



JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

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ITAC RULES AND POLICY SUBCOMMITTEE

MINUTES OF OPEN MEETING

November 6, 2018
12:10 PM – 1:20 PM
Teleconference

Advisory Body Members Present: Hon. Peter Siggins; Hon. Julie Culver; Hon. Louis Mauro

Advisory Body Members Absent: Mr. Darrel Parker; Don Willenburg

Others Present: Ms. Fati Farmanfarmaian; Ms. Andrea Jaramillo; Ms. Kristi Morioka; Richard Blalock

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:15 PM and took roll call.

Approval of Minutes

The ITAC Rules and Policy Subcommittee reviewed and approved the minutes of the June 21, 2018. There was no public comment for this meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1–3)

Item 1

Privacy Resource Guide (Action Required)

Review the Privacy Resource Guide (PRG) and decide whether to recommend it for publication on the Judicial Council website as a resource for the courts and as a public document.

Discuss proposals for which entity will be responsible for maintaining and updating the PRG after its publication.

Presenters: Hon. Julie R. Culver
Ms. Kristi Morioka, Attorney II, Legal Services

Action: Judge Culver responded to Justice Siggins' question, confirming this team had reached out to other advisory committees to alert and discuss the PRG. There is no need for branch or public comment since this is a resource rather than rule change. Justice Mauro suggested one change on page 2 the reference is to the trial court and not appellate court. Judge Culver agreed a correction is needed and will be done prior to submitting to ITAC.

Motion to Approve the Privacy Resource Guide go to ITAC for issuance as a guide for the judicial branch with the recommendation that it go to the Judicial Council to be approved in 2019.

Motion approved.

Justice Siggins and Judge Culver wanted to discuss where the PRG should be housed. He suggests it remain under ITAC Rules & Policy for the time being. Judge Culver suggests that there be more involvement with court CEOs. Justice Mauro suggests that rather than an ongoing annual agenda item, perhaps Judicial Council staff manage the minor changes going forward, bringing major changes back to ITAC as needed.

The subcommittee recommendation is that updating responsibility and maintenance be retained by the Rules & Policy subcommittee for one more year and then be reviewed again to see where this document should be finally housed.

Item 2

Rules and Policy Subcommittee 2018 Project Updates (Discussion Item)

Report on end of year Rules and Policy Subcommittee 2018 projects.

Presenters: Hon. Peter Siggins, Chair, Rules and Policy Subcommittee
Ms. Andrea Jaramillo, Attorney II, Legal Services

Discussion: Justice Siggins gave a brief status report on the 2018 projects with no comments from members.

Item 3

Rules and Policy Subcommittee 2019 Work Plan (Discussion Item)

Review, prioritize and plan ITAC's 2019 Annual Agenda projects assigned to the subcommittee.

Presenters: Hon. Peter Siggins, Chair, Rules and Policy Subcommittee
Ms. Andrea Jaramillo, Attorney II, Legal Services

Discussion: Justice Siggins presented the 2019 work plan items. There are two statutory proposals and two rules proposals recommended. Related to the new remote access rules, Justice Siggins suggested that audit trails and records date request is premature until the courts have implemented. Members agreed not to include it at this time.

Ms. Jaramillo presented on the other proposals for a discussion with members.

1. Potential Legislative proposals to amend the Code of Civil Procedure section 1010.6.
 - A. Amend to allow courts to charge fees for actual costs of permissive electronic filing and service just as they are authorized to do for mandatory electronic filing and service.
 - B. Amend provisions for signatures made not under penalty of perjury.
2. Potential Legislative proposals to amend the Penal Code of section 1203.01 to provide an alternative to mailing.

Ms. Jaramillo spoke with the Criminal Law Advisory Committee (CLAC) and they are unable to take this item on in 2019 but are willing to provide ITAC consult. Ms. Jaramillo doesn't believe this is a complicated issue.

Justice Siggins believes this is an easy item and members concur with staff recommendations.

3. Potential proposals to amend electronic filing and service Rules of Court.
 - A. Amend rule 2.257 to strike or reverse language on signatures of opposing parties.
 - B. Amend provisions for signatures made not under penalty of perjury.

All proposed four items will be included in the 2019 annual agenda. Members will review priority via email.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:45 PM.

Approved by the subcommittee on January 22, 2019.