



# 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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## ITAC RULES AND POLICY SUBCOMMITTEE

### MINUTES OF OPEN MEETING

October 25, 2021

12:00 PM to 1:30 PM

Videoconference

**Advisory Body Members Present:** Hon. Julie Culver, Chair; Hon. Samantha Jessner; Hon. Louis R. Mauro; Hon. Samantha Jessner; Hon. Kim Menninger; Hon. Bruce Smith; and Mr. Don Willenburg

**Advisory Body Members Absent:** Mr. Darrel Parker

**Others Present:** Judicial Council Staff

#### OPEN MEETING

##### Call to Order and Roll Call

The chair called the meeting to order at 12:01 PM and took roll call.

The July 6, 2021, Rules and Policy Subcommittee minutes were approved.

There were no public comments for this meeting.

#### DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

##### Item 1

##### Rules and Policy Subcommittee 2021 Project Updates (Discussion Item)

Report on end of year Rules and Policy Subcommittee 2021 projects.

**Presenter:** Hon. Julie Culver, Chair, Rules and Policy Subcommittee  
Ms. Andrea Jaramillo, Attorney II, Legal Services

**Discussion:** Ms. Jaramillo provided an update on the projects on 2021 projects. Of note were two items not submitted in the rules cycle. Judge Culver further expanded on the reasons they were not included. The rule to add vendor storage of electronic exhibits and evidence in electronic format, it was felt that it wasn't necessary at this time. After additional discussion, the rule to add lodged exhibits might cause confusion and conflict with the other appellate and trial court existing rules.

**Item 2**

**Rules and Policy Subcommittee 2022 Work Plan (Discussion Item)**

Review, prioritize and plan ITAC's 2022 Annual Agenda projects assigned to the subcommittee.

Presenter: Hon. Julie Culver, Chair, Rules and Policy Subcommittee

Ms. Andrea Jaramillo, Attorney II, Legal Services

**Discussion:** Judge Culver reiterated the priority list from the Judicial Council for future project workplans that focus on the highest benefits for the public and Judicial Council goals. Ms. Jaramillo went through suggested projects for members to review for the 2022 workplan.

**Action:** Members approved two items for the 2022 Annual Agenda workplan.

Priority 1 was assigned to amend the California Rules of Court on remote electronic court records to authorize remote access by appellate courts and appellate projects, that would reduce delays in obtaining records from trial courts. This would allow courts that have the ability to provide remote access to do so, but not require it if not feasible.

Priority 2 was assigned to amend rule 2.253 of the California Rule of Court to remove the requirement that courts with mandatory electronic filing make semi-annual reports to the Judicial Council. This rule is no longer necessary as the information is gathered elsewhere.

Items not included in the 2022 Annual Agenda workplan:

- Priority 2 was assigned for future work to develop a legislative proposal to allow service of a summons by electronic means upon approval by the court. The Subcommittee agreed to wait until the Electronic Filing Workstream completes their report and recommendations before developing new proposals on electronic filing. This item will not be included in the 2022 Annual Agenda. The vendor storage proposal is no longer needed and will not be recirculated. The Subcommittee agreed to wait on the lodged electronic exhibit proposal to see what courts may need in the future. The Subcommittee will not recommend changes to the California Rules of Court based on Penal Code section 13202 as the code section does not appear to apply to courts. The Subcommittee agreed there is no need to amend the Penal Code to address the proof of electronic service in criminal cases. Rule changes effective January 1, 2022 will address this issue.

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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 1:12 PM.

Approved by the subcommittee on February 3, 2022.