



JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

www.courts.ca.gov/itac.htm
itac@jud.ca.gov

ITAC RULES AND POLICY SUBCOMMITTEE

MINUTES OF OPEN MEETING

June 2, 2022

12:00 PM to 1:30 PM

Videoconference

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

Advisory Body Members Absent:

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 February 3, 2022, Rules and Policy Subcommittee minutes were approved.

No public comments were received for this meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-3)

Item 1

Trial Court Rules Revisions: Proposed Amendment to rule 2.253 of the California Rules of Court (Action Required)

Consider proposed amendments to the California Rules of Court on remote access to electronic records to authorize remote access by private criminal defense attorneys' remote access to any criminal electronic.

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

Action: Subcommittee members reviewed public comments and voted to recommend the amendment of rule 2.253 of the California Rules of Court to remove a requirement that a trial court with mandatory electronic filing submit reports about its electronic filing program to the Judicial Council. The data is now gathered from other available sources. The Information Technology Advisory Committee and the Technology Advisory Committee will review and vote on sending recommendation to the Judicial Council.

Item 2

Trial Court Rules Revisions: Remote Access to Criminal Electronic Records by Private Criminal Defense Attorneys (Action Required)

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

Action: Subcommittee members reviewed public comments and voted to recommend the proposed amendment to rule 2.519 of the California Rules of Court on remote access to electronic records. An attorney representing a party in a criminal action may be provided remote access to any electronic criminal records that the attorney would be legally entitled to view at the courthouse. The Information Technology Advisory Committee and the Technology Advisory Committee will review and vote on sending recommendation to the Judicial Council.

Item 3

Trial Court Rules Revisions: Remote Access to Electronic Records by Appellate Appointed Counsel Administrators, Court of Appeal, and the Habeas Corpus Resource Center (Action Required)

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

Action: Subcommittee members reviewed public comments and voted to recommend the proposed amendments to rules 2.515, 2.521, 2.523, and 2.540 of the California Rules of Court on remote access to electronic records to authorize remote access by appellate courts, appellate appointed counsel administrators, and the Habeas Corpus Resource Center. The Information Technology Advisory Committee and the Technology Advisory Committee will review and vote on sending recommendation to the Judicial Council.

A D J O U R N M E N T

There being no further business, the meeting was adjourned.

Approved by the advisory body on enter date.

New or One-Time Project

6.1 Trial Court Rules: Amend Electronic Filing Rules

Priority-2(b)

Scope-category:

Policy

Project Summary: Amend rule 2.253(b)(7) of the California Rules of Court to remove the requirement that courts with mandatory electronic filing make semi-annual reports to the Judicial Council.

Origin of Project: Judicial Council staff.

Status/Timeline: Project will follow the regular rule cycle in 2022 for a January 1, 2023 effective date for the amendment.

Fiscal Impact/Resources: Committee staff.

This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.

Resources:

- *ITAC:* Rules & Policy Subcommittee, Chair: Hon. Julie R. Culver
- *Judicial Council Staffing:* Legal Services, Information Technology
- *Collaborations:* Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee

Page Break

For rules and forms proposals, the following priority levels apply: 1(a) The proposal is urgently needed to conform to the law; 1(b) The proposal is urgently needed to respond to a recent law change; 1(c) A statute or council decision requires adoption or amendment of rules or forms by a specified date; 1(d) The proposal will provide significant cost savings and efficiencies, generate significant revenue, or avoid a significant loss of revenue; 1(e) The change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; or 1(f) The proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement changes in law; 2(b) Responsive to identified concerns or problems; or 2(c) Helpful in otherwise advancing Judicial Council goals and objectives.

New-or-One-Time-Project**6.2-Trial-Court-Rules-Consider-Amending-Rules-on-Remote-Access-to-Electronic-Records***Priority-1(e)*

☐

*Scope-category:**Policy*

Project-Summary: Consider amending the California Rules of Court on remote access to electronic records to authorize remote access by appellate courts, appellate projects contracted to run appointed appellate counsel programs, and the Habeas Corpus Resource Center.

¶

Origin-of-Project: Member of the Appellate Advisory Committee.

¶

Status/Timeline: Project will follow the regular rule cycle in 2022 for a January 1, [2023](#) effective date for the amendment.

¶

Fiscal-Impact: Committee staff.

This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.

Resources:

- → *ITAC: Rules & Policy Subcommittee*, Chair: Hon. Julie R. Culver
- → *Judicial Council Staffing: Legal Services, Information Technology*
- → *Collaborations: Appellate Advisory Committee, Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee*

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¶ For rules and forms proposals, the following priority levels apply: 1(a) The proposal is urgently needed to conform to the law; 1(b) The proposal is urgently needed to respond to a recent law change; 1(c) A statute or council decision requires adoption or amendment of rules or forms by a specified date; 1(d) The proposal will provide significant cost savings and efficiencies, generate significant revenue, or avoid a significant loss of revenue; 1(e) The change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; or 1(f) The proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement changes in law; 2(b) Responsive to identified concerns or problems; or 2(c) Helpful in otherwise advancing Judicial Council goals and objectives.

New or One-Time Project	
6.3 Trial Court Rules: Consider Amending Rules on Remote Access to Criminal Electronic Records	<i>Priority-1(e)</i>
☐	<i>Scope-category:</i> ¶ <i>Policy</i> ☐
<p>Project-Summary: Consider amending the California Rules of Court on remote access to criminal electronic records to provide parity between private defense attorneys and public defenders. ¶</p> <p>¶</p> <p>Origin-of-Project: California Attorneys for Criminal Justice ¶</p> <p>¶</p> <p>Status/Timeline: If amendment project proceeds, it will follow the regular rule cycle in 2022 for a January 1, 2023, effective date for the amendment. ¶</p> <p>¶</p> <p>Fiscal-Impact: Committee staff. ¶</p> <p>☐ This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials. ¶</p> <p>Resources: ¶</p> <ul style="list-style-type: none"> • → <i>ITAC: Rules & Policy Subcommittee</i>, Chair: Hon. Julie R. Culver ¶ • → <i>Judicial Council Staffing: Legal Services, Information Technology</i> ¶ • → <i>Collaborations: Appellate Advisory Committee, Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee, Criminal Law Advisory Committee</i> ☐ 	

End of Year Progress Report

6.1 6.2 6.3	<p>Rules & Policy Subcommittee (Ongoing)—The subcommittee circulated three proposals for public comment. One rule proposal (amend rule 2.253(b)(7) to remove a semi-annual report requirement for courts with mandatory e-filing) was approved by the Judicial Council on September 20, 2022. Two rule proposals (authorizing remote access to court records by appellate courts, appellate projects contracted to run appointed appellate counsel programs, and the Habeas Corpus Resource Center; and by private criminal defense attorneys) circulated for comment but have been deferred pending activity in other advisory bodies, including the Ad Hoc Workgroup on Post-Pandemic Initiatives.</p>
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JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date October 11, 2022	Action Requested Please review
To Rules and Policy Subcommittee Information Technology Advisory Committee, Hon. Julie R. Culver, Chair	Deadline November 3, 2022
From Kendall W. Hannon, Legal Services	Contact Kendall W. Hannon 415-865-7653 phone kendall.hannon@jud.ca.gov
Subject Potential Topics for 2023 Rules and Legislation Cycle	

Executive Summary

The Information Technology Advisory Committee (ITAC) regularly recommends rule, form, or legislative proposals to the Judicial Council to advance council goals consistent with the Strategic Plan for Technology. Proposals can originate from a variety of sources, including committee members, council staff, courts, other government bodies, and the general public. The purpose of this memorandum is to brief the ITAC Rules and Policy Subcommittee (RPS) on potential proposal topics for the 2023 ITAC annual agenda. While several rule proposals were received, each directly relates to remote access to court records. Because the Chief Justice's Ad Hoc Workgroup on Post-Pandemic Initiatives (P3) is currently working on developing a general framework applicable to proposals relating to remote access to court records, staff is recommending these projects not be considered for inclusion on ITAC's annual agenda until P3's framework is complete.

Guidance on Project Prioritization and Development

Internal Committee Guidance

The chairs of the Judicial Council internal committees, including the Technology Committee, which oversees ITAC and has final approval authority over ITAC's annual agenda, have asked that advisory bodies prioritize projects that:

- Assist courts, justice partners, and parties with access to justice during and following the COVID-19 pandemic;
- Are assigned by the Chief Justice's Ad Hoc Workgroup on Post-Pandemic Initiatives ("P3");
- Address otherwise urgent needs; or
- Are mandated by legislation.¹

P3 Guidance

During the COVID-19 pandemic, the council received several proposals related to remote access to court records. This past year, ITAC developed two proposals related to remote access to court records:

- *Rules and Forms: Remote Access to Electronic Records by Appellate Appointed Council Administrators, Courts of Appeal, and Habeas Corpus Resource Center;* and
- *Rules and Forms: Remote Access by Attorneys to Criminal Electronic Records.*

Both of these proposals would have amended rules to expand remote access for certain groups.

At both Technology Committee and Rules Committee meetings in July and August, there were discussions about the need for expanded remote access, the countervailing privacy interests implicated, and the council's policy of practical obscurity that underpins the existing rules on remote access. As a result of these discussions, ITAC withdrew these two rule proposals so that council leadership could consider whether larger policies were implicated that should be addressed before these or other proposals moved forward. Subsequently, the Chief Justice and chairs of the internal committees asked P3 to work on a general framework and policy related to remote access to guide the advisory committees and provide consistent approaches to remote access issues. The chair of P3 has requested that the advisory committees put on hold any proposals relating to remote access to court records until P3 can develop this framework/policy.²

¹ A copy of the August 2022 memorandum from the internal committee chairs to advisory body chairs is attached to this memorandum.

² October 6 email from Justice Marsha Slough to advisory body chairs. A copy of this emails is attached to this memorandum.

Potential Topics for 2023 ITAC Annual Agenda

ITAC has received several rule suggestions this year. These are:

1. Amend Rule 2.519 of the California Rules of Court,³ to add victim’s counsel to the list of attorneys who can remotely access criminal records beyond those of their clients.
Suggested by the California Victims Legal Resource Center and Loyola Law School’s RISE Clinic.
2. Amend the remote access rules (Rule 2.515 *et seq.*) to provide for universal access to electronic records that are not sealed or confidential. Suggested by ITAC member Jake Chatters.
3. Amend Rule 2.540 to add “mental health electronic records” to the list of case types which the Habeas Corpus Resource Center can remotely access. Recommended by the Superior Court of Orange County in a comment to a prior proposal to amend Rule 2.540. The Habeas Corpus Resource Center agreed this access would be helpful.
4. Amend Rule 2.540 to expand remote access and add more entities entitled to expanded remote access. Specifically:
 - a. to add family and probate records to the list of case types which child welfare agencies can access remotely.
 - b. to add county adult protective service entities and regional centers to the list of entities permitted expanded remote access and to give these entities remote access to family and probate electronic records.Suggested by the Superior Court for Riverside County in a comment to a prior proposal to amend Rule 2.540.
5. Amend the remote access rules to include a provision that clarifies that there shall be no fee charged by the superior courts for remote access to the superior court electronic records by the appellate projects, except to the extent permitted for duplication of records at cost, within the meaning of Government Code section 68150, subdivision (l).
Suggested by the various appellate project administrators.
6. Amend the remote access rules to specify that they do not apply to electronic records that the court electronically serves.

Each of suggestions ITAC has received over the past year directly relates to remote access to electronic records. In light of P3’s work, staff recommends that staff maintain a list of these proposals but that no action be taken on them at this time. Staff recommends that, after P3 issues

³ All further rule references are to the California Rules of Court.

its framework, the committee then consider these proposals in light of the guidance received. At that time, the annual agenda could be amended to include any proposal that the committee believes is appropriate in light of that guidance.

Attachments

1. August 12, 2022 memorandum, *Annual Agendas; Prioritization and Future Planning*.
2. October 6, 2022 e-Mail from Justice Marsha Slough Re: P3's consideration of remote access to court records



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MEMORANDUM

Date

August 12, 2022

Action Requested

Review by Advisory Body Chair and
Lead Staff

To

Judicial Council Advisory Body Chairs

Deadline

Before Preparing Annual Agenda

From

Hon. Marsha G. Slough, Chair, Executive and
Planning Committee

Hon. Carin T. Fujisaki, Chair, Rules
Committee

Hon. David M. Rubin, Chair, Judicial Branch
Budget Committee and Litigation
Management Committee

Hon. Kyle S. Brodie, Chair, Technology
Committee

Hon. Marla O. Anderson, Chair, Legislation
Committee

Contact

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Subject

Annual Agendas: Prioritization and Future
Planning

In 2020, the Judicial Council's internal committee chairs worked with advisory bodies to coordinate efforts to maintain access to court proceedings and the fair administration and delivery of justice during COVID-19 pandemic public health concerns and related budget shortfalls. Considering the improvement in both the public health and the state budget, advisory committees may take on additional projects, especially ones deferred from the last two years, as appropriate. At the same time, the improvement in the public health situation is in a state of flux, so we continue to actively monitor the progress of COVID-19 and its impact on the courts.

We are asking all advisory body chairs to carefully evaluate projects planned for the coming year, and to continue to prioritize projects that:

- Are mandated by legislative changes;
- Are assigned by the Chief Justice's Ad Hoc Workgroup on Post-Pandemic Initiatives;
- Assist courts, justice partners, and parties with access to justice following COVID-19; or
- Address otherwise urgent needs.

For advisory bodies overseen by the Rules Committee, please apply the above-listed priorities as you develop the new annual agenda that is to be presented to the Rules Committee in October. For advisory bodies overseen by the Executive and Planning Committee, the Technology Committee, the Litigation Management Committee, or the Judicial Branch Budget Committee, please apply them as you develop your annual agendas for 2023.

Specific guidelines for rules and forms projects are set out below.

Background

The Judicial Council's internal committees oversee advisory bodies to ensure their activities are consistent with the council's goals, priorities, and policies and that annual agendas are consistent with advisory committee and task force charges. Annually, internal committees review, discuss, and approve advisory body annual agendas within their oversight responsibility.

Necessary Priorities

The COVID-19 pandemic significantly impacted the public, courts, justice partners, and access to justice, which in turn required a reevaluation of the work being done by advisory committees. Courts struggled to handle case backlogs with public health concerns requiring physical distancing of court staff and all court users. Courts have worked assiduously to continue to provide access to justice, often by providing ways for parties to appear remotely.

Simultaneously balancing all these tasks raised many new issues for courts, justice partners, and parties and increased the workload and stresses of our advisory committee members, leaving many with less time for committee work. Judicial Council staff, in turn, was asked to dedicate many of their efforts to supporting courts with pandemic-related issues and new laws and procedures and council initiatives arising from those issues.

As a result of all these factors, over the last two years, we asked you to primarily focus on those proposals that were legislatively mandated or that would provide immediate relief and support to the courts and justice partners as they worked to maintain access to justice. We recognize that

this refocus required many committees to defer or eliminate planned projects. Last year, when the state was reopening, and many restrictions were being eased, we began easing the restrictions placed on advisory committees.

As you plan your 2023 annual agendas, please continue to prioritize projects that are mandated by legislative changes; are assigned by the Chief Justice's Ad Hoc Workgroup on Post-Pandemic Initiatives; assist courts, justice partners, and parties with access to justice following COVID-19; or address otherwise urgent needs. Access to justice is critical during this transitional period, and courts are struggling with backlogs and staff shortages.

Rules and Forms Proposals: Special Considerations

In preparing annual agendas for the upcoming committee year, chairs should keep in mind that for rules and forms proposals, their relevant oversight committee will focus on established criteria in determining whether a proposal should proceed in the upcoming year and have a September 2023 or January 2024 effective date. This is not a significant change from the practice in recent years, and the goal in highlighting these criteria is to reduce burdens on courts and to be responsive to court concerns about limited resources. The oversight committees strive to reduce court burdens related to:

- (1) Time and limited availability of advisory committee members who are also judicial officers and/or court staff to participate in meetings to consider proposals while dealing with backlogs in the courts.
- (2) The review and comment process for rules and forms proposals, which takes time for court staff.
- (3) The effect of new and amended rules and forms on court administration and operations, and particularly their effect on court costs, both monetary and in terms of judicial officer and court staff time.

Priority Level 1

Proposals that meet one of the criteria below will be considered Priority Level 1 proposals:

- (a) The proposal is urgently needed to conform to the law;
- (b) The proposal is urgently needed to respond to a recent law change;
- (c) A statute or council decision requires adoption or amendment of rules or forms by a specified date;
- (d) The proposal will provide significant cost savings and efficiencies, generate significant revenue, or avoid a significant loss of revenue;
- (e) The change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; or

- (f) The proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk.

For the current cycle, proposals that address ways for courts to efficiently process cases in order to handle case backlogs related to the COVID-19 pandemic or that provide increased access to justice through remote technology should be prioritized. Such proposals would generally come within category (e) or (f). *For each Priority Level 1 proposal in its annual agenda, the advisory body must provide a specific reason why it should be done this year and how it fits within the identified category.*

Priority Level 2

Given the many constraints on the judicial branch at this time, the oversight committees do not anticipate approving many Priority Level 2 proposals. *If an advisory committee is interested in pursuing any Priority Level 2 proposals, please include justification as to why the proposal should be approved at this time.* Lower-level priority proposals are proposals that are:

- (a) Useful, but not necessary, to implement changes in law;
- (b) Responsive to identified concerns or problems; or
- (c) Helpful in otherwise advancing Judicial Council goals and objectives.

In developing proposals to respond to a specific need, advisory committees should consider whether the need could be addressed in other ways, such as developing suggested practices for courts. Advisory committees should consider whether a proposal must have statewide application as a rule or whether a different solution tailored to specific courts or all courts of a particular size would address the matter.

Attachments and Links

Guidelines for the Judicial Council Advisory Body Annual Agenda Process
Operating Standards for Judicial Council Advisory Bodies

cc: Hon. Tani G. Cantil-Sakauye, Chief Justice of California
Mr. Martin Hoshino, Administrative Director, Judicial Council
Ms. Millicent Tidwell, Chief Deputy Director, Judicial Council
Ms. Shelley Curran, Chief Policy and Research Officer, Judicial Council
Mr. Robert Oyung, Chief Operating Officer, Judicial Council
Mr. John Wordlaw, Chief Administrative Officer, Judicial Council

GUIDELINES FOR THE JUDICIAL COUNCIL ADVISORY BODY ANNUAL AGENDA PROCESS

Introduction

This document provides an overview of the annual agenda process and information to help prepare the Judicial Council internal committees serving as oversight committees—the Executive and Planning Committee (Executive Committee), the Rules Committee, the Judicial Branch Budget Committee (Budget Committee), the Technology Committee, and the Litigation Management Committee—advisory body chairs, and lead staff for annual agenda review meetings.

Annual Agenda Review Meetings

The [Judicial Council Governance Policies](#) express the council's interest in connecting with the leaders of its advisory bodies and coordinating efforts for the sake of continuously improving access to the courts and the administration and delivery of justice. The annual agenda review meetings serve as substantive conversations in a multiyear process between the oversight committees and the chairs of the advisory bodies to define the key objectives and projects for advisory bodies in order to align them with judicial branch goals, objectives, and desired outcomes.

The oversight committees and the advisory body chairs discuss the best use of each advisory body's resources for the coming year. The oversight committees also identify any overlap in advisory body activities and projects. In these conversations, oversight committees are likely to convey their interest in the fulfillment of the council's strategic goals and operational objectives through the advisory body's objectives and projects. The oversight committees may see opportunities for collaboration between advisory bodies.

Through the review meetings, the Executive Committee, Rules Committee, Budget Committee, Technology Committee, and Litigation Management Committee provide oversight to the council's advisory bodies to guide them in focusing on matters of importance to the council and on providing the council with valuable advice and policy recommendations. The internal committees meet to review and approve the annual agendas over which they exercise oversight. The advisory body chairs and lead staff attend the meetings either in person or by telephone.

Preparing Draft Annual Agendas for Review

Before the annual agenda review meetings, advisory bodies submit their draft annual agendas to their respective oversight committees for review. Using the [template](#) approved by Executive Committee, each advisory body submits a proposed annual agenda consistent with its charge, which includes a list of key objectives and a list of related projects that the advisory body intends to either commence or accomplish in the coming year. The annual agenda also contains information relating to any subgroups (e.g., subcommittees, workstreams, working groups, curriculum committees, ad hoc groups); fiscal impact to the council or the trial courts; relevant

resource needs; allocation or distribution of funds to the courts; potential internal or external stakeholders; and anticipated collaboration with committee subgroups; and the status and achievements of the previous year's projects.

If the advisory body would like to create a new subgroup, it may request approval from the oversight committee by including “new” before the name of the proposed subgroup and describing its purpose and membership on the annual agenda.¹ The annual agenda template includes a space for this information in the *Subcommittee/Working Groups–Detail* section.

Prior to the annual agenda review meetings, executive management meets with lead staff to conduct a preliminary review of the draft annual agendas.

Review and Approval of Draft Annual Agendas

Each advisory body's draft annual agenda forms the basis for a conversation during the review meetings about the advisory body's key objectives for the coming year, related projects, and the alignment of those projects with the council's [strategic plan](#). During the meetings, the oversight committees ask questions of the advisory body chairs and engage in conversations to understand the direction and priorities of the advisory bodies. Lead staff are generally included in these meetings to support the chair and to provide further detailed information as needed.

Understanding an advisory body's recent history may be helpful, but the focus of the chair and lead staff should be on the advisory body's present and future work. Questions and proposals from the advisory body chair and lead staff asking for the oversight committee's guidance are also welcome and appropriate.

The intended outcome is an understanding between the oversight committee, the advisory body chair, and lead staff of the advisory body's priorities for the coming year, the objectives to be pursued, and the projects to be undertaken. This understanding serves as a foundation for subsequent annual agenda meetings in a continuous effort to enhance mutual support and coordination between the Judicial Council and its advisory bodies.

Following the review meetings, the approved annual agendas are posted on the [advisory bodies' webpages](#) of the California Courts website to allow branch stakeholders to be informed of the work of the advisory bodies.

Roles of a Judicial Council Advisory Body and Its Chair

The [Judicial Council Governance Policies](#) state that the advisory bodies, under [California Rules of Court, rule 10.34\(a\)](#), make recommendations and offer policy alternatives to the Judicial Council for improving the administration of justice within their designated areas of focus by doing the following:

¹ [California Rules of Court, rule 10.30\(c\)](#) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

- Identifying issues and concerns affecting court administration and recommending solutions to the council;
- Proposing necessary changes to rules, standards, forms, and jury instructions;
- Reviewing pending legislation and making recommendations to the Legislation Committee on whether to support or oppose it;
- Recommending new legislation to the council;
- Recommending to the council pilot projects and other programs to evaluate new procedures or practices;
- Acting on assignments referred by the council or an internal committee; and
- Making other appropriate recommendations to the council.

The advisory body chair, with the assistance of the lead staff, is responsible for developing a realistic annual agenda and discussing appropriate staffing and resources with the advisory body's office head. The oversight committees are responsible for reviewing and approving the annual agendas, which provide the advisory bodies with charges specifying what they are to achieve during the coming year. The oversight committees may add or delete specific projects and reassign priorities. The template provides descriptions of priority level 1 and 2 projects. For projects that involve rules and forms, descriptions of sub-priorities are also provided. Specifically, the Rules Committee offers the following guidance for rule and form proposals it has approved for inclusion in the annual agendas of the advisory bodies it oversees:

An advisory body can expect that a rule or form proposal on its annual agenda that was approved by the Rules Committee will be circulated for comment. There are limited circumstances in which approval to work on a proposal might not result in approval for public circulation. For example, the Rules Committee could reasonably not approve for circulation something that it earlier approved for development if there is a significant change in the proposal and the proposal: (1) is much bigger in scope or more complex than described on the annual agenda; (2) has consequences not recognized or anticipated when presented on the annual agenda; or (3) is no longer urgent or needed to avoid inconsistency in the law.

If, after approval of its annual agenda, an advisory body identifies additional or different priorities and projects, because of legislation or other reasons, it may seek approval from its oversight committee to amend its annual agenda. [Templates](#) approved for this purpose are available to lead staff on [The Hub](#). In determining whether to give approval to a proposed additional project, the oversight committee considers:

- The new project's urgency;
- Whether it is consistent with the advisory body's charge;
- The advisory body's approved annual agenda;
- The Judicial Council's strategic plan; and
- Whether it falls within the body's available staff and other resources.

Policy Considerations in Reviewing Annual Agendas

Distinction Between Policy Recommendation and Policy Implementation

Because the primary role of advisory bodies is to advise and provide policy recommendations to the Judicial Council, the oversight committees may focus on projects that fall outside of this role. If an advisory body has been directed to implement policy or produce a program, the oversight committee will want to ensure that staff continue to be accountable to the Administrative Director for the satisfactory performance of the implemented policy or program, and that the role of the advisory body is to provide advice to staff. These roles are consistent with the council's governance policies.

For advisory bodies that have policy implementation and programmatic projects, the annual agenda process can clarify for the advisory body the part for which it is responsible (e.g., providing advice and guidance to staff) and the part for which staff are responsible (e.g., performing to the standards and expectations of the Administrative Director).

Preliminary questions about the annual agendas include:

- Which projects give advice or make policy recommendations? (Both are the advisory body's primary role.)
- Which projects are policy implementation or programmatic?
- Which projects may result in a budget change proposal (BCP) or a distribution of funds to the courts?

An advisory body's *recommendations* of new or revised rules and forms are policy recommendations because they require the weighing of various possibilities and alternatives, and their approval requires a policy decision by the Judicial Council. An advisory body's *recommendations* of specific programs or of specific ways to implement policy are also policy recommendations. As long as an advisory body stays in the realm of making recommendations to the council, it occupies its traditional advisory role.

However, when the advisory body's project actually produces products or services, such as resource materials, content, or programs, or the advisory body takes final action independent of the council, it is considered to be performing the work of implementation and program delivery. An explicit Judicial Council or oversight committee charge is required for an advisory body to take this action or pursue this type of project. The advisory body's oversight committee may approve the body's involvement with policy implementation or program delivery, but it is important to specify on the annual agenda that a policy implementation project is being approved² and to clarify the role and accountability of the advisory body and staff. In particular, the oversight committee's expectations for reviewing final products or introducing new services at the completion of an advisory body's project should be made clear. That way, oversight committees can ensure that the Administrative Director continues to be accountable to the

² See footnote 4 of the annual agenda template.

Judicial Council for staff performance and advisory bodies can proceed with the explicit support of their respective oversight committees. In the event that the advisory body's work results in recommendations to be submitted to the Judicial Council for its consideration and approval, please consult the [calendar](#) of Judicial Council meeting dates and the Executive and Planning Committee's [agenda-setting schedule](#) to ensure timely delivery of the Judicial Council report.

Judicial Branch Strategic Plan Alignment

The annual agendas require advisory bodies to identify the [strategic plan goals](#) each project works toward. If an oversight committee determines that a project does not appear to align with existing branch priorities, the oversight committee can propose soliciting involvement by a more appropriate entity (e.g., the State Bar). If the annual agenda conversation results in the conclusion that a specific project is attenuated or not covered by branch priorities, the oversight committee and the advisory body chair should discuss and decide whether the project can be modified to meet a judicial branch strategic goal or policy, or an operational objective or outcome, or whether that project should be referred to an outside entity.

General Questions and Issues Applicable to Most Annual Agendas

The following are general questions that may be applicable to annual agendas under review:

- Is this a “realistic” list of objectives and projects for the coming year? (Factors may include the number of projects on the list, the varied scope of projects, the impact on the courts if approved, the resources needed, etc.)
- What is the key direction and focus for this advisory body?
- What is the status of the previous year's priority level 2 projects? (For priority level 2 projects approved by the Rules Committee, the expectation is that the advisory body can develop the project—typically a rule or form proposal—and that it will be approved for circulation in the second year, absent unusual circumstances.)
- Were there issues/projects that the advisory body worked on during the previous year that were unanticipated? If so, what were they?
- For a project that implements policy or produces a program:
 - What role do the advisory body members play in performing this project? What role do staff play? To whom are staff accountable for the satisfactory and timely completion of this project?
 - Does the advisory body have an explicit Judicial Council or oversight committee charge to pursue this project? If the charge is ambiguous or was issued several years ago, should the oversight committee renew that charge? If so, under what circumstances and conditions should the advisory body pursue this project?
- Does the advisory body gather stakeholder perspectives?
- How does the advisory body intend to obtain information about the cost and training impact on the courts of a particular proposal?
- Does the chair or staff have any concerns about the adequacy of resources to accomplish the projects?

Operating Standards for Judicial Council Advisory Bodies

California Rules of Court, rules 10.30–10.34, 10.70, and 10.75, specify the general parameters within which Judicial Council advisory bodies operate under the direction and oversight of the Chief Justice and the Judicial Council.

- [Rule 10.30. Judicial Council advisory bodies](#)
- [Rule 10.31. Advisory committee membership and terms](#)
- [Rule 10.32. Nominations and appointments to advisory committees](#)
- [Rule 10.33. Advisory committee meetings](#)
- [Rule 10.34. Duties and responsibilities of advisory committees](#)
- [Rule 10.70. Task forces, working groups, and other advisory bodies](#)
- [Rule 10.75. Meetings of advisory bodies](#)

The parameters set forth in the rules of court are supported by the operating standards below for Judicial Council advisory bodies. The operating standards guide the work of advisory body chairs and Judicial Council staff relative to annual agendas, staffing, Judicial Council advisory body membership, reporting to the council, and public access.

I. Definitions

The following definitions apply for purposes of these operating standards:

1. *Internal committee.*
 - a. A committee comprised of Judicial Council members.
 - b. An “internal oversight committee” is an internal committee to which the Chief Justice has assigned oversight of a specific council advisory body.
2. *Advisory body.* Any multimember body created by the Judicial Council to review issues and report to the council, consistent with rule 10.75 of the California Rules of Court, other than a subcommittee or an internal committee as defined herein.
3. *Subcommittee (standing and ad hoc).*
 - a. Any subset of an advisory body. Naming or referring to a subset of an advisory body as something other than “subcommittee” (i.e., workstream, curriculum committee, working group, etc.) does not absolve the subset from the requirements of a subcommittee.
 - b. Typically assists in completing a purpose or task for the parent body; may also advise the parent body.
 - c. Two or more advisory bodies may request approval from their internal oversight committee for the establishment of a joint subcommittee.

- d. Standing subcommittees are for ongoing or long-term projects. Ad hoc subcommittees are short term, generally less than two years, and sunset after the final reports are submitted or projects completed.

II. Annual Agendas and Staffing

1. *Annual Agendas.*

- a. *Annual agenda template.* An annual agenda is the mechanism by which an advisory body clarifies and documents its plan for addressing an annual scope of work consistent with its charge. It is through this process that advisory bodies receive input, guidance, and delegation from the council in order to provide the necessary information and recommendations to the council to address judicial branch business. Unless otherwise provided for by the assigned internal oversight committee, advisory body annual agendas are completed using the annual agenda template.
- b. *Agenda planning.* Before developing the proposed annual agenda, the assigned internal oversight committee chair, advisory body chair, office head, and lead staff member discuss the work completed during the prior annual agenda period; the potential activities or projects, timelines, and priorities for the upcoming annual agenda period; and Judicial Council staff resource needs. Agendas should be developed based on existing resources.
- c. *Soliciting input from other advisory bodies.* To avoid duplication of effort and ensure the availability of resources, advisory body chairs, office heads, and lead staff should solicit input on activities or projects from affected advisory bodies before or as annual agendas are first drafted. This early collaboration ensures that relevant feedback is received before recommendations are completed and submitted to the council.
- d. *Soliciting input and review from appropriate Judicial Council offices.* Lead staff should consult with other offices regarding projects that require collaboration with their resources. Discuss with the staff of the Center for Judicial Education and Research projects that include elements pertaining to education. Projects that may result in an allocation or distribution of funds to the courts must be reviewed and approved by Budget Services prior to inclusion in an annual agenda. Discuss and advise Information Technology (IT) of projects with an IT element.
- e. *Executive and management review.* Before the proposed final annual agenda is submitted to the assigned internal oversight committee for approval, the heads of all offices that staff advisory bodies meet to review all annual agendas, discuss resource needs, and ensure that the appropriate offices are aware of projects that may impact them. Each office head must review the proposed final annual agenda, and any resource needs, with their division chief before internal committee review. Resource needs that cannot be resolved by the division chief should be raised with the Chief

OPERATING STANDARDS FOR JUDICIAL COUNCIL ADVISORY BODIES

Deputy Director and/or the Administrative Director for further reconciliation with the chair of the internal oversight committee and the advisory body chair.

- f. *Annual agenda meeting.* After consultation with the assigned internal oversight committee chair, the advisory body chair presents the proposed annual agenda to the full internal oversight committee for approval. The lead staff member to the advisory body attends this meeting, as well as the office head and the division chief.
- g. *Online posting of approved annual agendas.* Upon completion of the annual agendas and the approval of any changes requested by the internal oversight committees, the annual agendas are posted under the relevant advisory body link on the [Advisory Bodies](#) page of the California Courts website, www.courts.ca.gov. The advisory body chair should refer members to the approved agenda to guide the work of the group in the coming year.
- h. *Ongoing communication.*
 - (1) *Judicial Council internal committee and advisory body chairs.* The internal oversight committee chair and the advisory body chair should strive to check in over the course of the year to review progress on annual agenda items, resource needs, and other relevant areas.
 - (2) *Advisory body chair and staff.* The advisory body chair, office head, and lead staff member should be in contact at least twice a year to discuss progress on annual agenda items. Any extraordinary changes in council priorities or additional resource needs that are identified after the internal oversight committee has approved an annual agenda should be discussed and communicated to the Chief Deputy Director for review with the chair of the assigned internal oversight committee.

2. *Amending Annual Agendas.*

In the event an advisory body's annual agenda needs to be updated or changed during the year (e.g., to address changes in council priorities or newly enacted laws), the chair of the advisory body may request that the internal oversight committee amend the advisory body's annual agenda. The internal oversight committees have approved a procedure and a form for amending agendas.¹

3. *Staff Responsibilities.*

- a. *Staffing oversight.* The Administrative Director and Chief Deputy Director have oversight responsibility and authority for directing staff support to the advisory bodies.

¹ The procedure and form may be accessed on the Judicial Council staff intranet under Reference > Judicial Council & Advisory Bodies > [Annual Agenda Timeline and Procedures](#).

OPERATING STANDARDS FOR JUDICIAL COUNCIL ADVISORY BODIES

- b. *Lead staff.*² Each advisory body has a lead staff member assigned to assist the body in meeting its charge and completing the activities and projects identified on the annual agenda. The lead staff member is responsible for keeping his or her office head apprised of the activities of the advisory body, including resource issues.
- c. *Office heads.* Office heads are required to proactively support the advisory body chairs and lead staff, to work with them on sensitive issues, and to communicate those issues to the responsible division chief.
- d. *General duties.* Judicial Council staff, under rule 10.34(e) of the California Rules of Court, support the planning, coordination, and ongoing implementation of the work of the council's advisory bodies by drafting annual agendas, managing budgets and resources, providing legal and policy analysis, organizing and drafting reports, selecting and supervising consultants, providing technical assistance, and assisting chairs in presenting advisory body recommendations to the Judicial Council. Staff also organize meetings, provide information to members and to the public, ensure meeting notices are posted, facilitate advisory body nominations, and coordinate the work of the advisory body with related judicial branch work.
- e. *Alternative analysis/recommendations.* Under rule 10.34(e) of the California Rules of Court, staff may provide independent legal or policy analysis of issues that is different from the advisory body's position, if authorized to do so by the Administrative Director. The decisions or instructions of an advisory body or its chair are not binding on staff except in instances when the council or the Administrative Director has specifically authorized such exercise of authority.
- f. *Addressing resource needs.* Office heads are responsible for ensuring that resource needs are addressed, including discussing those needs with the advisory body chair and the responsible division chief before the annual agenda meeting. Ongoing resource issues brought to the attention of the office head that are likely to impede progress or impact the outcome of approved activities or projects should be raised with the Chief Deputy Director and/or the Administrative Director for further reconciliation with the chair of the appropriate internal oversight committee and discussion with the advisory body chair. (See Cal. Rules of Court, rule 10.80(d).)

III. Membership and Duration

1. *Composition.* An advisory body and its chair may make recommendations to the Judicial Council and the Executive and Planning Committee about the composition of the advisory body's membership, including nominating members. An advisory body consists of between 12 and 18 members (Cal. Rules of Court, rule 10.31(a)); however, this number may vary depending on the charge and the scope of work.

² For additional lead staff duties, see section VI, Public Access.

OPERATING STANDARDS FOR JUDICIAL COUNCIL ADVISORY BODIES

2. *Subcommittees.* An advisory body may propose the establishment of a subcommittee. A proposal for the establishment of a subcommittee should specify:

- The purpose of, or charge for, the new subcommittee;
- Whether standing or ad hoc, and if ad hoc, specify an end date;
- Number of members; and
- The timeline for the activity or project.

Membership in a subcommittee consists of members of the parent body. However, the chair of a standing subcommittee may request the appointment of a non-advisory body member to the subcommittee by completing a form, *Request for Appointment to a Subcommittee of an Advisory Body* (see Attachments), and submitting it for consideration to the office head, the executive office, and the designated internal oversight committee.³

3. *Liaisons.* Standing advisory bodies may have liaisons to other advisory bodies to facilitate the accomplishment of their common projects and programs. For example, the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee have liaisons to other advisory bodies to ensure the trial court leadership perspective is received in a timely manner on matters under consideration. The liaison process:

- Facilitates an efficient and effective process for advisory bodies to seek and receive input from other advisory bodies that may have an interest in or be affected by its work; and
- Provides an opportunity for liaisons to share input from their respective advisory bodies early in the process on matters being considered by other advisory bodies.

The advisory body chair may determine the selection process for naming a liaison from the advisory body that he or she chairs to another advisory body. Before confirming an appointment, the appointing chair should consult with the chair of the advisory body to which the liaison will be appointed. When a member of the Trial Court Presiding Judges Advisory Committee or the Court Executives Advisory Committee is a member of another council advisory body, he or she should also serve as the liaison for his or her committee. The appointing advisory body is responsible for costs related to the liaison member fulfilling his or her liaison responsibilities.

4. *Duration.* Sunset dates are required for all advisory bodies other than standing advisory bodies. Ad hoc advisory bodies typically are dissolved following the submission and/or consideration of their final reports. The Chief Justice or the chair of the internal oversight committee may extend a sunset date.

³ The form and the accompanying instructions may also be accessed on the Judicial Council staff intranet under Reference > Judicial Council & Advisory Bodies > [Subcommittee Appointment Process and Request Form](#).

IV. Meetings

1. *Meeting notification.* Each advisory body's public web page on the California Courts website must provide notification of upcoming meetings as well as any meeting materials, consistent with rule 10.75 of the California Rules of Court.
2. *Meeting frequency.* To conserve judicial branch resources, advisory bodies (inclusive of all subcommittees, standing and ad hoc) may meet in person no more than once each annual committee cycle. Internal oversight committees may authorize additional meetings based on need and the availability of funds. If an additional in-person meeting is needed, the responsible office head reviews the request with his or her division chief and the Chief Deputy Director. Final approval of the request is sought from the internal oversight committee chair. The rules of court that govern meeting frequency or approved exceptions for internal committees must be cited in the committee's annual agenda.⁴
3. *Meeting schedules.* Schedules should prioritize same-day travel; overnight travel should be avoided. If an additional in-person meeting is needed, the responsible office head reviews the request with his or her division chief and the Chief Deputy Director. Final approval of the request is sought from the assigned internal oversight committee chair.
4. *Coordination with internal committee schedules.* To ensure the timely submission of an advisory body's recommendations and materials to the council and allow time for consideration and review, the lead staff member should coordinate advisory body meetings with the meeting schedule of the internal committee that receives the initial submission.
5. *Minutes.* In accordance with the council's [open meeting guidelines](#), minutes should contain a brief description of the proposal or other matter considered (e.g., a recommendation that the Judicial Council adopt a rule) and the action taken (e.g., the advisory body recommended that the rule be adopted by the Judicial Council, effective on a particular date). An advisory body may provide more detailed minutes, if necessary.

V. Reports and Recommendations to the Judicial Council

1. *Report writing.* The [Judicial Council Report Writing Manual](#) specifies the proper format and content standards for all reports to the council.
2. *Notification of Judicial Council agenda items.* The Executive and Planning Committee is responsible for setting the agenda for each Judicial Council meeting. Judicial Council staff must submit a [Judicial Council Agenda Request \(JCAR\) form](#) to Judicial Council Support (the lead staff unit to the Executive and Planning Committee) for the item to be considered for placement on the council's meeting agenda.

To assist the Executive and Planning Committee with meeting planning, JCAR forms must be submitted as early in the process as possible. Offices or committees with

⁴ See section II.2, Amending Annual Agendas.

OPERATING STANDARDS FOR JUDICIAL COUNCIL ADVISORY BODIES

numerous, reoccurring, or annual reports are required to submit an initial JCAR form for those items at the beginning of each year (fiscal, calendar, or committee year, as applicable) outlining the expected work product and Judicial Council meeting date on which the item is expected for consideration. When the deadline to submit draft reports approaches for the meeting at which the item will be heard, report authors (office staff or committee staff) submit a final JCAR form along with the draft report.

3. *Report submission.* Reports to the Judicial Council from an advisory body are first submitted to the Executive and Planning Committee following an approved process and format.⁵ Lead staff and report authors should be familiar with and adhere to the deadlines on the [JC Report Deadlines and Executive Committee Meeting Dates](#) chart.⁶ This document details a timeline that allows the Executive and Planning Committee to consider the readiness and completeness of the report and, if necessary, to ask the advisory body for revisions. Draft reports that are not submitted by the established deadlines may be pulled from the agenda-setting process without notice.
4. *Recommendations.* Reports to the Judicial Council may reflect an advisory body's recommendations or provide options without a recommendation, allowing the council to weigh the policy considerations in making its decision. The advisory body should carefully consider the recommendations or options that it presents to the council to ensure that they are limited to a manageable number for implementation by the courts or by council staff within reasonable time frames. This requires regular check-ins on scope and expectations with the chair of the internal oversight committee and with executive leadership throughout the process.
5. *Fiscal considerations.* Recommendations or options that may have a significant and unforeseen fiscal impact should be raised with the Administrative Director and the Chief Deputy Director. The Administrative Director and the Chief Deputy Director consult the internal oversight committee chair on financial impacts of concern before the recommendations or options are finalized and the council report is developed. Depending on the outcome of that review, the advisory body may need to conduct additional analysis of the recommendations or options.

VI. Public Access

1. *Rule 10.75.* Public access to advisory body meetings and meeting materials, and meeting minutes as official records, are addressed in this rule of court and in the open meeting guidelines. The rule includes a list of advisory bodies that are exempt from the requirements.
2. *Web page content.* The lead staff member to each advisory body is responsible for working with [Web Content](#) staff to maintain a public web page on the California Courts

⁵ The process is posted on the Judicial Council staff intranet under [Judicial Council & Advisory Bodies > Reports and Presentations to the Council](#) > Checklist for Submitting Reports to the Council and Step-by-Step Guidelines.

⁶ Posted on the Judicial Council staff intranet under Calendars > JC Report Deadlines.

OPERATING STANDARDS FOR JUDICIAL COUNCIL ADVISORY BODIES

website with information about the advisory body's charge, annual agenda, membership, meetings, and other activities.

3. *Member rosters.* The lead staff member is responsible for maintaining the accuracy of the roster of advisory body members, which must be kept current and consistent between internal and public postings. He or she is also responsible for communicating all membership changes within the advisory body to Judicial Council Support and to the Judicial Information System (JIS) administrator. The JIS administrator ensures the appropriate judicial experience of each advisory body member is reflected in the system, along with the member's correct mailing address, telephone number, and email address.

VII. Attachments

Request for Appointment of a Non-member to a Subcommittee of an Advisory Body

Request for Appointment of a Nonmember to a Subcommittee of an Advisory Body

Procedure

Lead staff, at the request of an advisory body chair, may seek the appointment of a non-advisory body member to a subcommittee (including a workstream, working group, curriculum committee, or other subgroup of an advisory body). A form, *Request for Appointment to a Subcommittee of an Advisory Body*, must be completed for each prospective member and must include the rationale for the request.¹

On behalf of the advisory body chair, advisory body lead staff completes appropriate sections of the form. Completed forms require executive office review before submission to the Judicial Council internal committee that oversees the advisory body. Once approval is granted by the appropriate internal oversight committee, the advisory body chair may make an informal appointment to the subcommittee. The procedure is outlined below:

1. Advisory body lead staff routes the completed form to his or her office head and executive officer. The executive officer works with the Chief Deputy Director for approval, which may include the Administrative Director.
2. Advisory body lead staff forwards the completed form to staff of the internal committee that has oversight responsibility for the requesting advisory body.
3. Internal oversight committee staff distributes the request to members of the internal oversight committee, either as an upcoming meeting agenda item or via email, depending on the urgency of the request.
4. When the internal oversight committee makes a decision on the request, internal oversight committee staff indicates that decision on the form, along with the date of the action, and returns a copy to the lead staff of the requesting advisory body.
5. If approval is granted by the internal oversight committee, advisory body lead staff prepares a letter for the advisory body chair's signature to make an informal appointment to the subcommittee for the term specified on the form.
6. Advisory body lead staff retains a record of the informal subcommittee appointment.

¹ If establishing a multimember standing subgroup of any kind, please contact lead staff to the internal oversight committee to determine the efficient submission of the appointment request forms.



JUDICIAL COUNCIL OF CALIFORNIA
**Request for Appointment of a Nonmember to a
Subcommittee of an Advisory Body**

Lead staff, on behalf of the advisory body chair, may request the appointment of a non-advisory body member to a subcommittee (including a workstream, working group, curriculum committee, or other subgroup of an advisory body).¹ A separate form must be completed for each prospective member² and must include the rationale for the request. Completed forms require executive review before submission to the Judicial Council internal committee that oversees the advisory body. Once approval is granted by the oversight internal committee, the advisory body chair may make an informal appointment to the subcommittee.

Requesting appointment as a member to:

Subcommittee name: _____

Subcommittee chair: _____

Advisory Body Information

Advisory body name: _____

Advisory body chair: _____

Lead staff: _____

Prospective Member Information

Candidate's name: Hon. Mr. Ms. Mx. _____ Title: _____

Court/entity/business name: _____

Relevant expertise to be considered:

Recommended term of service on the subcommittee:

1 year 2 years 3 years Other (*specify*): _____

¹ Subcommittee is defined in the [Operating Standards for Judicial Council Advisory Bodies](#).

² If you are establishing a multimember standing subgroup of any kind, please contact lead staff to your internal oversight committee to determine the efficient submission of the appointment request forms.

Rationale for Appointment

Please use this section to provide the rationale for this appointment, any budgeting or cost implications, and additional information that is relevant to the Judicial Council internal committee's response to this appointment request.

Judicial Council Executive Office Review

Signature of Office Director

Date

Signature of Executive Officer

Date

Signature of Chief Deputy Director

Date

Chief Deputy Dir. referral to Admin. Director

Signature of Administrative Director

Date

Admin. Director referral to Chief Justice

Internal Committee Approval

Internal committee: _____

Internal committee chair: _____

On behalf of the internal committee, the request for appointment is (*check one*):

approved. disapproved. forwarded to the Chief Justice for further consideration.

Date: _____

Hannon, Kendall

From: Ronan, Anne
Sent: Friday, October 7, 2022 9:48 AM
To: Hannon, Kendall
Subject: FW: P3: Remote Access to Court Records and Related Projects

Anne M. Ronan (pronouns she/her),
Supervising Attorney
Legal Services | Leadership Services Division
Judicial Council of California
415-865-8933 | Anne.Ronan@jud.ca.gov | www.courts.ca.gov

From: Curran, Shelley <Shelley.Curran@jud.ca.gov>
Sent: Friday, October 7, 2022 9:31 AM
To: Brown, Deborah <Deborah.Brown@jud.ca.gov>; Kim, Saskia <Saskia.Kim@jud.ca.gov>; Ronan, Anne <Anne.Ronan@jud.ca.gov>
Subject: FW: P3: Remote Access to Court Records and Related Projects

FYI. This went out last night.

Good advice.

Thank you.
sc

From: Barnett, Amber <Amber.Barnett@jud.ca.gov>
Sent: Thursday, October 6, 2022 6:56 PM
To: Mauro, Louis <Louis.Mauro@jud.ca.gov>; Banke, Kathleen <Kathleen.Banke@jud.ca.gov>; Grover, Adrienne <Adrienne.Grover@jud.ca.gov>; Wood, Tamara L. <twood@shasta.courts.ca.gov>; Proietti, Donald J. <donald.proietti@mercedcourt.org>; Landry, Shawn C. <slandry@yolo.courts.ca.gov>; Fleming, Rebecca <rfleming@scscourt.org>; Merrifield, Kimberly <kmerrifield@buttecourt.ca.gov>; Bowman, Michael G. <bowmanm@saccourt.ca.gov>; Patricia Lucas <plucas@scscourt.org>; Hill, Brad <Brad.Hill@jud.ca.gov>; Gonzalez, Hector <hgonzalez@tuolumne.courts.ca.gov>; McCabe, Brian L. <brian.mccabe@mercedcourt.org>; Olmedo, Charlene F. <colmedo@lacourt.org>; Manoukian, Patricia <Patricia.Manoukian@jud.ca.gov>; Jeffrey S. Ross <jross@sftc.org>; Hoffstadt, Brian <Brian.Hoffstadt@jud.ca.gov>; Rodriguez, Lisa R. <lisa.rodriguez@sdcourt.ca.gov>; Hinrichs, Joyce D. <jhinrichs@humboldtcourt.ca.gov>; Pellman, Amy M. <ampellman@lacourt.org>; Hulse, Stephanie E. <Hulseys@monterey.courts.ca.gov>; Rosenberg, David <drosenberg@yolo.courts.ca.gov>; Hanson, Sheila F. <shanson@occourts.org>; WineingerShelby <Swineinger@eldoradocourt.org>; Lee, Jayne Chong-Soon <jlee@sjcourts.org>; Brazile, Kevin C. <kcbrazile@lacourt.org>; Rodriguez Victor A. <vrodriguez@alameda.courts.ca.gov>; Dekreon, Gail <gdekreon@sftc.org>; Conklin, Jonathan B. <jconklin@fresno.courts.ca.gov>; Byrd, Donald Cole <dbyrd@glenncourt.ca.gov>; Highberger, William F. <whighber@lacourt.org>; Abinanti Abby <aabinanti@gmail.com>; Brown, Lawrence G. <brownl@saccourt.ca.gov>; Mavis, Darrell S. <dmavis@lacourt.org>; momal@contracosta.cou
Cc: Slough, Marsha <Marsha.Slough@jud.ca.gov>; Curran, Shelley <Shelley.Curran@jud.ca.gov>; JCC JC AB Lead Staff <JCC-JC-ABLeadStaff@jud.ca.gov>
Subject: P3: Remote Access to Court Records and Related Projects

(Sent on behalf of Justice Marsha G. Slough)

Good evening Judicial Council Advisory Body Chairs,

As you may know, several legislative and rule of court proposals related to remote access to court records have been suggested in just the last year. In order to support consistent approaches to the branch's positions on these various proposals, the Chief Justice, in consultation with the Internal Chairs, asked the Ad Hoc Workgroup on Post-Pandemic Initiatives (P3) to work on a general framework for use by JCC advisory committees as they grapple with these issues. We recently started that effort.

I'm reaching out to you for two reasons. First, I hope that we can set a time in the next couple of months for you to meet with the P3 members who are working on this effort. It would be very helpful to get the benefit of your thinking and to hear of any proposals the advisory committee is considering. Second, I'd request that you please put any items that might be on your annual agendas related to remote access to court records on hold until we have a chance to develop this framework.

That said, please let me know if you think there is anything urgent on this topic, so that we can figure out a course of action.

Thanks so much. I'm really looking forward to hearing from you – this is a really big issue.

Regards,

Justice Marsha Slough

Amber Barnett, Principal Manager
Judicial Council and Trial Court Leadership | Leadership Services Division
Judicial Council of California
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