



# JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY  
ADVISORY COMMITTEE

[www.courts.ca.gov/itac.htm](http://www.courts.ca.gov/itac.htm)  
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## INFORMATION TECHNOLOGY ADVISORY COMMITTEE

### MINUTES OF OPEN MEETING

March 4, 2019  
12:00 PM to 1:00 PM  
Teleconference

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**Advisory Body Members Present:** Hon. Sheila F. Hanson, Chair; Hon. Louis R. Mauro, Vice Chair; Mr. Brian Cotta; Mr. Adam Creiglow; Hon. Michael S. Groch; Hon. Kimberly Menninger; 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;

**Advisory Body Members Absent:** Assembly member Marc Berman; Mr. Jake Chatters; Hon. Julie R. Culver; Hon. Tara Desautels; Ms. Alexandra Grimwade; Mr. Paras Gupta; Hon. Samantha P. Jessner; Hon. James Mize; Hon. Joseph Wiseman; Mr. David H. Yamasaki

**Others Present:** Ms. Kristi Morioka; Ms. Christy Simons; Ms. Heather Pettit; Mr. Mark Dusman; Ms. Jamel Jones; Ms. Kathy Fink; Mr. Richard Blalock; Ms. Camilla Kieliger; Ms. Andrea Jaramillo; Ms. Nicole Rosa; Ms. Jessica Craven; Ms. Jackie Woods; and other JCC staff present

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair called the meeting to order at 12:11 PM and took roll call.

##### Public Comment

The advisory body did not receive any public comments for this meeting.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1-4)

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##### Item 1

##### Chair's Opening Remarks

**Presenter:** Hon. Sheila F. Hanson, Chair

**Update:** Judge Hanson welcomed everyone to today's special ITAC meeting at the request of the Joint Appellate Technology Subcommittee to consider three proposals. The first and third items are rules proposals that the subcommittee is requesting for a pilot program and for ITAC to recommend to the Judicial Council.

**Item 2**

**Appellate Procedure: Service Copy of a Petition for Review (Action Required)**

Consider whether to recommend circulation of a proposed rule amendment to eliminate the need for a separate service copy of a petition for review (joint proposal with the Appellate Advisory Committee).

Presenters: Hon. Louis Mauro, Chair, Joint Appellate Technology Subcommittee  
Ms. Kristi Morioka, Attorney II, Legal Services

**Action:** The Court of Appeals do not need a copy if filed electronically, only if a paper filing. This amendment would clarify and eliminate the need for a separate service copy.

**Motion to recommend the circulation of the proposed rule amendment– eliminating the need for a separate service copy of a petition–for public comment.**

**Approved.**

**Item 3**

**E-filing for incarcerated individuals (Action Required)**

Consider whether to recommend to the Judicial Council a pilot program with the California Department of Corrections and Rehabilitation (CDCR) for e-filing between one prison and the Court of Appeal, Third Appellate District (joint proposal with the Appellate Advisory Committee)

Presenter: Hon. Louis Mauro, Chair, Joint Appellate Technology Subcommittee

**Action:** Federal courts are already doing limited e-filing within prisons. The librarian will scan and email to court. JATS would like to do a pilot program with one or more prisons to use same method to file appellate civil cases. Talking with Third Appellate District working with one or more Sacramento prisons on civil cases using email. There will be an opt out if there were a burden on the prison. Current discussion is to email and not e-filing due to the requirement to register to use e-filing. CCDR understands the documents not in preferred by courts. The pilot length still being discussed but expected at least a year. There aren't a lot of prisons in the Sacramento area, so may need to extend area to include more prisons and could also extend the pilot duration. Limited to civil appeals, doesn't include habeas or writs cases.

Since this is not true e-filing, perhaps better to say e-delivery. Since it's emailed to court clerk and the clerk then files and an electronic response to CDCR to alert inmate. Don't want to lose the RUPRO cycle and getting approval to begin

**Motion to recommend to the Judicial Council to begin a pilot program with the Third District Court of Appeals to engage a pilot program with one or more prisons for e-delivery of appeals in civil cases.**

**Approved**

**Item 4**

**Rules Modernization: Uniform Formatting Rules for Electronic Documents (Action Required)**

Consider whether to recommend circulation of proposed rule amendments to establish uniform formatting rules for electronic documents (joint proposal with the Appellate Advisory Committee)

Presenters: Hon. Louis Mauro, Chair, Joint Appellate Technology Subcommittee  
Ms. Kristi Morioka, Attorney II, Legal Services

**Action:** Justice Mauro explained the changes to be made to the below rules.

Rule 8.40. a, b and c (3) – references in subdivision A reference new rule 8.74 and uniform rules and combines into B of paper documents. In C (3) refers to covers of electronic documents.

**Motion to recommend circulation of the proposed amendments to establish uniform formatting rules for electronic documents.**

**Approved.**

Rule 8.44 the only change to C, major change is taking out first sentence and portion of last sentence. First sentence pertains to local rules and last sentence was left in that pertains to hardship. The middle sentence indicates when filing paper, the court may require electronic filing.

**Motion to recommend circulation of the proposed amendments to establish uniform formatting rules for electronic documents.**

**Approved.**

Rule 8.71 took out local rules section, the Supreme Court maintains a local rule so left in for the Supreme Court only.

**Motion to recommend circulation of the proposed amendments to establish uniform formatting rules for electronic documents.**

**Approved.**

Rule 8.72 will be combined with rule 8.74 pertaining to responsibilities of electric filer.

**Motion to recommend circulation of the proposed amendments to establish uniform formatting rules for electronic documents.**

**Approved.**

Rule 8.74 A took current requirements in Appellate & Supreme court local rules and put together the best practices together A1 refers to tech searchable formats

At Appellate Advisory Committee had concern with difficulty with pagination and there may be comments and pushback. Difficult to paginate with the table of authority at the beginning of document. One suggestion to put tables at end. Another suggestion is to send out as is and review feedback. Electronic media file format is based on CMS that can be received. Also, there's a suggested change in font from Times New Roman to

Century School Book. Suggestion made to remove the tabs since bookmarks, tabs are no longer used.

**Motion to recommend circulation of the proposed amendments to establish uniform formatting rules for electronic documents along with comments to remove “tab” from rule 8.74.**

**Approved.**

Rule 8.204 only change is to reference 8.74.

**Motion to recommend circulation of the proposed amendments to establish uniform formatting rules for electronic documents.**

**Approved.**

Rule 8.252 this rule refers to judicial notice. Two suggested changes are to regarding a motion, a copy of the matter or and explanation must be attached. Also, the motion with attachments must comply with Rule 8.74 if filed in electronic form.

**Motion to recommend circulation of the proposed amendments to establish uniform formatting rules for electronic documents.**

**Approved.**

After public comment, ITAC will review before it goes to RUPRO.

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

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There being no further business, the meeting was adjourned at 1:07 PM.

Approved by the advisory body on enter date.