



JUDICIAL COUNCIL OF CALIFORNIA

TECHNOLOGY COMMITTEE

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JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF OPEN MEETING

September 11, 2023
12:00 PM to 12:30 PM
Videoconference

Advisory Body Members Present: Hon. Kyle S. Brodie, Chair; Hon. Jonathan B. Conklin; Ms. Rebecca Fleming, Mr. David Fu; Hon. Glenn Mondo, and

Advisory Body Members Absent: Hon. C. Todd Bottke, Vice-Chair; Hon. Kevin C. Brazile; Hon. Carol A. Corrigan; Hon. Michelle W. Court

Others Present: Hon. Sheila F. Hanson; Mr. Charles Johnson, Mr. Darrel E. Parker, Ms. Heather Pettit; and Judicial Council Staff

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the August 14, 2023 open meeting.

There were no public comments received for this meeting.

DISCUSSION AND ACTION ITEMS (ITEM 1-3)

Item 1

Chair Report

Update: Hon. Kyle S. Brodie acknowledged outgoing committee members and invited them to share their departing remarks. He then introduced and welcomed new committee members. Finally, he outlined the two agenda items for members to review, consider, and approve at the meeting.

Item 2

Jury Management System Grant Program for the Fiscal Year 2023-2024 (Action Requested)

Update: Ms. Satlin Singh, Business Systems Analyst, presented the recommended Jury Management System Grant Program allocations for fiscal year 2023-2024. The recommendations were determined from the program objectives, prioritization categories, and funding metrics.

Action: The Technology Committee members discussed and asked questions about the program and proposed allocations. The committee voted to approve and recommend the proposed allocations.

Item 3

California Courts Connected Framework (Action Requested)

Update: Ms. Heather L. Pettit, Chief Information Officer / Director, provided an overview of the updated version of the California Courts Connected Framework to be incorporated into the Tactical Plan for Technology.

Action: The Technology Committee members discussed and asked questions. The committee decided to defer the approval until further updates are made and considered at a future committee meeting.

There being no further business, the meeting was adjourned.



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JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF OPEN MEETING

October 20, 2023

12:00 PM to 1:00 PM

Videoconference

Advisory Body Members Present: Hon. Kyle S. Brodie, Chair; Hon. C. Todd Bottke, Vice-Chair; Hon. Jonathan B. Conklin; Hon. Michelle W. Court; Mr. David Fu; Mr. Charles Johnson; and Mr. Darrel E. Parker

Advisory Body Members Absent: Hon. Carol A. Corrigan

Others Present: Hon. Sheila F. Hanson; Ms. Heather L. Pettit; and Judicial Council Staff

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order and took roll call.

There were no public comments received for this meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-4)

Item 1

Advancing the Hybrid Courtroom's Final Findings and Recommendations (Action Requested)

Update: Hon. Samantha P. Jessner and Mr. Adam Creiglow, Hybrid Courtroom Workstream Executive Sponsors, presented the final findings and recommendations from the Advancing the Hybrid Courtroom Workstream.

Action: The Technology Committee discussed and asked questions. The committee voted to approve the final findings and recommendations from the Advancing the Hybrid Courtroom Workstream for recommendation to the Judicial Council.

Item 2

Appellate Information Technology Budget (Action Requested)

Update: Ms. Heather L. Pettit, Chief Information Officer / Director, presented the recommended FY 2023 – 24 appellate court technology budget for Judicial Council Information Technology services.

Action: The Technology Committee members discussed and asked questions. The committee voted to approve the recommended FY 2023 – 24 IT Modernization budget for Judicial Council Information Technology support services for the appellate courts.

Item 3

Information Technology Modernization Funding Program (Action Requested)

Update: Hon. Sheila F. Hanson, Chair, Information Technology Advisory Committee, presented a recommendation regarding the Superior Court of Merced County. The recommendation included adding two projects to the court's list of approved projects for use of their previously approved IT Modernization funding. Judge Hanson clarified this proposal would not change the amount of funding distributed to the court.

Action: The Technology Committee members discussed and asked questions. The committee voted to approve the additional projects for the Merced court's use of their IT Modernization project funding.

Item 4

Update on Digitizing Court Records

Update: Ms. Heather L. Pettit, Chief Information Officer / Director, provided an informational update on the Superior Court of Madera County's effort to complete its court records digitization project. Funding was previously awarded to the court; however, the court needed additional time to complete this work.

There being no further business, the meeting was adjourned.



Judicial Council of California

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INVITATION TO COMMENT

[ITC prefix as assigned]-__

Title

Court Technology: Minimum Standards for Courtroom Technology to Permit Remote Participation in Court Proceedings (Senate Bill 133)

Proposed Rules, Forms, Standards, or Statutes

Adopt minimum standards for courtroom technology necessary to permit remote participation in court proceedings

Proposed by

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

Action Requested

Review and submit comments by January 12, 2024

Proposed Effective Date

April 1, 2024

Contact

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Executive Summary and Origin

Senate Bill 133 (Stats. 2023, ch. 34) requires the Judicial Council to adopt by April 1, 2024, and the trial courts to implement by July 1, 2024, minimum standards for courtroom technology necessary to permit remote participation in court proceedings. The Information Technology Advisory Committee recommends adoption of these proposed standards to satisfy the statutory mandate.

Background

SB 133 requires the Judicial Council to adopt, by April 1, 2024, minimum standards for courtroom technology necessary to permit remote participation in court proceedings. These standards must include “hard-wired or other reliable high-speed internet connections in the courtroom for the judicial officer and court reporter, and monitors, dedicated cameras, speakers, and microphones so the judicial officer, court reporter, and court interpreter can appropriately see and hear remote participants, as well as to ensure that remote participants can appropriately

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

see and hear the judicial officer and other courtroom participants.” (Code Civ. Proc., § 367.76(o); Welf. & Inst. Code § 679.5(n).) Trial courts must implement these standards by July 1, 2024.

The Proposal

The Information Technology Advisory Committee (ITAC) recommends adoption of the proposed standards to satisfy SB 133’s mandate. As required by the statute, these standards identify the minimum courtroom technology necessary to permit participation in remote proceedings. The standards include the two provisions explicitly required by the statute, as well as additional provisions needed to permit remote participation in proceedings that satisfy the other statutory requirements for remote proceedings. (See, e.g., Code Civ. Proc., §§ 367.75, 367.76.) When drafting the standards, the committee drew from the work of ITAC’s Advancing the Hybrid Courtroom Workstream and its final findings and recommendations¹ and solicited the Workstream’s feedback. The committee also solicited feedback from the Trial Court Presiding Judges Advisory Committee, the Court Executives Advisory Committee, and Facilities Services.

The standards set forth specific objectives the courts must meet, such as the requirement that “[c]ourt technology must allow the judicial officer and all other courtroom participants to see and hear, and be seen and heard by, remote participants.” The committee chose this format rather than specific technical specifications in order to ensure a baseline standard necessary for participation in remote proceedings. The committee therefore focused on the objectives courts must meet to enable the judicial officer, court reporter, court interpreter, and all other participants to successfully participate in remote proceedings.

The standards state the statutory consequence for failing to implement the standards by the July 1, 2024, deadline and clarify which proceedings this consequence applies to. Under Code of Civil Procedure section 367.76(f)(2) and Welfare and Institutions Code section 679.5(k)(2), if the standards cannot be met in a proceeding listed in Code of Civil Procedure section 367.76(a)(1) (civil commitment and other specified proceedings) or Welfare and Institutions Code section 679.5(b) (juvenile justice proceedings) that will be reported by an official reporter or official reporter pro tempore, the court reporter must be physically present in the same room as the judicial officer for that proceeding.

The standards must be met only in a courtroom in which a court is conducting a remote proceeding. This satisfies the statutory mandate to “permit remote participation in proceedings” that satisfy the other requirements of SB 133. (Code Civ. Proc., § 367.76(o); Welf. & Inst. Code § 679.5(n).) Courts are not required to have this equipment in courtrooms when they are not conducting remote proceedings. The introductory sentence of the standards conveys this principle.

¹ Information Technology Advisory Com., *Report of the Advancing the Hybrid Courtroom Workstream: Findings and Recommendations* (Nov. 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12422512&GUID=2201DBD5-407E-4906-BB84-C7EFCAC38665>.

The standards reflect several key considerations. First, the statutes requiring these standards are part of a larger statutory scheme concerning remote proceedings, which sets forth various requirements for the conduct of remote proceedings. (See, e.g., Code Civ. Proc., §§ 367.75, 367.76.) While the standards themselves are part of this statutory scheme, they set requirements for what court-provided technology must be able to do, rather than how remote proceedings must be conducted. The proposed standards therefore concern the technology and equipment that courts must have in the courtroom, and not how or when it may be used.

It is also important to note that implementation of these standards will not preclude a remote participant from choosing to appear via audio rather than video when permitted by the court (and provided it is not a civil commitment or juvenile justice proceeding where audio-only participation is prohibited, unless it falls under one of the exceptions in the statutes governing remote proceedings in those matters). Nor do the standards control whether a particular remote participant takes advantage of the available technology.

Second, the standards apply only to court-provided technology and do not apply to technology provided by remote participants. The statute requires the council to adopt standards for “courtroom technology,” and the proposed standards therefore focus on technology and equipment used in the courtroom or otherwise provided by the court. The standards define “court technology” to mean “the court-provided technology, equipment, and platforms used in courtrooms or by judicial officers or court staff to participate in remote proceedings and that is necessary to meet these standards” and specify that each standard applies to “court technology” or “court-provided” equipment. The standards do not require courts to control or provide equipment for remote participants because this is beyond the scope of the statutory mandate.

Alternatives Considered

The committee did not consider taking no action because the council is required by law to adopt minimum standards for courtroom technology necessary to permit remote participation in court proceedings. As discussed in the explanation of the proposal, the committee considered several alternatives when drafting the proposed standards and concluded that the current proposal best satisfies the statutory mandate.

Fiscal and Operational Impacts

The committee anticipates that courts might have to purchase and install equipment to meet these standards by the statutory deadline, and that judicial officers and court staff might require training on how to use any new equipment. However, because the council is required by law to adopt minimum standards for courtroom technology for remote proceedings and courts are required to implement those standards, these impacts cannot be avoided.

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?
- Is it clear that the standards set requirements for what court-provided technology must be able to do, rather than how remote proceedings must be conducted?
- Is it clear that the standards apply only to court-provided technology and do not apply to technology provided by remote participants?
- Would it be preferable to say in subdivision (d) of the standards “must be capable of allowing” instead of “must allow” to make clear within the standards that this does not preclude participation via audio where it is otherwise permissible?

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

- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training) or revising processes and procedures (please describe)?
- Would the proposal provide cost savings? If so, please quantify.
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Minimum Standards for Courtroom Technology to Permit Remote Participation in Court Proceedings, at pages 5–6
2. Link A: Senate Bill 133
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB133

Minimum Technology Standards

Effective July 1, 2024, in a courtroom in which the court is conducting a remote proceeding, the court must comply with the following minimum technology standards.

(a) As used in these standards:

- (1) “Court technology” means the court-provided technology, equipment, and platforms used in courtrooms or by judicial officers or court staff to participate in remote proceedings and that is necessary to meet these standards.
- (2) “Participants” means judicial officers, court staff, parties, attorneys, witnesses, jurors, court reporters, and court interpreters.
- (3) “Remote proceeding” has the meaning provided in California Rules of Court, rule 3.672.

(b) The court must have a hard-wired or other reliable high-speed internet connection in the courtroom for the judicial officer and court reporter.

(c) The court must provide monitors, dedicated cameras, speakers, and microphones so the judicial officer, court reporter, and court interpreter can see and hear remote participants.

- (1) Court-provided microphones must have a mute or off function.
- (2) Court-provided microphones must allow a participant to hear, and be heard by, all other participants when necessary.
- (3) Court-provided monitors must allow participants to see and identify the participant who is speaking.
- (4) Court technology must provide participants with the capability to alert the court to behavior that is disruptive and may not be visible to all.
- (5) Court technology must provide the ability for the judicial officer or designated courtroom staff to mute or remove from the remote proceeding any remote participant or any unauthorized person who joins the remote proceeding.
- (6) Court technology must allow remote participants to be identified either visually or audibly during the proceeding.
- (7) Court-provided speaker equipment must be of sufficient clarity so that the judicial officer and all other participants may hear one another when necessary.

- (d) Court technology must allow the judicial officer and all other courtroom participants to see and hear, and be seen and heard by, remote participants.
- (e) Under Code of Civil Procedure section 367.76(f)(2) and Welfare and Institutions Code section 679.5(k)(2), on or after July 1, 2024, if these standards cannot be met in a proceeding listed in Code of Civil Procedure section 367.76(a)(1) or Welfare and Institutions Code section 679.5(b) that will be reported by an official reporter or official reporter pro tempore, the court reporter must be physically present in the same room as the judicial officer for that proceeding.

Statutory References

Code of Civil Procedure section 367.76(o): By April 1, 2024, the Judicial Council shall adopt, and trial courts shall implement by July 1, 2024, minimum standards for the courtroom technology necessary to permit remote participation in proceedings subject to this section. Those standards shall include, but not be limited to, hard-wired or other reliable high-speed internet connections in the courtroom for the judicial officer and court reporter, and monitors, dedicated cameras, speakers, and microphones so the judicial officer, court reporter, and court interpreter can appropriately see and hear remote participants, as well as to ensure that remote participants can appropriately see and hear the judicial officer and other courtroom participants.

Code of Civil Procedure section 367.76(f)(2): Beginning July 1, 2024, when the court conducts proceedings [defined in Code Civ. Proc., § 376.76(a)(1)] that will be reported by an official reporter or official reporter pro tempore, the reporter shall be physically present in the same room as the judicial officer if the court cannot provide the technology standards described in subdivision (o).

Welfare & Institutions Code section 679.5(n): By April 1, 2024, the Judicial Council shall adopt, and trial courts shall implement by July 1, 2024, minimum standards for the courtroom technology necessary to permit remote participation in juvenile justice proceedings. Such standards shall include, but not be limited to, hard-wired or other reliable high-speed internet connections in the courtroom for the judicial officer and court reporter, and monitors, dedicated cameras, speakers, and microphones so the judicial officer, court reporter, and court interpreter can appropriately see and hear remote participants, as well as to ensure that remote participants can appropriately see and hear the judicial officer and other courtroom participants.

Welfare & Institutions Code section 679.5(k)(2): Beginning July 1, 2024, when the court conducts proceedings [defined in Welf. & Inst. Code, § 679.5(b)] that will be reported by an official reporter or official reporter pro tempore, the reporter shall be physically present in the same room as the judicial officer if the court cannot provide the technology standards described in subdivision (n).



Judicial Council of California

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M E M O R A N D U M

Date

December 1, 2023

Action Requested

Review and approval

To

Hon. Kyle S. Brodie, Chair
Judicial Council Technology Committee

Deadline

N/A

From

Heather L. Pettit, Chief Information Officer/
Director of Information Technology

Contact

Deborah Silcox, Principal Manager
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Subject

Jury Management System Grant Program
Amendment for Sonoma-Fiscal Year 2021-
2022

Satlin Singh, Sr. Business Systems Analyst
Information Technology
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Background

The Judicial Council has funded Jury Management System (JMS) grant since FY 00-01. Initially, the fund allocations were designed to help courts migrate from DOS based systems to Windows based systems. With the advent of the one day one trial program, these grants evolved into helping courts become more efficient in jury management with Interactive Voice Response (IVR)/Interactive Web Response (IWR) systems, imaging, self check-in kiosks, check writing and a variety of other modules that reduce court costs and improve the juror experience.

On March 9, 2022, the Judicial Council Technology Committee approved the Jury Management System Grant awards for the FY 21-22. Included in those awards was \$91,100 for the Superior Court of California, County of Sonoma for three projects. The three approved projects included 1. Kiosks, 2. Development of custom form integration, and 3. Flat panel displays as indicated in the original list of projects table below. After completion of these three projects, the Court still has funds remaining. The Court is requesting to add a fourth project for a Text/IVR module and

to redistribute the amount allocated to each project per the tables below. There is no request for additional funding as this fourth project will fit within the previously approved total of \$91,100.

The text/IVR project will improve the customer experience for jurors/prospective jurors by reducing wait times and will increase efficiency by providing information timely and with less court staff involvement.

Original and proposed projects:

Original list of Projects

Jury Project(s)	Approved Funds
Kiosks	\$58,600.00
Development–Custom Form Integration	\$30,000.00
Flat Panel Displays	\$2,500.00
Total Amount	\$91,100.00

Proposed list of Projects

Jury Project(s)	Approved Funds
Kiosks	\$26,100.00
Development-Custom Form Integration/ Web-based Jury Management System with integrated summons response	\$20,000.00
Flat Panel Displays/Equipment	\$5,000.00
Text IVR/Interactive Text	\$40,000.00
Total Amount	\$91,100.00

Recommendation

It is the staff’s recommendation to approve the Sonoma Superior Court’s request to update the approved list of projects for its FY 21-22 Jury Management Systems Grant award.

Next Steps

- Present the proposed amendment request to the Judicial Council Technology Committee for review and approval.
- Notify the Sonoma Superior Court of the decision of Judicial Council Technology Committee.
- Prepare and execute an amended Intra-Branch Agreement (IBA) with Sonoma Superior Court.