



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

August 25, 2022

2:00 – 4:30 p.m.

Via Bluejeans

**Working Group
Members Present:**

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

**Working Group
Members Absent:**

Ms. Carolyn Dasher, Hon. Danielle Douglas, Ms. Leslie Heimov, Ms. Aimee Skochko

Others Present:

Mr. Nicholas Armstrong, Mr. Chris Belloli, Ms. Deirdre Benedict, Mr. Noah Bishop, Ms. Michelle Brooke, Ms. Shelley Curran, Ms. Yvonne Fenner, Mr. Cyrus Ip, Mr. David Kukesh, Ms. Andi Liebenbaum, Ms. Brandie Pilapil, Ms. Leah Rose-Goodwin, Mr. David Scott, Ms. Laura Speed, Mr. Elijah Thompson, Mr. Rodney Trevino

OPEN MEETING

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the August 10, 2022, 367.9 Working Group Meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1 – 6)

Item 1: Member Findings on Remote Proceedings in Criminal Case Types

Presenter: Hon. Ann Moorman, Judge of the Superior Court of California, County of Mendocino
Mr. Michael Fermin, Chief Assistant District Attorney, San Bernardino County District Attorney's Office

Ms. Laura Arnold, Deputy Public Defender, Santa Barbara County Public Defender's Office

- Update: Hon. Ann Moorman provided an overview of the discussions and surveys centered around the use of remote technology in special proceedings of a civil nature in criminal courts and the background of each member.
- Ms. Arnold and Judge Moorman provided information regarding the special challenges facing parties participating in civil commitment, conservatorship, and contempt cases with particular focus on competency and mental health proceedings held remotely in Los Angeles County. Best practices for judicial officers recommended by judicial officers were shared.
- Mr. Fermin provided an overview on the feedback of attorneys' experiences with the use of remote technology in these special proceedings.

Item 2: Member Findings on Remote Proceedings in General Civil Case Types

- Presenters: Hon. Theodore Zayner, Judge of the Superior Court of California, County of Santa Clara
Mr. Craig Michael Peters, Attorney at Law
Mr. Oliver Dunlap, Attorney at Law
Mr. Peter Stirling Doody, Attorney at Law
- Update: Hon. Theodore Zayner presented an overview of two specific examples of the use of remote technology and recommendations from judicial officers as well as a summary of adoption of the Remote Court Reporting Pilot Assembly Bill 253 in Santa Clara.
- Mr. Peters discussed the data collected via surveying members of the Consumer Attorneys of California (CAOC) regarding their experiences with trials using remote technology.
- Mr. Doody shared the answers of an interview he conducted with an experienced trial attorney who participated in fully remote jury trials.
- Mr. Dunlap discussed the outcome of an informal poll that focused on what did and didn't work in remote civil trials from the perspective of clients, counsel, and the courts.

Item 3: Member Findings on Remote Proceedings in Family and Tribal law Case Types

- Presenters: Hon. Ann Moorman, Judge of the Superior Court of California, County of Mendocino
Ms. Dorothy Alther, California Indian Legal Services
- Update: Hon. Ann Moorman discussed the work of California Indian Legal Services and Ms. Alther's background.

Ms. Alther discussed data collected via survey outreach to attorneys serving Native Americans and tribes regarding their experiences with remote appearances in Tribal Family law, particularly in dependency law proceedings at a state level.

Item 5: Update on Funding to Address Court Reporter Shortage

Presenters: Mr. Chris Belloli, Manager, Judicial Council Temporary Assigned Judges Program

Update: An update was provided regarding the specific application efforts for the \$30 million funding allocated to the Judicial Council to address the court reporter shortage. Mr. Belloli briefly discussed the allocation of funds for the first year, the results of a preliminary survey of courts who participated, and an update on the retention and recruitment efforts of the second year.

Item 6: Court Interpreters

Presenters: Ms. Janet Hudec, Certified Court Interpreter Superior Court of California, County of Madera
Mr. Tyler Nguyen, Certified Court Interpreter Superior Court of California, County of Sacramento

Update: Results were discussed of a survey conducted with California court interpreters and contractors working in state courts. The survey provided feedback in the areas of meaningful access, effectiveness, equipment and environment, and challenges court interpreters face when participating in remote proceedings.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 4:30 p.m.

Approved by the Working Group on September 8, 2022.