



# JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY  
ADVISORY COMMITTEE

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## ITAC RULES AND POLICY SUBCOMMITTEE

### MINUTES OF OPEN MEETING

February 3, 2022

12:00 PM to 1:30 PM

Videoconference

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**Advisory Body Members Present:** Hon. Julie Culver, Chair; Hon. Samantha Jessner; Hon. Louis R. Mauro; Hon. Samantha Jessner; Hon. Kim Menninger; Mr. Darrel Parker; and Mr. Don Willenburg

**Advisory Body Members Absent:** Hon. Bruce Smith

**Others Present:** Ms. Sharon Reilly; and Judicial Council Staff

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#### OPEN MEETING

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##### Call to Order and Roll Call

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

The October 25, 2021, Rules and Policy Subcommittee minutes were approved.

The subcommittee received one public comment from an appellate programs' attorney. This was shared with members prior to the meeting.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1-4)

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##### Item 1

##### **Trial Court Rules Revisions: Proposed Amendment to rule 2.253 of the California Rules of Court (Action Required)**

Consider whether to recommend circulating a proposed amendment to rule 2.253 of the California Rules of Court to remove a requirement that a trial court with mandatory electronic filing submit reports about its electronic filing program to the Judicial Council.

**Presenter:** Hon. Julie Culver, Chair, Rules and Policy Subcommittee  
Ms. Andrea Jaramillo, Attorney II, Legal Services

**Action:** These reports are no longer received in this manner as the information is reported elsewhere, making this rule obsolete. The subcommittee approved amending rule for circulation to remove the mandatory requirement of electronic filing reports.

**Item 2**

**Trial Court Rules Revisions: Proposed Adoption of New Rule 2.523, Amendments to Rules 2.524 (re-numbered) and 2.540, and Re-numbering of Rules 2.523, 2.524, 2.525, 2.526, 2.527, and 2.528 (Action Required)**

Consider whether to recommend circulating a proposed new rule and amendments to the California Rules of Court to on remote access to electronic records to authorize remote access by appellate courts, appellate appointed counsel administrators, and the Habeas Corpus Resource Center.

Presenter: Hon. Julie Culver, Chair, Rules and Policy Subcommittee  
Ms. Andrea Jaramillo, Attorney II, Legal Services

**Action:** The new rule would allow remote access that would alleviate delays being experienced due to pandemic. The subcommittee suggested revising Rule 2.521 Remote Access by Court-appointed person instead of making a new rule. Ms. Jaramillo will gather additional information around the current process at courts to ensure the drafted changes reflect needs of requestor.

**Item 3**

**Trial Court Rules Revisions: Proposed Amendments to Rule 2.540 of the California Rules of Court (Action Required)**

Consider whether to recommend circulating a proposal by the California Attorneys for Criminal Justice to amend rule 2.540.

Presenter: Hon. Julie Culver, Chair, Rules and Policy Subcommittee  
Ms. Andrea Jaramillo, Attorney II, Legal Services

**Action:** The subcommittee agreed to add this rule change and to amend their annual agenda. The change would broaden remote access to case files matching current in-person access. There are issues that need to be considered around access management and, types of materials accessed, making access equal and still maintaining necessary limits. Ms. Jaramillo will take suggestions from this meeting to draft the rule change and the public invitation to comment and bring back to the subcommittee for consideration.

**Item 4**

**Legislative Update (No Action Required)**

Update on legislation impacting technology and the courts.

Presenter: Mr. Mark Neuburger, Legislative Advocate, Office of Governmental Affairs

**Discussion:** The Office of Governmental Affairs has asked this item to be deferred until a future meeting.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 1:00pm.

Approved by the advisory body on February 23, 2022.