this year and developing the 2019-2022 plan) will include an opportunity for input and public comment on these foundational goals. The workstream recommends these comments be submitted at that time.</p>

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	Commentator	Position	Comment	Committee Response
8.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	<p>Courthouse Video Connectivity Should Be Considered and Used According to Best Practices</p> <p>The Tactical Plan for Technology proposes that video connectivity be used for Video Remote Interpreting (VRI) where appropriate. We urge this body to work closely with the Court Interpreters Advisory Committee, legal services organizations, and other entities that have contributed to the Strategic Plan for Language Access for the California Courts to ensure that VRI is used in a manner that promotes access to the court. Specifically, we urge ITAC to follow the best practices articulated in the Strategic Plan, as new resources should be equally available to everyone regardless of disability or English proficiency.</p> <p>The Committee also asks that the ITAC look into other instances where video connectivity may be used to promote safety for court users, where allowable. This may include video appearances in cases involving minors or victims of violence.</p>	The workstream agrees with the commentator and has incorporated language reflecting this into the Tactical Plan update that it is recommending for adoption.

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	Commentator	Position	Comment	Committee Response
9.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	<p>Courthouse Video Connectivity Should Be Implemented with both Pro Bono and the Needs of the Indigent in Mind</p> <p>Video connectivity has tremendous potential to increase pro bono participation. In our experience, many pro bono attorneys cite the time spent getting to and from hearings and waiting in the courtroom as factors that inhibit their pro bono engagement. However, if pro bono attorneys can more easily make video appearances for clients, it would open new avenues for pro bono by removing the time spent traveling to and from the courthouse, especially for attorneys in metropolitan areas representing clients in remote geographic areas of the state where there are fewer attorneys and legal resources. It would also remove the time spent sitting unproductively in the courtroom waiting for one's case to be called, as video connectivity would allow the attorney to work while waiting. Though this may also seem true of telephonic appearances, not all judges allow such appearances.</p> <p>We are hopeful video connectivity could allow for more widespread adoption on a broader set of matters, and thus allow for greater pro bono opportunities. With this in mind, we would urge that any implementation of remote video proceedings pursuant to any existing or future Rule of Court be done in a manner that maximizes the opportunity for counsel, and in particular pro bono counsel, to participate remotely in the proceedings from their own offices or other locations. This will in turn</p>	The workstream agrees with the commentator and has incorporated language reflecting this into the Tactical Plan update that it is recommending for adoption.

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	Commentator	Position	Comment	Committee Response
			<p>maximize the possibility of pro bono representation thereby increasing judicial access for those litigants who cannot otherwise afford an attorney.</p>	
10.	<p>State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair</p>	NI	<p>Implement a Central Online Portal for all Litigants</p> <p>The proposed Tactical Plan suggests the creation of a central online portal for self-represented litigants that can provide information and smart forms. We urge this body to consider creating one central online portal for <u>all</u> court users – not just self-represented litigants – to streamline traffic to the court’s website(s) and to ensure that all court users have the same access to information and resources.</p> <p>The Plan also suggests that the cost of developing such a central system can be sustained by a service fee paid by non-indigent self-represented litigants. Many self-represented litigants who do not qualify as indigent under the fee waiver statutes are nevertheless litigants of modest means and may be unable to afford additional fees to access court services that are currently free to users of court self-help centers. For this reason, we oppose any fees for self-represented litigants that are instituted for the efficiency of the courts.</p>	<p>The workstream agrees with the commentator that the judicial branch should continue to pursue online services for all court users. However, the focus of this initiative is on self-represented litigants and providing services that are not currently available to them. In addition, the judicial branch intends to supplement, and not supplant, the service already provided by Electronic Filing Service Providers (EFSPs) in a very competitive market.</p> <p>Funding for technology initiatives remains problematic. The judicial branch must explore all avenues for funding to establish and support eServices. A modest fee is what is suggested and described in the initiative as a potential funding source, and affordability of eServices for non-indigents will be a primary focus if such fees are adopted.</p> <p>The workstream also notes that the primary goal of SRL eServices is not court efficiency, but to enable self-represented litigants to more easily access court services.</p>

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	Commentator	Position	Comment	Committee Response
11.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	<p>Information for Consumers about E-Filing Providers</p> <p>With many e-filing providers and no meaningful way to distinguish between them other than looking at short-term costs, it is difficult for court users to make an educated choice regarding which provider to use. If having the court be the sole e-filing provider is not possible, we would recommend that, through its central online portal, the court provide some comparative information about certified e-filing providers so that users may be better informed consumers of these services.</p>	<p>The workstream understands the value to court users of being able to easily compare service providers. However, this is not the role of the court. Similar to the approach for offering available Traffic Schools, the judicial branch cannot allow the perception that one business is being promoted over another.</p> <p>The E-filing Strategy Workstream will be looking at certifying EFSPs to ensure they meet minimum requirements.</p>
12.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	<p>Data Exchanges Should be Limited to Non-Immigration Data</p> <p>Though SCDLS supports increased data sharing in general, that data sharing should be limited to non-immigration data. Sharing immigration data with certain agencies may create a chilling effect for some litigants and discourage them from accessing the justice system.</p>	<p>This initiative, “Standard CMS Interfaces and Data Exchanges”, does not address the content of the exchanges nor the addition of new data elements. The focus is on the most commonly used exchanges and publishing existing standard formats to avoid duplicative work and a proliferation of potentially conflicting standards.</p> <p>Immigration status is not routinely collected by the courts. It is not part of the standard data exchanges and there is not an intention to add it.</p>

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13.	State Bar of California, Standing Committee on the Delivery of Legal Services by Ms. Sharon Djemal, Chair	NI	<p>Best Practices for Digital Evidence Should Take into Account Self-Represented Litigants</p> <p>With an ever increasing self-represented population, and ever more digital evidence, best practices for digital evidence should take into account self-represented individuals. Many self-represented litigants struggle to properly admit their digital exhibits into evidence. In a day when many self-represented litigants are coming into court with photos and videos on their phones, there is both the opportunity to increase the ease by which self-represented litigants introduce evidence, and also erect new barriers. A system usable by self-represented litigants will allow their digital exhibits to be considered by the finder of fact and also exist within the court record so they may be reviewed on appeal.</p>	The workstream agrees with the commentator and has incorporated language reflecting this into the Tactical Plan update that it is recommending for adoption.

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	Commentator	Position	Comment	Committee Response
14.	<p>IOLTA-Funded California Disability Advocacy Organizations by: Dara L. Schur, Disability Rights California (DRC) Linda D. Kilb, Disability Rights Education & Defense Fund (DREDF) Elizabeth F. Eubanks, Disability Rights Legal Center (DRLC) Jinny Kim, Legal Aid at Work Deborah L. Thrope, National Housing Law Project (NHLP)</p>	NI	<p>Critical Disability Access Concerns Have Not Been Addressed</p> <p>Collectively, we have previously offered three prior submissions addressing disability access concerns. These past submissions provided extensive detail on disability access barriers and disability rights law mandates, as well as insights into the types of resources and expertise that are necessary to comply with mandates. Those submissions include:</p> <p>A. January 2013 Comment on W13-05 (Proposed Mandatory E-Filing and E-Services Rules to Implement AB 2073);</p> <p>B. June 2014 Comment on SP14-04 (the Court Technology Governance and Strategic Plan); and</p> <p>C. January 2016 Comment to the California Futures Commission.</p> <p>Given this history, we are extremely disappointed that the new 2017-2018 Plan continues to omit both general and specific references to disability barriers and mandates. Indeed, the word “disability” does not appear even once in the Plan.</p>	<p>The workstream agrees with the commentator that disability access needs to be more clearly addressed in the Strategic Plan for Technology. The next review and update of the Strategic Plan for 2019 - 2022 will include an opportunity for input and public comment on this issue. The workstream recommends these comments be submitted at that time.</p> <p>The judicial branch attempts to consider disability access in all of its initiatives. We will be more explicit about this in the next revision of the Strategic Plan for Technology.</p>

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			<p>We acknowledge that there has been a Video Remote Interpreting (VRI) pilot program for hearing-impaired court users, providing certified American Sign Language (ASL) court interpreters by courtroom video connection. <i>See</i> 2017-2018 Plan at pp.23-24. We applaud this effort, which undoubtedly has generated valuable insights. We also acknowledge the practical value of addressing disability communication access in tandem with consideration of access for other limited English proficiency (LEP) needs.</p> <p>However, disability communication access obligations stem from unique statutory mandates. Care must be taken to fully acknowledge and understand those obligations and their origins, even if in practice it makes sense to address and implement them in tandem with related LEP obligations. Moreover, ensuring appropriate ASL services is only one facet of disability communication access. Disability communication access, in turn, is only one facet of overall disability access.</p>	

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15.	IOLTA-Funded California Disability Advocacy Organizations by: Dara L. Schur, Disability Rights California (DRC) Linda D. Kilb, Disability Rights Education & Defense Fund (DREDF) Elizabeth F. Eubanks, Disability Rights Legal Center (DRLC) Jinny Kim, Legal Aid at Work Deborah L. Thrope, National Housing Law Project (NHLP)	NI	Stakeholder Participant Alone is Insufficient to Address Disability Access We acknowledge and appreciate that the California court system has consistently invited public participation in its plans to modernize and optimize for a digital age. However, the Judicial Branch cannot reasonably expect that stakeholders familiar with disability issues will be able to provide all the resources and expertise needed in connection with this ambitious, important, multi-year effort. This is underscored by the fact that detailed prior submissions on disability issues by concerned stakeholders have not resulted in recognition of, or express provision for addressing, these issues in the 2017-2018 Plan.	The workstream agrees with the commentator that disability access needs to be more clearly addressed in the Strategic Plan for Technology. The next review and update of the Strategic Plan for 2019 - 2022 will include an opportunity for input and public comment on this issue. The workstream recommends these comments be submitted at that time. The judicial branch attempts to consider disability access in all of its initiatives. We will be more explicit about this in the next revision of the Strategic Plan for Technology.

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	Commentator	Position	Comment	Committee Response
16.	<p>IOLTA-Funded California Disability Advocacy Organizations by: Dara L. Schur, Disability Rights California (DRC) Linda D. Kilb, Disability Rights Education & Defense Fund (DREDF) Elizabeth F. Eubanks, Disability Rights Legal Center (DRLC) Jinny Kim, Legal Aid at Work Deborah L. Thrope, National Housing Law Project (NHLP)</p>	NI	<p>Reiteration of Key Disability Access Concerns</p> <p>We remain concerned that the Judicial Branch has not yet acknowledged or addressed the following issues, which are more fully detailed in our prior submissions:</p> <p>a. All planning must anticipate that people with a wide range of disabilities will be present in multiple roles—as judges, court staff, attorneys, litigants, experts, witnesses and the general public interacting with courts throughout the state;</p> <p>b. Need for explicit reference to disability rights and disability access;</p> <p>c. Need for designated, consistently available, well-resourced disability access expertise;</p> <p>d. Innovation and experimentation must not compromise fundamental disability access mandates;</p> <p>e. Budgetary concerns must not drive migration to inaccessible technology; and</p> <p>f. Widely available technologies and user practices must be independently evaluated for disability access.</p>	<p>The workstream agrees with the commentator that disability access needs to be more clearly addressed in the Strategic Plan for Technology. The next review and update of the Strategic Plan for 2019 - 2022 will include an opportunity for input and public comment on this issue. The workstream recommends these comments be submitted at that time.</p> <p>The judicial branch attempts to consider disability access in all of its initiatives. We will be more explicit about this in the next revision of the Strategic Plan for Technology.</p>

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	Commentator	Position	Comment	Committee Response
			<p>Again, we appreciate the necessary modernization efforts that are underway, and the opportunity to participate in public comment processes related to those efforts.</p> <p>But at this juncture, we urge the Judicial Branch to fully acknowledge and embrace the need to bring additional time and resources (both in-house and external) to bear on critical issues of disability access. Absent such commitment, it is difficult to discern how the California court system can effectively ensure disability rights law compliance and — most significantly — true meaningful access for Californians with disabilities.</p>	

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17.	Marci Harness	AM	The commentator states that the most important and tactical plan for new court technology is clearly security and involves complete extensive background checks by all program managers, project managers, and independent contractors with security access to California Courts electronic applications on a regular basis. The commentator indicates that this view is based on the level of fraud, waste, abuse, and misrepresentation she has personally witnessed in the case of a particular law enforcement dispatch system. The commentator expressed her view that this has led to abuse of authority, false incriminating demands on innocent litigants for personal benefit and financial gain, law enforcement aiding in false dispatch to create false cases, and compromising circumstances leading to arrests and prosecution. She states that the ability to create unjust cases and tamper with closed cases is VERY concerning and poses a serious threat to an unlimited amount of people if security access positions for California Courts are extended to individuals without proper background checks on a regular bases. *	The workstream agrees that security is critical in court technology. The Tactical Plan 2014-2018 addressed this in the “Security Policy Framework for Court Information Systems” initiative. The Information Security Framework Workstream resulted in a branch-wide security framework that addresses these issues.



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FACT SHEET

February 2017

Keeping Kids in School and Out of Court Initiative

Chief Justice Tani G. Cantil-Sakauye launched the judicially led Keeping Kids in School and Out of Court Initiative (KKIS) in 2013 to enhance learning and to exchange ideas regarding school discipline practices and the improvement of school climate, particularly for system-involved and at-risk youth.

Research consistently demonstrates that children who are regularly attending safe and supportive schools are less likely to become involved in the justice system. National studies, including one prepared by the Council of State Governments, have highlighted the impact of exclusionary discipline (suspensions and expulsions) on high school students, particularly students of color, and found that use of these practices actually increased the likelihood that suspended students would become involved in the justice system. The disproportionate involvement, particularly of African-American and Native American youth, may partially explain some of their disproportionate contact with the juvenile justice system.

Chronic absenteeism and truancy

Chronic absenteeism (missing 10 percent or more of the school year) and truancy (unexcused absences) interfere with school engagement and are a barrier to educational success.

Unique needs of court involved youth

Children in the juvenile court system have worse educational outcomes than their peers who are not court involved and have been shown to have lower rates of proficiency on standardized tests, and higher rates of high school dropout than any other subgroup. Without educational success these youth are less likely to become self-sufficient as adults.

History of the Initiative

In 2013, 32 counties led by their Juvenile Court Presiding Judge sent multidisciplinary teams to the KKIS summit. The teams included leaders from education, child welfare, probation, mental health and community based organizations. Noting the enthusiasm of the participants at the summit, the Chief Justice opted to go forward with a five-year initiative led by a multidisciplinary steering committee composed of key stakeholders to oversee the work of the initiative.

Key goals and strategies of the initiative

The goals of the initiative include:

- Reducing the use of exclusionary discipline across California with a focus on reducing disparate impact on students of color;
- Reducing the rate of chronic absenteeism and truancy;
- Increasing high school graduation rates for juvenile-court involved youth;
- Creating a benchguide for judicial officers on education related issues;
- Training key stakeholders, particularly in rural northern California, on innovative programs that improve school climate, discipline, and attendance;
- Improving data collection and analysis to support teams in identifying priorities and implementing effective strategies;
- Implementing a communications program to provide relevant information and support via the internet and social media.

Note: Funding for the Chief Justice's Keeping Kids in School and Out of Court Initiative has been provided through generous grants from **The California Endowment**, the **Walter S. Johnson Foundation**, the **Zellerbach Family Foundation**, and the **Stuart Foundation**.

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Additional resources:

Keeping Kids in School and Out of Court webpage, <http://www.courts.ca.gov/truancy.htm>

Information on improving school climate and discipline, <http://fixschooldiscipline.org/>

Resources for combatting chronic absenteeism, <http://www.attendanceworks.org/>

Breaking Schools' Rules: A Statewide Study on How School Discipline Relates to Students' Success and Juvenile Justice Involvement, https://csgjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf



Joe Marshall of Hoopa Valley High explains their restorative justice model rooted in Hoopa tradition.

KKIS Convening in Humboldt Stresses the Importance of Relationships

How is peeling an onion relevant to school discipline? According to Joe Marshall, Hoopa Valley High School Cultural Connections Teacher, trying to understand why a student is misbehaving in class is often like peeling an onion – there are many layers of context that underlie that behavior and it is critical to unpack them (even at the risk of a few tears) before that behavior can change. On October 3rd and 4th 2017, attendees at a Keeping Kids in School and Out of Court (KKIS) convening in Humboldt County gathered to learn about and discuss a range of topics, including an innovative approach to restorative justice that is being used in the Klamath-Trinity Joint Unified



Vanessa Hernandez leads youth panel discussion with Humboldt County students Devon Walker, Tristin Severns, and Alex Springer.

School District located in Hoopa Valley, California.

The two-day convening aimed to provide content that was relevant to the specific needs of four rural northern California counties: Del Norte, Humboldt, Shasta, and Trinity. This region shares a number of challenges in meeting the educational

needs of youth, including a widely dispersed but relatively small population and significant poverty and unemployment. In addition, the racial and ethnic demographics of the region's student population are different than much of the rest of California, with relatively small numbers of African American and Latino youth, but large communities of Native American students from the many local tribes. Given their relatively small enrollments, these school districts often do not have the resources to bring in experts to advise them on improving school climate and discipline policies, so, with the support of the Walter S. Johnson Foundation, the KKIS initiative worked to gather some resources to begin a process of supporting this region to improve educational outcomes for its students.



Judge Boulware Eurie gives an overview of the KKIS Initiative and objectives.



Dr. Joyce Dorado explains the neurobiology of trauma.

The 60 participants at the convening represented a wide variety of agencies and groups including education, probation, CASA, Head Start, and tribal agencies, including tribal courts and child welfare agencies, along with youth and parents. Participants were offered a series of presentations beginning with an introduction of the key KKIS objectives by initiative chair Judge Stacy



Victoria Sweet leads an interactive exercise on historical trauma.

Boulware Eurie. Other presentations focused on the importance of understanding trauma when trying to improve school climate. Victoria Sweet of the [National Council of Juvenile and Family Court Judges](#), presented an interactive session on the historical oppression of Native American peoples, and the intergenerational trauma that resulted. According to Sweet, “Historical trauma is a term used to describe the legacy of numerous targeted traumatic events a community has experienced over generations. Often, the impact of these events is compounded by the individual traumatic experience of community members. By not just understanding, but also gaining empathy for the impact of these experiences, we are better able to support resiliency and well-being in youth from tribal communities and other communities with a history of traumatic experiences.” Participants also learned from Dr. Joyce Dorado about the neurobiology of trauma and toxic stress on the brain and the steps that schools and other institutions can take to decrease the risk of students and staff becoming dysregulated, and to create an environment that emphasizes healing. Dr. Dorado, who is a member of the KKIS Steering Committee and runs the [UCSF Healthy Environments and Response to Trauma in Schools \(HEARTS\)](#) program, stressed the need for schools to maintain high expectations and structure for their students while also providing them with the support and care they need to succeed.

Then Oscar Lopez, a Statewide Education Rights Attorney at [Public Counsel](#), described his own experiences with school discipline and the consequences of feeling that school was not a supportive environment in his life, and shared the research on how exclusionary discipline (suspension and expulsion) is counter-productive and often applied inequitably. The first day of the convening ended with a panel of state and tribal court judges talking about their perspectives and the critical role that courts can play in ensuring that young people stay in school

and succeed. Judge Stacy Boulware Eurie (Presiding Juvenile Court Judge in the Sacramento County Superior Court) moderated the panel that included Judge Richard Blake (Chief Judge of the Hoopa Tribe), Judge Joyce Hinrichs (Presiding Juvenile Court Judge in the Humboldt County Superior Court), and Judge Abby Abinanti (Chief Judge of the Yurok Tribe).

Juvenile court judges are required to ask how a child is doing in school at every hearing, which gives them a unique opportunity to take a leadership role in influencing both the children and their parents or caretakers on the importance of the educational process to good outcomes for children and youth.

Day two of the convening kicked off with the panel from Klamath-Trinity Joint Unified School District describing their efforts to incorporate restorative justice practices grounded in a traditional Hoopa “settle up” approach into their schools, and how the

use of restorative circles has been profoundly effective at exposing the root causes of student misbehavior and allowing the educators, in partnership with the community, to devise a strategy for healing the harm. According to Hoopa Valley High School principal Dustin Rossman, “Everything is built on positive relationships, and the most important element in the program is forgiveness.” Joe Marshall emphasized that since social emotional health is key to the success of the program, self-care among the adults is critical. “Teachers have to have a ‘warrior spirit’ and can’t let themselves get ‘worn out,’ because all of the adults who work with the youth need a high level of emotional intelligence.” Attendees were then presented with the available array of data from the state on their local districts’ truancy, suspensions, and foster youth achievement. It was notable that Klamath-Trinity had the best performance on suspensions of any of the local districts.



Judge Richard Blake and Victoria Sweet.

An important feature of the KKIS initiative is including youth voice in any discussion of how to improve school climate, so a panel of recent high school graduates from Humboldt County was convened to provide their perspectives on what worked for them as students and what they would like to see change in education. This discussion really helped to crystallize some of the important themes of the convening. KKIS Steering Committee Member and UCSC student Devon Walker noted that her most effective teachers were those who were open to dialogue, and receptive to the challenges that students might be facing that impede their academic performance. Tristin Severns, echoed this sentiment and highlighted the important role that programs that engaged his Yurok culture and traditions played in his life, and shared that he was excited to go to school in the



morning because Yurok Language was his first period class and that it was energizing to “learn something awesome about myself” each day. He also emphasized the importance of teachers and administrators who cared about what was

Gordon Jackson, Jackie Wong, and Vanessa Hernandez provide an overview of tools developed by the Foster Youth Education Task Force.

going on in his life beyond school and who trusted him to have some autonomy and responsibility to take on new challenges. Alex Springer, a student at Humboldt State University, also stressed the vital role of teachers who are eager to build relationships with students based on trust and empathy.

After the youth panel, KKIS Steering Committee Members Vanessa Hernandez, Gordon Jackson, and Jackie Wong shared the [Foster Youth Education Task Force’s Foster Youth Education Law Fact Sheets](#) and the Alliance for Children’s Rights’ [Foster Youth Education Toolkit](#) and stressed the importance of understanding what rights foster youth have and how the LCFF/LCAP process can be used to take concrete steps to allocate resources to foster youth and improve their performance.

The convening concluded with small group discussions about what was effective during the convening, what would have improved the convening, and what the next steps for the regional collaborative should be. There was widespread consensus that the content of the convening was effective – both varied and cohesive, and the convening will be strengthened with additional participants from varied geographic areas and professional disciplines. The group agreed to make a plan to hold another convening in the region and reach out to more agencies, school districts, parents, and youth to ensure a wider distribution of the information so that positive regional connections can be strengthened on behalf of the area’s children, youth, and families. KKIS staff look forward to partnering with our colleagues at the California Department of Education to keep the ball rolling on this exciting rural effort.