



JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

www.courts.ca.gov/itac.htm
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INFORMATION TECHNOLOGY ADVISORY COMMITTEE

NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

Date: September 15, 2021
Time: 12:00 – 12:35 PM
Connection Info: <https://jcc.granicus.com/player/event/1127?&redirect=true>

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to itac@jud.ca.gov.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes (Action Required)

Approve minutes of the following Information Technology Advisory Committee meetings:

- July 28, 2021

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to itac@jud.ca.gov. Only written comments received by **12 p.m. on September 14** will be provided to advisory body members prior to the start of the meeting.

III. REPORTS AND POSSIBLE ACTION ITEMS (ITEMS 1–5)

Item 1 **12:05 p.m. – 12:10 p.m.**

Chair’s Report

Presenter: Hon. Sheila F. Hanson, Chair

Item 2 **12:10 p.m. – 12:15 p.m.**

Judicial Council Technology Committee Update

Update on activities and news coming from this internal oversight committee.

Presenter: Hon. Kyle S. Brodie, Chair, Technology Committee

Item 3 **12:15 p.m. – 12:20 p.m.**

Written Workstream and Subcommittee Status Reports

Branchwide Information Security Roadmap Workstream

Hon. Donald I. Segerstrom and Mr. Brian Cotta, Executive Sponsors

E-Filing Workstream

Mr. Snorri Ogata, Executive Sponsor

Electronic Evidence: Rules, Technology, and Pilot Evaluation

Hon. Kimberly Menninger, Executive Sponsor

Identity and Access Management Strategy Workstream

Mr. Snorri Ogata, Executive Sponsor

Rules & Policy Subcommittee

Hon. Julie Culver, Chair

Joint Ad Hoc Subcommittee: Remote Video Appearances in Civil Proceedings

Hon. Julie Culver, Liaison

Item 4 **12:20 p.m. – 12:30 p.m.**

Court Technology Modernization Funding Update

Update on the allocation of the FY 2021-22 Court Technology Modernization Funding.

Presenter: Heather Pettit, CIO

Item 5 12:30 p.m. – 12:35 p.m.

Language Access Services Signage and Technology Grant Program, FY 2021-22 (Action Required)

Review and approve the proposed Signage and Technology Grant program recommendations for fiscal year 2021-22.

Presenters: Hon. Victor A. Rodriguez, Chair, Language Access Subcommittee
 Douglas G. Denton, Principal Manager, Language Access Services

IV. A D J O U R N M E N T

Adjourn



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INFORMATION TECHNOLOGY ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

July 28, 2021

12:00 PM to 1:00 PM

Videoconference

Advisory Body Members Present: Hon. Sheila F. Hanson, Chair; Hon. Louis R. Mauro, Vice Chair; Mr. Jake Chatters; Mr. Brian Cotta; Hon. Julie R. Culver; Hon. Tara Desautels; Ms. Alexandra Grimwade; Hon. Michael S. Groch; Mr. Paras Gupta; Senator Robert Hertzberg (Alex Barnett); Hon. Samantha P. Jessner; Hon. Kimberly Menninger; Mr. Snorri Ogata; Mr. Darrel Parker; Hon. Bruce Smith; Ms. Jeannette Vannoy; Mr. David H. Yamasaki; and Hon. Theodore Zayner

Advisory Body Members Absent: Assembly member Marc Berman; Mr. Kevin Lane; Hon. James Mize; Hon. Donald Segerstrom; Mr. Don Willenburg; Hon. Joseph Wiseman

Others Present: Judge Kyle Brodie; Ms. Heather Pettit; Mr. Mark Dusman; Ms. Jamel Jones; Ms. Jessica Craven; Ms. Andrea Jaramillo; Ms. Jackie Woods; and other JCC staff present

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 12:00 PM and took roll.

Approval of Minutes

The advisory body reviewed and approved the minutes of the June 23, 2021, Information Technology Advisory Committee meeting.

There were no public comments received for the July 28, 2021 meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-7)

Item 1

Chair's Report

Presenter: Hon. Sheila F. Hanson, Chair

Update: Judge Hanson welcomed members and provided updates since the last meeting.

The Technology Committee approved the [Online Dispute Resolution Workstream's final report](#), which can now be found on ITAC's report library on the branch website. Judge Hanson congratulated the workstream.

The Branchwide Information Security Roadmap Workstream will present its final report and recommendations to the Technology Committee in August, and to the Judicial Council in September.

Finally, Judge Hanson congratulated the Data Analytics Workstream with the successful presentation of its final report and recommendations to the Judicial Council on May 21.

Judge Hanson noted that ITAC has accomplished an impressive amount of work in the first half of 2021. She thanked the many workstream volunteers for their dedication and significant contributions to the improvement of access to justice through the use of technology in California.

Item 2

Judicial Council Technology Committee Update

Update on activities and news coming from this internal oversight committee.

Presenter: Hon. Kyle S. Brodie, Chair, Technology Committee

Update: Judge Brodie gave an update on the Technology Committee's activities since the June ITAC meeting.

The committee held one open meeting on June 24, and it included an update on the \$25M Court Technology Modernization Funding. Members also reviewed and approved the final report from ITAC's Online Dispute Resolution Workstream.

The Technology Committee will meet next on August 9 to consider the final report from ITAC's Information Security Workstream. They meet again on August 20 to discuss \$25M Court Technology Modernization Funding and the rule proposals from ITAC's Rules & Policies Subcommittee on today's ITAC agenda.

Lastly, Judge Brodie thanked ITAC members and Judge Hanson for their continuing dedication to improving branchwide technology.

Item 3

E-Filing Workstream: Update Annual Agenda

The workstream is requesting minor edits to its objectives in the 2021 ITAC Annual Agenda.

Presenter: Snorri Ogata, Workstream Sponsor

Action: Mr. Ogata noted the workstream recently met for its kickoff meeting. The workstream requested that its Annual Agenda objectives be changed to better reflect its tasks to evaluate and share findings.

Motion to approve revised Annual Agenda objectives.

Approved.

Item 4

Trial Court Rule Revisions: Proposed Amendments to Add Criminal Cases to the Electronic Filing and Electronic Service Rules of the California Rules of Court

Review public comments and decide whether to recommend the Judicial Council amend the California Rules of Court to add criminal cases to the electronic filing and electronic service rules.

Presenters: Hon. Julie R. Culver, Chair, Rules & Policies Subcommittee
Ms. Andrea Jaramillo, Attorney, Judicial Council of California

Action: Judge Culver noted that six comments were received; however, no service providers responded. Most comments were directed at the waiver of fees for prosecutors and indigent defendants and their legal counsel, while charging other defendants.

Motion to recommend the rules proposal to the Technology Committee for approval by the Judicial Council.

Approved.

Item 5

Trial Court Rule Revisions: Rule Proposal to Add a Rule about Lodged Electronic Exhibits to the California Rules of Court

Review public comments and decide whether to recommend the Judicial Council adopt rule 2.901 of the California Rules of Court to govern lodged electronic exhibits.

Presenters: Hon. Julie R. Culver, Chair, Rules & Policies Subcommittee
Ms. Andrea Jaramillo, Attorney, Judicial Council of California

Action: Judge Culver and Ms. Jaramillo summarized the comments received on the proposal. The advisory committee had a lengthy discussion around wording and suggested a change to the Advisory Committee Comment:

The rule applies only if a court accepts exhibits lodged in electronic rather than physical format. For example, if a party lodged ~~a compact disc~~ an exhibit contained on external storage media (e.g., flash drive or disc), the exhibit would be in physical format and the rule would not apply. ~~If the party instead lodged an .mp3 audio file, the exhibit would be in electronic format, and the rule would apply.~~

Motion to adopt proposal as amended and submit to the Technology Committee for approval by the Judicial Council.

Item 6

Trial Court Statutes Revisions: Legislative Proposal Concerning Vendor Storage of Exhibits and Evidence in Electronic Format

Review subcommittee recommendation that the proposal not proceed to the Judicial Council, but instead be potentially revised and circulated as a rule proposal.

Presenters: Hon. Julie R. Culver, Chair, Rules & Policies Subcommittee
Andrea Jaramillo, Attorney, Judicial Council of California

Action: The subcommittee suggested that ITAC not proceed with this legislative proposal and consider it for a rule proposal in the future. Courts currently follow their local rules regarding vendor storage.

Motion to not proceed with the legislative proposal and consider as a rule proposal for a future rules cycle.

Approved.

Item 7

Judicial Council Information Technology Update

Receive an update of current and ongoing activities.

Presenters: Heather Pettit, CIO


Update: This item was not presented due to meeting time constraints.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:11 PM.


Approved by the advisory body on enter date.

Branchwide Information Security Roadmap

 **Highlight:** Workstream is finalizing work on incident response plan and template, as well as procurement process for Security Awareness program.


| Key Objectives | Status | Description |
|---|-------------|---|
| Identify core team (sponsor and leads); form group membership; hold kickoff meeting(s). | Completed | The membership roster was approved on September 9, 2019, and the kickoff meeting held on October 7, 2019. |
| (a) Define methods, activities and/or initiatives for expanding and strengthening branch information security capabilities. | Completed | In partnership with the Judicial Branch security audit program, the workstream identified the top security priorities for the branch and individual courts. For those priorities the workstream has established branchwide recommendations to be provided at the June 2021 ITAC meeting. |
| (b) Create an overarching strategy for educating courts on information security end user education, risk management, and incident response. | Completed | The workstream determined the best branchwide education program will be a security awareness program. The workstream has completed a Request for Offer for a branch Security Awareness program. Execution of contract is expected in April/May 2021. JCIT will roll out program first quarter FY 21-22. |
| (c) Identify resources to assist the courts in developing policies and procedures based on the Judicial Branch Information Systems Controls Framework. | Completed | The workstream has identified the security domains in need of the most attention. The workstream is in the process of establishing an ongoing governance model for branchwide policies and procedures, to be vetted at the April Branch CIO meeting. |
| (d) Consult with other workstreams on individual security recommendations and ensure alignment with ongoing development of Judicial Branch security standards. | Completed | Workstream has reviewed Data Analytics and Identity Management Workstream recommendations and providing feedback and recommendations based on security recommendations and best practices. An ongoing comment and review process will be included in the governance model. |
| (e) At the completion of these objectives, present findings and recommendations to, and seek approval from, ITAC, JCTC and, if appropriate, the Judicial Council. Formally sunset the workstream. | Completed | ITAC: June 23, 2021 |
| | Completed | Technology Committee: August 9, 2021 |
| | In progress | Judicial Council: October 1, 2021 |

Statewide E-Filing Program Review/Evaluation

 Highlight: Surveys for courts, EFM vendors and EFSP vendors drafted

| Key Objectives | Status | Description |
|--|-------------|--|
| (a) Identify core team (sponsor and leads); form group membership; hold kickoff meeting(s). | Completed | |
| (b) Explore the strengths and weaknesses of current e-filing programs and practices across the state | In progress | The workstream has drafted a survey for distribution to all courts, and to EFM and EFSP vendors operating in the state |
| (c) Explore benefits of statewide EFM solutions inclusive of development opportunities and potential funding sources. | In progress | The workstream has acquired access to National Center for State Courts eFiling data for courts nationwide. To evaluate the pros and cons of this approach, the workstream will analyze this data and draft follow up questions for Judicial Branch staff at courts with existing statewide eFiling solutions. |
| (d) Evaluate standardizing e-filing transaction fees across the state. | In progress | The workstream has included in the surveys for Courts, EFSP and EFM Vendors, questions directly focused on the non-statutory electronic filing fees. Survey responses from courts and vendors will provide information on the range and type of fees to provide a clearer picture of current eFiling fees across the state |
| (e) Review e-filing rules and statutes to clarify language and improve consistency across the branch. | In progress | The workstream has included in the surveys for Courts, EFSP and EFM Vendors, questions directly focused on the Rules and Statutes pertaining to both electronic filing and electronic service. Survey responses from courts and vendor will assist in identifying any areas of concern. |
| (f) At the completion of these objectives, present findings and recommendations to, and seek approval from, ITAC, JCTC and, if appropriate, the Judicial Council. Formally sunset the workstream | Not started | |

Electronic Evidence: Rules, Technology, and Pilot Evaluation

 Highlight: Surveys for Courts of Appeal, superior courts and justice partners completed

| Key Objectives | Status | Description |
|---|-------------|--|
| (a) Investigate and report on existing local pilots and court practices, including policies and standards, for transmitting, accepting, storing, and protecting electronic evidence. | In Progress | The Superior Court of Orange County started its pilot in January 2021. Orange County POC implemented in all case types in a phased approach in April 2021; Phase I – Civil, Small Claims, and Probate -April 5 th , Phase II – Family Law - April 12 th , Phase III – Traffic - April 20 th . A survey has been distributed to all courts and to justice partners to collect information on current practices and needs. |
| (b) Research and recommend available technology and services that would support transmission, acceptance, storage, and protection of electronic evidence. | In Progress | Meetings held with vendors NICE, Genetec & Axon. Orange has initiated agreement with vendor Omnigo for a POC to determine if their system is a viable option to move forward with a contract. |
| (c) Develop and propose changes to Rules of Court and statutes related to electronic evidence in collaboration with the Rules and Policy Subcommittee. | Completed | Proposed rules and legislative amendments presented to and accepted by ITAC on November 2, 2020, and referred to the Rules & Policy Subcommittee. |
| (d) Develop a framework for successful possible future pilots, including use case scenarios, costs and benefits, and success criteria. | In Progress | Orange has completed its procurement process for a vendor or vendors to conduct a pilot. Other courts may launch projects with the \$25M technology funding being distributed currently. The workstream will gather information from any such projects over the next year. |
| (e) At the completion of these objectives, present findings and recommendations to, and seek approval from, ITAC, JCTC and, if appropriate, the Judicial Council. Formally sunset the workstream. | Not Started | |


Identity And Access Management Strategy



Highlight: Final report is being drafted.


| Key Objectives | Status | Description |
|--|-------------|--|
| Develop and issue an RFP for a statewide identity management service/provider; identify and select. | Completed | Microsoft Azure AD Identity Service acquired under a Leveraged Procurement Agreement (LPA), County of Riverside RFQ #PUARC-1518, Microsoft Master Agreement Number 01E73970. |
| (a) Develop the roadmap for a branch identity management strategy and approach. | Completed | Initial Roadmap track recommendations drafted for the final report. Work continues. |
| (b) Determine policies and processes for identity management (including proofing and access management). | Completed | Initial Policy track recommendations drafted for the final report. Work continues. |
| (c) Ensure linkage and alignment with other branchwide initiatives such as E-Filing, SRL Portal, Next Generation Hosting, CMS Migration and Development. | Completed | Sponsors or project managers for the aligned initiatives are members of the workstream. |
| (d) Coordinate and plan with JCIT regarding operational support. | Completed | JCIT workstream staff are participating in the pilots at Los Angeles, Orange, and Placer Superior Courts, as well as for the Ability to Pay project. |
| (e) Recommend changes to Rules of Court as needed and work with the Rules & Policy Subcommittee to draft them. | Completed | No updates or additions to current rules of court are proposed. |
| (f) At the completion of these objectives, seek approval of ITAC, JCTC and, if appropriate, the Judicial Council and formally sunset the workstream. | In Progress | Request to update estimated completion to December 2021. |

Trial Court Rules and Statutes Revisions

 Highlight: One rule proposal will proceed to the Judicial Council. One rule proposal and one legislative proposal have been deferred pending a recommendation of the Rules and Policy Subcommittee on whether to revise and re-circulate them in 2022.

| Key Objectives | Status | Description |
|---|-------------|--|
| (a) Develop legislative and rule proposals for electronic exhibits and evidence based on the needs identified by the Digital Evidence Workstream including defining "lodged electronic exhibits," permitting courts to use vendors for storage of electronic exhibits and evidence; and removing requirements that clerks return exhibits if they are in electronic format. | Completed | <p>A legislative proposal to authorize courts to use a vendor to store exhibits and evidence in electronic format was circulated for public comment. Following public comment, the committee decided not to advance the proposal. The Rules and Policy Subcommittee (RPS) will make a recommendation for the 2022 annual agenda on whether to revise and recirculate the proposal as a rule proposal.</p> <p>A rule proposal to create a new rule governing "lodged electronic exhibits" circulated for public comment. Following feedback from Rules Committee staff, the ITAC and RPS chairs decided to withdraw the proposal from the current rule cycle. RPS will make a recommendation for the 2022 annual agenda on whether to revise and re-circulate the proposal.</p> |
| (b) Assist the Criminal Law Advisory Committee (CLAC) with the development of legislative and rule proposals for remote video proceedings in criminal matters including having a Rules and Policy Subcommittee member serve on the CLAC working group. | In progress | Judge Menninger has been serving on the CLAC working group. |
| (c) Develop a proposal to amend permissive electronic filing and electronic service rules to reference Penal Code section 690.5. | In progress | Amendments to the electronic filing and electronic service rules circulated for public comment. The proposal will be on the consent agenda at the Judicial Council's October 1, 2021, meeting. |

Remote Video Appearances in Civil Proceedings

 Highlight: As of September 1, 2021, legislation is still pending.

| Key Objectives | Status | Description |
|--|-------------|---|
| (a) Continue participating in a joint ad hoc subcommittee with Civil and Small Claims, Family and Juvenile Law, and Probate and Mental Health Advisory Committees to develop legislative and rule proposals to allow video remote appearances in most civil court proceedings. | In Progress | There is still trailer bill language broader in scope than the proposal the joint ad hoc subcommittee developed last year. The Legislature has until September 10, 2021, to pass any bills for this year. |
| (b) Work cooperatively with the ITAC Rules and Policy Subcommittee, when needed. | Completed | |