



JUDICIAL COUNCIL OF CALIFORNIA

COURT TECHNOLOGY
ADVISORY COMMITTEE

www.courts.ca.gov/ctac.htm
ctac@jud.ca.gov

JOINT APPELLATE TECHNOLOGY SUBCOMMITTEE

MINUTES OF OPEN MEETING

March 16, 2015
3:00 PM – 5:00 PM

Teleconference

Advisory Body Members Present: Hon. Louis Mauro, Chair; Hon. Peter Siggins; Ms. Kimberly Stewart; Mr. Joseph Lane; Mr. Frank McGuire; Mr. Don Willenburg

Advisory Body Members Absent: Mr. Kevin Green

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

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 26, 2015 meeting of the Joint Appellate Technology Subcommittee (JATS), as amended.

Item 1

Rules Modernization Project

Discussion: Katherine Sher, Staff Attorney, Heather Anderson, Supervising Attorney and Patrick O'Donnell, Managing Attorney, Judicial Council staff, Legal Services

Justice Mauro noted that the Appellate Advisory Committee had approved the first set of proposed modernization amendments to the Title 8 rules, which had been discussed and approved by JATS at its February 26th meeting.

The subcommittee considered a second set of proposed modernization amendments, "Part II" of the proposed amendments to the Title 8 Rules, which pertain to chapters 3 through 11 in Division 1 and all of Division 2. The subcommittee approved the proposed amendments in Part II, with the modifications identified below, and recommended that they be circulated for public comment. The subcommittee modified the proposals in Part II as follows:

1. In rules 8.450 and 8.454, JATS did not adopt proposed amendments that would have changed the word "mailed" to the word "sent."

2. JATS changed the proposed amendments to 8.504(b)(4) and (b)(5) to require that a petition "...must be bound at the back of the original petition and each copy filed in the Supreme Court or, if the petition is not filed in paper form, attached."
3. In rule 8.610(c), in the phrase "bound together," JATS removed the comma.
4. In rule 8.843, JATS added language stating that when a trial court clerk is sending exhibits to the appellate division on an appeal of a limited civil case, and sending a list of those exhibits, two copies of the list of exhibits need only be sent if the list is not transmitted electronically.
5. In rule 8.224, JATS made a change parallel to that made in 8.843, applicable when a trial court sends exhibits to the Court of Appeal. (Rule 8.224 was originally considered with the Part I proposed amendments and initially left unchanged.)
6. In rule 8.870, JATS added language stating that when a trial court clerk is sending exhibits to the appellate division on an appeal in a misdemeanor case, and sending a list of those exhibits, two copies of the list of exhibits need only be sent if the list is not transmitted electronically.
7. In rule 8.921, JATS added language stating that when a trial court clerk is sending exhibits to the appellate division on an infraction appeal, and sending a list of those exhibits, two copies of the list of exhibits need only be sent if the list is not transmitted electronically.

Future action:

The next JATS meeting will be scheduled after conclusion of the public comment period for the three proposals that will be circulated. That meeting will include review of any public comments in order to develop recommendations to CTAC and AAC about whether to modify and recommend adoption of the proposals.

A D J O U R N M E N T

The meeting was adjourned at 4:00 PM.

Approved by the advisory body on July 30, 2015.