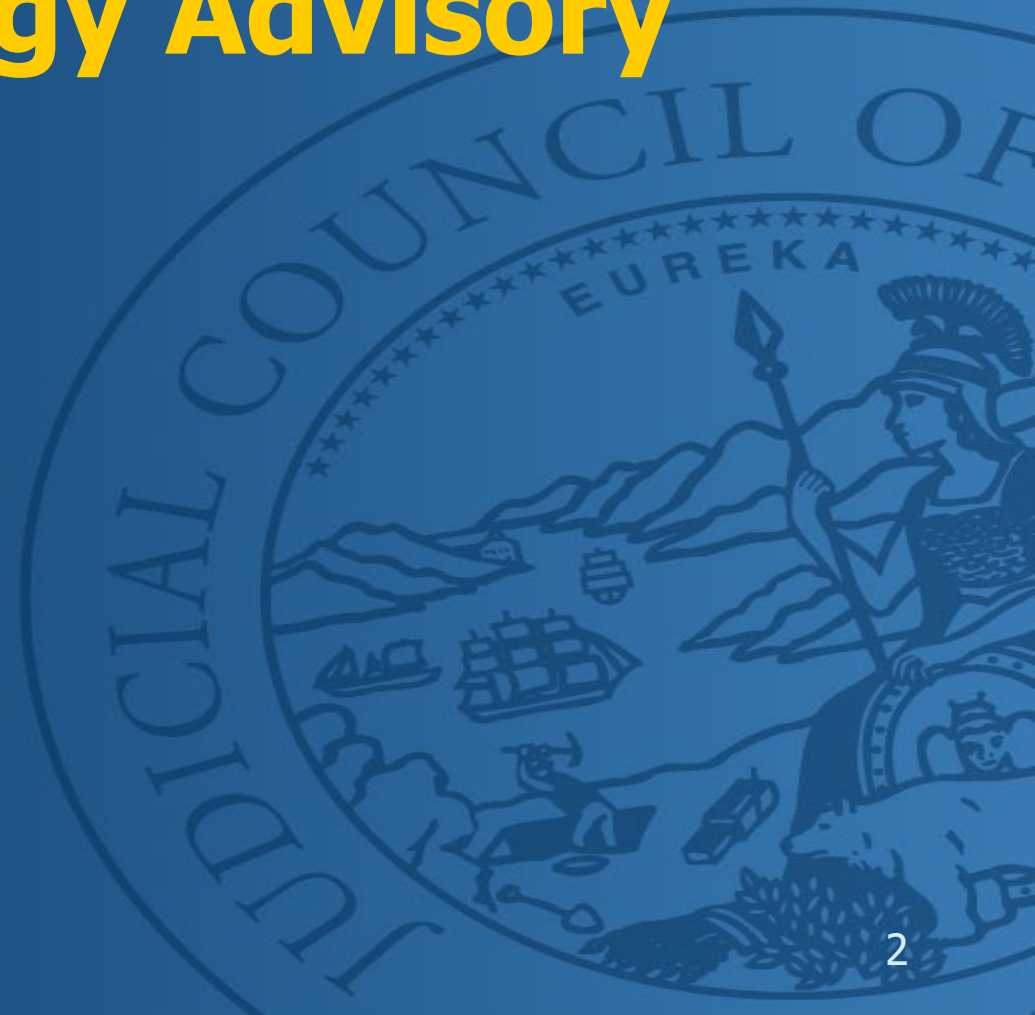# Information Technology Advisory Committee (ITAC)

Public Business Meeting

August 19, 2019

# **Administrative Matters**

I. Open Meeting

- Call to Order, Roll Call

- Approve Minutes

    - June 21, 2019

    - July 10, 2019

    DRAFT Minutes are in the materials e-binder.

II. Public Comment

3

REPORT

# Item 1. Chair Report

Hon. Sheila F. Hanson
Chair, Information Technology Advisory Committee

There are no slides for this item.

REPORT

# Item 2. Judicial Council Technology Committee Update

Hon. Marsha Slough, Chair, JCTC

There are no slides for this item.

# Item 3. Futures Commission Directive: Intelligent Chat for Self-Help Services - Status and Final Report

Hon. Michael Groch, Executive Sponsor

Mr. John Yee, Enterprise Architect, Information Technology

Advance to the next slide for this report.

# Intelligent Chat Workstream:
## Phase 1 Report and Recommendations

Information Technology Advisory Committee

August 19, 2019

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# Directive from the Chief Justice

The committee is directed to explore and make recommendations to the council on the potential for a pilot project using **intelligent chat technology** to provide information and self-help services.

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# Workstream Team Members

Hon. Michael Groch - Sponsor
Mr. John Yee – Workstream Lead
Ms. Fati Farmanfarmaian – Project Manager

**Hon. Tara M. Desautels**
(Alameda)

**Ms. Andrea K. Wallin-Rohmann**
(3DCA)

**Ms. Natasha R. Moiseyev**
(Tulare)

**Mr. Paras Gupta**
(Monterey)

**Mr. Davis Luk**
(JCC-IT)

**Hon. Jason Webster**
(Kern)

**Mr. Brett Howard**
(Orange)

**Ms. Melanie Snider**
(JCC-CFCC)

**Mr. Steve Tamura**
(Los Angeles)

**Mr. Nelson Wong**
(JCC-IT)

**Mr. Darrell Mahood**
(Los Angeles)

**Ms. Hana Miller**
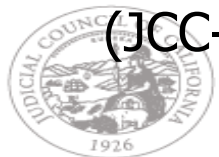(Santa Barbara)

**Mr. Stan Tyler**
(Los Angeles)

**Ms. Karen Cannata**
(JCC-CFCC)

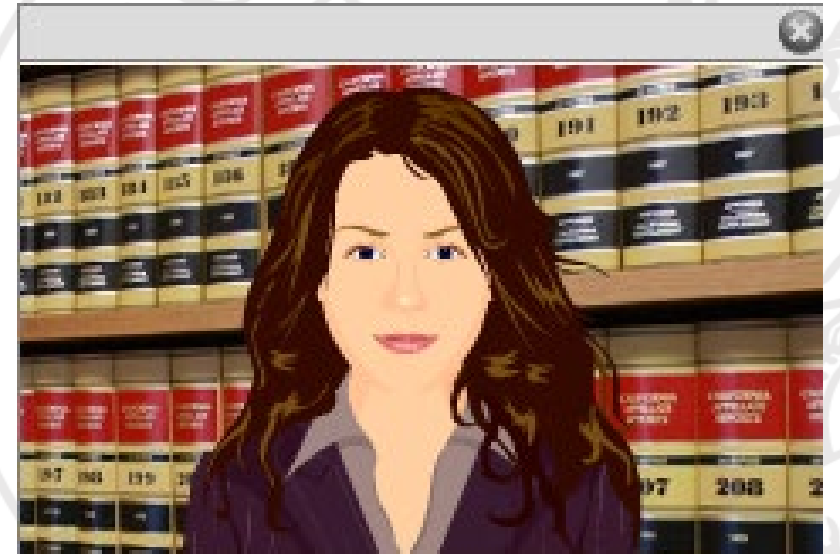**Mr. Anson Jen**
(JCC-IT)

# Report Contents

- Business Case

- Background Research

- Chatbot definitions

- Chatbot Maturity Model

- Workstream's approach

- Benefits and Risks

- Findings and Recommendations

- Lessons Learned

- Conclusions

# Benefits

- ✓ Improved Efficiency

- ✓ Improved Access

- ✓ Improved Services

- ✓ Improved Processes

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# Risks

- Simple conversations become more complex causing chatbots to fail

- New/Next security attack point

- Ongoing maintenance to update content as laws change

# KEY FINDINGS

# Key Findings – Business Track

- Subject matter experts are crucial to developing appropriate chat bot interactions

- The California Courts Online Self-Help Center website is an excellent source of content to define chatbot topics

- Subject matter prioritization is critical

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14

# Key Findings – Technology Track

- Most of the effort is developing the chatbot content

- Using Live chat transcripts to build content and train chatbots

- Machine learning and artificial intelligence need more time to mature



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15

# Key Findings – Policy Track

- No need for legislative changes to allow for the use of chatbots

- Leverage Cross Platform Policies

- Data ownership must be addressed

- The public must be informed that they are interacting with a bot

- Developed language for policies and disclaimers that should be considered before launching a chatbot service.

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# Recommendations

- Chatbot Services

- Live Chat and Content Development

- Machine Learning and Artificial Intelligence



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# Chatbot Services

- Establish an intelligent chatbot service program

- Publish chat technology project on central repository.

- Develop vendor selection criteria and master service agreement requirements for alternative chatbot platforms.

- Establish statewide chatbot platforms in different subject areas

# Chatbot Services (Cont'd)

- Develop best practices implementation reference guides

- Update existing branch web policies to reflect recent statutory and other acceptable uses required for chat technology.

- Develop chatbots to support multiple media

- Enable chatbots to support multiple languages and be ADA compliant to ensure language access is available.

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# Live Chat & Content Development

- Use subject matter experts to curate, develop, and maintain content and appropriate responses

- Set up live chat services to provide support where the chat bot cannot provide assistance

- Use live chat services

  - Provide immediate support to the public

  - Collect information and content for chat bot development

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# Machine Learning & Artificial Intelligence (ML/AI)

- Continue research on machine learning and artificial intelligence to improve and advance the chatbot's ability to understand and appropriately respond



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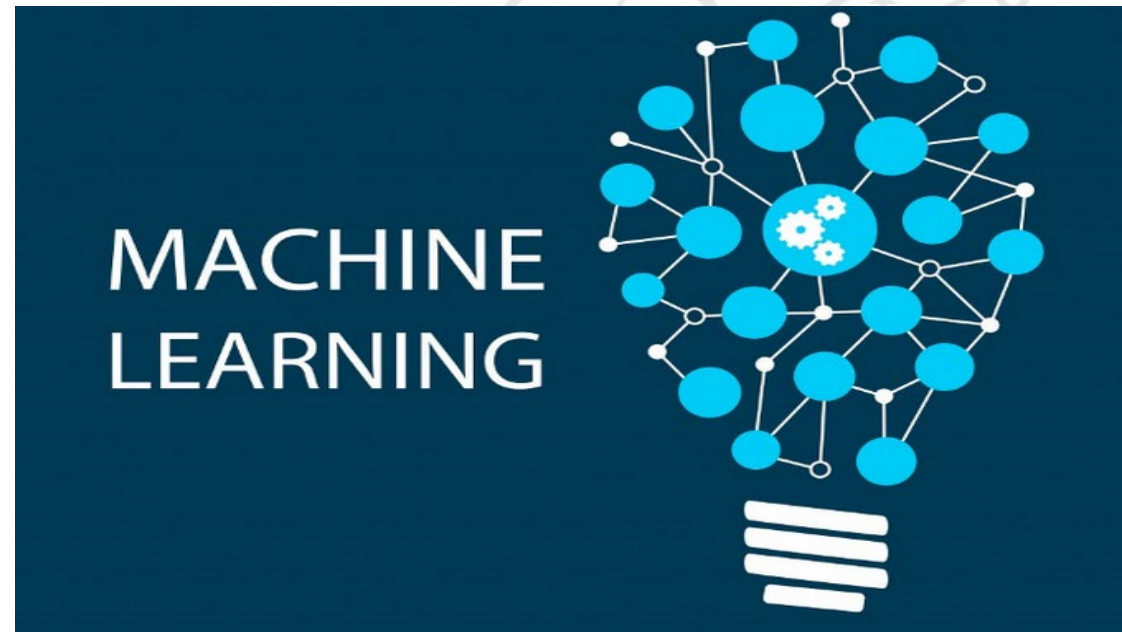
# Conclusion

- Chatbots are part of the current norm

- Public will turn chat bot to solve simple issues to save even small increments of time

- The public would prefer to speak or interact with a person for more complex problems

- Branch has lots of subject matter content, but needs to curated and developed for use in a chat bot

# Conclusion (Cont'd)

- Chatbot technology is still evolving

- The reality of budget constraints and the limitations of regular business hours, chatbots can and should play a role in serving judicial branch customers

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# Proposed Next Steps

- Approve findings and recommendations

- Create a Chatbot service program to be administered by JCIT

- Establish chat bot program steering committee with court representation to provide oversight and guidance

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# Questions?

# Item 4. Futures Commission Directive: Remote Video Appearances for Most Non-Criminal Hearings- Status and Final Report

Hon. Samantha Jessner, Executive Sponsor

Mr. Jake Chatters, Workstream Business Lead

Mr. Alan Crouse, Workstream Project Manager

Advance to the next slide for this report.

# INFORMATION TECHNOLOGY ADVISORY COMMITTEE: REMOTE VIDEO APPEARANCES WORKING GROUP

## PHASE 1 REPORT AND RECOMMENDATIONS – PRESENTED AUGUST 19, 2019

# PRESENTERS

- Judge Samantha Jessner, Work Group Chair and Judge, Los Angeles Superior Court

- Mr. Alan Crouse, Work Group Project Manager and Deputy Executive Officer, San Bernardino Superior Court

- Mr. Jake Chatters, Work Group Business Lead and Court Executive Officer, Placer Superior Court

# WORK GROUP CHARGE

Consider feasibility of and resource requirements for developing and implementing a pilot project to allow remote appearances by parties, counsel, and witnesses for most noncriminal court proceedings.

# WORK GROUP KEY OBJECTIVES

Phase 1:

- (a) Identify and conduct a mock remote video hearing using a web conferencing system for a specific hearing type (e.g., Civil - Small Claims) as a Proof of Concept (POC) in a court.

- (b) Capture learnings and report findings.

- (c) Update Phase 2 workplan based on results.

- (d) Seek approval from ITAC and the JCTC to conclude Phase 1 and initiate Phase 2; amend the annual agenda accordingly.

# WORK GROUP – GUIDING CONCEPTS

- The work group approached its work with the following key concepts in mind:

  - Access to Justice – Remote video appearance is an additional, optional mechanism.

  - Preserve Litigant Rights – The use, or non-use, of Remote Video Appearance can neither benefit nor disadvantage one party over another.

  - Ensure Dignity and Integrity of Process – Remote appearances must retain a dignified and stable backdrop for the resolution of disputes.

  - Don't Over Complicate – Develop a relatively simple set of guidelines which would place a minimal burden on both the litigants and the court.

# WORK GROUP ACTIVITIES

- Literature Review

- Issue Brainstorming, Identification, Debate, and Resolution

# WORK GROUP ACTIVITIES:
## ISSUE BRAINSTORMING, IDENTIFICATION, DEBATE, AND RESOLUTION

- Detailed list of topics and questions developed.

- Divided into four groups
  - Procedure
  - Evidence
  - Rules
  - Technology.

# WORK GROUP ACTIVITIES:
## ISSUE BRAINSTORMING, IDENTIFICATION, DEBATE, AND RESOLUTION

- Procedure topics included:
  - Participant Scheduling
  - Process for Documenting Agreements
  - Video Display During Hearing
  - Facilitating Private Discussions
  - Calendar Management
- Evidence considerations:
  - Evidence Exchange and Presentation
  - Court Role in Facilitating Evidence Exchange

# WORK GROUP ACTIVITIES:
## ISSUE BRAINSTORMING, IDENTIFICATION, DEBATE, AND RESOLUTION

- Rules and Legislation were considered in the following areas:
  - Participant Environment at Remote Site
  - Hearings Allowed
  - Participants Allowed
  - Interpreter Participation Guidelines
  - Training Program
  - Quality Control
  - Record Capture
  - Cost for Remote Appearance

# WORK GROUP ACTIVITIES:
## ISSUE BRAINSTORMING, IDENTIFICATION, DEBATE, AND RESOLUTION

- Technology readiness and requirements were discussed for:
  - Participant Technical Requirements at Remote Site
  - Evidence Display During Video Appearance
  - Interpreter Technical Requirements
  - Signature Capture Technology
  - Video Displays in the Courtroom
  - Technical Guidelines for Video Connections

# PILOTS – AND THE DECISION NOT TO HOLD THEM

- Original charge included ITAC-sponsored pilots.

- Multiple Innovations Grant courts are implementing video appearances.

- As presented later in recommendations, led to the Workstream focusing on removing barriers for second round of adopter courts based on information from the Innovation Grant courts – rather than running a new additional pilot.

# MOCK HEARING(S)

- Held on February 15, 2019; Physical site – San Bernardino Superior Court.

- Remote participants from five locations.

- Civil Harassment and Small Claims Hearing.

- Scripts based on actual hearings.

- Included evidence sharing via SharePoint.

- Pros, cons, and caveats on survey results were discussed at our April ITAC meeting.

# RECOMMENDATIONS

- Recommendations were developed to provide general guidelines and allow flexibility for early adopters.

- Consistent with concepts around telephonic appearance that provide general deference to local courts.

- Deviates from concepts around telephonic appearances by not including a presumption that video will be allowed.

- Final recommendations are consistent with draft recommendations presented in April. Rewording occurred to better reflect processes for implementation.

# RECOMMENDATIONS

- **Recommendation 1:**

  **ITAC should circulate through the normal process a recommendation that the Judicial Council pursue an amendment of Code of Civil Procedure section 367.5 to conform authorization for video and/or digital appearances to those made via telephone.**

  **Report page: 16 (e-binder page 95)**

# RECOMMENDATIONS

- **Recommendation 2:**

  **ITAC should circulate through the normal process a recommendation that the Judicial Council pursue amendments to Code of Civil Procedure section 367.6 and Government Code section 72011, and the repeal of Government Code section 70630.**

  **Report page: 17 (e-binder page 96)**

# RECOMMENDATIONS

- **Recommendation 3:**

  **ITAC should, in cooperation with appropriate advisory committees, develop a recommendation that the Judicial Council adopt a new rule of court, specific to video and digital appearances, that largely mirrors California Rules of Court, rule 3.670, regarding telephonic appearances.**

  **Report page: 19 (e-binder page 98)**

# RECOMMENDATIONS

- **Recommendation 4:**

  **ITAC should, in cooperation with appropriate advisory committees, seek amendment of California Rules of Court, rule 5.9, to allow for video and digital appearances in family law proceedings.**

  **Report page: 23 (e-binder page 102)**

# RECOMMENDATIONS

- **Recommendation 5:**

  **ITAC should request that the Judicial Council, following appropriate vetting, adopt *Key Considerations Guide for Early Adopters of Video Appearances in California Courts*, included as Appendix A to this Phase 1 report, and ensure that a mechanism exists to make future revisions to the document as additional lessons are learned and to keep pace with technology changes.**

  **Report page: 24** (e-binder page 103)**; Guide begins page 38** (e-binder page 117)

# RECOMMENDATIONS

- **Recommendation 6:**

  **ITAC should, in collaboration with appropriate advisory committees, seek, develop, or revise rules regarding digitized evidence for use in video or digital appearances.**

  **Report page: 30 (e-binder page 109)**

# RECOMMENDATIONS

- **Recommendation 7:**

  **The Workstream recommends that ITAC undertake the necessary development to provide a simple, standard internet-based file-exchange service to facilitate the exchange of digital evidence between parties and the court, for courts implementing remote video appearance.**

  **Report page 34 (e-binder page 113)**

# RECOMMENDATIONS

- **Recommendation 8:**

  **Modify the Workstream's Phase 2 work plan to focus on using the results of the innovations grant courts' work as the basis for a production implementation for second-wave early-adopter courts. Revise the ITAC work plan to remove the tasks related to implementing a pilot, place the Remote Video Appearances Workstream on hiatus, and re-form the group after the work of the innovations grant courts is complete.**

  **Report page 36 (e-binder page 115)**

# NEXT STEPS AND QUESTIONS

- Next steps dependent on ITAC action today.

- Questions?

- Thank you to the Workstream members and JCC staff for their support in this effort.

- Special thank you to the participants at the San Bernardino Superior Court for their assistance with the Mock Hearings.

# Item 5. 2019-2020 Language Access Signage and Technology

Mr. Don Will, Assistant Director, Center for Families, Children & the Courts

Mr. Douglas Denton, Supervising Analyst, Center for Families, Children & the Courts

There are no slides for this item.

# Item 6. Rule and Legislative Proposals

Hon. Louis Mauro, Chair, Joint Appellate Technology Subcommittee

Hon Peter Siggins, Chair, Rules and Policy Subcommittee

Advance to the next slide for this item.

# Topics Under Consideration

- Rules and Policy Subcommittee:
    - Futures – Remote Video Appearances: recommendations from Report
    - Consent to electronic delivery form for post-conviction statements and reports
    - ??

# Topics Under Consideration

- Joint Appellate Technology Subcommittee:
  - ??

REPORTS

# Item 7. Comments and Questions Regarding Written Workstream and Subcommittee Reports

During this section, members are invited to comment on the written reports of initiatives **not** being discussed during today's meeting.

For written reports, refer to the full report in the materials e-binder.

# Futures Commission Directive: Voice to Text Language Services Outside the Courtroom (Phase 1)

⭐ **Highlight:** Vendor presentations completed, a demo site being developed to further test the solutions offered.

**Executive Sponsor: Hon. James Mize**
**Estimated Completion Date:  December 2019**

# E-Filing Strategy

★ **Highlight:** Continued progress with master service agreements.

**Executive Sponsor: Hon. Sheila Hanson**
**Estimated Completion Date:  December 2019**

# Identity and Access Management Strategy

**Highlight:** Policy track recommendations drafted.

**Executive Sponsor: Mr. Snorri Ogata**
**Estimated Completion Date:  December 2019**

# IT Community Development

⭐ **Highlight:** Tracks are documenting their findings, results, and final recommendations.

**Executive Sponsors: Hon. Alan Perkins, Ms. Jeannette Vannoy**
**Estimated Completion Date:  November 2019**

# Digital Evidence

⭐ **Phase 1 Highlight:** Digital Evidence Survey Results accepted by ITAC and JCTC (workstream has sunset).
**Phase 2 Highlight:** Proposed Project Manager identified, orientation and kickoff being scheduled.

**Executive Sponsor: Hon. Kimberly Menninger**
**Estimated Completion Date:  December 2020**

# Data Analytics: Assess and Report (Phase 1)

⭐ **Highlight:** Contracted with Gartner to build a branch data governance framework; launch pilot projects with 19-20 BCP funding; seek 20-21 BCP funding for permanent resources for data analytics

Executive Sponsor: Hon. Tara Desautels, Mr. David Yamasaki
Estimated Completion Date:  June 2020

# Disaster Recovery (DR) Framework (Phase 2)

★ **Highlight:** Vendor engaged; pilot court in discovery phase.

**Executive Sponsor: Mr. Paras Gupta**
**Estimated Completion Date:  June 2020**

# Online Dispute Resolution (ODR): Assessment

⭐ **Highlight:** Solicitation for workstream membership will occur shortly.

**Executive Sponsor: Hon. Julie Culver**
**Estimated Completion Date:  December 2019**

# Branchwide Information Security Roadmap

**Highlight:** Solicitation for workstream membership ended August 8, 2019; proposed membership to be submitted to chairs.

**Executive Sponsor: Brian Cotta**
**Estimated Completion Date:  December 2019**

# Rules and Policy Subcommittee

**Highlights:**

- Amendments to Code of Civil Procedure sec. 1010.6, Penal Code sec. 1203.01, and rules 2.251, 2.255, 2.257, and 2.540 of the California Rules of Court were circulated for public comment, and approved by ITAC and the JCTC.

- The CEAC Records Management Subcommittee has determined standards are not needed at this time.

- The Privacy Resource Guide (PRG) has been published.

**Chair: Hon. Peter Siggins**
**Estimated Completion Date:  Ongoing**

# Joint Appellate Technology Subcommittee

**Highlights:**

- Pending the Rules and Projects (RUPRO) Committee approval, the proposed uniform formatting rules will be submitted to the Judicial Council for approval.

- Pending the Rules and Projects (RUPRO) Committee approval, the proposal to amend rule 8.500 will be submitted to the Judicial Council for approval.

- A pilot program is being developed for e-delivery of court documents between the appellate court and a prison.

**Chair: Hon. Louis Mauro**
**Estimated Completion Date:  Ongoing**

64

REPORTS

# Item 8. Liaison Reports

Reports from members appointed as liaisons to/from other advisory bodies are invited to highlight key accomplishments.

There are no additional slides for this item.

65

# Adjourn Public Session