

Appellate Advisory Committee
Annual Agenda¹—2022-2023
Approved by Rules Committee: November 1, 2022

I. COMMITTEE INFORMATION

Chair:	Hon. Louis R. Mauro, Associate Justice of the Court of Appeal, Third District
Lead Staff:	Christy Simons, Attorney, Legal Services
Committee's Charge/Membership: <p>Rule 10.40 of the California Rules of Court states the charge of the Appellate Advisory Committee (AAC), which is to make recommendations to the Judicial Council for improving the administration of justice in appellate proceedings and to make proposals on training for justices and appellate support staff to the Center for Judicial Education and Research Advisory Committee. Rule 10.34 sets forth additional duties of the committee.</p> <p>Rule 10.40 sets forth the membership positions of the committee. The AAC currently has 21 members. The current committee roster is available on the committee's web page.</p>	
Subcommittees/Working Groups²: <ol style="list-style-type: none">1. Rules Subcommittee2. Appellate Division Subcommittee3. Legislative Subcommittee4. Privacy Subcommittee5. Remote Access Workgroup6. Appellate Efficiency Ad Hoc Subcommittee [<i>Recommend this subcommittee remain inactive pending the report and recommendations from the Appellate Caseflow Workgroup</i>]7. Joint Appellate Technology Subcommittee [<i>Recommend this subcommittee remain inactive in the coming year.</i>]	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30(c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

Meetings Planned for 2022-2023³ (Advisory body and all subcommittees and working groups)

Full committee meetings:

- November 2022 (videoconference to review winter cycle proposals and plan spring cycle proposals)
- February/March 2023 (in person if permitted; otherwise, videoconference to make final recommendations on winter cycle proposals and review spring cycle proposals)
- July 2023 (videoconference to make final recommendations on spring cycle proposals)
- September 2023 (videoconference to make recommendations on annual agenda)

Subcommittee meetings: one or more teleconference or videoconference meetings of each subcommittee before each full committee meeting, to work on rules and forms proposals.

Check here if exception to policy is granted by Executive Office or rule of court.

³ Refer to [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

COMMITTEE PROJECTS

#	New or One-Time Projects ⁴
1.	<p data-bbox="182 204 768 240"><i>Update rules regarding reporter’s transcripts</i></p> <p data-bbox="1619 204 1850 240"><i>Priority 1(b), (d)</i>⁵</p> <p data-bbox="1619 298 1892 367"><i>Strategic Plan Goal⁶ III, IV</i></p>
	<p data-bbox="182 393 1940 607">Project Summary: Consider amending 12 appellate rules to increase the transmission and use of electronic reporter’s transcripts. The proposed amendments are based on changes to Code of Civil Procedure section 271, which imposes a January 2023 deadline for all courts to be ready to accept electronic reporter’s transcripts. The goal of the project is to make it easier for court reporters to send, and for appellate courts to receive, electronic reporter’s transcripts. Increased use of electronic transcripts would improve efficiencies, expand the potential for remote access, result in cost savings, and assist courts and court reporters in continuing to transition from paper to electronic transcripts as required by section 271. Source: California Court Reporters Association</p> <p data-bbox="182 651 1906 719">Status/Timeline: Priority 1 project to facilitate the use of electronic reporter’s transcripts; anticipate winter cycle invitation to comment and effective date of September 1, 2023</p> <p data-bbox="182 760 730 792">Fiscal Impact/Resources: Committee staff</p> <p data-bbox="182 805 1902 873"><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p data-bbox="182 914 1287 946">Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p data-bbox="182 987 485 1019">AC Collaboration: N/A</p>
2.	<p data-bbox="182 1089 390 1122"><i>Costs on appeal</i></p> <p data-bbox="1619 1089 1787 1122"><i>Priority 1(a)</i></p>

⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁶ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

#	New or One-Time Projects ⁴
	<p data-bbox="1619 185 1927 224"><i>Strategic Plan Goal IV</i></p> <p data-bbox="178 248 1927 427">Project Summary: Rule 8.278 generally provides that the prevailing party in the Court of Appeal is entitled to costs. However, <i>Pollock v. Tri-Modal Distribution Services</i> (2021) 11 Cal.5th 918 recently held that an appellate court may not award costs or fees on appeal to a prevailing FEHA defendant without first making certain determinations. The project involves amending rule 8.278 to avoid conflict with the FEHA and other statutes requiring a particular analysis for awarding costs. Costs on appeal are an ongoing issue for appellate courts; clarifying the rule will increase efficiency and the accuracy of these determinations.</p> <p data-bbox="178 467 1927 537">Status/Timeline: Priority 1 project to conform rule to applicable law; anticipate winter cycle invitation to comment and effective date of September 1, 2023</p> <p data-bbox="178 578 730 610">Fiscal Impact/Resources: Committee staff</p> <p data-bbox="178 621 1902 691"><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p data-bbox="178 732 1287 764">Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p data-bbox="178 805 485 837">AC Collaboration: N/A</p>
3.	<p data-bbox="1619 896 1864 935"><i>Priority 1(b), 1(d)⁷</i></p> <p data-bbox="1619 987 1902 1057"><i>Strategic Plan Goals⁸ III, IV</i></p>
	<p data-bbox="178 1089 1948 1260">Project Summary: Consider amending rules 8.885 and 8.929 to remove outdated provisions that are inconsistent with Code of Civil Procedure section 367.75 and to facilitate remote appearances. Updating these rules has been a priority for the committee for several years; the project was deferred while emergency rules regarding remote appearances were in place. It is the understanding of the committee that efforts to facilitate remote appearances remain a priority for the judicial branch. Origin: Superior Court of Riverside County and AAC member.</p>

⁷ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁸ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

#	New or One-Time Projects⁴	
	<p>Status/Timeline: Priority 1 project to make rules consistent with statute and facilitate remote appearances; anticipate spring cycle invitation to comment and effective date of January 1, 2024</p> <p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	
4.	Form briefs on appeal	<p>Priority 1(d), 1(e)</p> <p>Strategic Plan Goals I, IV</p>
	<p>Project Summary: Consider the development of fillable form appellate briefs for use by self-represented litigants in the Court of Appeal and the appellate division. Form briefs that are formatted and organized appropriately and contain required content may assist litigants in filing briefs, and may assist the courts because they will receive briefs that are more helpful in evaluating the merits of an appeal. Fewer briefs will be rejected for not meeting filing requirements. Origin: California Lawyers Association, Litigation Section, Committee on Appellate Courts</p> <p>Status/Timeline: Priority 1 project; anticipate invitation to comment in 2024 and effective date of January 1, 2025, to allow sufficient time to develop the forms</p> <p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment</p> <p>AC Collaboration: N/A</p>	
5.	Remote access to electronic appellate court records	<p>Priority 1(e)</p> <p>DEFERRED</p>

#	New or One-Time Projects ⁴
	<p data-bbox="1619 186 1974 259"><i>Strategic Plan Goals I, III, IV</i></p> <p data-bbox="176 284 1948 646">Project Summary: Consider amending rules 8.80-8.83, which were adopted in 2016, to provide greater electronic access to appellate court records, as appropriate, based on the courts’ improving technical capabilities and increased knowledge gained from experience. The updates may include permitting remote public access to briefs, requiring that records accessible at the courthouse be properly redacted, providing for additional access for specified persons and entities, amending definitions and scope of the rules, and modifying the appellate rules based on trial court rules regarding remote access. This is a priority 1 project because it will increase access to the courts, improve efficiency, respond to the modern expectations of court users, and reduce costs by reducing the copying and printing of paper documents and the need to travel to a courthouse, while maintaining appropriate privacy. The project would save courts and the public time, money, and resources and enhance safety. This project had been deferred during the initial implementation phase of the new appellate court document management system. It will involve collaboration with appellate court clerk’s offices and JCIT. Origin: AAC chair and an assistant clerk/executive officer of a Court of Appeal</p> <p data-bbox="176 686 1948 760">Status/Timeline: Priority 1 project for access, efficiency, and cost-reduction reasons; deferred pending further direction from P3 working group on remote access policies.</p> <p data-bbox="176 800 730 833">Fiscal Impact/Resources: Committee staff</p> <p data-bbox="176 841 1906 914"><input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p data-bbox="176 954 1108 987">Internal/External Stakeholders: JCIT and appellate court clerks’ offices</p> <p data-bbox="176 1027 489 1060">AC Collaboration: N/A</p>
6.	<p data-bbox="1619 1112 1974 1193">Priority 1(e) DEFERRED</p> <p data-bbox="1619 1209 1974 1242"><i>Strategic Plan Goal III</i></p> <p data-bbox="176 1266 1948 1453">Project Summary: Consider options for improving efficiency in the appellate process to better provide court users quality dispositions in a fair and timely manner. Possible rule amendments and form revisions will be considered. Work on this project began in 2022 but has been deferred pending the final report of the Chief Justice’s Appellate Caseflow Workgroup, which is expected at the end of 2022. The two-year project timeline will allow an ad hoc subcommittee to conduct research, consult with stakeholders, and develop recommendations. Origin: referral from the Administrative Presiding Justices Advisory Committee.</p> <p data-bbox="176 1485 1224 1518">Status/Timeline: Deferred pending action by the Appellate Caseflow Workgroup.</p>

#	New or One-Time Projects⁴	
	<p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	
7.	<p>Pilot program to reduce indexing of unpublished Court of Appeal opinions</p>	<p>Priority 1(e)</p> <p>Strategic Plan Goal III, IV</p>
	<p>Project Summary: Review data, evaluate results, and draft a report regarding the ongoing pilot project, and develop recommendations for the Administrative Presiding Justices Advisory Committee and/or the Judicial Council. This program to reduce indexing of unpublished appellate opinions to better protect personal privacy without affecting public access to the opinions on the California courts website was approved by the Rules Committee and has been on the AAC’s annual agenda since 2017. The project is part of the privacy subcommittee’s charge to consider whether to recommend amendments to the rules of court or other actions to better protect the privacy of victims, witnesses, and others who are described in or otherwise affected by unpublished Court of Appeal opinions.</p> <p>Status/Timeline: Priority 1 project; completion date of January 1, 2024, for report and recommendations.</p> <p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Victims, witnesses, and others who are named in or identified in unpublished appellate opinions</p> <p>AC Collaboration: N/A</p>	
8.	<p>Publication and posting of appellate division opinions certified for publication</p>	<p>Priority 1(e)</p> <p>PENDING ACTION BY SUPREME COURT</p>

#	New or One-Time Projects ⁴	
	<p>Project Summary: This item is on hold pending action by the Supreme Court to revise the California Style Manual and consider changes to publication rules and procedures for posting opinions on the website. Currently, appellate division opinions certified for publication are posted on the California courts website after the time for the Court of Appeal to order transfer and only if transfer is not ordered. The current procedures were developed in part based on provisions in the California Style Manual (CSM), which is now under review. This project involves considering amendments to the rules on transfer and providing subject matter expertise as requested to the Supreme Court and the Reporter of Decisions regarding publication rules, posting, and updates to the CSM. The goals are to clarify publication status upon transfer, close any gaps in the rules, improve transparency and access, and ensure that practices and procedures are coordinated, consistent, and accord appropriate status to these opinions. This is a priority 1 project because it will improve access to the development of the law in unlawful detainer, debt collection, and fee waiver cases, among others.</p> <p>Status/Timeline: Previously a priority 2 project, upgraded to priority 1 for access reasons and timing of revisions to the CSM. Deferred pending action by the Supreme Court.</p> <p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p>Internal/External Stakeholders: The Supreme Court, Reporter of Decisions, JC Information Technology; all draft rules proposals will circulate for public comment</p> <p>AC Collaboration: N/A</p>	<p>Strategic Plan Goals I, III</p>
9.	<p>Placeholder for projects assigned by the Ad-Hoc Workgroup on Post-Pandemic Initiatives (P3)</p>	<p>Priority 1 PLACEHOLDER</p> <p>Strategic Plan Goal TBD</p>
	<p>Project Summary: The Ad Hoc Workgroup on Post-Pandemic Initiatives (P3) is currently working to identify successful court practices that emerged during the COVID-19 pandemic. P3 recommendations may be referred to specific advisory bodies for development and/or implementation.</p> <p>Status/Timeline: TBD</p>	

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	<p>Fiscal Impact/Resources: TBD</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: TBD</p> <p>AC Collaboration: TBD</p>	
10.	Attachment of trial court order to a petition for review	<p>Priority 2(b)</p> <p>Strategic Plan Goal III</p>
	<p>Project Summary: Consider amending rule 8.504 to allow for attachment of the entire trial court order to a petition for review of a writ petition summarily denied by the Court of Appeal. Under the current rule, the trial court order being challenged may be attached only if it does not exceed 10 pages. Attaching the entire trial court order may assist the Supreme Court’s review of a summary denial of a writ petition below. Although the rule allows for attachment of the Court of Appeal order, that may be uninformative, and the review analysis may focus on the trial court order. Origin: AAC member</p> <p>Status/Timeline: Second year of a priority 2 project (approved on 2021 annual agenda) to improve efficiency and save time for the Supreme Court; anticipate spring cycle invitation to comment and effective date of January 1, 2024</p> <p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	
11.	Respondent’s designation of reporter’s transcript in appeals under Code of Civil Procedure section 1294.4	<p>Priority 2(b)</p> <p>Strategic Plan Goal IV</p>
	<p>Project Summary: Appeals under Code of Civil Procedure section 1294.4 from an order dismissing or denying a petition to compel arbitration must be decided within 100 days. Under rule 8.713, appellant must file a record designation with the notice of appeal and any reporter’s transcript must be filed within 10 days. However, the rule does not provide for respondent to designate any additional reporter’s</p>	

#	New or One-Time Projects⁴	
	<p>transcript. The project would consider amending the rule to provide for respondent’s designation and to establish the time for doing so. Origin: AAC member</p> <p>Status/Timeline: Priority 2 project to close a gap in the rule that is reported to have been problematic; anticipated completion date of January 1, 2025</p> <p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	
12.	Update forms for requesting an extension of time	<p>Priority 2(b)</p> <p>Strategic Plan Goal III, IV</p>
	<p>Project Summary: To assist the appellate projects in managing their workload and effectively representing their clients, and to provide information that may assist the courts in responding to these requests, consider revising forms APP-006, CR-126, JV-816, and JV-817 to include space for the applicant to describe work performed on the appeal to date, to increase the space for narrative justification for an extension, to update the forms to facilitate electronic service, and to revise form CR-126 to remove the requirement that a copy of a request for an extension of time (EOT) be served on the District Attorney and the defendant. The Courts of Appeal are not requiring service of a request for an EOT on the District Attorney and the defendant, and the rules of court do not require it. Consider other suggestions for revisions to the forms. Origin: AAC member, two appellate projects, and Appellate Practice Section of the San Diego County Bar Association</p> <p>Status/Timeline: Second year of a priority 2 project (approved on 2021 annual agenda) to update forms to reflect current law and assist justice partners and the courts; anticipate spring cycle invitation to comment and effective date of January 1, 2024</p> <p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p>	

#	New or One-Time Projects⁴	
	<p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	
13.	<p>Revise the notice of appeal form to allow for an omitted attorney and the date of the challenged order or judgment</p>	<p>Priority 2(b)</p> <p>Strategic Plan Goal IV</p>
	<p>Project Summary: Consider revising notice of appeal form APP-002 to include space for an attorney who intends to join the appeal. In <i>K.J. v. LA Unified School District</i> (2020) 8 Cal.5th 875, the Supreme Court held that the reviewing court must construe a notice of appeal from a sanctions order to include an omitted attorney when it is reasonably clear that the attorney intended to join in the appeal, and the respondent was not misled or prejudiced by the omission. Also, self-represented litigants often fail to include the date of the order or judgment appealed from in item 1. Consider revising the form to make this item more visible. Origin: Supreme Court opinion, Family Violence Appellate Project</p> <p>Status/Timeline: Second year of a priority 2 project (approved on 2021 annual agenda) to address Supreme Court case law and clarify need for the date of the challenged order or judgment; anticipate spring cycle invitation to comment and effective date of January 1, 2024</p> <p>Fiscal Impact/Resources: Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	
14.	<p>Time for respondent to elect an appendix</p>	<p>Priority 2(b)</p> <p>Strategic Plan Goals I, IV</p>
	<p>Project Summary: Consider amending rule 8.124 and revising form APP-010. Currently, rule 8.124 requires the respondent to elect an appendix within 10 days of the filing of the notice of appeal, the same deadline for the appellant to file their notice designating the record. The respondent’s notice designating the record (form APP-010) is due 10 days after the appellant’s notice is filed. Consider changing the deadline for the respondent to elect an appendix to be the same as the deadline for the respondent’s notice designating the record. The</p>	

New or One-Time Projects⁴

current rule may not be well-known, and more time will likely result in more appendixes being elected, which may save litigants money and courts time. Origin: appellate attorney

Status/Timeline: Priority 2 project; anticipate completion date of January 1, 2025

Fiscal Impact/Resources: Committee staff

This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.

Internal/External Stakeholders: All draft proposals will circulate for public comment.

AC Collaboration: N/A

#	Ongoing Projects and Activities ⁴	
1.	<i>Improve Rules and Forms</i>	<i>Priority 1</i> <i>Strategic Plan Goals I, III, IV</i>
<p><i>Project Summary:</i> Working through the Rules Subcommittee and the Appellate Division Subcommittee, review case law changes that impact appellate courts and appellate procedure and suggestions from committee members, judicial officers, court staff, the bar, and the public concerning appellate rules and forms and appellate administration. Make recommendations to the Judicial Council for necessary changes to appellate rules, standards, and forms (rule 10.21).</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff; potentially others depending on the project</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> Depends on the project; all draft proposals circulate for public comment</p> <p><i>AC Collaboration:</i> As appropriate, depending on the project</p>		
2.	<i>Review Pending Legislation</i>	<i>Priority 1</i> <i>Strategic Plan Goals III, IV</i>
<p><i>Project Summary:</i> Working through the Legislative Subcommittee, review pending legislation affecting appellate procedure and court administration and make recommendations to the Legislation Committee as to whether the Judicial Council should support or oppose the legislation (rule 10.34).</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, Governmental Affairs</p> <p><input type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p><i>Internal/External Stakeholders:</i> California Legislature</p> <p><i>AC Collaboration:</i> N/A</p>		

#	Ongoing Projects and Activities⁴	
3.	<i>Review Enacted Legislation</i>	<i>Priority 1</i> <i>Strategic Plan Goals III, IV</i>
<p><i>Project Summary:</i> Review all enacted legislation referred to the committee by the Judicial Council’s Governmental Affairs office that may have an impact on appellate procedure and court administration, and, where appropriate, propose to the Judicial Council rules and forms to implement the legislation or to bring rules and forms into conformity with it.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, Governmental Affairs</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> N/A</p> <p><i>AC Collaboration:</i> As appropriate, depending on the legislation</p>		
4.	<i>Provide Subject Matter Expertise</i>	<i>Priority 2(b)</i> <i>Strategic Plan Goal III</i>
<p><i>Project Summary:</i> Serve as subject matter resource for other advisory groups to avoid duplication of efforts and contribute to the development of recommendations for council action. Such efforts may include providing appellate procedural expertise and review to working groups, advisory committees, and subcommittees as needed.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> N/A</p> <p><i>AC Collaboration:</i> As appropriate, depending on the project for which advice or consultation was requested</p>		

#	Ongoing Projects and Activities ⁴	
5.	<i>Rules and Forms: Miscellaneous Technical Changes</i>	<i>Priority 2(a)</i> <i>Strategic Plan Goals III, IV</i>
<p><i>Project Summary:</i> Develop rule and form changes as necessary to correct technical errors meeting the criteria of rule 10.22(d)(2): “a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy”</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><input type="checkbox"/> <i>The project includes allocations or distributions of funds to the courts, which have been reviewed and approved by Budget Service.</i></p> <p><i>Internal/External Stakeholders:</i> N/A</p> <p><i>AC Collaboration:</i> N/A</p>		

II. LIST OF 2020-2021 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Language referring to persons with disabilities in several rules and a form. Amended language in several rules and a form to reflect guidelines for referring to persons with disabilities, preferences within the disability community, and terminology changes in California statutes. Approved by the Judicial Council on September 20, 2022; changes will take effect January 1, 2023.
2.	Rules for streamlined CEQA review. Joint project with Civil and Small Claims Advisory Committee to amend rules to implement legislation adding new projects for streamlined CEQA review and requiring the council to establish fees in the trial and appellate courts for certain projects. Approved by the Judicial Council on September 20, 2022; changes will take effect January 1, 2023.
3.	Appellate review of transfer of juvenile to a court of criminal jurisdiction. Joint project with the Family and Juvenile Law Advisory Committee to amend rules and revise forms to implement legislation making changes to transfer process and creating a new right of appeal. Approved by the Judicial Council on September 20, 2022; changes will take effect January 1, 2023.
4.	Retention of the reporter’s transcript in felony appeals. Amended the rule regarding retention of Court of Appeal records to extend the time for keeping the reporter’s transcript from 20 years to 75 years in cases affirming a felony conviction. Other amendments reflect the statutory presumption that an original reporter’s transcript is in electronic form, not paper form. Approved by the Judicial Council on September 20, 2022; changes will take effect January 1, 2023.
5.	Update rules regarding reporter’s transcripts. Amend several rules to facilitate the use of electronic reporters’ transcripts. Proposal will circulate in the winter cycle; changes would take effect September 1, 2023.
6.	Costs on appeal. Amend the rule regarding costs on appeal to provide an exception to the general rule that the prevailing party is entitled to costs for statutes that require a different analysis before awarding costs. Proposal will circulate in the winter cycle; changes would take effect September 1, 2023.