



# JUDICIAL COUNCIL OF CALIFORNIA

COURT TECHNOLOGY  
ADVISORY COMMITTEE

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## JOINT APPELLATE TECHNOLOGY SUBCOMMITTEE

### MINUTES OF OPEN MEETING

February 26, 2015  
3:00 PM – 5:00 PM

Teleconference

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**Advisory Body Members Present:** Hon. Louis Mauro, Chair; Hon. Peter Siggins; Mr. Kevin Green; Mr. Joseph Lane; Mr. Frank McGuire; Mr. Don Willenburg

**Advisory Body Members Absent:** Ms. Kimberly Stewart

**Others Present:** Ms. Heather Anderson; Mr. Patrick O'Donnell, Ms. Tara Lundstrom; Ms. Katherine Sher, and Ms. Julie Bagoye

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#### OPEN SESSION

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

Justice Mauro called the meeting to order at 3:00 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 February 9, 2015, Joint Appellate Technology Subcommittee (JATS) meeting.

##### **Item 1**

##### **Appellate Court E-Filing Project Update**

**Discussion:** Edmund Herbert, Project Manager, Judicial Council staff, IT

Mr. Herbert provided an update on the e-filing project in the Fifth District Court of Appeal. He said the Fifth District implemented mandatory e-filing for civil cases on February 17, 2015, and mandatory e-filing in criminal and juvenile cases will follow in mid-March 2015. There were several application enhancements requested by the Fifth District; some were implemented prior to February 17, and one will follow within the next month. The Third District Court of Appeal is scheduled to implement full e-filing mid-year 2015, followed by the Sixth District Court of Appeal by year end.

##### **Item 2**

##### **Public Access to Electronic Appellate Court Records**

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

Ms. Anderson provided the members with a revised draft of the proposed amendments to rules 8.80 through 8.85 regarding public access to electronic appellate court records. Justice Mauro asked if there were any concerns regarding the revised draft. Joseph Lane proposed deleting

the amendment to rule 8.83(c)(1). After much discussion, the subcommittee declined to delete that amendment. The proposed rule amendments were approved by JATS with a recommendation that they be circulated for public comment. The proposed rules have been forwarded to the Appellate Advisory Committee (AAC) and the Court Technology Advisory Committee (CTAC).

### Item 3

#### Rules Modernization Project

**Discussion:** Patrick O'Donnell and Katherine Sher, Judicial Council staff, Legal Services

Mr. O'Donnell provided general background information about the overall rules modernization project. Ms. Sher reviewed Part I of the specific proposed amendments to Title 8 of the California Rules of Court (the appellate rules). Part I pertains to chapters 1 and 2. The subcommittee approved the proposed amendments in Part I with the modifications identified below with a recommendation that they be circulated for public comment. The proposed rules have been forwarded to the AAC and CTAC.

The subcommittee modified the proposals in Part I as follows:

1. JATS changed “not filed electronically” to “filed in paper form” throughout the draft.
2. In rule 8.44(c), JATS changed language referring to “an electronic copy of a document in a case not utilizing electronic filing” to “an electronic copy of a document that is not electronically filed”.
3. JATS deleted rule 8.50(c).
4. In rule 8.100(b), JATS added language to clarify that the filing fee required with a notice of appeal may be paid by any method permitted under superior court and appellate court rules.
5. In rule 8.100(e), JATS added e-mail addresses for attorneys and unrepresented parties as information to be included, when available, by the superior court clerk in the notification of the notice of appeal.
6. In rule 8.112(a)(4)(C), JATS deleted proposed language that would have required cover pages with index numbers or letters for certain documents when filed electronically.
7. In rule 8.123(c), JATS added the words “or electronic administrative record” to the first sentence.
8. In rule 8.144(a)(2)(E), JATS specified that the margin is measured from the left edge.
9. In rule 8.204(b)(4), JATS deleted proposed language specifying that the rule allowing both sides of the paper could be used when a document is not filed electronically.
10. In rule 8.224(b)(1), JATS rejected proposed changes that would have eliminated the requirement for the superior court clerk to send two copies of a list of exhibits when the list is sent in electronic form.
11. In rule 8.264(d), JATS deleted the proposed amendment that if the consent is not filed electronically, two copies must be filed.

**Future action:**

- The subcommittee will meet again on March 16, 2015, to work on Part II of the Rules Modernization project. Draft materials will be distributed.

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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.

Approved by the advisory body on March 16, 2015