



# JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY  
ADVISORY COMMITTEE

[www.courts.ca.gov/itac.htm](http://www.courts.ca.gov/itac.htm)  
[itac@jud.ca.gov](mailto:itac@jud.ca.gov)

## JOINT APPELLATE TECHNOLOGY SUBCOMMITTEE OF THE APPELLATE ADVISORY COMMITTEE AND THE INFORMATION TECHNOLOGY ADVISORY COMMITTEE

### MINUTES OF OPEN MEETING

January 28, 2019

4:00 PM

Teleconference

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**Advisory Body Members Present:** Hon. Louis Mauro, chair, Mr. Kevin Green, Mr. Jorge Navarrete, Hon. Alan Perkins, Ms. Beth Robbins, Mr. Tim Schooley, Hon. Peter Siggins, Mr. Don Willenburg

**Advisory Body Members Absent:** N/A

**Others Present:** Ms. Christy Simons, Ms. Kristi Morioka, Mr. Richard Blalock

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#### OPEN MEETING

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##### **Call to Order and Roll Call**

The chair called the meeting to order at 4:00 pm, and took roll call.

##### **Approval of Minutes**

The advisory body reviewed and approved the minutes of the 9/6/17, 2/5/18, 7/2/18, and 8/30/18, Joint Appellate Technology Subcommittee meetings.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

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##### **Item 1**

##### **Court of Appeal Service Copy of a Petition for Review (Action)**

The subcommittee considered whether to recommend circulation of amendments to the rule regarding petitions for review in the Supreme Court to remove the requirement of a separate service copy of a petition for review. Mr. Navarrete reported that the Supreme Court's e-filing group will test to be sure all DCAs are receiving their copies and any contract with a new electronic filing service provider (EFSP) would include a provision requiring that a copy of a petition for review automatically be served on the Court of Appeal. Based on this input, the subcommittee modified the invitation to comment to remove a question regarding whether the proposal should address the possibility of the Supreme Court contracting with a different EFSP in the future.

***Action: The subcommittee voted to recommend to the committees that the proposal, as modified and if testing confirms that all DCAs are receiving their copies, be circulated for public comment.***

## **Item 2**

### **Uniform Formatting Rules for Electronic Documents (Action)**

The subcommittee considered whether to recommend circulation of amended rules governing the formatting of electronic documents filed in or submitted to the appellate courts. Justice Mauro presented the proposal, including background on the project and the courts' local rules from which best practices were identified. The subcommittee reviewed rules 8.40, 8.44, 8.71, 8.72, and 8.252, and began review of rule 8.74. The subcommittee agreed with a suggestion to move the provision stating that these rules prevail over inconsistent rules into its own subdivision. The subcommittee discussed the proposed bookmarking requirements, including whether the requirements should be mandatory or permissive and whether "inherit zoom" should be rephrased or explained.

***Action: The subcommittee approved the text of several amended rules as proposed or with minor modifications. The subcommittee will continue its consideration of the proposal at the meeting on February 4, 2019.***

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## **A D J O U R N M E N T**

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The meeting was adjourned at 5:00 PM and continued to February 4, 2019.

Approved by the advisory body on enter date.



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## JOINT APPELLATE TECHNOLOGY SUBCOMMITTEE OF THE APPELLATE ADVISORY COMMITTEE AND THE INFORMATION TECHNOLOGY ADVISORY COMMITTEE

### MINUTES OF OPEN MEETING

February 4, 2019

12:00 PM

Teleconference

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**Advisory Body Members Present:** Hon. Louis Mauro, chair, Mr. Kevin Green, Mr. Jorge Navarrete, Hon. Alan Perkins, Ms. Beth Robbins, Mr. Tim Schooley, Hon. Peter Siggins, Mr. Don Willenburg

**Advisory Body Members Absent:** N/A

**Others Present:** Ms. Christy Simons, Ms. Kristi Morioka, Mr. Richard Blalock, Ms. Nicole Rosa

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair called the meeting to order at 12:00 pm, and took roll call.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

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##### Item 1

##### **Court of Appeal Service Copy of a Petition for Review (Action)**

Following up from the meeting on January 28, Mr. Navarrete reported that the Supreme Court's e-filing group was still working on testing to be sure the DCAs are automatically receiving their copies of petitions for review. Mr. Navarrete indicated he should have the test results next week.

##### Item 2

##### **Uniform Formatting Rules for Electronic Documents (Action)**

JATS resumed its consideration of whether to recommend circulation of amended rules governing the formatting of electronic documents filed in or submitted to the appellate courts. Justice Mauro presented the remaining provisions of rule 8.74, explained the choices that were made in drafting the rules, and raised questions for the subcommittee. The subcommittee discussed matters related to file size limitations in ACCMS, format for photos and audio files, document size, font, tabs, and color

components in documents. The subcommittee decided not to include a rule regarding proofs of service because of differences of opinion and a consensus that the rules did not need to dictate whether the proof of service must be attached or filed separately. The subcommittee agreed with adding provisions regarding appendixes and sealed and confidential records. The subcommittee also agreed on minor modifications to language in several provisions.

***Action: The subcommittee approved modifications to the proposal and voted to recommend to the committees that the proposal be circulated for public comment.***

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## **A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 12:47.

Approved by the advisory body on enter date.



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JOINT APPELLATE TECHNOLOGY SUBCOMMITTEE OF THE  
APPELLATE ADVISORY COMMITTEE AND THE  
INFORMATION TECHNOLOGY ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

July 1, 2019

12:00 PM

Teleconference

**Advisory Body Members Present:** Hon. Louis Mauro, chair, Mr. Kevin Green, Mr. Jorge Navarrete, Hon. Alan Perkins, Ms. Beth Robbins, Mr. Tim Schooley, Hon. Peter Siggins, Mr. Don Willenburg

**Advisory Body Members Absent:** N/A

**Others Present:** Ms. Christy Simons, Mr. Eric Long, Mr. Richard Blalock, Ms. Kathy Fink, Mr. Edmund Herbert, Ms. Virginia Sanders-Hinds

OPEN MEETING

**Call to Order and Roll Call**

The chair called the meeting to order at 12:00 pm, and roll was called. The chair introduced Eric Long, who is working on the two proposals and staffing JATS.

One public comment was received before the meeting and distributed to the members.

DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

**Item 1**

**Court of Appeal Service Copy of a Petition for Review (Action)**

The subcommittee reviewed the public comments on the proposal and draft committee responses to the comments. Mr. Navarrete reported that testing by the Supreme Court's e-filing group confirmed that all DCAs are receiving their copies of petitions for review.

**Action:** *The subcommittee voted to recommend to the committees that the proposal, as circulated, and the draft responses to comments, be approved.*

**Item 2**

**Uniform Formatting Rules for Electronic Documents (Action)**

The subcommittee reviewed public comments on the proposal and draft committee responses to the comments. Comments on amended rule 8.40 indicated that the cross-references were confusing, so JATS approved modifications to make this rule self-contained and address only cover requirements for documents filed in paper form. Rules 8.44 and 8.71 were approved as circulated. Rule 8.46 was modified to update a cross-reference to another rule. The proposed advisory committee comment to rule 8.72 was simplified by removing some unnecessary text. Cross-references in rules 8.77 and 8.78 were updated. JATS approved modifications to rule 8.204(b) to provide that the subdivision applies to briefs filed in paper form, and to rule 8.252 to require that the matter to be judicially noticed must be attached to the request.

JATS discussed and agreed on modifications to rule 8.74(a), including: (1) declining to move tables to the end of a document as a way to make consecutive pagination less burdensome; (2) increasing from five to ten the number of files in a document that may be filed electronically; (3) adding a separate subparagraph regarding manually-filed photographs; (4) revising the subparagraph regarding documents with color components to allow electronic filing based on file size; and (5) adding content from rule 8.40 regarding cover information so the subdivision (a)(9) provisions stand alone and address all cover requirements for electronically-filed documents. Judicial Council information technology staff provided information on the current 25 megabyte file size limitation and possible future increase. JATS discussed whether this limitation should be included in the rule or specified elsewhere, such as the California courts website, and concluded that the best placement for this requirement was in the rule. A future increase in the maximum file size could be addressed as a technical amendment.

JATS discussed and agreed to reorganize rule 8.74 to separate requirements for all electronic documents, contained in subdivision (a), from format requirements for the subset of documents prepared for electronic filing in a reviewing court in subdivision (b), and to include additional requirements for certain specified documents in new subdivision (c). Modifications to subdivision (b) included eliminating the prohibition on using Times New Roman font, and setting line spacing at 1.5. JATS declined a suggestion to make margins smaller based on feedback from court reporters that they need the space for binding paper transcripts. The paragraph regarding briefs in subdivision (c) was modified to incorporate only the contents and length requirements set forth in rule 8.204 and to include cover requirements. The paragraph regarding sealed and confidential records was modified for consistency in language.

***Action: The subcommittee voted to recommend that the committees approve the proposal and draft responses to comments as modified, and granted authority to the chair to approve further modifications and clarifications as discussed at the meeting.***

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**A D J O U R N M E N T**

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The meeting was adjourned at 1:27 PM.

Approved by the advisory body on enter date.