



JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

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INFORMATION TECHNOLOGY ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

March 18, 2016

10:00 AM to 12:30 PM

Teleconference

Advisory Body Members Present: Hon. Terence L. Bruiniers, Chair; Hon. Robert B. Freedman, Vice Chair; Hon. Kyle S. Brodie; Mr. Brian Cotta; Hon. Julie R. Culver; Prof. Dorothy J. Glancy ; Hon. Michael S. Groch; Hon. Sheila F. Hanson; Hon. Samantha P. Jessner; Hon. Jackson Lucky; Hon. Louis R. Mauro; Mr. Terry McNally; Hon. James Mize; Mr. Snorri Ogata; Mr. Robert Oyung; Hon. Alan G. Perkins; Hon. Peter J. Siggins; Mr. Don Willenburg; Mr. David H. Yamasaki

Advisory Body Members Absent: Ms. Alison Merrilees for Hon. Mark Stone; Mr. Darrel Parker

Others Present: Hon. Daniel J. Buckley; Hon. Joseph Wiseman; Mr. Mark Dusman; Ms. Renea Stewart; Ms. Kathy Fink; Ms. Fati Farmanfarmaian; Ms. Jamel Jones; Mr. Patrick O'Donnell; Ms. Tara Lundstrom; Ms. Katherine Sher; Ms. Jackie Woods

OPEN MEETING

Call to Order and Roll Call

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

Approval of Minutes

The advisory body reviewed and approved the minutes of the February 22, 2016, Information Technology Advisory Committee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-11)

Item 1

Opening Remarks and Chair Report

Update: Justice Terence Bruiniers provided opening remarks and the Chair report. Public comments were distributed to membership regarding expressed concerns of Electronic eFiling Service Providers (EFSP) from Mr. Tony Klein, a San Francisco attorney. He was advised that ITAC will consider his issues when they reach the appropriate section of the project. ITAC is unable to address at the moment, but will next rules cycle.

Justice Bruiniers welcomed members and acknowledged Judge Lucky is the new CJER liaison. He also mentioned Chief Judge Joseph Wiseman has been appointed as the Tribal Court Liaison.

The Judicial Council is now accepting advisory committee nominations. ITAC has 8 members with expiring terms, he encouraged all to reapply or to nominate new persons.

There is a very full agenda for this ITAC meeting and there may not be time for full reports from members, staff or budget updates. If not finished with items today may need follow-up call or actions by email.

The Chair just received legislative AB 2244 regarding e-filing fees, limitations and restrictions on charges. ITAC will want to weigh in on at appropriate time, will distribute to ITAC as more information is received.

Item 2

Update on the Judicial Council's (internal) Technology Committee (JCTC)

Update: Hon. Daniel Buckley provided a JCTC update. He noted the committee is impressed by ITAC workstreams and progress. The JCTC is monitoring efforts for BCP for Sustain courts to move to new CMS. Working on the RFP with Mr. Rick Feldstein and Judicial Council. The BCP will be submitted in September and six of the Sustain courts will be hosted by Placer instead of CCTC. Also monitoring the BCP by V3 courts.

Item 3

Data Exchange Workstream Status Update

Update: Mr. David Yamasaki provided an update on the Data Exchange Workstream. This workstream has been underway for a year, many partners have helped along the way collecting data. Many justice partners are in many different areas of development and use. This effort is to make sure that going forward there is alignment between courts and justice partners. This workstream was also contacted by State Child Welfare and they would like to be a justice partner with this project. The next steps include making a repository to allow access to all the information gathered. The team also expects to need to extend until June so that nothing is missed and to allow justice partners to explore new systems. Then governance will be underway as the final piece.

Item 4

E-Filing Workstream: Review Recommendations (Action Requested)

Action: Hon. Sheila F. Hanson reported that they are asking for ITAC approval and recommendation that this workstream manage this project going forward. Work began

May 2015 with an e-filing summit that included many trial court judges and staff. Mr. Rob Oyung added his thanks for all that participated in giving their time and expertise. Mr. Snorri Ogata, provided a detailed view of this project via his slide deck included in the ITAC meeting materials. Of the options outlined, option 3 was selected as the statewide solution, which is also being used in Texas.

As of 2015 there are 4 vendors that 41 courts are either using or leaning towards for their CMS. In 2014 nine counties offered some e-filing and in 2015 seventeen counties offered some e-filing. In 2016 it's expected to be 35 counties offering e-filing. E-filing is county by county decision with little coordination amongst EFSPs.

Next steps include getting approval on recommendation; form a RFP sub-workstream; forma contracts sub-workstream; issue RFP; select vendor; and implement.

Request a Motion (when/if appropriate) to Approve the E-Filing functional recommendations for establishing a statewide e-filing capability and commission the workstream to manage the vendor selection process for a statewide E-Filing Manager and statewide EFSPs.

Motion Approved.

Item 5

Next Generation Hosting Strategy Workstream Status Report

Update: Mr. Brian Cotta provided an update. Thanked everyone involved. Workstream kicked off Jan. 11, 2016 with two additional meetings to explore next generation. First task is to look at strategies that meet next generation hosting and digital needs. Discussing true output of workstream, hopefully to be leveraged by Judicial Council, JCTC, and Courts. Looking at what viable alternatives are available at branch and local levels, may need a second phase of workstream.

Item 6

Video Remote Interpreting Workstream Status Update

Update: ITAC and JCTC approved, but due to a few minor issues had to pull from the last Judicial Council meeting. Trying to make the April Judicial Council meeting in June at the latest. CEAC and TJPAC are involved and working with Language Access Task Force. Assembling workstream soon to move forward with project. RFP is developed, but may need to be modified, but once approved by Judicial Council, the workstream will begin.

Item 7

Self-Represented Litigants E-Services Workstream Status Update

Update: Hon. Robert B. Freedman provided an update. Judge Mize has brought in many local court resources for this workstream project. Will have more to report in the future. Mr. Terry McNally volunteered to participate.

Item 8

Disaster Recovery Framework Workstream Status Update

Action: Hon. Alan G. Perkins provided update. Justice Bruiniers joined a call on March 4 with the team and staff to initiate the workstream. Mr. Brian Cotta is joining this project as the program manager. Additionally, Judge James Herman and Mr. Rick Feldstein are interested to serve as PJ and CEO members. DR is moving forward in setting up a structure for the workstream.

Item 9

ITAC Projects Subcommittee Report

Update: Judge Freedman provided an update on this subcommittee. The courts have a need to update their items and forms using e-service formats usable by court CMS'. Currently Tyler courts use MS Word to convert to forms using adobe, but other methods are used as well. Judge Freedman would like to know if this issue is something that ITAC can take on via Projects Subcommittee or a workstream? Please reach out to Judge Freedman about what your court does or issues they have around their use of forms or specific needs.

Item 10

Joint Appellate Technology Subcommittee Report

Action: Hon. Louis R. Mauro introduced Ms. Katherine Sher, Attorney from Judicial Council Legal to present on the rules modernization. See slide deck.

- (a) Review Rules and Forms Proposal to Further Modernize Appellate Rules and Forms (Action Required)

Review and decide whether to recommend for public circulation a rules and forms proposal that would further modernize the appellate rules of court and appellate forms. (See materials for complete list of rules.)

Request a Motion to Approve the recommendation to circulate for public comment the proposal to modernize appellate rules and forms and then on to RUPRO.

Approved.

Ms. Sher presented on the e-filing rules in appellate courts. Rule 8.71 has been rewritten recognizes...

- (b) Review Rules and Forms Proposal to Update Appellate E-Filing Rules (Action Required)

Review and decide whether to recommend for public circulation a rules proposal that would update the appellate e-filing rules to reflect the current e-filing practices of the appellate courts. This proposal would amend California Rules of Court, rules 8.70, 8.71, 8.72, 8.73, 8.74, 8.75, 8.76, 8.77, 8.78, 8.79, and 8.204.

Motion to Approve the recommendation to circulate for public comment the proposal to update appellate e-filing rules.

Approved.

Item 11

ITAC Rules & Policy Subcommittee Report

Action: Hon. Peter J. Siggins provided an update on the subcommittee rules that are ready for public comment. Ms. Tara Lundstrom provided detailed outline of changes, please refer to your materials.

- (a) Review Legislative Proposal on E-Filing, E-Service, and E-Signatures (Action Required)

Review and decide whether to recommend circulating for public comment a legislative proposal on e-filing, e-service, and e-signatures. This proposal would amend Code of Civil Procedure sections 664.5, 1010.6, and 1110 and would add a new section 1013b.

Motion to Approve the recommendation to circulate for public comment the legislative proposal on e-filing, e-service, and e-signatures.

Approved.

- (b) Review Legislative Proposal to Authorize E-Service in Probate Proceedings (Action Required)

Review and decide whether to recommend circulating for public comment a legislative proposal that would amend the Probate Code and Welfare and Institutions Code section 5362 to authorize e-service by consent of notices and other papers in guardianship, conservatorship, and other probate matters. This proposal would amend Probate Code sections (please refer to materials for complete list of codes).

Motion to Approve the recommendation to circulate for public comment the legislative proposal authorizing e-service in probate proceedings.

Approved.

- (c) Review Legislative Proposal to Authorize E-Filing and E-Service in Juvenile Proceedings (Action Required)

Review and decide whether to recommend circulating for public comment a legislative proposal that would amend the Welfare and Institutions Code to allow for e-service by consent and e-filing in juvenile dependency and delinquency proceedings. This proposal would add Welfare and Institutions Code section 212.5 and would amend sections 248, 248.5, 290.1, 290.2, 291, 292, 293, 294, 295, 297, 302, 316.1, 342, 362.4, 364.05, 366.05, 366.21, 366.26, 387, 607.2, 630, 658, 660, 661, 727.4, 777, 778, 779, 785, and 903.45.

Motion to Approve the recommendation to circulate for public comment the legislative proposal authorizing e-filing and e-service in juvenile proceedings.

Approved.

- (d) Review Legislative Proposal to Clarify Authority for Permissive E-Filing and E-Service in Criminal Proceedings (Action Required)

Review and decide whether to recommend circulating for public comment a legislative proposal that would add a new statute to the Penal Code to clarify the application of permissive e-filing and e-service under Code of Civil Procedure section 1010.6 in criminal proceedings.

Motion to Approve the recommendation to circulate for public comment the legislative proposal clarifying authority for permissive e-filing and e-service in criminal proceedings.

Approved.

- (e) Review Rules Modernization Project (Phase II) Rules Proposal (Action Required)

Review and decide whether to recommend circulating for public comment a rules proposal that would amend titles 2, 3, and 5 of the California Rules of Court to introduce substantive changes to the rules of court to facilitate e-filing, e-service, and modern e-business practices. This proposal would amend rules 2.100, 2.103, 2.104, 2.105, 2.109, 2.110, 2.111, 2.114, 2.118, 2.140, 2.251, 2.252, 2.256, 2.306, 2.551, 2.577, 3.250, 3.751, 3.823, 3.1110, 3.1113, 3.1302, 3.1306, 3.1362, 5.66, 5.380, 5.390, and 5.392.

Motion to Approve the recommendation to circulate for public comment the proposal to modernize trial court rules and forms.

Approved.

Justice Bruiniers thanked the Rules & Policy Subcommittee for their significant effort and success in moving these proposals through the many other advisory committee reviews and discussions before reaching ITAC.

He then announced the next ITAC date of June 17, teleconference and adjourned the public meeting.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:30 PM.

Approved by the advisory body on June 17, 2015.