



JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

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INFORMATION TECHNOLOGY ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

February 8, 2019

10:00 AM to 12:00 PM

Teleconference

Advisory Body Members Present:	Hon. Sheila F. Hanson, Chair; Hon. Louis R. Mauro, Vice Chair; Mr. Jake Chatters; Mr. Brian Cotta; Mr. Adam Creiglow; Hon. Tara Desautels; Ms. Alexandra Grimwade; Hon. Michael S. Groch; Hon. Samantha P. Jessner; Hon. Kimberly Menninger; Hon. James Mize; Mr. Snorri Ogata; Mr. Darrel Parker; Hon. Alan G. Perkins; Hon. Donald Segerstrom; Hon. Peter Siggins; Hon. Bruce Smith; Ms. Jeannette Vannoy; Mr. Don Willenburg; Mr. David H. Yamasaki
Advisory Body Members Absent:	Assembly member Marc Berman; Hon. Julie R. Culver; Mr. Paras Gupta; Hon. Joseph Wiseman
Others Present:	Hon. Marsha Slough; Ms. Heather Pettit; Mr. Mark Dusman; Mr. Zlatko Theodorovic; Ms. Jamel Jones; Mr. Richard Blalock; Ms. Camilla Kieliger; Ms. Andrea Jaramillo; Ms. Nicole Rosa; Ms. Jessica Craven; Ms. Jackie Woods; and other JCC staff present

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:02 AM and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the December 3, 2018, Information Technology Advisory Committee meeting. The Action by Email January 2, 2019 were also approved.

There were no public comments for this meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-10)

Item 1

Chair's Report

Presenter: Hon. Sheila F. Hanson, Chair

Update: Judge Hanson congratulated everyone on a job well done updating ITAC's 2019 Annual Agenda. The workplan was approved by the Judicial Council Technology Committee (JCTC) at their January 14, 2019 meeting. ITAC has a full year ahead with many

important initiatives, 11 workstreams, and several subcommittee rule and policy efforts. Mr. Blalock emailed the approved annual agenda to members on January 17th. It is also posted on the ITAC website.

The updated Tactical Plan is currently being circulated for public comment, which closes in late March. This follows the branch comment period and their very constructive comments helped refine the draft plan. The draft plan, with all incorporated comments and feedback will be submitted to the Judicial Council for review and approval at their May meeting.

Item 2

Judicial Council Technology Committee Update (JCTC) (Report)

Update on activities and news coming from this internal oversight committee.

Presenter: Hon. Marsha Slough, Chair, JCTC

Update: Justice Slough provided JCTC updates since the last report to ITAC in December. The JCTC held an open meeting, and education session and Justice Slough provided updates on both committees' activities at the January Judicial Council meeting. At the January 14 meeting, Judge Hanson provided an update on the draft Tactical Plan for Technology for 2019 – 2020. She also presented the 2019 ITAC Annual Agenda, which after reviewing it was approved unanimously. Mark Dusman, Principal Manager in JCIT provided an update on the technology BCPs. Also, at the January Council meeting, the San Bernardino court presented on its Judicial Council Innovation Grant for the court's use of videoconferencing to facilitate child custody recommending counseling sessions. This is another example how technology helps courts do their business and improve access to justice. JCTC will hold its next meeting on February 11 by teleconference. Justice Slough thanked Judge Hanson and ITAC for their work and collaboration and service.

Item 3

Video Remote Interpreting Workstream (VRI) – Status and Final Report (Action Required)

Review and discuss the draft Judicial Council report on the VRI Pilot for the March 2019 council meeting, including recommended guidelines for minimum technology requirements. Decide the guidelines' readiness to recommend to the Judicial Council Technology Committee for acceptance and submission of the report to the Judicial Council.

Presenters: Hon. Samantha P. Jessner and Mr. David H. Yamasaki, VRI Workstream Executive Co-Sponsors
Mr. Douglas Denton, Supervising Analyst, Language Access Services;
Workstream Project Manager
Ms. Virginia Sanders-Hinds, Principal Manager, Information Technology

Action: Judge Jessner and Mr. Yamasaki presented the final VRI project outlining the history, identifying the needs of California, guidelines and requirements. There are over 200 languages spoken in the California courts. There is a limited supply of qualified court interpreters. VRI Pilot Project Goal – to verify whether VRI can reliably assist limited English proficient court users and assess how technology can address language access needs. In 2018, the pilot took place in Ventura, Merced, and Sacramento. There were two vendors per county: Paras & Associates and Connected Justice. The case types included: felony and traffic arraignments, as well as some civil matters. The San Diego State University Research Foundation was contracted as an independent evaluator and collected VRI pilot data. They reported on due process issues, participant satisfaction, use of certified and registered interpreters, and effectiveness of technologies. Their findings were positive and court staff, court users and interpreters all found the VRI to be a good experience. However, some interpreters felt this technology shouldn't be used in more complex proceedings.

Recommendations, not mandates will be presented to the Judicial Council Technology Committee and if approved to the Judicial Council at their May meeting. The recommendations are: adopt the revised VRI guidelines, which now include recommended minimum technology guidelines; approve creation of Leveraged Procurement Agreements (LPAs) with the two approved VRI pilot vendors; approve development of a VRI Program for the branch in 2019; and lastly to regularly report to the Judicial Council on VRI implementation progress.

Motion to approve acceptance of the report and to recommend submission to the Judicial Council Technology Committee.

Approved.

Item 4

(a) Branch Budget Update (Report)

Update on the status of the branch budget, along with any technology-related discussions with the Department of Finance and/or with Legislators.

Presenter: Mr. Zlatko Theodorovic, Director, Budget Services

Report: Mr. Theodorovic provided an update on the new governor's budget. The budget is a \$144B general fund, \$209B state budget, \$15.2B reserve expected to grow to \$19B in FY22-23. Fiscal resiliency is important and there is many one-time spending to reverse prior budget gimmicks. This will help realign budget in the right way. There were \$300M in new general fund for the branch. There are some large one-time investments in pilot projects and non-IT related funding, such as facilities. Very pleased to see the 5 BCPs submitted 5 BCPs in the proposed budget. Governor Newsome is interested in modernizing the state and that includes the judicial branch. Had a good meeting with the Legislative Analyst Office in January going over and responding to their questions. Budget hearings start in March and April.

(b) FY 2019/2020 Technology Budget Change Proposal Update (BCP)

Overview and update regarding the Technology Budget Change Proposals (BCPs) status.

Presenter: Ms. Heather Pettit, Chief Information Officer

Report: Ms. Pettit reported on the technology BCPs submitted and the work expected going forward.

- Case Management System Replacement – proposal is for 10 courts to replace aging CMS under the new master service agreement currently being developed.
- Phoenix System Roadmap – sets the stage for new financial and HR system. Also includes funding for more courts to go on this system over the next several years.
- Digitizing Documents for Courts Phase 1 – minimum one case type to begin; onboard 5-7 courts based on a set criterion for selecting final pilot courts.
- Merged and Updated BCP: Data Analytics/BI, Identity Management (limited scope), Futures Commission Directives for the Expansion of Technology in the Courts. Since they all are proof of concepts/phase 1 it made sense to combine. Once methodology is proven to work, then additional funding can be requested for deployment. They will remain separate workstreams but allows 2 years to test.

(c) FY 2020/2021 Technology Initial Funding Requests (Report)

Overview and update regarding the Technology Initial Funding Requests for fiscal year 2020/2021.

Presenter: Mr. Mark Dusman, Principal Manager, Information Technology

Report: Initial Funding Requests (IFR) for FY20/21 are due to Judicial Council Technology Committee in February for approval and submission to Judicial Branch Budget Committee (JBBC) on March 1. Draft full BCP May – June and after approval of prioritized BCP Concepts by the Judicial Council the BCPs are submitted to the Budget Services for review and reinternment and they are finally submitted to the Department of Finance.

Highest ranked proposed topics include: Operationalize Court Innovations is the only new project; Digitizing Records, phase 2 builds on phase 1; Disaster Recovery (initial funding); Modernization of Judicial Council Forms; Digital Evidence; and the Pilot for Next-Generation Hosting Concept at 1+ Court.

Item 5

Digital Evidence Phase 1 Workstream – Status and Final Results (Action Required)

Review and discuss the findings and recommendations from the workstream’s Phase 1 activities. Decide readiness to recommend to the Judicial Council Technology Committee for acceptance; and initiate Phase 2 of the workstream.

Presenters: Hon. Kimberly Menninger, Workstream Sponsor
Ms. Kathy Fink, Manager, Information Technology

Action: Judge Menninger gave a brief look at the project goals. The workstream defined digital evidence and their research findings to be include as digital evidence. They also reviewed the rules and statutes and they think there may need to be some local rule and code changes in the future. They included their list of recommendations for Phase 2. They would like to investigate and recommend cost effective technology for presenting digital evidence both inside and outside the courtroom. Also, solutions for managing digital evidence electronically. The workstream received good advice from the private sector. Suggestions included: start small and deploy a component-based architecture, prepare for costs, develop standards, classify levels of security, investigate forward technologies (search services or AI/recognition), and consider staff needs.

Next steps for Phase 2 are recommendations for operational best practices for managing digital evidence and where it differs from physical evidence; technology support for viewing, transmission, acceptance, storage, and protection of digital evidence.

Perhaps a pilot is the best way to start, maybe using body cameras as a start.

Motion to Approve the findings and next steps of the workstream for submission to the Judicial Council Technology Committee.

Approved

Item 6

Trial Court Rules and Statutes Revisions: Proposed Amendments to Penal Code Section 1203.01 (Action Required)

Consider whether to recommend circulating proposed amendments to Penal Code section 1203.01 for public comment. The proposed amendments will provide an alternative to mailing certain statements and reports.

Presenters: Hon. Peter J. Siggins, Chair, Rules & Policy Subcommittee
Ms. Andrea Jaramillo, Attorney II, Information Technology

Action: Presiding Justice Siggins explained that this amendment would allow documents to be sent electronically that now must be sent post judgement by mail. Rules & Policy subcommittee have discussed the issue that some incarcerated would have to request by mail. There are no form proposals changes accompanying this change.

Motion to approve the recommendation to circulate the proposed amendments to Penal Code Section 1203.01 for public comment.

Approved.

Item 7

Trial Court Rules and Statutes Revisions: Proposed Amendments to the Code of Civil Procedure Section 1010.6 (Action Required)

Consider whether to recommend circulating proposed amendments to the Code of Civil Procedure section 1010.6 for public comment. The proposed amendments will allow courts to recover actual costs of permissive electronic filing and mandatory electronic filing by court order, just as they can with mandatory electronic filing by local rule and clarify a provision for signatures made not under penalty of perjury to account for signatures of non-filers.

Presenters: Hon. Peter J. Siggins, Chair, Rules & Policy Subcommittee
Ms. Andrea Jaramillo, Attorney II, Information Technology

Action: Presiding Justice Siggins informs that there is a discrepancy between recovery of actual costs of permissive electronic filing. Difference currently are if permitted, required by local rule or ordered by court, this rule change will clarify the cost recovery confusion. This amendment also addresses clarifying a provision to allow electronic signatures on documents not signed under penalty of perjury.

Motion to approve the recommendation to circulate the proposed amendments to the Code of Civil Procedure Section 1010.6 for public comment.

Approved.

Item 8

Trial Court Rules and Statutes Revisions: Proposed Amendments to the Electronic Filing and Service Rules (Action Required)

Consider whether to recommend circulating proposed amendments to the electronic filing and services rules for public comment. The proposed amendments to rule 2.251 will clarify how notice of electronic service is to be given and provide standardized language for consent. The proposed amendments to rule 2.257 will revise language on signatures of opposing parties and make minor revisions consistent with Code of Civil Procedure section 1010.6.

Presenters: Hon. Peter J. Siggins, Chair, Rules & Policy Subcommittee
Ms. Andrea Jaramillo, Attorney II, Information Technology

Action: Presiding Justice Siggins advises this amendment to rule 2.251 tries to capture ways that parties can manifest to the court they have consented to electronic service. The two ways this can be done are: 1. By filing the consent to electronic service form; 2. To agree to terms of service with an electronic service provider.

Rule 2.257 requirements for electronic signature of a non-filer suggested change is “linked to data in such a manner that if the data are changed, the electronic signature may be declared invalid by the court”.

Motion to approve the recommendation to circulate the proposed amendments to the electronic filing and service rules for public comment.

Approved.

Item 9

Trial Court Rules and Statutes Revisions: Proposed Amendments to the Rules on Remote Access to Electronic Records (Action Required)

Consider whether to recommend circulating proposed amendments to the rules on remote access to electronic records for public comment. The proposed amendments to rule 2.540 will add more clarity and additional local government entities.

Presenters: Hon. Peter J. Siggins, Chair, Rules & Policy Subcommittee
Ms. Andrea Jaramillo, Attorney II, Information Technology

Action: Presiding Justice Siggins one amendment adds local counties agencies public that were missed in the previous update. The second amends broadens the description to perform their "legal" duties.

Motion to approve the recommendation to circulate the proposed amendments to the rules on remote access to electronic records for public comment.

Approved.

Item 10

I.T. Community Development Workstream Update (Report)

Report on the I.T. Community Development Workstream's recent progress.

Presenter: Ms. Jeannette Vannoy, ITAC Member; Chief Information Officer, Superior Court of California, County of Napa
Ms. Jessica Craven, Senior Business Systems Analyst, Information Technology

Update: Ms. Vannoy provided an update on this workstream. Resources track: presented at Court Executive Advisory Committee (CEAC) meeting and survey distributed to Court Executive Officers. Education track: there are focus groups are underway with the courts, surveyed Court Information Officers (CIOs), and delivered 3 leadership courses. Tools track: completed and prioritized needs assessment, conducted Gartner Analyst sessions, gained exposure to solutions through national court IT leaders.

Next steps draft final report by April 5, roadshow to PJs and CEOs on April 10, ITAC on April 15, Appellate Clerks on April 17, and CITMF on April 25.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:00 PM.

Approved by the advisory body on enter date.