



JUDICIAL COUNCIL OF CALIFORNIA

TECHNOLOGY COMMITTEE

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JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))

THIS MEETING WILL BE RECORDED

Date: May 16, 2019
Time: 10:00 a.m. - 11:00 a.m.
Location: Farallon Room, Judicial Council Conference Center
455 Golden Gate Avenue, San Francisco, CA 94102-3688
Public Call-in Number: 1-877-820-7831 Passcode: 3511860

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the April 8, 2019 meetings.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

Public Comment

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least 15 minutes prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), public comments about any agenda item must be submitted by May 15, 2018, 1:00 pm. Written comments should be e-mailed to jctc@jud.ca.gov or mailed or delivered to 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Rica Abesa. Only written comments received by May 15, 2019, 10:00 am will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-4)

Item 1

Chair Report

Provide an update on activities of or news from the Judicial Council, advisory bodies, courts, and/or other justice partners.

Presenter: Hon. Gary Nadler, Vice-Chair, Judicial Council Technology Committee

Item 2

Update/Report on Information Technology Advisory Committee (ITAC)

An update and report on ITAC will be provided; this will include the activities of the workstreams.

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

Item 3

Appellate Procedure: Service Copy of a Petition for Review

The committee will receive an update on a proposal to update court procedures and increase efficiency from the Appellate Advisory Committee and the Information Technology Advisory Committee to amend California Rules of Court, rule 8.500 regarding petitions for review in the California Supreme Court to remove the requirement to send to the Court of Appeal a separate service copy of an electronically filed petition for review.

Presenter: Hon. Louis R. Mauro, Chair, Appellate Advisory Committee, Vice-Chair, Information Technology Advisory Committee, and Chair, Joint Appellate Technology Subcommittee

Item 4

Appellate Procedure: Uniform Formatting Rules for Electronic Documents

The committee will receive an update on a proposal to provide consistency and clarify from the Appellate Advisory Committee and the Information Technology Advisory Committee to amend California Rules of Court, rules 8.40, 8.44, 8.71, 8.72, 8.74, 8.204, and 8.252 to create uniform formatting rules for electronic documents filed in the appellate courts.

Presenter: Hon. Louis R. Mauro, Chair, Appellate Advisory Committee, Vice-Chair, Information Technology Advisory Committee, and Chair, Joint Appellate Technology Subcommittee

IV. ADJOURNMENT

Adjourn Public Session

Information Technology Advisory Committee Status Report - April 2019

This report was provided at the **April 15, 2019** ITAC meeting. Status updates are submitted by workstream sponsors and subcommittee chairs.

1.1. Futures Commission Directive: Intelligent Chat (Phase 1)



Highlight: FY19-20 BCP funding was approved. Business and Technical requirements finalized.

Key Objectives	Status	Description
<p>Identify core team (sponsor and leads); form group membership; hold kickoff meeting(s).</p>	<p>Completed</p>	<p>The core team has been formed. It includes: Executive Sponsor, Judge Michael Groch (San Diego); Technical Lead, John Yee, Judicial Council Information Technology (JCIT); Project Manager, Fati Farmanfarmaian, JCIT, along with JCIT technical resources.</p> <p>The full workstream team/membership has been formed. Executive Sponsor, Judge Groch, distributed a branch memorandum inviting nominations for workstream membership. The request called for those individuals with an interest and experience in intelligent chat and the technology to deliver court services. The request also set membership expectations and defined next steps. A final membership list was approved by the ITAC and JCTC Chairs.</p> <p>A workstream kickoff meeting was held on August 28 and included a full team orientation and educational demos of the intelligent chat technology.</p> <p>Ongoing meetings with the core team and full workstream are occurring 3-4 times per month and the workstream model is proving quite effective. The SharePoint site is robust and well populated with tools and data. An example is the collaborative user story sheet which forms the basis of the POC project selected by the team.</p> <p>Additionally, staff has prepared and the Judicial Council approved the submission of a budget change proposal requesting FY19-20 funding to support more formalized piloting.</p>
<p>(a) Identify and monitor a series of court proofs of concepts (POCs) to assess technology readiness for various cases (e.g., Court of Appeal, E-Filing, Self-Help).</p>	<p>In Progress</p>	<p>The Business/Court Operations Track has finalized user stories and business requirements. The Technical Track has finalized technical requirements and is in the process of assessing whether different vendor technologies meet our requirements.</p> <p>The group has begun research and conversations into the innovation grant projects related to Intelligent Chat. The workstream will leverage the Innovation Grant Courts as POCs to inform the Findings and Recommendation report.</p>


1.1. Futures Commission Directive: Intelligent Chat (Phase 1) (cont'd)



Highlight: FY19-20 BCP funding was approved. Business and Technical requirements finalized.

Key Objectives	Status	Description
(b) Identify key performance indicators and benchmark before/after success.	Not Started	
(c) Capture learnings and report findings.	In Progress	Started the outline of the Findings and Recommendation Report.
(d) Update Phase 2 of workplan based on results.	Not Started	
(e) Seek approval from ITAC and the JCTC to conclude Phase 1 and initiate Phase 2; annual agenda accordingly.	Not Started	

1.2. Futures Commission Directive: Voice-To-Text Language Services Outside the Courtroom (Phase 1)

 **Highlight:** Two tracks have formed, and the team is meeting regularly to progress through their objectives.

	Status	Description
Identify core team (sponsor and leads); form group membership; hold kickoff meeting(s).	Completed	<p>The core team has been formed. It includes: Executive Sponsor, Judge James Mize, (Sacramento); Business Lead, Heather Pettit, Judicial Council Information Technology (JCIT); and Project Manager, Rick Walery, (IT Director, San Mateo).</p> <p>In late August, a memorandum was distributed to the branch (appellate and trial court presiding judges, CEOs, and CIOs) seeking nominations for members, and including expectations and next steps. Final membership was approved in September, after which a kickoff meeting was held in October.</p> <p>The project team has been formed. The team includes members from a diverse set of courts and the Judicial Council. Expertise on the team ranges from multiple members with IT-related experience, a member who previously was a translator, and multiple members with first-hand knowledge or working with LEP customers at a court.</p> <p>Additionally, staff has prepared and the Judicial Council approved the submission of a budget change proposal requesting FY19-20 funding to support more formalized piloting. This was included in the Governor’s Proposed budget released in January.</p>
Define the standard of success and how to measure it as well as define the difference between translation and interpretation.	In Progress	The project team has been divided into 2 tracks – a Metrics track, and a Vendor track. While high-level discussions have occurred with the entire team, the metrics track will be responsible for formally determining the standard of success.
Determine how, or if, the work for this initiative aligns with existing work of the Language Access Plan Implementation Task Force (LAPITF) and the work of The Legal Design Lab at the Stanford University Law School.	Not Started	

1.2. Futures Commission Directive: Voice-To-Text Language Services Outside the Courtroom (Phase 1) (cont'd)



Highlight: Two tracks have formed, and the team is meeting regularly to progress through their objectives.

	Status	Description
Setup a technical lab environment at the Judicial Council or a local court to test the technical recommendations of the Futures Commission for this initiative.	In Progress	The project team is conducting initial reach outs with vendors. Some technical solutions may need to be tested at the vendor's office.
Pilot various voice-to-text language services in a lab environment, will allow for exposure to more technologies and shorter learning cycles than if a specific technology is deployed at a court for piloting.	Not Started	
Capture learnings and draft a white paper report on the lessons learned, findings, and recommendations for next steps.	Not Started	
Update Phase 2 of workplan based on results.	Not Started	
Seek approval from ITAC and the JCTC to conclude Phase 1 and initiate Phase 2; amend the Annual Agenda accordingly.	Not Started	

1.3. Futures Commission Directive: Remote Video Appearances for Most Non-Criminal Hearings (Phase 1)



Highlight: Workstream members successfully conducted mock remote video hearings using web conferencing systems.

Key Objectives	Status	Description
<p>Identify core team (sponsor and leads); form group membership; hold kickoff meeting(s).</p>	<p>Completed</p>	<p>The core team has been formed. It includes: Executive Sponsor, Judge Samantha Jessner (Los Angeles); Court Lead, Jake Chatters (CEO, Placer); Project Manager, Alan Crouse (Deputy CEO, San Bernardino), along with support from the Judicial Council Information Technology Office (JCIT), Language Access Plan and VRI programs.</p> <p>The full initiative team/membership has been formed and approved. Eight courts, representing a diversity of size; participants from the VRI Workstream and remote video innovation grant, are a part of the team for this directive—specifically, the Superior Courts of Fresno, Los Angeles, Merced, Mono, Orange, Placer, Sacramento, and San Bernardino.</p> <p>The workstream held its kickoff and meets monthly. It has formed 4 subgroups/subcommittees and assigned a Chair/lead to each - Procedures, Evidence, Rules, and Technology. The subcommittees will develop initial recommendations on topics including but not limited to user technical requirements, evidence exchange, and presentation rules.</p> <p>Additionally, staff has prepared and the Judicial Council approved the submission of a budget change proposal requesting FY19-20 funding to support pilot deployments to the courts.</p>
<p>(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. Include one or more mock hearings of the selected hearing type.</p>	<p>Completed</p>	<p>The Core Team identified a number of recent studies by the Center for Legal and Court Technology, the National Association for Presiding Judges and Court Executive Officers, the State Justice Institute, and the Self-Represented Litigation Network. Thus, an initial set of challenges were explored and developed for further refinement and investigation by the team. (continued on next page)</p>

1.3. Futures Commission Directive: Remote Video Appearances for Most Non-Criminal Hearings (Phase 1)



Highlight: Workstream members successfully conducted mock remote video hearings using web conferencing systems.

Key Objectives	Status	Description
(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. Include one or more mock hearings of the selected hearing type.	Completed	<p>The team progressed through an issue and topic log created from the results of the studies and crafted initial recommendations. These recommendations were used during mock proceedings.</p> <p>The team prepared scripts for the mock hearing proceedings and finalized the location and dates for the mock run.</p> <p>Mock hearings were held at the San Bernardino Superior Court February 15, 2019 via Web Cam – Blu Jeans Video Conference platform. Several participants attended in-person and participated remotely. Case types tested were Small Claims and Civil Harassment. Evidence sharing was tested via Share Point application.</p>
(b) Capture learnings and report findings.	In Progress	The team met on April 5, 2019 to discuss their draft findings, and is developing their report for presentation to ITAC, JCTC, and the Judicial Council.
(c) Update Phase 2 of workplan based on results.	In Progress	The team will provide their draft phase 2 recommendations to ITAC at the April meeting.
(d) Seek approval from ITAC and the JCTC to conclude Phase 1 and initiate Phase 2; annual agenda accordingly.	Not Started	

2. Tactical Plan for Technology Update



Highlight: Approved by ITAC and JCTC; will be submitted to the Judicial Council for review/approval in May.

Key Objectives	Status	Description
(a) Initiate workstream, including formation of membership and conduct orientation/kickoff meeting.	Completed	Kickoff meeting held.
(b) Review, gather input, and update the Tactical Plan for Technology.	Completed	Several working meetings held, initiatives drafted and reviewed by workstream members. Remaining sections drafted, reviewed and finalized. Initiative drafts finalized by workstream leads. Full plan submitted to Editing and Graphics Group.
(c) Circulate the draft plan for branch and public comment; revise as needed.	Completed	The plan was circulated for branch and public comment, and feedback was incorporated where appropriate.
(d) Finalize, and seek approval by the JCTC and the Judicial Council; thereafter, formally sunset the workstream.	In Progress	The draft plan was presented for JCTC's approval at their April 8 th meeting, and is being submitted to the Judicial Council for review/approval at their May meeting.

3. Video Remote Interpreting (VRI) Pilot



Highlight: Final VRI Pilot report approved by the Judicial Council on March 15, 2019.

Key Objectives	Status	Description
(a) Support implementation of the Assessment Period of the VRI pilot program (including kickoff, court preparations, site visits, and deployment), as requested.	Completed	<ul style="list-style-type: none"> January 2018: Onsite training was conducted at the three VRI pilot courts: Sacramento, Merced and Ventura Superior Courts. The pilot courts went live with VRI events. February 2018: SDSU Research Foundation (the independent evaluator) began collecting data. March-April 2018: SDSU conducted onsite observation in Sacramento to gather additional data. July 2018: The pilot courts successfully shared interpreters from county to county (inter-court). The VRI pilot was completed on July 31, 2018. August 2018: SDSU conducted an online survey with pilot stakeholders to gather feedback and additional data. September 2018: Equipment removal began at the pilot courts.
(b) Review pilot findings; validate, refine, and amend, if necessary, the technical standards.	Completed	<ul style="list-style-type: none"> SDSU submitted their final report in December 2018. A December 14, 2018 VRI Workstream meeting took place to review the pilot findings and the draft guidelines for VRI, including recommended minimum technology guidelines.
(c) Identify whether new or amended rules of court are needed (and advise the Rules & Policy Subcommittee for follow up).	Completed	<ul style="list-style-type: none"> The VRI Workstream determined that no new or amended rules of court are needed at this time.
(d) Consult and collaborate with LAPITF, as needed, in preparing recommendations to the Judicial Council on VRI implementations.	Completed	<ul style="list-style-type: none"> January 2019: LAPITF approved the draft JC report and VRI guidelines. February 2019: ITAC/JCTC also approved the draft JC report and VRI guidelines. March 2019: The Judicial Council approved the final report and VRI guidelines.
(e) Coordinate and plan with JCIT regarding operational support, if appropriate.	In progress	<p>Note: Need to develop Leveraged Procurement Agreements with the two approved equipment vendors (Paras and Associates and TeleSpace/Connected Justice Consortium). An online VRI Resource Center and best practices document are currently in development with NCSC. Post-pilot staffing for VRI is TBD.</p>
At the completion of these objectives, seek approval of ITAC, JCTC and the Judicial Council and formally sunset the workstream.	In progress	<p>Note: ITAC may want to consider a Workstream to help oversee the implementation of the new VRI program for the branch.</p>

4. E-Filing Strategy



Highlight: Continued progress with master service agreements.

Key Objectives	Status	Description
(a) Finalize master agreements with the three (3) E-Filing Managers (EFMs) selected to provide services.	In Progress	We have an executed master agreement with 2 of the 3 selected EFM Vendors, JTI and ImageSoft. We continue to negotiate the EFM Master Agreement with Tyler Technologies and expect execution before end of May.
(b) Develop the E-Filing Service Provider (EFSP) selection/certification process.	Not Started	Once the final master agreement is executed by Tyler we will be in a position to kick-off the program and define the certification process all 3 EFM vendors will use to certify EFSPs.
(c) Monitor the progress of EFSP accessibility compliance.	In Progress	In March 2018, JCIT conducted a survey of the 58 trial courts to determine compliance with AB 103. Based on survey results, currently 24 of the 58 trial courts provide electronic filing and electronic document service either directly, through vendor services, or a combination of vendor and in-house services. We are actively preparing to reach out to all 58 Trial courts to query and document any updates to their CMS and/or E-Filing in the interim.
(d) Develop the roadmap for an e-filing deployment strategy, approach, and branch solutions/alternatives.	In Progress	The E-Filing program is preparing an initial presentation of the program for the April CITMF meeting to introduce the team and solicit input from Trial courts seeking to participate in the program. This will allow for the development of the initial roadmap and deployment strategy.
(e) Report on the plan for implementation of the approved NIEM/ECF standards, including effective date, per direction of the Judicial Council at its June 24, 2016 meeting.	Not Started	The Los Angeles Superior Courts recently implemented a JTI E-Filing solution for Civil and Small Claims cases. This solution was developed based on the requirements and standards for the statewide program. This solution will effectively become the baseline California E-Filing Standard. The standard will evolve as additional courts and case-types are included in the program.
(f) Consult and report on the implementation of the court cost recovery fee that will support the statewide e-filing program.	In Progress	We have held a number of discussions with regard to the cost recovery fee. Currently the legal department are reviewing statutes to determine feasibility of implementing the cost recovery fee and distributing the funds collected.
(g) Coordinate and plan with JCIT regarding operational support of the ongoing e-filing program being funded through the court cost-recovery fee.	In Progress	The 3 JCIT staff positions for the program have been filled. While we await execution of the final Master Agreement with Tyler, we are coordinating with the finance and legal departments on the funding aspects of the program.
(h) At the completion of these objectives and with the approval of the JCTC, formally sunset the workstream.	Not Started	

5. Identity and Access Management Strategy



Highlight: Policy and Roadmap tracks meet bi-weekly and have made significant progress on policy recommendations and the branch-wide Identity Management architecture.

Key Objectives	Status	Description
Develop and issue an RFP for a statewide identity management service/provider; identify and select.	Complete	Microsoft Azure AD Identity Service acquired under a Leveraged Procurement Agreement (LPA), County of Riverside RFQ #PUARC-1518, Microsoft Master Agreement Number 01E73970.
Develop the roadmap for a branch identity management strategy and approach.	In Progress	The Technical Roadmap team meets biweekly. Discussions have centered on the architecture and design of the branch-wide service. A proof of concept is well underway with a hybrid of Business to Business and Business to Consumer services.
Determine policies and processes for identity management (including proofing and access management).	In Progress	The Policy team meets bi-weekly. The first six policies for consideration have been discussed and there is consensus for working agreements on the policies.
Ensure linkage and alignment with other branchwide initiatives such as E-Filing, SRL Portal, Next Generation Hosting, CMS Migration and Development.	In Progress	Sponsors or project managers for the aligned initiatives are members of the workstream.
Coordinate and plan with JCIT regarding operational support, if appropriate.	In Progress	JCIT staff are participating in the pilot at Los Angeles Superior Court and are on the workstream.
At the completion of these objectives, seek approval of ITAC, JCTC and, if appropriate, the Judicial Council and formally sunset the workstream.	Not Started	

6. Self-Represented Litigants (SRL) E-Services



Highlight: The workstream has completed their key objectives, and will formally present their findings at the June ITAC meeting.

Key Objectives	Status	Description
Provide input for, and track, a SRL E-Services Budget Change Proposal (BCP) process for FY 18-19 funding.	Complete	<ul style="list-style-type: none"> • BCP was approved • \$3.2 million in FY 2018–19 • \$1.9 million in FY 2019–20 • \$709,000 ongoing
Develop requirements for branchwide SRL e-capabilities to facilitate interactive FAQ, triage functionality, and document assembly to guide SRLs through the process, and interoperability with the branchwide e-filing solution. The portal will be complementary to existing local court, and vendor resources.	Complete	<ul style="list-style-type: none"> • This is being done in conjunction with the next line item (c) as part of the development of the RFP (or several if deemed advantageous).
Develop and issue a request for proposal (RFP) or other solicitation, as needed, to support the implementation of the branchwide e-services portal.	Complete	<ul style="list-style-type: none"> • In person kickoff meeting held on 7/12/18 • RFP scope and initial content outline completed • Follow-up meetings begin 7/30/18 • Posted to Courts.ca.gov website on April 8, 2019
Determine implementation options for a branch-branded SRL E-Services website that takes optimal advantage of existing branch, local court, and vendor resources.	Complete	<ul style="list-style-type: none"> • JCIT is funded a project (Digital Services Self-Help Pilot) as a pre-cursor to the SRL portal project which piloted a small subset of features to get some experience and understanding in this area. • SRL E-Services workstream members participated on the Product Council for the Digital Services Pilot
Coordinate and plan with JCIT regarding operational support, if appropriate. Note: In scope for 2018 is the submission and tracking of a budget change proposal (BCP) and development of an RFP; out of scope is the actual implementation.	Complete	<ul style="list-style-type: none"> • Job Descriptions and PARS (Position Action Requests) are in progress for four new positions funded by the BCP. • Budget allocations and Project Team make-up are also in discussion • JCIT will now own the Project phase of the SRL E-Services Portal. SRL E-Services workstream members participating on the Product Board for continuity.


7. IT Community Development



Highlight: Focus groups in progress, workstream tracks are drafting their final recommendations.

Key Objectives	Status	Description
Initiate new workstream: Identify sponsor and leads; form workstream membership; hold kickoff meeting(s).	Complete	Orientation and introduction meeting held on July 30, 2018 for members and workstream track leads to review the three workstream tracks (Resources, Education, Tools) and related key objectives. Next steps are for each track to solicit additional workstream participants as needed based on the area of focus and kick off the individual tracks.
(a) Survey the courts to identify (i) their interest in exploring opportunities to share key technical resources and (ii) IT leadership and resource development needs and priorities; report findings.	Complete	(i) CEO survey complete (ii) IT leadership assessment complete, 3 courses delivered based on identified priorities
(b) Assess court CEO/CIO interest in an IT peer consulting program and develop recommendations.	Complete	CEO survey complete with CIO input.
(c) Assess needs and make recommendations for expanded opportunities for technology-related education for judicial officers, CEOs, CIOs, and court staff. Consult with CJER for educational planning considerations.	In Progress	Judicial focus group / assessment complete CEO and Operations focus groups in progress.
(d) Identify, prioritize, and report on collaboration needs and tools for use within the branch.	In Progress	Needs assessment conducted.
(e) Evaluate and prioritized possible technologies to improve advisory body and workstream meeting administration; pilot recommended solutions with the committee.	Complete	Research conducted.
(f) Coordinate and plan with JCIT regarding operational support, as appropriate.	In Progress	Workstream Sponsor and Track Leads are working closely with JCIT to determine inclusive and appropriate workstream track membership and alignment with JC IT resources.

7. IT Community Development

 **Highlight:** Focus groups in progress, workstream tracks are drafting their final recommendations.

Key Objectives	Status	Description
(g) Provide recommendations for Phase 2 based on findings and including updated Tactical Plan for Technology.	In Progress	All tracks have begun discussions regarding their draft recommendations.
(h) Seek approval from ITAC and the JCTC to conclude Phase 1 and initiate Phase 2; amend the annual agenda accordingly	Not Started	

8.1. Digital Evidence: Assessment (Phase 1)



Highlight: Digital Evidence Survey Results Accepted by ITAC and JCTC.

Key Objectives	Status	Description
(a) Review existing statutes and rules of court to identify impediments to use of digital evidence and opportunities for improved processes.	Completed	Existing statewide statutes and rules reviewed and documented. Findings summarized in the Digital Evidence Survey Report
(b) Survey courts for existing business practices and policies regarding acceptance and retention of digital evidence.	Completed	Survey completed and findings summarized in the Digital Evidence Survey Report
(c) Survey courts and justice system groups regarding possible technical standards and business practices for acceptance and storage of digital evidence.	Completed	Surveys completed and findings summarized in the Digital Evidence Survey Report
(d) Seek approval on recommendations and next steps from ITAC and the JCTC to conclude Phase 1 and initiate Phase 2.	Completed	Digital Evidence Survey Results presented at ITAC and JCTC and accepted.

8.2. Digital Evidence: Assessment (Phase 2)



Highlight: Digital Evidence Phase 2 in Initiation

Key Objectives	Status	Description
(a) Investigate and draft proposed best practices, policies, and standards for transmitting, accepting, storing, and protecting digital evidence, and circulate recommendations to the branch for input and feedback.	Not Started	
(b) Research and recommend existing technology and services that would support transmission, acceptance, storage, and protection of digital evidence.	Not Started	
(c) Develop and propose changes to evidence-based rules of court and statutes in collaboration with the Rules and Policy Subcommittee	Not Started	
(d) Review the Trial Court Records Manual for any needed updates to reflect revisions of rules and statutes, and any proposed best practices, policies and standards	Not Started	
(e) Report findings to ITAC and JCTC, providing recommendations on next steps, and formally sunset this phase of the workstream	Not Started	

9. Data Analytics : Access and Report (Phase 1)



Highlight: Continuing work on governance policy and evaluating possible pilot projects for 19-20 BCP funding.

Key Objectives	Status	Description
(a) Identify, evaluate and prioritize possible policies, processes, and technologies to help the branch utilize data analytics to improve business effectiveness.	In Progress	Members continue to work on a draft governance policy and outline a scope of work for possible 19-20 BCP funding.
(b) Develop appropriate governance recommendations at the local court and branch level.	In Progress	Members have consulted with Gartner and other experts to help develop a governance framework.
(c) Assess and report priorities for data collection.	Not started	This work will be undertaken in a second phase, once (a), (b), and (d) are complete.
(d) Identify and evaluate possible data analytical tools and templates.	In Progress	Members have attended vendor demonstrations, explored available technological products and alternatives, and shared the results of the work developed in connection with Orange County's Innovations Grant. Efforts continue in all these areas
(e) Identify whether new or amended proposed rules of court and/or statutes are needed and advise the Rules and Policy Subcommittee for follow up.	In Progress	This will be more fully fleshed out once other objectives are complete.
(f) Based on findings and recommendations, scope and initiate Phase 2 of the workstream	In Progress	

10 Disaster Recovery (DR) Initial Pilot and Knowledge Sharing (Phase 2)



Highlight: Kick-off meeting held on March 29, 2019.

Key Objectives	Status	Description
<i>Leveraging the innovation grant awarded to the Superior Court of Monterey County for a Cloud DR Pilot Program, the workstream will:</i>		
(a) Identify core team (sponsor and leads); form group membership; hold kickoff meeting(s).	In Progress	Roster approved on February 28, 2019. Workstream kickoff held on March 29, 2019. Biweekly meetings scheduled.
(b) Recommend a list of critical technology services that make business sense for cloud-based recovery adoption.	Not Started	
(c) Establish a cloud DR master agreement with a short list of cloud service providers for judicial branch entities/courts to leverage.	In Progress	Agreement completed November 20, 2018, with Infiniti Consulting, Inc.
(d) Publish design solution templates from judicial branch entities (JBEs) that implement technologies and solutions from vendors selected in the cloud DR master agreement.	Nor Started	
(e) Host knowledge-sharing sessions for interested JBEs (including tools to estimate cost for deploying recovery solution using a particular cloud service provider; and Monterey solution case study).	In Progress	One session - a proposal conference - held as part of the RFP for the Cloud-Based Disaster Recovery project, on May 31, 2018. After the conclusion of the pilot phase, additional avenues for knowledge sharing will be made available to the judicial branch technology community.
(f) Evaluate the need for a BCP to fund a pilot group of courts interested in implementing cloud-based DR for critical technology services (see (a))	Not Started	
(g) Coordinate and plan with JCIT regarding operational support, if appropriate.	Not Started	
(h) At the completion of these objectives, seek approval of ITAC, JCTC and, if appropriate, the Judicial Council and formally sunset the workstream.	Not Started	

11 Online Dispute Resolution (ODR): Assessment



Highlight: Solicitation for workstream membership will occur shortly.

Key Objectives	Status	Description
(a) Identify core team (sponsor and leads); form group membership; hold kickoff meeting(s).	Not Started	
(b) Identify and evaluate available ODR technologies.	Not Started	
(c) Review findings from existing court-offered ODR programs.	Not Started	
(d) Evaluate and describe scenarios where ODR might be beneficially deployed in the judicial branch.	Not Started	
(e) Review rules and statutes to identify areas where possible amendments will be needed.	Not Started	
(f) Report findings and recommendations to ITAC.	Not Started	
(g) At the completion of these objectives, seek approval of ITAC, JCTC and, if appropriate, the Judicial Council and formally sunset the workstream.	Not Started	


12 Branchwide Information Security Roadmap



Highlight: Solicitation for workstream membership will occur shortly.

Key Objectives	Status	Description
(a) Identify core team (sponsor and leads); form group membership; hold kickoff meeting(s).	Not Started	
(b) Define methods and activities for expanding branch information security capabilities.	Not Started	
(c) Create an overarching strategy for educating courts on information security best practices, risk management, and incident response.	Not Started	
(d) Identify resources to assist the courts in developing policies and procedures based on the Judicial Branch Information Systems Controls Framework.	Not Started	
(e) At the completion of these objectives, seek approval of ITAC, JCTC and, if appropriate, the Judicial Council and formally sunset the workstream	Not Started	

13.1. Trial Court Rules and Statutes Revisions

 **Highlight:** 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 submitted for public comment.

Key Objectives	Status	Description
(a) Proposals to amend statutes to support e-business. First, amend Code of Civil Procedure section 1010.6 to allow courts to recover actual costs of permissive electronic filing as they can with mandatory electronic filing, and clarify a provision for signatures made not under penalty of perjury. Second, amend Penal Code section 1203.01 to provide an alternative to mailing certain statements and reports.	In Progress	Amendments to Code of Civil Procedure sec. 1010.6 and Penal Code sec. 1203.01 are being circulated for public comment. The public comment period ends on June 7, 2019.
(b) Proposals to amend the electronic filing and service rules to provide greater clarity and remove paper dependencies. First, amend rule 2.251 to clarify how notice of electronic service is to be given and provide standardized language for consent. Second, amend rule 2.257 to revise language on signatures of opposing parties, and make minor revisions consistent with Code of Civil Procedure section 1010.6.	In Progress	Amendments to rules 2.251, 2.255, and 2.257 of the California Rules of Court are being circulated for public comment. The public comment period ends on June 10, 2019.
(c) Proposals to amend rules on remote access to electronic records. Make minor amendments to rule 2.540 to add more clarity and additional local government entities.	In Progress	Amendments to rule 2.540 of the California Rules of Court are being circulated for public comment. The public comment period ends on June 10, 2019.

13.2 Standards for Electronic Court Records as Data



Highlight: : The CEAC Records Management Subcommittee has begun work on this project.

Key Objectives	Status	Description
(a) CEAC Records Management Subcommittee – in collaboration with the Data Exchange Workstream governance body – to develop standards if needed to allow trial courts to maintain electronic court records as data in their case management systems to be included in the Trial Court Records Manual with input from the Court Information Technology Managers Forum (CITMF). Rules & Policy Subcommittee to review.	In Progress	New content is being drafted for inclusion in the Trial Court Records Manual, to provide guidance on this subject. When completed, the draft will be presented to the CEAC Records Management Subcommittee, and to the ITAC Rules and Policy Subcommittee, for review and comment.
(b) Determine what statutory and rule changes may be required to authorize and implement the maintenance of records in the form of data; develop proposals to satisfy these changes.	Not Started	

13.3. Privacy Resource Guide



Highlight: The Privacy Resource Guide (PRG) has been finalized and is ready for ITAC’s approval to publish.

Key Objectives	Status	Description
Continue development of a comprehensive statewide privacy resource guide addressing, among other things, electronic access to court records and data, to align with both state and federal requirements (completed 2018)	Completed	
Continue development of court privacy resource guide, outlining the key requirements, contents, and provisions for courts to address within its specific privacy policy (completed 2018).	Completed	
(a) Circulate the draft guide for branch comment; revise as appropriate.	Completed	The guide is the product of a collaborative multiyear effort, involving consultation with, and input from, numerous other Judicial Council advisory bodies, advisory body staff, court personnel, and council staff. Most recently, in February 2019, the guide was presented to the Court Executives and Trial Court Presiding Judges Advisory Committees. At the April 15, 2019 meeting, ITAC approval will be sought to publish the guide on the Court Records page of the Judicial Resource Network.
(b) Finalize and seek approval of the guide by ITAC, the JCTC	In progress	We will seek JCTC’s approval to publish after ITAC’s approval – see above.
Proposed updated 2019 objectives: (b) Revise and update the Privacy Resource Guide with new privacy related laws, rules, forms, standards and best practices on an annual basis with a projected publication date after January 1, 2020 to allow for inclusion of published rules and law effective as of January 1, 2020. (c) Monitor and analyze how the Privacy Resource Guide is being used for the calendar year 2019, and make recommendations for which Judicial Council entity will be responsible for maintaining and updating the Privacy Resource Guide beyond 2019.	In progress	We are seeking ITAC approval at the April 15 meeting for these proposed updated objectives.

14.1. Rules Modernization: Uniform Formatting Rules for Electronic Documents



Highlight: Pending the Rules and Projects (RUPRO) Committee approval, the proposed uniform formatting rules will be circulated for public comment.

Key Objectives	Status	Description
(a) Develop uniform formatting rules for electronic documents filed or otherwise submitted to the appellate courts.	In Progress	JATS developed proposed rules for formatting electronic documents filed in or submitted to the appellate courts. AAC and ITAC have recommended that the proposal circulate for public comment. JCTC has approved the recommendation. On April 10, RUPRO will consider the recommendation. If RUPRO approves circulating the proposal, it will be out for comment from April 11 until June 10, 2019.

14.2. Modernize Appellate Court Rules



Highlight: Pending the Rules and Projects (RUPRO) Committee’s approval, the proposal to amend rule 8.500 will circulate for public comment.

Key Objectives	Status	Description
(a) Numbering of materials in requests for judicial notice. Consider amending rule 8.252, which requires that materials to be judicially noticed be numbered consecutively, starting with page number one. The problem is that such materials are attached to a motion and declaration(s) and are electronically filed as one document, making pagination and reference to those materials in the briefs confusing for litigants and the courts. This project may be addressed by the uniform format rules project.	In Progress	This project has been included in the uniform formatting rules proposal.
(b) Method of notice to the court reporter. Consider whether to amend rule 8.405, which governs the filing of an appeal in juvenile cases, to remove or modify the requirement in subdivision (b)(1)(B) that the clerk notify the court reporter “by telephone and in writing” to prepare a transcript. This language may be outdated or inconsistent with other rules requiring notification by the clerk.	Not Started	Work on this project is scheduled for next year; any rule amendment to be effective 1/1/2021.
(c) Clarify the filing date of an e-filed document. Amend rule 8.77 to clarify that an e-filed document received by the court before midnight that meets the filing requirements is deemed to have been filed that day. This project addresses an ambiguity in the rule that has resulted in inconsistent treatment of e-filed documents that are received after business hours.	Not Started	Work on this project is scheduled for next year; any rule amendment to be effective 1/1/2021.

14.2. Modernize Appellate Court Rules (Cont'd)



Highlight: Pending the Rules and Projects (RUPRO) Committee’s approval, the proposal to amend rule 8.500 will circulate for public comment.

Key Objectives	Status	Description
<p>(d) Court of Appeal service copy of a petition for review. Amend rule 8.500(f)(1) to remove the requirement of a separate service copy of a petition for review. Once the Supreme Court accepts a petition for review for filing, the Court of Appeal automatically receives a filed/endorsed copy of the petition. The filing of the petition satisfies the service requirements for the Court of Appeal. This project is intended to eliminate an inefficiency.</p>	<p>In Progress</p>	<p>JATS developed a proposal to amend rule 8.500. AAC and ITAC recommend circulating the proposal for public comment. JCTC has approved the recommendation. RUPRO will consider the recommendation on April 10. If RUPRO approves circulating the proposal, it will be out for comment from April 11 until June 10, 2019.</p>
<p>(e) Amend rule 8.70 to clarify content. Consider amending rule 8.70 to clarify the subdivision (c)(2)(B) definition of a document and make subdivision (c)(2)(D) parallel with the rest of (c)(2).</p>	<p>Not Started</p>	<p>Work on this project is scheduled for next year; any rule amendment to be effective 1/1/2021.</p>


14.3. E-Filing and E-Readers for Incarcerated Individuals



Highlight: A pilot program is being developed.

Key Objectives	Status	Description
(a) Research and explore options with the California Department of Corrections and Rehabilitation (CDCR) regarding the use of e-readers by incarcerated individuals.	In Progress	AAC and ITAC are developing a pilot program for the electronic delivery of certain filings and communications in inmate civil cases and habeas proceedings. The California Department of Corrections and Rehabilitation will discuss the proposal at a meeting on April 5, 2019. Justice Mauro will report to JCTC on April 8, 2019.
(b) Potentially recommend to the Judicial Council the development of a pilot program with one prison and one court to test promising options.	In Progress	The California Department of Corrections and Rehabilitation will discuss the proposal at a meeting on April 5, 2019. Justice Mauro will report to JCTC on April 8, 2019.

14.4. Appellate Document Management System

 **Highlight:** Pilot program training to begin in May.

Key Objectives	Status	Description
(a) Receive status updates and provide feedback to Judicial Council Information Technology (JCIT) staff on implementation of a new document management system in the appellate courts. The Third Appellate District and the Fifth Appellate District are piloting the initial implementation.	In Progress	Training for the pilot programs in the Third and Fifth Appellate Districts is scheduled to begin in May 2019. Deployment of the pilot programs is scheduled for July 2019.

RUPRO ACTION REQUEST FORM

RUPRO action requested: **Circulate for comment (January 1 cycle)**

RUPRO Meeting: April 10, 2019

Title of proposal (*include amend/revise/adopt/approve + form/rule numbers*):

Appellate Procedure: Service Copy of a Petition for Review
Amend California Rules of Court, rules 8.500

Committee or other entity submitting the proposal:

Appellate Advisory Committee and Information Technology Advisory Committee

Staff contact (name, phone and e-mail): Kristi Morioka, 916-643-7056, kristi.morioka@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Approved by RUPRO: October 19, 2019

Project description from annual agenda: Amend rule 8.500(f)(1) to remove the requirement of a separate service copy of a petition for review. Once the Supreme Court accepts a petition for review for filing, the Court of Appeal automatically receives a filed/endorsed copy of the petition. The filing of the petition satisfies the service requirements for the Court of Appeal. This project is intended to eliminate an inefficiency. Source of the project: Colette Bruggman, Assistant Clerk/Administrator, Third District Court of Appeal. Second year of a current priority 2 project/completion date of January 1, 2020. Subcommittee: JATS.

If requesting July 1 or out of cycle, explain:

Additional Information: (To facilitate RUPRO's review of your proposal, please include any relevant information not contained in the attached summary.)

JUDICIAL COUNCIL OF CALIFORNIA

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INVITATION TO COMMENT SPR19-08

Title	Action Requested
Appellate Procedure: Service Copy of a Petition for Review	Review and submit comments by June 10, 2019
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Amend Cal. Rules of Court, rule 8.500	January 1, 2020
Proposed by	Contact
Appellate Advisory Committee Hon. Louis R. Mauro, Chair	Kristi Morioka 916-643-7056 kristi.morioka@jud.ca.gov
Information Technology Advisory Committee Hon. Sheila F. Hanson, Chair Hon. Louis R. Mauro, Vice-Chair	

Executive Summary and Origin

To update court procedures and provide clarity, the Appellate Advisory Committee and the Information Technology Advisory Committee propose amending the rule regarding petitions for review in the California Supreme Court to remove the requirement to send to the Court of Appeal a separate service copy of an electronically filed petition for review. Under current practice, when a petition for review is accepted for electronic filing by the Supreme Court, the Court of Appeal automatically receives a filed/endorsed copy of the petition through the electronic filing service provider (EFSP). Thus, in actual practice, the electronic filing of a petition satisfies the requirement to serve the Court of Appeal, and there is no need for a petitioner to serve the Court of Appeal with another copy as required by the rules. This proposal does not change the requirement to serve the Court of Appeal with a separate copy if a petition for review is filed in paper form. This proposal originated from a suggestion submitted by an appellate court administrator.

Background

Rule 8.500 governs petitions for review in the Supreme Court. Subdivision (f)(1) of this rule provides that “[t]he petition must also be served on the superior court clerk and the

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules and Projects Committee, or its Policy Coordination and Liaison Committee. It is circulated for comment purposes only.

clerk/executive officer of the Court of Appeal.”¹ This requirement has existed in the rule since it was adopted as rule 28 on January 1, 2003.² However, under rule 8.71 of the California Rules of Court and rules 3 and 4 of the Supreme Court Rules Regarding Electronic Filing, electronic filing in the Supreme Court is now mandatory for parties represented by counsel and voluntary for self-represented litigants and trial courts. As a result, a large majority of petitions for rehearing are now filed electronically.

Notably, the Supreme Court has recognized the redundancy of requiring separate service on the Court of Appeal of an electronically filed petition. On its webpage, the Supreme Court provides this advisement:

Notwithstanding the requirements set forth in California Rules of Court, Rule 8.500(f)(1), submission of a petition for review through TrueFiling that is accepted for filing by the Supreme Court constitutes service of the petition on the Court of Appeal.

The Proposal

This proposal would clarify that when a petition for review is filed electronically, the filer does not need to serve a separate copy on the Court of Appeal. When a petition for review is filed in paper, however, the clerk/executive officer of the Court of Appeal must still be served.

This proposal is intended to eliminate duplicative and unnecessary effort by counsel, self-represented litigants, and appellate court staff. The current EFSP automatically sends a copy of the petition for review to the clerk/executive officer of the Court of Appeal when it is filed electronically. But the rules require the filer to serve the clerk/executive officer of the Court of Appeal. This causes additional effort and expense for the filer, and additional workload for the clerk/executive officer of the Court of Appeal.

The committee proposes amending rule 8.500(f)(1) as follows:

The petition must also be served on the superior court clerk and, if filed in paper format, the clerk/executive officer of the Court of Appeal. Electronic filing of a petition constitutes service of the petition on the clerk/executive officer of the Court of Appeal.

Alternatives Considered

The committee considered maintaining the current requirements that parties serve the Courts of Appeal separately. The committee concluded that these rule changes are appropriate because they eliminate unnecessary and duplicative effort and expense.

¹ An advisory committee comment clarifies that the service requirement applies only to the petition, not to an answer or a reply.

² Rule 28 was renumbered as rule 8.500 in 2007.

Fiscal and Operational Impacts

This proposal should not have appreciable implementation costs, and should save court resources by eliminating duplicate electronic filings.

Request for Specific Comments

In addition to comments on the proposal as a whole, the committees are interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The committees also seek comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Cal. Rules of Court, rule 8.500, at page 4

Rule 8.500 of the California Rules of Court would be amended, effective January 1, 2020, to read:

Title 8. Appellate Rules

Division 1. Rules Relating to the Supreme Court and Courts of Appeal

Chapter 9. Proceedings in the Supreme Court

Rule 8.500. Petition for review

(a)–(e) * * *

(f) Additional requirements

(1) The petition must also be served on the superior court clerk and, if filed in paper format, the clerk/executive officer of the Court of Appeal. Electronic filing of a petition constitutes service of the petition on the clerk/executive officer of the Court of Appeal.

(2)–(3) * * *

(g) * * *

RUPRO ACTION REQUEST FORM

RUPRO action requested: **Circulate for comment (January 1 cycle)**

RUPRO Meeting: April 10, 2019

Title of proposal *(include amend/revise/adopt/approve + form/rule numbers):*

Appellate Procedure: Uniform Formatting Rules for Electronic Documents
Amend California Rules of Court, rules 8.40, 8.44, 8.71, 8.72, 8.74, 8.204, and 8.252

Committee or other entity submitting the proposal:

Appellate Advisory Committee and Information Technology Advisory Committee

Staff contact (name, phone and e-mail): Christy Simons, 415-865-7694, christy.simons@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Approved by RUPRO: October 19, 2019

Project description from annual agenda: All appellate courts have implemented e-filing, but local rules for the format of electronic documents are often incomplete or inconsistent among the districts, resulting in burdens for litigants, attorneys, and appellate courts. The goal of this project is to develop uniform formatting rules for electronic documents filed or otherwise submitted to the appellate courts. This project originated with suggestions for rules regarding exhibits and bookmarking, and was expanded in scope to include uniform formatting for all electronic documents at the suggestion of Justice Mauro, chair of the committee. Subcommittee: JATS.

If requesting July 1 or out of cycle, explain:

Additional Information: (To facilitate RUPRO's review of your proposal, please include any relevant information not contained in the attached summary.)

JUDICIAL COUNCIL OF CALIFORNIA

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INVITATION TO COMMENT SPR19-07

Title Appellate Procedure: Uniform Formatting Rules for Electronic Documents	Action Requested Review and submit comments by June 10, 2019
Proposed Rules, Forms, Standards, or Statutes Amend Cal. Rules of Court, rules 8.40, 8.44, 8.71, 8.72, 8.74, 8.204, and 8.252	Proposed Effective Date January 1, 2020
Proposed by Appellate Advisory Committee Hon. Louis R. Mauro, Chair	Contact Kristi Morioka, Attorney 916-643-7056 phone kristi.morioka@jud.ca.gov
Information Technology Advisory Committee Hon. Sheila F. Hanson, Chair Hon. Louis R. Mauro, Vice-Chair	Christy Simons, Attorney 415-865-7694 phone christy.simons@jud.ca.gov

Executive Summary

To provide consistency and clarity, the Appellate Advisory Committee and the Information Technology Advisory Committee propose revising California Rules of Court, rules 8.40, 8.44, 8.71, 8.72, 8.74, 8.204, and 8.252 to create uniform formatting rules for electronic documents filed in the appellate courts. The rules currently provide some formatting requirements for electronic documents, but they do not include various local rule requirements such as bookmarking. Moreover, local rules around the state differ in their requirements and scope. By establishing uniform, comprehensive rules for all appellate courts, this proposal will ease the burden on filers caused by differing format rules. This project initially focused on rules for exhibits and bookmarking, but was expanded in scope to include other formatting requirements. It originated from a suggestion by a member of the Joint Appellate Technology Subcommittee of the Appellate Advisory Committee and the Information Technology Advisory Committee.

Background

Various appellate districts of the Courts of Appeal implemented electronic filing at different times. As each court did so, it adopted its own set of local rules addressing the formatting

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requirements for electronic documents. While there are similarities among the local rules, they differ in various respects. Over the years, best practices have begun to emerge for the format of electronic documents. At the same time, court users have complained that the differing formatting rules among the appellate courts impose significant burdens on practice.

A more limited rules amendment project began in 2017, but was deferred; the current proposal is expanded in scope. The proposed amendments include both substantive and technical changes to the existing rules for the format of electronic documents in appellate courts. Uniform formatting rules would provide consistency, clarity, and efficiency.

The Proposal

Though this proposal recommends amendments to seven rules, most of the amendments are to rule 8.74. That rule currently sets forth responsibilities of electronic filers but also establishes certain minimum format requirements for electronic documents. This proposal would remove the filer responsibility provisions from rule 8.74 and add them to the court responsibility provisions in rule 8.72, and significantly expand the format provisions in rule 8.74. As expanded, rule 8.74 would establish the specific formatting requirements currently articulated in local rules, such as standards for cover pages, pagination, and bookmarks.

Rule 8.40. Form of filed documents

Rule 8.40 governs the form of filed documents. The current rule provides that filed documents may be produced on a computer or be typewritten.

The proposed amendments would create different subdivisions for electronic and paper documents, would reference the formatting rules applicable to those different types of documents, and would clarify that certain unchanged formatting requirements only apply to paper. The rule would be amended to provide that e-filing is mandatory unless an exemption applies.

Rule 8.44. Number of copies of filed documents

Rule 8.44 sets forth the rules for paper copies in the California Supreme Court and the Courts of Appeal, and in subdivision (c) addresses electronic copies. Among other things, it refers to a court that “permits” electronic filing, and it requires a local rule specifying the format of an electronic copy. Because e-filing is now mandatory, and the format of electronic documents is addressed in proposed rule 8.74, the proposal deletes those outdated references.

Rule 8.71. Electronic filing

Rule 8.71 imposes mandatory e-filing, but it allows for various exemptions, including those established by local rule. The proposal would delete the reference to exemption by local rule, and add the Supreme Court Rules Regarding Electronic Filing in subdivision (a), as follows: “Except as otherwise provided by these rules, the Supreme Court Rules Regarding Electronic Filing, ~~the local rules of the reviewing court~~, or by court order, all parties are required to file all documents electronically in the reviewing court.”

Rule 8.72. Responsibilities of the court

Rule 8.72 sets forth the e-filing responsibilities of a court. The proposal takes the provisions for the responsibilities of electronic filers from current rule 8.74 and moves them to rule 8.72 in a new subdivision (b), thereby combining the responsibilities of court and filer into a single rule, and leaving rule 8.74 to address format. The proposal also deletes current rule subdivisions 8.72(b)(1) and (b)(2) as no longer needed.

Rule 8.74. Responsibilities of electronic filer

The proposal amends rule 8.74 to establish uniform formatting rules for electronic documents filed with the appellate courts and proposes to change the title of the section accordingly. Rule 8.74(a) currently establishes the responsibilities of an electronic filer. As previously discussed, this proposal moves the content of subdivision (a) to rule 8.72. Current rule 8.74(b) authorizes appellate courts to establish requirements for electronic documents, but it sets forth certain minimum format standards such as text searchability. The proposal retains some of the existing language, moves it to a new proposed subdivision (a), and significantly expands the formatting requirements by drawing from the best practices developed among the appellate courts through their local rules.

The expanded formatting rules address topics such as bookmarking, protection of sensitive information, file size, manual filing, font, spacing, margins, hyperlinks, and color. The proposal adds a new subdivision (b) to address specific formatting requirements for briefs, requests for judicial notice, appendices, agreed statements and settled statements, reporter's transcripts, clerk's transcripts, exhibits, and sealed and confidential records. Subdivision (c) provides that a court will reject an electronic filing if the formatting rules are not followed and provides that an electronic filer can file a motion for an exemption. Newly proposed subdivision (d) of rule 8.74 provides that this rule prevails over other formatting provisions if they are in conflict.

Proposed rule 8.74(a)(1) references portable document format (PDF), a file format used to present and exchange documents reliably, independent of software, hardware, or operating system. Existing California Supreme Court and Courts of Appeal local rules require documents to be in "text-searchable PDF." To ensure text searchability, the proposal requires a filer to "convert" a paper document to electronic form, rather than scanning a printed document.

The rules for pagination in proposed subdivision (a)(2) are consistent with the local rule pagination requirements around the state.

Proposed subdivision (a)(3) defines an electronic bookmark and includes requirements for bookmarking specified parts of a document. A new advisory committee comment provides examples of what is intended by the requirement that the bookmark contain a brief description of the item to which it is linked.

Proposed subdivision (a)(4) requires protection of sensitive information found in other rules, namely, rules 1.201, 8.45, 8.46, 8.47, and 8.401.

Proposed subdivision (a)(5) sets a file-size limit of 25 megabytes. The 25-megabyte limit is the current capacity of a file in the Appellate Court Case Management System (ACCMS).

Proposed subdivision (a)(6) describes manual filing of oversized documents or documents that otherwise cannot be electronically filed. The proposal permits the filer to file a flash drive, DVD, or compact disc (CD) with the court and then give notice of the filing. The term DVD is considered sufficiently descriptive that it is not spelled out, but the term CD is spelled out for clarity. The file types for video, audio, and photographs are based on local rules and the current capacity at the courts.

Proposed subdivision (a)(7) specifies that the page size for all electronic documents must be 8-1/2 by 11 inches.

Proposed subdivision (a)(8) describes the font type and font size for electronic documents. It requires a serif font such as Century Schoolbook. The suggestion comes from the Court of Appeal, Second Appellate District's local rule, which seeks to promote readability.

Proposed subdivision (a)(13) specifies that a document with any color component must be manually filed rather than electronically filed. This is because color causes problems in ACCMS. The subdivision prohibits color components in electronically filed documents.

Proposed rule 8.74(b) addresses specific format requirements for certain documents. Proposed rule 8.74(b) does not repeat the general formatting rules when discussing the specific documents.

Rule 8.204. Contents and form of briefs

Rule 8.204 explains the requirements for briefs filed in the Courts of Appeal. There is only one amendment in this rule. The proposed amendment explains that briefs filed in electronic form must comply with the formatting provisions in rule 8.74(a) and (b)(1), which prevail over inconsistent provisions in rule 8.204(b).

Rule 8.252. Judicial notice; filings and evidence on appeal

Rule 8.252 establishes the procedure for seeking judicial notice of a matter. The proposed amendment would require the moving party to attach to the motion a copy of the matter to be noticed or an explanation why it is not practicable to do so. In addition, the proposed amendment would specify that the motion with attachments must comply with rule 8.74 if filed in electronic form.

Proposed rule 8.252(c)(3) is reorganized to reflect the presumption of electronic filing unless an exemption applies.

Alternatives Considered

The committee considered deferring action, but determined that the experience of the Supreme Court and the Courts of Appeal thus far warranted action. The revised rules will provide uniform

guidance to litigants and practitioners, and will give the appellate courts time to amend their local rules accordingly.

Rule 8.124 (appendixes), 8.144 (form of the record), and 8.212 (service and filing of briefs) were reviewed, and it was determined that amendments to those rules are not needed at this time.

Fiscal and Operational Impacts

The proposed changes are intended to make electronic formatting rules consistent in the appellate courts. The committees anticipate efforts will be needed to amend local rules to make them consistent with these proposals.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Are there terms that need further reference or definition, such as the words “omission page” or file-type references like “.mp3” or “hyperlink”?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would 3 months from Judicial Council–approval of this proposal until its effective date provide sufficient time for implementation?

Attachments and Links

1. Cal. Rules of Court, rules 8.40, 8.44, 8.71, 8.72, 8.74, 8.204, and 8.252, at pages 6–15

Rules 8.40, 8.44, 8.71, 8.72, 8.74, 8.204, and 8.252 of the California Rules of Court would be amended, effective January 1, 2020, to read:

1 **Rule 8.40. Form of filed documents**

2
3 **(a) Form of electronic documents**

4
5 ~~Except as these rules provide otherwise, documents filed in a reviewing court may~~
6 ~~be either produced on a computer or typewritten and must comply with the relevant~~
7 ~~provisions of rule 8.204(b).~~

8
9 Under rule 8.71(a), a document filed in a reviewing court must be in electronic
10 form unless these rules provide otherwise. An electronic document must comply
11 with the relevant format provisions of this rule and rules 8.74, 8.144, and 8.204.

12
13 **(b) Form and cover color of paper documents**

14
15 (1) To the extent these rules authorize the filing of a paper document in a reviewing
16 court, the document must comply with the relevant format provisions of this
17 rule and rules 8.144 and 8.204.

18
19 ~~(1)~~(2) As far as practicable, the covers of briefs and petitions filed in paper form
20 must be in the following colors:

21

Appellant's opening brief or appendix	Green
Respondent's brief or appendix	Yellow
Appellant's reply brief or appendix	Tan
Joint appendix	White
Amicus curiae brief	Gray
Answer to amicus curiae brief	Blue
Petition for rehearing	Orange
Answer to petition for rehearing	Blue

Petition for original writ	Red
Answer (or opposition) to petition for original writ	Red
Reply to answer (or opposition) to petition for original writ	Red
Petition for transfer of appellate division case to Court of Appeal	White
Answer to petition for transfer of appellate division case to Court of Appeal	Blue
Petition for review	White
Answer to petition for review	Blue
Reply to answer to petition for review	White
Opening brief on the merits	White
Answer brief on the merits	Blue
Reply brief on the merits	White

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(2)(3) In appeals under rule 8.216, the cover of a combined respondent’s brief and appellant’s opening brief filed in paper form must be yellow, and the cover of a combined reply brief and respondent’s brief filed in paper form must be tan.

(3)(4) A paper brief or petition not conforming to ~~(1) or~~ (2) or (3) must be accepted for filing, but in case of repeated violations by an attorney or party, the court may proceed as provided in rule 8.204(e)(2).

1 (c) **Cover information for electronic and paper documents**

2
3 (1)–(2) * * *

4
5 (3) The covers of electronic documents must also comply with the provisions of
6 rule 8.74.

7
8 **Rule 8.44. Number of copies of filed documents**

9
10 (a)–(b) * * *

11
12 (c) **Electronic copies of paper documents**

13
14 ~~A court that permits electronic filing will specify any requirements regarding~~
15 ~~electronically filed documents in the electronic filing requirements published under~~
16 ~~rule 8.74. In addition, Even when filing a paper document is permissible, a court~~
17 ~~may provide by local rule for the submission of an electronic copy of a document~~
18 ~~that is not electronically filed the paper document either in addition to the copies of~~
19 ~~the document required to be filed under (a) or (b) or as a substitute for one or more~~
20 ~~of these copies. The local rule must ~~specify the format of the electronic copy and~~~~
21 ~~provide for an exception if it would cause undue hardship for a party to submit an~~
22 ~~electronic copy.~~

23
24 **Rule 8.71. Electronic filing**

25
26 (a) **Mandatory electronic filing**

27
28 Except as otherwise provided by these rules, the Supreme Court Rules Regarding
29 Electronic Filing, ~~the local rules of the reviewing court,~~ or by court order, all
30 parties are required to file all documents electronically in the reviewing court.

31
32 (b)–(g) * * *

33
34 **Rule 8.72. Responsibilities of court and electronic filer**

35
36 (a) ~~Publication of electronic filing requirements~~ **Responsibilities of court**

37
38 (1) The court will publish, in both electronic and print formats, the court's
39 electronic filing requirements.

40
41 (b) ~~Problems with electronic filing~~

42 (2) If the court is aware of a problem that impedes or precludes electronic filing,
43 it must promptly take reasonable steps to provide notice of the problem.

1
2 **(b) Responsibilities of electronic filer**

3
4 Each electronic filer must:

- 5
6 (1) Take all reasonable steps to ensure that the filing does not contain computer
7 code, including viruses, that might be harmful to the court's electronic filing
8 system and to other users of that system;
9
10 (2) Furnish one or more electronic service addresses, in the manner specified by
11 the court, at which the electronic filer agrees to accept service; and
12
13 (3) Immediately provide the court and all parties with any change to the
14 electronic filer's electronic service address.

15
16 **Rule 8.74. ~~Responsibilities of electronic filer~~ Format of electronic documents**

17
18 **~~(a) Conditions of filing~~**

19
20 ~~Each electronic filer must:~~

- 21
22 ~~(1) Comply with any court requirements designed to ensure the integrity of~~
23 ~~electronic filing and to protect sensitive personal information;~~
24
25 ~~(2) Furnish information that the court requires for case processing;~~
26
27 ~~(3) Take all reasonable steps to ensure that the filing does not contain computer~~
28 ~~code, including viruses, that might be harmful to the court's electronic filing~~
29 ~~system and to other users of that system;~~
30
31 ~~(4) Furnish one or more electronic service addresses, in the manner specified by~~
32 ~~the court, at which the electronic filer agrees to accept service; and~~
33
34 ~~(5) Immediately provide the court and all parties with any change to the electronic~~
35 ~~filer's electronic service address.~~

36
37 **~~(b) Format of documents to be filed electronically~~**

- 38
39 ~~(1) A document that is filed electronically with the court must be in a format~~
40 ~~specified by the court unless it cannot be created in that format.~~
41
42 ~~(2) The format adopted by a court must meet the following minimum~~
43 ~~requirements:~~

1
2 (A) ~~The format must be text-searchable while maintaining original document~~
3 ~~formatting.~~

4
5 (B) ~~The software for creating and reading documents must be in the public~~
6 ~~domain or generally available at a reasonable cost.~~

7
8 (C) ~~The printing of documents must not result in the loss of document text,~~
9 ~~format, or appearance.~~

10
11 ~~(3) The page numbering of a document filed electronically must begin with the~~
12 ~~first page or cover page as page 1 and use only Arabic numerals (e.g., 1, 2,~~
13 ~~3). The page number may be suppressed and need not appear on the cover~~
14 ~~page.~~

15
16 ~~(4) If a document is filed electronically under the rules in this article and cannot be~~
17 ~~formatted to be consistent with a formatting rule elsewhere in the California~~
18 ~~Rules of Court, the rules in this article prevail.~~

19
20 **(a) Format requirements applicable to all electronic documents**

21
22 (1) *Text-searchable portable document format:* Electronic documents must be in
23 text-searchable portable document format (PDF) while maintaining the
24 original document formatting. An electronic filer is not required to use a
25 specific vendor, technology, or software for creation of a searchable format
26 document, unless the electronic filer agrees to such use. The software for
27 creating and reading electronic documents must be in the public domain or
28 generally available at a reasonable cost. If an electronic filer must file a
29 document that the electronic filer possesses only in paper format, the
30 electronic filer must convert the document to an electronic document by a
31 means that complies with this rule. The printing of an electronic document
32 must not result in the loss of document text, format, or appearance. It is the
33 electronic filer's responsibility to ensure that any document filed is complete
34 and readable.

35
36 (2) *Pagination:* The electronic page counter for the electronic document must
37 match the page number for each page of the document. The page numbering
38 of a document filed electronically must begin with the first page or cover
39 page as page 1 and use only Arabic numerals (e.g., 1, 2, 3). Documents may
40 not contain more than one numbering system; for example, they may not
41 contain Roman numerals for the table of contents and Arabic numerals for
42 the body of the document. The page number for the cover page may be
43 suppressed and need not appear on the cover page. When a document is filed

1 in both paper and electronic formats, the pagination in both versions must
2 comply with this subparagraph.

3
4 (3) *Bookmarking:* An electronic bookmark is a descriptive text link that appears
5 in the bookmarks panel of an electronic document. Each electronic document
6 must include an electronic bookmark to each heading, subheading, and to the
7 first page of any component of the document, including any table of contents,
8 table of authorities, petition, verification, memorandum, declaration,
9 certificate of word count, certificate of interested entities or persons, proof of
10 service, exhibit, or attachment. Each electronic bookmark must briefly
11 describe the item to which it is linked. For example, an electronic bookmark
12 to a heading must provide the text of the heading, and an electronic
13 bookmark to an exhibit or attachment must include the letter or number of the
14 exhibit or attachment and a brief description of the exhibit or attachment. An
15 electronic appendix must have bookmarks to the indexes and to the first page
16 of each separate exhibit or attachment. Exhibits or attachments within an
17 exhibit or attachment must be bookmarked. All bookmarks must be set to
18 retain the reader's selected zoom setting.

19
20 (4) *Protection of sensitive information:* Electronic filers must comply with rules
21 1.201, 8.45, 8.46, 8.47, and 8.401 regarding the protection of sensitive
22 information, except for those requirements exclusively applicable to paper
23 format.

24
25 (5) *Size and multiple files:* An electronic filing may not be larger than 25
26 megabytes. This rule does not change the limitations on word count or
27 number of pages otherwise established by the California Rules of Court for
28 documents filed in the court. Unless a 300-page limit applies to the volumes
29 of an electronic document (see, e.g., rules 8.124(d)(1), 8.144(b)(6)), a file
30 may exceed 300 pages so long as it does not exceed 25 megabytes. If a
31 document exceeds the 25-megabyte file-size limitation, the electronic filer
32 must submit the document in more than one file, with each file 25 megabytes
33 or less. The first file must include a master chronological and alphabetical
34 index stating the contents for all files. Each file must have a cover page
35 setting forth (a) the file number for that file, (b) the total number of files for
36 that document, and (c) the page numbers contained in that file. (For example:
37 File 1 of 4, pp. 1–400.) In addition, each file must be paginated consecutively
38 across all files in the document, including the cover pages for each file. (For
39 example, if the first file ends on page 400, the cover of the second file must
40 be page 401.) If a multiple-file document is submitted to the court in both
41 electronic and paper formats, the cover pages for each file must be included
42 in the paper documents.

1 (6) Manual Filing:

2
3 (A) When an electronic filer seeks to file an electronic document consisting
4 of more than five files, or when the document cannot or should not be
5 electronically filed in multiple files, or when electronically filing the
6 document would cause undue hardship, the document must not be
7 electronically filed but must be manually filed with the court on
8 electronic media such as a flash drive, DVD, or compact disc (CD).
9 When an electronic filer files one or more documents on electronic
10 media such as a flash drive, DVD, or CD with the court, the electronic
11 filer must electronically file, on the same day, a “manual filing
12 notification” notifying the court and the parties that one or more
13 documents have been filed on electronic media, explaining the reason
14 for the manual filing. The electronic media must be served on the
15 parties in accordance with the requirements for service of paper
16 documents. To the extent practicable, each document or file on the
17 electronic media must comply with the format requirements of this rule.

18
19 (B) Electronic media files such as audio, video, or PowerPoint, and
20 documents containing photographs or any color component, must be
21 manually filed. Audio files must be filed in .wav or mp3 format. Video
22 files must be filed in .avi or mp4 format. Photographs must be filed in
23 .jpg, .png, .tif, or .pdf format.

24
25 (7) Page size: All documents must have a page size of 8-1/2 by 11 inches.

26
27 (8) Font: The font style must be a proportionally spaced serif face, such as
28 Century Schoolbook. Do not use Times New Roman. Font size must be 13-
29 point, including in footnotes.

30
31 (9) Spacing: Lines of text must be 1-1/2 spaced. Footnotes and quotations may
32 be single-spaced.

33
34 (10) Margins: The margins must be set at 1-1/2 inches on all sides.

35
36 (11) Alignment: Paragraphs must be left-aligned, not justified.

37
38 (12) Hyperlinks: Hyperlinks are encouraged but not required. However, if an
39 electronic filer elects to include hyperlinks in a document, the hyperlink must
40 be active as of the date of filing and should be formatted to standard citation
41 format as provided in the California Rules of Court.
42

1 (13) No color: Notwithstanding provisions to the contrary in the California Rules
2 of Court, an electronic document with any color component may not be
3 electronically filed. It must be manually filed on electronic media. An
4 electronically filed document must not have color covers, color signatures, or
5 other color components absent leave of court. This requirement does not
6 apply to the auto-color feature of hyperlinks.

7
8 **(b) Additional format requirements for certain electronic documents**

9
10 (1) Brief: In addition to compliance with this rule, an electronic brief must also
11 comply with the requirements set forth in rule 8.204, except for the
12 requirements exclusively applicable to paper format including the provisions
13 in rule 8.204(b)(2), (4), (5), and (6).

14
15 (2) Request for judicial notice or request or motion supported by documents:
16 When seeking judicial notice of documents or when a request or motion is
17 supported by documents, the electronic filer must attach the documents to the
18 request or motion. The request or motion and its attachments must comply
19 with this rule.

20
21 (3) Appendix: The format of an appendix must comply with this rule, rule
22 8.124(d), and rule 8.144 pertaining to clerk's transcripts.

23
24 (4) Agreed statement and settled statement: The format for an agreed statement
25 or a settled statement must comply with this rule and rules 8.144 and
26 8.124(d).

27
28 (5) Reporter's transcript and clerk's transcript: The format for an electronic
29 reporter's transcript must comply with Code of Civil Procedure section 271
30 and rule 8.144. The format for an electronic clerk's transcript must comply
31 with this rule and rule 8.144.

32
33 (6) Exhibits: Electronic exhibits must be submitted in volumes no larger than 25
34 megabytes, rather than as individual documents.

35
36 (7) Sealed and confidential records: Under rule 8.45(c)(1), electronic records
37 that are confidential or under seal must be filed separately. If one or more
38 pages are omitted from a source document and filed separately as a sealed or
39 confidential record, an omission page must be inserted in the source
40 document at the location of the omitted page or pages. The omission page
41 must identify the type of pages omitted. The omission page must be
42 paginated consecutively with the rest of the source document, it must be
43 bookmarked, and it must be listed in any indexes included in the source

1 document. The PDF counter for the omission page must match the page
2 number of the omission page. Separately filed confidential or sealed records
3 must comply with this rule and rules 8.45, 8.46, and 8.47.

4
5 **(c) Rejection of an electronic filing for noncompliance; exemptions**

6
7 The court will reject an electronic filing if it does not comply with the requirements
8 of this rule. However, if the requirements of this rule cause undue hardship or
9 significant prejudice to any electronic filer, the electronic filer may file a motion for
10 an exemption from the requirements of this rule.

11
12 **(d) This rule prevails over other formatting rules**

13
14 If a document is filed electronically and cannot be formatted to be consistent with a
15 formatting provision elsewhere in the California Rules of Court, the provisions of
16 this rule prevail.

17
18 **Advisory Committee Comment**

19
20 Subdivision (a)(3). An electronic bookmark’s brief description of the item to which it is linked
21 should enable the reader to easily identify the item. For example, if a declaration is attached to a
22 document, the bookmark to the declaration might say “Robert Smith Declaration,” and if a
23 complaint is attached to a document as an exhibit, the bookmark to the complaint might say
24 “Exhibit A, First Amended Complaint filed 8/12/17.”

25
26 Subdivision (b)(7). In identifying the type of pages omitted, the omission page might say,
27 for example, “probation report” or “Marsden hearing transcript.”

28
29 **Rule 8.204. Contents and form of briefs**

30
31 **(a) * * ***

32
33 **(b) Form**

34
35 Briefs filed in electronic form must comply with the formatting provisions in rule
36 8.74(a) and (b)(1), which prevail over inconsistent provisions in this subdivision.

37
38 (1)–(11) * * *

39
40 **(c)–(e) * * ***

41
42 **Rule 8.252. Judicial notice; findings and evidence on appeal**

43

1 **(a) Judicial notice**

2
3 (1)–(2) * * *

4
5 (3) If the matter to be noticed is not in the record, the party must ~~serve and file a~~
6 ~~copy with the motion or explain~~ attach to the motion a copy of the matter to
7 be noticed or an explanation of why it is not practicable to do so. The pages
8 ~~of the copy of the matter or matters to be judicially noticed must be~~
9 ~~consecutively numbered, beginning with the number 1. The motion with~~
10 attachments must comply with rule 8.74 if filed in electronic form.
11

12 **(b) * * ***

13
14 **(c) Evidence on appeal**

15
16 (1)–(2) * * *

17
18 (3) For documentary evidence, a party may offer ~~the original, a certified copy, a~~
19 ~~photocopy, or, in a case in which electronic filing is permitted, an electronic~~
20 ~~copy, or if filed in paper form, the original, a certified copy, or a photocopy.~~
21 The court may admit the document into evidence without a hearing.



JUDICIAL COUNCIL OF CALIFORNIA

TECHNOLOGY COMMITTEE

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JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF OPEN MEETING

April 8, 2019
12:00 - 1:00 PM
Teleconference

Advisory Body Members Present: Hon. Marsha G. Slough, Chair; Hon. Gary Nadler, Vice-Chair; Hon. Kyle S. Brodie; Hon. Ming W. Chin; Hon. Jonathan B. Conklin; Hon. Rebecca Wightman; Ms. Nancy Eberhardt; Ms. Rachel W. Hill; and Ms. Andrea K. Rohmann

Liaison Members Present: Hon. Sheila F. Hanson

Others Present: Hon. Louis R. Mauro, Hon. Kimberly Menninger, Ms. Heather Pettit, Mr. Mark Dusman, Mr. Michael Derr, Ms. Kathy Fink, Ms. Daphne Light, Ms. Jamel Jones, Ms. Jessica Goldstein, Ms. Andrea Jaramillo, Ms. Camilla Kieliger, Mr. Richard Blalock, and Ms. Christy Simmons

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order, took roll call, and advised no public comments were received.

Approval of Minutes

The committee reviewed and approved the minutes of the March 14, 2019 open meeting.

DISCUSSION AND ACTION ITEMS

Item 1

Chair Report

Update: Hon. Marsha Slough, Chair of the Judicial Council Technology Committee (JCTC), welcomed and thanked everyone for attending. Justice Slough reviewed the agenda for the meeting, as well as provided updates on recent meetings in which she and other members represented the JCTC or reported on the JCTC activities.

Item 2

Update/Report on Information Technology Advisory Committee (ITAC)

Update: Hon. Sheila F. Hanson, Chair of ITAC, provided an update and report on the activities of the advisory committee, its subcommittees, and its workstreams. Workstreams with key

milestones highlighted included the Digital Evidence, Data Analytics, and Next Generation Hosting.

Action: The committee received the report.

Item 3

Tactical Plan for Technology 2019-2020 (Action Required)

Update: Hon. Sheila F. Hanson, Chair of ITAC, provided an update and report on the Tactical Plan for Technology 2019 – 2020. This included the report to the Judicial Council.

Action: The committee discussed the updates to the Tactical Plan, asked questions, and then approved recommending that the report and updated plan be submitted to the Judicial Council for its consideration.

Item 4

Digital Evidence Workstream Phase 1 Results (Action Required)

Update: Hon. Kimberly Menninger, Executive Sponsor for the Digital Evidence Workstream; and Ms. Kathleen Fink, Manager, Judicial Council Information Technology, presented the final results from the first phase of the workstream. They requested closing the first phase and initiating the second phase of the workstream.

Action: The committee discussed the final results, asked questions, and approved the results of phase one and closing this phase, as well as initiating the next phase of the workstream.

Item 5

Electronic Delivery of Documents for Incarcerated Individuals (Information)

Update: Hon. Louis R. Mauro, Chair, Appellate Advisory Committee, Vice-Chair, Information Technology Advisory Committee, and Chair, Joint Appellate Technology Subcommittee, presented a report on a pilot program for the electronic delivery of certain filings and communications in inmate civil cases and habeas proceedings being developed by the Appellate Advisory Committee (AAC) and the Information Technology Advisory Committee (ITAC). The presentation included the history of the proposal and the status of communications with the California Department of Corrections and Rehabilitation.

Action: The committee received the report.

A D J O U R N M E N T

There being no further business, the meeting was adjourned.



JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date April 24, 2019	Action Requested Please Review
To Hon. Marsha G. Slough, Chair Hon. Gary Nadler, Vice-Chair Judicial Council Technology Committee	Deadline N/A
From Kathleen Fink, Manager, Judicial Council Information Technology	Contact Kathleen Fink, Manager 415-865-4094 kathleen.fink@jud.ca.gov
Subject Civil Case Management System (V3) Replacement Projects: Status March 26 – April 22, 2019	

Project: Civil Case Management System (CMS) (V3) Replacement projects for the Superior Courts of Orange, Sacramento, San Diego, and Ventura Counties

Status: The monthly Project Status meeting was held on April 22, 2019. The next meeting is scheduled for May 20, 2019.

Intra Branch Agreements (IBAs):

Sacramento Superior Court has received the funds for the distribution request for FY 16/17 IBA milestone 2, completed project documents.

Orange Superior Court has received funds for the distribution request for FY 18/19 IBA.

Ventura Superior Court (Journal Technologies - eCourt):

On track with configuration requirements for civil and probate case types, scheduled through June.

April 24, 2019

Page 2

San Diego Superior Court (Tyler Odyssey):

Starting the 4th cycle of data conversion testing.

Continuing rapid iteration phase: Tyler develops screen mock ups, San Diego reviews and provides feedback, Tyler finalizes to submit for final agreement.

90% of requirements work complete for small claims case types.

Completed testing Judge's Edition (presentation, analogous to San Diego's ELF view of V3).

Sacramento Superior Court (Thomson Reuters C-Track):

The Data Conversion Quality Matrix for Civil, Probate, Mental Health and Accounting was completed and approved.

The Preliminary Analysis and As-is Assessment deliverable was approved.

Orange Superior Court (Update CMS V3 for supportability and reliability):

Targeting go-live for DocPath forms generation (replacing Adobe) in June 2019, in conjunction with the transition to a new third party batch printing vendor.

Continuing to progress with the V3 framework modernization, using the latest Java stack and components.



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MEMORANDUM

Date

May 2, 2019

Action Requested

Please Review

To

Hon. Marsha G. Slough, Chair
Hon. Gary Nadler, Vice-Chair
Judicial Council Technology Committee

Deadline

N/A

From

David Koon, Manager,
Judicial Council Information Technology

Contact

David Koon, Manager
415-865-4618
david.koon@jud.ca.gov

Subject

Sustain Justice Edition (SJE) Replacement
Projects: Status April 1 - 30, 2019

As requested, this communication provides a written update regarding the progress of the nine courts using the Sustain Justice Edition (SJE) case management system which collectively received \$4.1 million in funding for FY 17/18 and \$896,000 in FY 18/19 as a result of submitting a BCP to replace the SJE case management system with a modern CMS platform.

Project: Sustain Justice Edition (SJE) Replacement project for the Superior Courts of Humboldt, Lake, Madera, Modoc, Plumas, San Benito, Sierra, Trinity, and Tuolumne counties.

Status: Judicial Council staff and the SJE courts met on April 17, 2019 for their monthly status meeting. At these meetings, the SJE courts review the status of the deployments of the new case management system. While all courts continue to work on various aspects of their individual deployments, much of the activity remains focused on the Humboldt and Madera courts which are scheduled to go live on the new case management system in the next several months. Additionally, amendments to each court's intra-branch agreement (IBA) that incorporates FY 18/19 BCP funding into their existing IBA are being processed. These IBA's provide the

May 2, 2019

Page 2

mechanism for the Judicial Council to distribute the BCP funding to each court to fund the replacement of the court's legacy case management system.

Next Steps: Judicial Council staff and the SJE courts will continue to meet monthly to review progress and upcoming milestones.