



JUDICIAL COUNCIL  
OF CALIFORNIA

COURT TECHNOLOGY  
ADVISORY COMMITTEE

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**JOINT APPELLATE TECHNOLOGY SUBCOMMITTEE**

**MINUTES OF OPEN MEETING**

October 14, 2014  
4:00 PM – 5:30 PM

Teleconference

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**Advisory Body Members Present:** Hon. Louis R. Mauro, Chair; Ms. Diana J. Herbert; Mr. Kevin Green; Mr. Frank McGuire; Mr. Don Willenburg; and Mr. Joseph Lane.

**Advisory Body Members Absent:** Hon. Thomas Hollenhorst

**Others Present:** Mr. Patrick O'Donnell; Ms. Heather Anderson; Ms. Tara Lundstrom; Mr. Edmund Herbert; and Ms. Julie Bagoye

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**OPEN SESSION**

**Call to Order and Roll Call**

Justice Mauro called the meeting to order at 4:00 PM, and roll call was taken. He noted there were no public comments received prior to this meeting.

**Approval of Minutes**

The subcommittee reviewed and approved the minutes of the April 9, 2014, Joint Appellate Technology Subcommittee (JATS) meeting.

**Item 1**

**Membership Changes**

**Discussion:** Justice Mauro.

Justice Mauro provided an update regarding subcommittee membership. Hon. Thomas Hollenhorst will end his term with Court Technology Advisory Committee (CTAC) and JATS on October 31, 2014, and will be replaced by Hon. Peter Siggins. Ms. Corrine Pochop will end her term with the Appellate Advisory Committee (AAC) and JATS on October 31, 2014, and will be replaced by Joseph Lane.

**Action:**

- New members will be included in all future communications.

## Item 2

### **First District Court of Appeal - E-Filing Project Update**

**Discussion:** Edmund Herbert, Judicial Council staff, IT Project Manager for the E-filing Project.

Mr. Herbert provided an update on the e-filing deployment schedule for 2015. The First District Court of Appeal is fully operational in all case types. The Fifth District Court of Appeal will be adopting full e-filing mid-January 2015, starting with civil cases and continuing approximately a month later with criminal/juvenile case types. The Third District Court of Appeal is scheduled to adopt full e-filing mid-year 2015 followed by the Sixth District Court of Appeal by year-end.

**Action:** N/A

## Item 3

### **Rule Revision, Cal. Rules of Court, rule 8.71 – Electronic Proof of Service**

**Discussion:** Heather Anderson, Senior Attorney, Judicial Council staff, Legal Services.

Ms. Anderson presented a draft proposal to amend rule 8.71 of the California Rules of Court, relating to electronic service in appellate court proceedings, which would clarify that an appellate court may be served electronically if the court consents to electronic service. The subcommittee made some changes to the draft proposal and approved a motion to refer the proposal as amended to CTAC and the AAC with a recommendation that they seek approval to circulate the proposal for public comment.

**Action:**

- Subcommittee staff will research whether companion amendments to CCP section 1010.6 or rule 8.25 are needed, and whether related changes to rule 2.251 (trial court electronic service) are recommended for consistency.

## Item 4

### **Public Access to Electronic Records**

**Discussion:** Heather Anderson, Senior Attorney, Judicial Council staff, Legal Services

Ms. Anderson discussed possible options for a policy regarding public access to appellate court records. She described the history and structure of trial court rules for public access to trial court records, and the considerations that may impact rule choices at the appellate level. The subcommittee concluded that proposed rules should (1) maintain the current level of public access to appellate records, and (2) be otherwise consistent, where feasible, with the trial court rules on public access.

**Action:**

- The subcommittee will meet again before the end of the year to consider draft rules on public access to electronic records, with a goal to prepare them for CTAC and AAC consideration in early 2015. If approved by CTAC & AAC, the proposal would be submitted to the Judicial Council Rules & Projects Committee for possible circulation for public comment during the regular spring 2015 annual comment period.

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**ADJOURNMENT**

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The meeting was adjourned at 5:30 PM.