



JUDICIAL COUNCIL OF CALIFORNIA

TECHNOLOGY COMMITTEE

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jctc@jud.ca.gov

JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

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

THIS MEETING WILL BE RECORDED

Date: November 15, 2019
Time: 8:30 a.m. - 9:15 a.m.
Location: Redwood 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 September 24, 2019 meeting and October 29, 2019 action by email.

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 November 14, 2019, 8:30 am. 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: Rita Alderucci. Only written comments

received by November 14, 2019, 8:30 am will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-3)

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. Kyle S. Brodie, 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

Futures Commission Directive: Remote Video Appearances for Most Non-Criminal Hearings – Status and Final Report (Action Requested)

Review, discuss, and consider the report on the feasibility, rule, regulation and statutory requirements, to support implementation of remote appearances by parties, counsel, and witnesses for most noncriminal court proceedings for acceptance and submission of the report to the Judicial Council.

Presenters: Mr. Jake Chatters, Business Lead
Mr. Alan Crouse, Project Manager

IV. ADJOURNMENT

Adjourn Public Session



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JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF OPEN MEETING

September 24, 2019

1:00 - 1:30 PM

In Person

Tower Room A, Judicial Council Conference Center
2850 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833

Advisory Body Members Present: Hon. Kyle S. Brodie, Chair; Hon. C. Todd Bottke, Vice-Chair; 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: Mr. Robert Oyung; Ms. Heather L. Pettit; Mr. Mark Dusman; Ms. Jessica Goldstein; Ms. Jamel Jones; Ms. Kathy Fink; Mr. Richard Blalock; and Ms. Camilla Kieliger

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 advisory body reviewed and approved the minutes of the September 9, 2019 open meeting.

DISCUSSION AND ACTION ITEMS

Item 1

Chair Report

Update: Hon. Kyle S. Brodie, Chair, welcomed and thanked everyone for attending. Judge Brodie reviewed the agenda for the meeting and provided updates on recent meetings in which the Chair and other members represented the JCTC or reported on the JCTC activities.

Item 2

2019-2020 Pilot Courts for Digitizing Documents

Update: Ms. Heather L. Pettit, Chief Information Officer and Director of Judicial Council Information Technology (JCIT), and Ms. Kathy Fink, Manager in JCIT, presented a report on the recommended selection of phase 1 courts for the initial phase for digitizing paper and/or filmed case files for the Appellate and Superior Courts. They explained that the funding was received through the Budget Change Proposal process and supports the Strategic Plan goals of Promoting the Digital Court and Advancing IT Security and Infrastructure. They also explained that the proposed phase 1 courts were selected according to the objectives of the program and the established criteria.

Action: The committee received and discussed the report and ranking, asked questions, voted to approve (one abstention), and directed staff to notify the selected courts and begin work on the next steps for the project.

A D J O U R N M E N T

There being no further business, the meeting was adjourned.

JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF ACTION BY EMAIL BETWEEN MEETINGS
OCTOBER 29, 2019

Email Proposal

The Judicial Council Technology Committee (JCTC) was asked to consider whether to approve the recommended amendment to the 2019 Information Technology Advisory Committee (ITAC) annual agenda to authorize ITAC to participate in a joint ad hoc subcommittee to develop rules and legislation for remote video appearances in civil proceedings.

Due to the limited availability of JCTC members and the body's other priorities, the JCTC did not have time to consider this request at a meeting in a timely manner. Accordingly, the Chair concluded that prompt action by email was necessary.

Notice

On October 21, 2019 a notice was posted advising that the JCTC was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

Public Comment

Because the email proposal concerned a subject that otherwise must be discussed in an open meeting, the JCTC invited public comment on the proposal under rule 10.75(o)(2). The public comment period began at 10:00 a.m., October 21, 2019 and ended at 9:00 a.m. October 25, 2019. No comments were received.

Action Taken

After the public comment period ended, JCTC members were asked to submit their votes on the proposed prioritization by 9:00 a.m. on October 29, 2018. All eight members voted to approve. The email proposal was approved.



REMOTE VIDEO APPEARANCES WORKING GROUP

PHASE I REPORT AND RECOMMENDATIONS – PRESENTED NOVEMBER 15, 2019



PRESENTERS

- Mr. Alan Crouse, Work Group Project Manager and Deputy Executive Officer, San Bernardino Superior Court
- Mr. Jake Chatters, Work Group Business Lead and Court Executive Officer, Placer Superior Court

WORK GROUP CHARGE

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

WORK GROUP KEY OBJECTIVES

Phase I:

- (a) Identify and conduct a mock remote video hearing using a web conferencing system for a specific hearing type (e.g., Civil - Small Claims) as a Proof of Concept (POC) in a court.
- (b) Capture learnings and report findings.
- (c) Update Phase 2 workplan based on results.
- (d) Seek approval from ITAC and the JCTC to conclude Phase I and initiate Phase 2; amend the annual agenda accordingly.

WORK GROUP – GUIDING CONCEPTS

- The work group approached its work with the following key concepts in mind:
 - Access to Justice – Remote video appearance is an additional, optional mechanism.
 - Preserve Litigant Rights – The use, or non-use, of Remote Video Appearance can neither benefit nor disadvantage one party over another.
 - Ensure Dignity and Integrity of Process – Remote appearances must retain a dignified and stable backdrop for the resolution of disputes.
 - Don't Over Complicate – Develop a relatively simple set of guidelines which would place a minimal burden on both the litigants and the court.

WORK GROUP ACTIVITIES

- Literature Review
- Issue Brainstorming, Identification, Debate, and Resolution

WORK GROUP ACTIVITIES

ISSUE BRAINSTORMING, IDENTIFICATION, DEBATE, AND RESOLUTION

- Detailed list of topics and questions developed.
- Divided into four groups
 - Procedure
 - Evidence
 - Rules
 - Technology.

WORK GROUP ACTIVITIES

ISSUE BRAINSTORMING, IDENTIFICATION, DEBATE, AND RESOLUTION

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

WORK GROUP ACTIVITIES

ISSUE BRAINSTORMING, IDENTIFICATION, DEBATE, AND RESOLUTION

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

WORK GROUP ACTIVITIES

ISSUE BRAINSTORMING, IDENTIFICATION, DEBATE, AND RESOLUTION

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

PILOTS – AND THE DECISION NOT TO HOLD THEM

- Original charge included ITAC-sponsored pilots.
- Multiple Innovations Grant courts are implementing video appearances.
- As presented later in recommendations, led to the Workstream focusing on removing barriers for second round of adopter courts based on information from the Innovation Grant courts – rather than running a new additional pilot.

MOCK HEARING(S)

- Held on February 15, 2019; Physical site – San Bernardino Superior Court.
- Remote participants from five locations.
- Civil Harassment and Small Claims Hearing.
- Scripts based on actual hearings.
- Included evidence sharing via SharePoint.
- Pros, cons, and caveats on survey results were discussed at our April ITAC meeting.

RECOMMENDATIONS

- Recommendations were developed to provide general guidelines and allow flexibility for early adopters.
- Consistent with concepts around telephonic appearance that provide general deference to local courts.
- Deviates from concepts around telephonic appearances by not including a presumption that video will be allowed.
- Final recommendations are consistent with draft recommendations presented in April. Rewording occurred to better reflect processes for implementation.

RECOMMENDATIONS

- **Recommendation 1:**

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

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RECOMMENDATIONS

- **Recommendation 2:**

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

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RECOMMENDATIONS

- **Recommendation 3:**

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

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RECOMMENDATIONS

- **Recommendation 4:**

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

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RECOMMENDATIONS

- **Recommendation 5:**

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

Report page: 24; Guide begins page 37

NEXT STEPS AND QUESTIONS

- Next steps, following JCTC approval provide to Judicial Council for review and approval.
- Questions?
- Thank you to the Judge Samantha Jessner, Executive Sponsor and Judge, Los Angeles Superior Court, Workstream members, and JCC staff for their support in this effort.
- Special thank you to Commissioner Susan Slater and the staff participants at the San Bernardino Superior Court for their assistance with the Mock Hearings.



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MEMORANDUM

Date November 1, 2019	Action Requested Please Review
To Hon. Kyle S. Brodie, Chair Hon. C. Todd Bottke, 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 August 27 – October 28, 2019	

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

Status: Monthly Project Status meetings were held on September 23 and October 28, 2019.

The next Monthly Project Status meeting is scheduled for November 25, 2019.

Judicial Council Information Technology is working with Sacramento, San Diego, and Ventura to coordinate “lights on” planning and court funding for V3 support after June 2020.

Intra Branch Agreements (IBAs):

The disbursement to Sacramento for their 2017-18 IBA was received by the court. The final disbursement for the 2016-17 IBA is in progress.

Ventura Superior Court (Journal Technologies - eCourt):

Civil requirements-gathering and documentation sessions are continuing and are on target for completion in December 2019. Journal Technologies is working on site one – two days a week during November.

Civil and eFiling configuration sprints started October 14th.

In September, the eCourt Small Claims framework was updated to accommodate large civil cases as determined by review of LA Court Civil Case lessons learned. This necessitated additional a new cycle of regression testing.

San Diego Superior Court (Tyler Odyssey):

Small Claims Requirements are 100% complete and design is 95% complete. 90% of known Odyssey code table configurations are complete. Small Claims deployment is on track for September 2020.

Deep Dive Cycle 5 conversion testing is in progress.

The court will be deploying Odyssey 2019, with Judges and Clerks Editions now built in.

The court continues to work with Tyler to tune and fix configurations to address system slowness.

Sacramento Superior Court (Thomson Reuters C-Track):

The court and Thomson Reuters are working on a deeper dive into the CMS Master Services Agreement, to clearly document what is needed and what is not.

The project team is holding workshops to examine and document the larger gaps.

The Civil team is physically co-locating with the project team to realize greater project performance such as more efficient communication for decision making, collaboration, trust between team members, and effective interpersonal relationships.

The project team is utilizing project efficiency tools Mantis and Squash. Mantis Bug Tracker is a free and open source, web-based bug tracking system. Squash is a test repository manager found in the open source Squash toolkit. It enables the management of requirements, test cases and campaigns execution in a multi-project context.

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

The software modernization of CCMS V3 effort to replace the framework is underway. Deployment is targeted for 1st Quarter 2020.

Judicial Council forms generation was converted from Adobe Output WebPak, which is past end-of-support, to DocPath technology and deployed in September.

A proof of concept to automate Continuous Integration/Continuous Deployment (CI/CD) process was completed. CI/CD workflow and security automation process validation are in progress. Target deployment is January 2020.

November 1, 2019

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Orange is on track to complete their conversion by June 2020.



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MEMORANDUM

Date October 31, 2019	Action Requested Please Review
To Hon. Kyle S. Brodie, Chair Hon. C. Todd Bottke, 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 September 1 – October 31, 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 September 18 and on October 16, 2019 for their monthly status meeting. At these meetings, the SJE courts review the status of the deployments of the new case management system. For the period covered by this status update, three courts (Plumas, Sierra and Humboldt) have all gone live on their new case management system. The Madera Court went live on their new case management system in June which brings the total number of courts on the new case management system to four. The focus of project activity is now turning to those courts scheduled to go-live in early 2020.

October 31, 2019

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