



JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

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RULES & POLICY ADVISORY SUBCOMMITTEE

MINUTES OF OPEN MEETING

January 22, 2020
12:10 PM - 1:00 PM
Teleconference

Advisory Body Members Present: Hon. Peter J. Siggins, Chair; Hon. Julie Culver; Hon. Samantha Jessner; Hon. Louis R. Mauro; Mr. Don Willenburg

Advisory Body Members Absent: Hon. Kimberly Menninger; Mr. Darrel Parker

Others Present: Judicial Council Staff

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:10 PM and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the November 4, 2019, Rules and Policy Subcommittee meeting.

There were no public comments.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1

Trial Court Rules and Statutes Revisions: Proposed Amendments to Amend the California Rules of Court (Action Required)

Consider whether to recommend circulating proposed amendments to the California Rules of Court to indicate that an electronic filing service provider must allow the party to proceed with an electronic filing even if the party does not consent to receive electronic service.

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

Action: Ms. Jaramillo explained the suggested wording changes to rule 2.255 of the California Rules of Court. This change is to allow an optional terms of service for an electronic filer's consent to electronic service. The electronic service provider may include a term of service that clearly states the electronic filer's agreement to the term constitutes

consent to receive electronic service. The electronic filer's agreement to any such term must be optional. This will only apply to permissive electronic filers; local mandatory court rules will apply. Ms. Jaramillo will make changes to wording that states that an electronic service provider must allow electronic filing even if the filer doesn't consent. In addition, there would be a specific question to see if electronic filers could opt out of receiving documents electronically and to request if electronic service providers have any concerns. Ms. Jaramillo will make the proposed changes to rule 2.255 of the California Rules of Court and send the updates to subcommittee members via electronic vote. Once approved, the proposed change and memo will be sent to the Information Technology Advisory Committee for consideration.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:55 PM.

Approved by the advisory body on July 1, 2020.