



# JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY  
ADVISORY COMMITTEE

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## JOINT APPELLATE TECHNOLOGY SUBCOMMITTEE

### MINUTES OF OPEN MEETING

November 17, 2016  
10:00 AM – 11:00 PM

Teleconference

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**Advisory Body Members Present:** Hon. Louis Mauro, Chair; Hon. Peter Siggins; Mr. Jorge Navarrete; Mr. Kevin Green, Ms. Kimberly Stewart, and Mr. Don Willenburg.

**Advisory Body Members Absent:** Mr. Joseph Lane

**Others Present:** Ms. Katherine Sher, Ms. Heather Anderson, Mr. Patrick O'Donnell, Ms. Andrea Jaramillo and Ms. Julie Bagoye

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### OPEN SESSION

#### Call to Order and Roll Call

Justice Mauro called the meeting to order at 10:00 AM, and roll call was taken. He noted there were no public comments received prior to this meeting.

#### Approval of Minutes

The subcommittee reviewed and approved the minutes of the February 11, 2016, and June 30, 2016, Joint Appellate Technology Subcommittee (JATS) meeting.

#### Item 1 Rules Proposals

Justice Mauro began the discussion by noting that all of the appellate courts now have mandatory e-filing except the Second District Court of Appeal, which may begin optional e-filing in December 2016 and mandatory e-filing in January 2017, and the California Supreme Court, which may begin e-filing in the spring of 2017. Justice Mauro further noted that when JATS developed the Rules Modernization, Phase 2 and Rules-Practice Consistency proposals in 2016, JATS deferred some items because not all appellate courts had implemented e-filing.

Justice Mauro asked whether JATS should move forward on the deferred items or wait until the Second District and Supreme Court have implemented e-filing.

Justice Siggins noted that attorneys are familiar with requirements such as bookmarking and suggested that JATS move forward. Justice Mauro asked whether Justice Siggins was proposing that JATS move forward on all the proposed items. Justice Siggins asked for clarification of the fifth item regarding formatting of reporters' transcripts. Justice Mauro explained that because a legislative proposal failed to advance in 2016, the Appellate Advisory

Committee will meet SEIU and the California Court Reporters Association to try again, hopefully resulting in legislation that would be enacted in the 2017 legislative session.

Ms. Sher noted that to complete rules proposals this year, the proposals would need to be prepared on a shortened schedule so that RUPRO could consider them in early February. The proposals would need to be considered by ITAC and the Appellate Advisory Committee in January, and JATS would have to complete its work in December.

Justice Mauro noted that in light of the holidays and the change in staff for JATS, it was unlikely such an expedited schedule could be accomplished. He suggested that JATS move the items forward on a two year schedule, with the understanding that some items might move forward sooner. JATS approved this two year plan.

## **Item 2 Other Projects**

JATS then discussed the non-rules projects described in the meeting materials. Mr. Green asked whether the privacy policy item would also be on a two-year schedule. Mr. Green said the issue of setting rules for e-filing of sealed and confidential documents (rule item number 3) is important, and he asked how much overlap there was between the work of the Appellate Advisory Committee's privacy subcommittee and the privacy policy project. Ms. Anderson noted that the privacy subcommittee is mostly addressing privacy issues regarding information in appellate opinions, but the privacy policy project before JATS may be broader, encompassing privacy issues in all documents e-filed in appellate courts. Mr. Greene said the privacy subcommittee has discussed the privacy of information in briefs. Ms. Stewart noted that issues involving sealed and confidential documents seem different from privacy issues in non-sealed, non-confidential filings. Ms. Anderson said there is some overlap, but the setting of privacy policies is intended by the ITAC working group to be a non-rules project.

Justice Mauro expressed his understanding that with all the non-rules projects, other groups will be taking the lead and asking JATS for input. Justice Siggins said the ITAC Rules and Policy Subcommittee would be working on the privacy policies and as Chair of that subcommittee, he is waiting for new subcommittee members to be named.

Justice Mauro suggested one additional non-rules item: monitoring of the Document Management System procurement and implementation by the appellate courts. Justice Mauro said such a system will be significant for the appellate courts, and JATS should receive reports and provide input as the Document Management System project moves forward.

JATS agreed that all of the rule and non-rule items described in the meeting materials, with the addition of the Document Management System item, be included on JATS's annual agenda as two year projects for 2017 and 2018.

## **A D J O U R N M E N T**

The meeting was adjourned at 10:38 AM.