



JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

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INFORMATION TECHNOLOGY ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

February 24, 2021

12:00 PM to 1:30 PM

Videoconference

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. Julie R. Culver; Hon. Tara Desautels; Ms. Alexandra Grimwade; Hon. Michael S. Groch; Mr. Paras Gupta; Senator Robert Hertzberg (Alex Barnett); Hon. Samantha P. Jessner; Hon. Kimberly Menninger; Hon. James Mize; Mr. Snorri Ogata; Mr. Darrel Parker; Hon. Bruce Smith; Mr. Don Willenburg; Mr. David H. Yamasaki; Hon. Theodore Zayner

Advisory Body Members Absent: Assembly Member Marc Berman; Hon. Donald Segerstrom; Ms. Jeannette Vannoy

Others Present: Ms. Heather Pettit; Mr. Kevin Lane; Mr. Mark Neuburger; Mr. Mark Dusman; Ms. Jamel Jones; Ms. Camilla Kieliger; Ms. Andrea Jaramillo; Ms. Jackie Woods and other JCC staff present

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:00 PM and took roll call.

No public comments were received for this meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-8)

Item 1

Chair's Report

Presenter: Hon. Sheila F. Hanson, Chair

Update: Judge Hanson welcomed members and provided an update since the last advisory committee meeting.

She presented the *Tactical Plan for Technology* to the Technology Committee, which recommended approval on the Judicial Council's March 12 agenda. Ms. Heather Pettit will join Judge Hanson in making the presentation. Judge Hanson invited members to listen to the public broadcast of the meeting.

Item 2

Judicial Council Technology Committee Update

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

Presenter: Hon. Kyle S. Brodie, Chair, Technology Committee

Update: Judge Brodie was unable to attend this meeting due to a conflict. This item was skipped.

Item 3

Court Technology Modernization Funding Update

Update on activities related to the \$25M Court Technology Modernization Funding Program.

Presenter: Heather Pettit, Chief Information Office

Update: Ms. Pettit provided an update on the \$25M Court Technology Modernization Funding Program. On January 22, the Judicial Council approved the direct allocations going to the trial courts; some of their many projects include remote video, digitizing paper, and next-generation hosting. Additionally, 34 courts submitted 129 applications for branchwide funded programs, including a security reimbursement program and self-help web services. Recommendations and allocations relative to these programs are forthcoming.

Item 4

E-Filing Workstream: Revise 2021 Annual Agenda (Action Required)

Review new workstream and recommend that the 2021 Annual Agenda be revised accordingly.

Presenter: Heather Pettit, Chief Information Officer

Action: The proposed new e-filing workstream will provide recommendations on expanding current e-filing solutions branchwide; evaluate statewide EFM solutions and identify development opportunities of potential funding sources; evaluate standardizing e-filing transaction fees across the state; and review e-filing rules and statutes to clarify language and improve consistency branchwide. Mr. Snorri Ogata will be the workstream sponsor.

Motion to add the new E-filing workstream to the 2021 Annual Agenda.

Approved.

Item 5

Data Exchange Working Group Operationalization

Receive an update on the assignment of new court liaisons and the transfer of ongoing support and staffing to Judicial Council Information Technology.

Presenters: David Yamasaki, Executive Sponsor
Heather Pettit, Chief Information Officer

Update: Mr. Yamasaki provided an update of activities since the Data Exchange Workstream ended. The branch has continued to work with justice partners on exchanging data. Mr. Yamasaki and Ms. Pettit suggested that the Information Technology office take over working with the courts and justice partners, along with two representatives from the CIO court community in support of data exchange. The committee agreed.

Item 6

Video Remote Interpreting Guidelines

Receive an update on the revised *Guidelines*.

Presenters: Hon. Samantha Jessner, Working Group Lead
Douglas Denton, Principal Manager, Language Access Services

Update: Judge Jessner provided an update on the efforts of the working group after the public comment period closed on February 16. They met twice to review the 16 comments received. She noted that the comments expressed a need for consistency; that in-person interpreting should be the preferred method; and that there are challenges with using the existing video remote interpreting equipment. Based on the comments received, changes will be made to the guidelines that include acknowledging the digital divide and more clarity on technical solutions. They will present the updated guidelines to the ITAC and to the Access and Fairness Advisory Committees in March and seek approval to move forward to the Technology Committee and Judicial Council.

Item 7

Rules & Policy Subcommittee: Proposed Amendments to the Electronic Filing and Service Rules to Reference Penal Code Section 690.5 (Action Required)

Review and approve proposal for circulation for public comment.

Presenters: Hon. Julie R. Culver, Chair
Andrea Jaramillo, Attorney

Action: The Rules & Policy Subcommittee requested approval to circulate the proposed amendments to the California Rules of Court, so they are consistent with Penal Code 690.5. That code section (1) authorizes permissive electronic filing and electronic service by consent in criminal cases and (2) requires the Judicial Council to make rules. The Criminal Law Advisory (CLAC) provided their comments and recommended modifications to the invitation for public comment. The Invitation to Comment will be amended to include a request for the private criminal defense bar to comment specifically on E-Filing Service Provider (EFSP) convenience fees. Judge Culver and staff will consider adding language to emphasize that service fees are only applicable to civil filings.

Motion to approve the proposed amendments to the California Rules of Court Electronic Filing and Service Rules to reference Penal Code 690.5 for circulation for comment, pending finalized language approved by the ITAC chairs.

Approved.

Item 8

Rules & Policy Subcommittee: Legislative and Rule Proposals Related to Exhibits and Evidence in Electronic Format (Action Required)

Review and approve proposals for circulation for public comment.

Presenters: Hon. Julie R. Culver, Chair
Andrea Jaramillo, Attorney

Action: The Rules & Policy Subcommittee requested approval to circulate an invitation to comment on a proposal for legislation authorizing courts to use vendors for maintenance and storage of exhibits and evidence in electronic format. This would amend Government Code section 69846, Code of Civil Procedure section 1952; and Penal Code section 1417; and would enact Government Code section 69846.1.

The Rules & Policy Committee proposed making an additional revision to 69846.1(b) to add language to include “or by a court with which the vendor contracts.”

The subcommittee also requested approval to circulate an invitation to comment on a proposal for a rule to define and govern lodged electronic exhibits. This would add rule 2.901 to the California Rules of Court and help with clarity and facilitate the use of electronic exhibits in court proceedings.

Motion to approve the proposed amendments to the Government Code section 69846, Code of Civil Procedure section 1952; and Penal Code section 1417 for circulation for comment on Legislative and Rule Proposals Related to Exhibits and Evidence in Electronic Format.

Approved.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:30 PM.

Approved by the advisory body on enter date.