



JUDICIAL COUNCIL OF CALIFORNIA

[www.courts.ca.gov/code-of-civil-procedure-
section-3679-working-group](http://www.courts.ca.gov/code-of-civil-procedure-section-3679-working-group)
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JUDICIAL COUNCIL'S CODE OF CIVIL PROCEDURE SECTION 367.9 WORKING GROUP (367.9 WORKING GROUP)

MINUTES OF OPEN MEETING

July 1, 2022
1:00 – 3:00 p.m.
Via Bluejeans

Working Group Members Present: Hon. Marsha F. Slough (Chair), Hon. Rupert Byrdsong, Hon. Danielle Douglas, Hon. Ann Moorman, Hon. Theodore Zayner, Ms. Sherri Carter, Mr. Kevin Harrigan, Mr. Darrel Parker, Ms. Dorothy Alther, Ms. Laura Arnold, Mr. Saul Bercovitch, Ms. Salena Copeland, Ms. Carolyn Dasher, Mr. Peter Sterling Doody, Mr. Oliver Dunlap, Mr. Michael Fermin, Ms. Leslie Heimov, Ms. Janet Hudec, Ms. Lynn Martinez, Ms. Alyson Messenger, Ms. Gretchen Nelson, Mr. Tyler Nguyen, Mr. Craig Peters, Ms. Aimee Skochko, Ms. Robin Sunkees

**Working Group
Members Absent:**

Others Present: Hon. Kyle Brodie, Mr. David Slayton, Ms. Yvonne Fenner, Ms. Shelley Curran, Mr. Cory Jasperson, Ms. Laura Speed, Ms. Heather Pettit, Ms. Leah Rose Goodwin, Ms. Andi Liebenbaum, Ms. Deirdre Benedict, Ms. Michelle Brooke, Mr. James Allen, Ms. Camila Kieliger, Mr. David Scott, Mr. Cyrus Ip, Mr. Ken Kanzaki, Ms. Suzanne Schleder, and Mr. John Yee

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 1:00 p.m. and took roll call.

DISCUSSION AND ACTION ITEMS (ITEMS 1 – 4)

Item 1: AB177 Overview

Presenter: Hon. Marsha G. Slough, Chair

Update: Justice Slough welcomed the members to the first meeting of the 367.9 Working Group and provided an overview of AB177 and its specific focus areas, then shared the projected dates and agenda topics of the upcoming five meetings scheduled for 2022 as well as the August 15th date of the public comment session. Members were charged with reaching out to their respective constituencies and soliciting information as it relates to remote appearances in order to compile

information to present on specific case types in upcoming meetings and to inform the working group's recommendations.

Item 2: Workgroup on Post-Pandemic Initiatives

Presenter: Ms. Gretchen Nelson, Attorney at Law, working group member

Update: Ms. Gretchen Nelson provided an overview of the continuing efforts of the Post-pandemic Initiatives Workgroup (P3) created in March 2021 when the Chief Justice issued a series of statewide emergency orders that related to a variety of issues in response to court closures and how to continue operations during the state of emergency. The P3 working group is charged with identifying, refining, and enhancing the successful court practices that emerged during the COVID-19 pandemic in order to increase access to justice, modernize services, and promote uniformity in practices going forward.

The Chief Justice has requested that the recommendations of this 367.9 Working Group be reported to P3, and P3 will submit the recommendations to the Judicial Council, which is required to transmit the recommendations to the Legislature as required by the statute.

Item 3: National Center for State Courts Presentation

Presenter: Mr. David Slayton, Vice President of Court Consulting Services, National Center for State Courts (NCSC)

Update: Mr. David Slayton presented findings, including nationwide current practices and common themes from the NCSC's Rapid Pandemic Response Team regarding remote hearings.

Item 4: Data Collection Report/Data and User Feedback

Presenters: Ms. Heather Pettit, Chief Information Officer, Judicial Council Information Technology
 Ms. Leah Rose Goodwin, Manager, Judicial Council Business Management Services
 Mr. Nick Armstrong, Senior Research Analyst, Judicial Council Office of Court Research

Update: Presenters updated the working group on information being collected for the *Data Collection Report (CCP 367.8): Report to the Legislature and Governor on Civil Remote Proceedings* and user satisfaction data/feedback on technology efforts. Ms. Heather Pettit began by providing a summary of work done by the courts using funds allocated to the judicial branch by the Governor and Legislature (\$25 million in one-time funding for fiscal years (FY) 2020-21 and 2021-22). Members were presented with innovations in remote proceedings that were the result of that funding.

The FY 22/23 state budget includes ongoing funding and the members were presented with the primary objectives regarding the use of that funding which includes electronic records management; improved remote access to appearances,

proceedings, and records; infrastructure improvements; and future innovative branchwide solutions.

Ms. Leah Rose Goodwin then provided the members an overview on the data collection efforts pertaining to Code of Civil Procedure 367.8 which requires that the Judicial Council, by January 1st, 2023, submit a report to the Legislature and the Governor on the use of remote technology and civil actions by the trial courts. The data collected is done via survey and gathers county-specific data on the number of proceedings conducted with use of remote technology and technology issues affecting remote proceedings.

Mr. Nick Armstrong provided a preview of the ongoing Remote Civil Proceedings Data collection effort and the results obtained between March and May 2022.

Members were presented with an overview of the user experience data within the Zoom and ATP platforms and had the opportunity to ask questions about the ongoing survey efforts.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 2:56 p.m.

Approved by the Working Group on July 25, 2022.