

Trial Court E-Filing Survey and Findings Report

April 2014



JUDICIAL COUNCIL
OF CALIFORNIA

COURT TECHNOLOGY
ADVISORY COMMITTEE

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Administrative Office of the Courts
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Executive Summary

Electronic document delivery and management has become an essential part of global business and consumer expectation. Electronic access to the courts is expected by the public we serve, and an increasingly important component of providing practical access to the courts. It is inconvenient, expensive and sometimes impossible for many California court users to travel to often remote locations to file or to access court documents or related services. Electronic management and retention of court filings and other court documents has become critically important as we seek efficiencies in an era of severely constrained resources.

Outside California, a substantial number of state courts now have uniform integrated electronic document management systems deployed throughout their courts, including electronic document filing (e-filing). The federal courts likewise have a uniform, fully functional, integrated document management system. California does not.

The judicial branch recognizes consumer convenience as well as the prospective cost savings associated with electronic document management and retention, including e-filing. The current branch tactical plan for court technology envisioned a coordinated and integrated statewide technology infrastructure for all courts.

The now decommissioned California Case Management System (CCMS) was designed as the centerpiece of a statewide technology infrastructure, providing an integrated branch wide platform which would facilitate e-filing, and which would coordinate uniform electronic document management and delivery. That solution is no longer available and the judicial branch is in the process of updating its strategic plan and tactical plan for technology. Given this scenario, the Judicial Council's Court Technology Advisory Committee (CTAC) was tasked with the responsibility of providing a 2013-2014 snapshot of the current status of e-filing solutions within the branch, both existing and proposed. The results, which are attached, appear as diverse as the 58 counties addressing the issue. All 58 counties have responded.

The results indicate that California, once a leader in court business technology solutions, is no longer, with limited exceptions in a few larger courts. Transition to an e-business infrastructure requires capital investment and technical expertise not available to many courts, and affordable for only a few. Only a handful of California's 58 trial courts are implementing, or in some cases continuing, *ad hoc* local solutions. Most counties have not implemented, and in many cases are unable to implement, e-filing or document management systems.

As noted, this survey presents only a snapshot of California's current environment. It is intended to provide a context for the policy issues that must be addressed if we are to meet the challenges of enhancing access to justice and promoting more efficient business practices through use of modern information technology across the judicial branch and in all courts.

Background

To assist the Judicial Council Technology Committee (JCTC) in prioritizing court e-filing projects and facilitating e-filing implementation, CTAC, through its Projects Subcommittee initiated an assessment of the current state of e-filing in the trial courts. This data will assist the Judicial Council in assessing the costs and benefits of e-filing and e-business efforts, and in pursuing State financial support for future e-filing deployments.

The CTAC Projects Subcommittee defined a broad set of categories to be covered in the survey. AOC staff then developed an on-line electronic survey, reviewed and approved by the Subcommittee. The final survey was distributed to the presiding judge, executive and information technology officer of each court on September 17, 2013. Responses were requested by October 18, 2013, with individual follow-up by Projects Subcommittee Chair Judge Glen Reiser, all 58 courts responded to the survey as of February 4, 2014.

Contact

For information about this survey, please contact Hon. Glen Reiser, Chair, CTAC Projects Subcommittee at glen.reiser@ventura.courts.ca.gov; or Ms. Fati Farmanfarmaian, Senior Business Systems Analyst, at fati.farmanfarmaian@jud.ca.gov.

Legend

For those tables divided into blue and orange, blue indicate courts that currently offer e-filing and orange are those courts not currently offering e-filing. Each blue and orange section lists courts/respondents in alphabetical order to facilitate comparison.

Survey Results

Question #1:

Question #1 requested court identifying and survey respondent contact information. The response data is intentionally excluded here, but is used to identify court responses for all subsequent questions.

Question #2:

How long has your court offered e-filing or when does your court plan to offer e-filing?

(n=58)

Table 1. How Long Has Your Court Offered E-Filing or When Does Your Court Plan to Offer E-Filing?

	Offering E-Filing		Plan to Offer E-Filing			
	Over 2 years	Less than 2 years	In less than a year	Between 1 and 2 years	After 2 years	No Plans
Alameda					•	
Alpine						•
Amador				•		
Butte						•
Calaveras						•
Colusa						•
Contra Costa	•					
Del Norte						•
El Dorado				•		
Fresno					•	
Glenn					•	
Humboldt					•	
Imperial					•	
Inyo						•
Kern					•	
Kings				•		
Lake						•
Lassen					•	
Los Angeles*	•			•	•	
Madera						•
Marin					•	
Mariposa					•	
Mendocino					•	
Merced				•		
Modoc						•
Mono						•
Monterey				•		
Napa				•		
Nevada					•	
Orange	•					
Placer				•		
Plumas						•
Riverside			•			
Sacramento		•				
San Benito						•
San Bernardino	•					
San Diego	•					
San Francisco	•					
San Joaquin				•		
San Luis Obispo			•			
San Mateo			•			
Santa Barbara			•			

* Los Angeles responded that they began offering e-filing more than 2 years ago for **Small Claims, Family Law (CSSD) and Traffic**; they plan to begin offering e-filing more than 1 year from now, but within 2 years from now in **Civil**; and they plan to begin offering e-filing more than 2 years from now in all other case types.

	Offering E-Filing		Plan to Offer E-Filing			
	Over 2 years	Less than 2 years	In less than a year	Between 1 and 2 years	After 2 years	No Plans
Santa Clara	●					
Santa Cruz					●	
Shasta					●	
Sierra						●
Siskiyou						●
Solano					●	
Sonoma					●	
Stanislaus			●			
Sutter					●	
Tehama					●	
Trinity						●
Tulare			●			
Tuolumne					●	
Ventura					●	
Yolo				●		
Yuba						●

Question #3

Please indicate the extent to which the following factors have been a significant impediment, or you think will be a significant impediment, to the adoption and implementation of an e-filing system.

Table 2A. Significant Impediments to Implementing E-Filing for Courts Offering E-Filing

	Insufficient Funding	Insufficient Staff	Untrained Staff	Lack of Judge Buy-in	Lack of Attorney/Filers Buy-in	JC, Advisory Comm., & AOC	Security Concerns	Fear of Change
Contra Costa								
Insignificant				X				
Neutral					X		X	X
Significant						X		
Very Significant	X	X	X					
Orange								
Insignificant			X	X				
Neutral							X	
Significant	X	X			X			X
Very Significant						X		
Sacramento								
Insignificant					X			
Neutral	X						X	
Significant			X	X		X		X
Very Significant		X						
San Bernardino								
Insignificant				X			X	
Neutral	X				X	X		X
Significant		X	X					
Very Significant								
San Diego								
Insignificant				X	X			
Neutral						X	X	X
Significant			X					
Very Significant	X	X						
San Francisco								
Insignificant								
Neutral					X	X		
Significant			X	X				
Very Significant	X	X					X	X
Santa Clara								
Insignificant			X	X		X	X	
Neutral					X			X
Significant		X						
Very Significant	X							

Table 2B. Significant Impediments to Implementing E-Filing for Courts Not Currently Offering E-Filing

Note: This table includes Courts that do not intend to offer e-filing.

	Insufficient Funding	Insufficient Staff	Untrained Staff	Lack of Judge Buy-in	Lack of Attorney/Filers Buy-in	JC, Advisory Comm., & AOC	Security Concerns	Fear of Change
Alameda								
Insignificant								
Neutral								
Significant								
Very Significant	X	X	X					
Amador								
Insignificant								
Neutral			X	X	X	X	X	X
Significant		X						
Very Significant	X							
Butte								
Insignificant								X
Neutral			X	X	X	X		
Significant							X	
Very Significant	X	X						
Calaveras								
Insignificant								
Neutral				X	X	X	X	
Significant		X	X					X
Very Significant	X							
Colusa								
Insignificant								
Neutral				X	X	X	X	X
Significant			X					
Very Significant	X	X						
Del Norte								
Insignificant								
Neutral				X	X	X		
Significant	X	X	X				X	X
Very Significant								
El Dorado								
Insignificant								
Neutral				X	X	X	X	X
Significant		X	X					
Very Significant	X							
Glenn								
Insignificant				X				
Neutral					X	X		
Significant			X				X	X
Very Significant	X	X						
Humboldt								
Insignificant				X				
Neutral			X		X	X		
Significant		X					X	X
Very Significant	X							
Imperial								
Insignificant								
Neutral								
Significant	X			X	X	X	X	X
Very Significant		X	X					
Inyo								
Insignificant				X	X	X		
Neutral								
Significant			X				X	X
Very Significant	X	X						
Kern								
Insignificant					X			
Neutral		X	X	X		X	X	X
Significant								
Very Significant	X							
Kings								
Insignificant							X	X
Neutral			X	X	X	X		
Significant								
Very Significant	X	X						

	Insufficient Funding	Insufficient Staff	Untrained Staff	Lack of Judge Buy-in	Lack of Attorney/Filers Buy-in	JC, Advisory Comm., & AOC	Security Concerns	Fear of Change
Lake								
Insignificant				X	X	X	X	X
Neutral								
Significant								
Very Significant	X	X	X					
Lassen								
Insignificant				X	X			X
Neutral						X	X	
Significant		X	X					
Very Significant	X							
Los Angeles								
Insignificant		X	X	X	X	X	X	X
Neutral								
Significant								
Very Significant	X							
Madera								
Insignificant								
Neutral			X	X	X	X	X	X
Significant	X	X						
Very Significant								
Marin								
Insignificant								
Neutral			X	X	X	X	X	X
Significant								
Very Significant	X	X						
Mariposa								
Insignificant								
Neutral				X	X	X	X	X
Significant								
Very Significant	X	X	X					
Mendocino								
Insignificant								
Neutral				X	X	X	X	X
Significant			X					
Very Significant	X	X						
Merced								
Insignificant								X
Neutral					X		X	
Significant				X		X		
Very Significant	X	X	X					
Modoc								
Insignificant				X	X	X	X	X
Neutral								
Significant								
Very Significant	X	X	X					
Mono								
Insignificant						X	X	
Neutral								
Significant				X	X			X
Very Significant	X	X	X					
Monterey								
Insignificant								
Neutral								
Significant	X	X						
Very Significant								
Napa								
Insignificant	X	X	X	X	X	X	X	X
Neutral								
Significant								
Very Significant								
Nevada								
Insignificant								
Neutral				X	X	X	X	
Significant		X	X					X
Very Significant	X							

	Insufficient Funding	Insufficient Staff	Untrained Staff	Lack of Judge Buy-in	Lack of Attorney/Filers Buy-in	JC, Advisory Comm., & AOC	Security Concerns	Fear of Change
Placer								
Insignificant				X	X			
Neutral			X			X	X	
Significant	X	X						X
Very Significant								
Plumas								
Insignificant				X		X	X	
Neutral					X			X
Significant		X	X					
Very Significant	X							
Riverside								
Insignificant				X			X	X
Neutral		X	X		X	X		
Significant	X							
Very Significant								
San Benito								
Insignificant								
Neutral			X	X		X	X	X
Significant		X			X			
Very Significant	X							
San Joaquin								
Insignificant					X			
Neutral						X	X	
Significant		X	X	X				X
Very Significant	X							
San Luis Obispo								
Insignificant								
Neutral		X	X	X		X	X	
Significant	X				X			
Very Significant								X
San Mateo								
Insignificant			X					X
Neutral				X	X	X	X	
Significant	X	X						
Very Significant								
Santa Barbara								
Insignificant								
Neutral								
Significant	X							
Very Significant								
Santa Cruz								
Insignificant							X	X
Neutral								
Significant					X			
Very Significant	X	X	X	X				
Shasta								
Insignificant				X	X	X		
Neutral			X				X	X
Significant		X						
Very Significant	X							
Sierra								
Insignificant				X				
Neutral			X			X	X	X
Significant					X			
Very Significant	X	X						
Siskiyou								
Insignificant								X
Neutral				X	X	X	X	
Significant								
Very Significant	X	X	X					
Solano								
Insignificant							X	
Neutral				X	X	X		X
Significant		X	X					
Very Significant	X							

	Insufficient Funding	Insufficient Staff	Untrained Staff	Lack of Judge Buy-in	Lack of Attorney/Filers Buy-in	JC, Advisory Comm., & AOC	Security Concerns	Fear of Change
Sonoma								
Insignificant					X	X	X	X
Neutral				X				
Significant			X					
Very Significant	X	X						
Stanislaus								
Insignificant								
Neutral	X			X	X	X		X
Significant		X	X				X	
Very Significant								
Sutter								
Insignificant						X		
Neutral					X		X	X
Significant			X	X				
Very Significant	X	X						
Tehama								
Insignificant								
Neutral			X	X	X	X	X	X
Significant	X							
Very Significant		X						
Trinity								
Insignificant		X	X	X	X	X	X	X
Neutral								
Significant								
Very Significant	X							
Tulare								
Insignificant								
Neutral			X	X	X	X		X
Significant							X	
Very Significant	X	X						
Tuolumne								
Insignificant								
Neutral					X	X		
Significant		X	X	X			X	X
Very Significant	X							
Ventura								
Insignificant								
Neutral			X	X	X	X	X	X
Significant								
Very Significant	X	X						
Yolo								
Insignificant					X	X		X
Neutral			X	X			X	
Significant	X	X						
Very Significant								
Yuba								
Insignificant								X
Neutral			X	X		X	X	
Significant		X			X			
Very Significant	X							

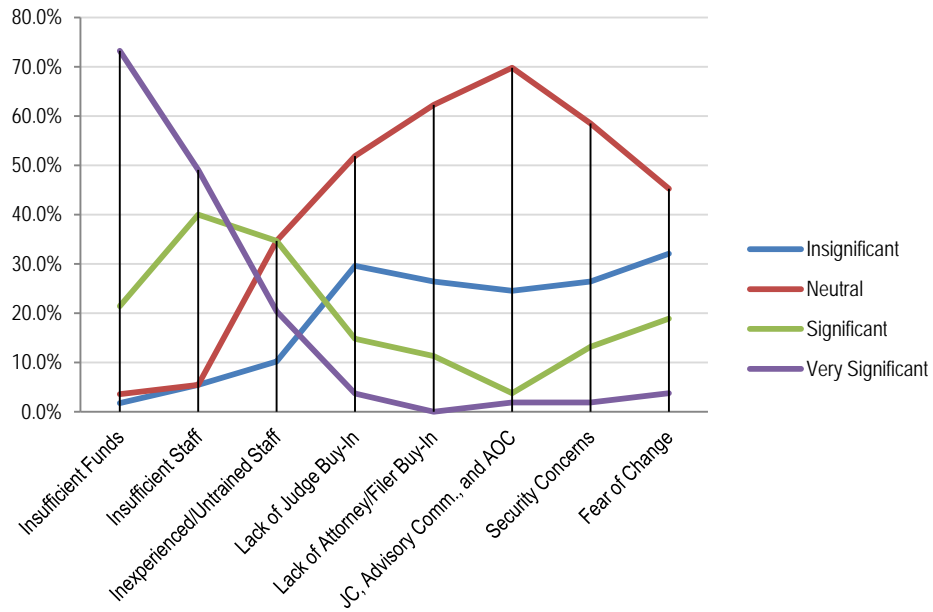
The table below, representing the total population is an aggregate of the county responses in the above table.

Table 3. Impediments to Implementing E-Filing
Total Population (n=56)

	Insignificant	Neutral	Significant	Very Significant	Rating Count
Insufficient Funds	1.79% (1)	3.57% (2)	21.43% (12)	73.21% (41)	56
Insufficient Staff	5.45% (3)	5.45% (3)	40.00% (22)	49.09% (27)	55
Inexperienced/Untrained Staff	10% (5)	34.69% (17)	34.69% (17)	20.41% (10)	49
Lack of Judge Buy-In	29.63% (16)	51.85% (28)	14.8% (8)	3.70% (2)	54
Lack of Attorney/Filer Buy-In	26.42% (14)	62.26% (33)	11.32% (6)	0.00% (0)	53
JC, Advisory Comm., and AOC	24.53% (13)	69.81% (37)	3.77% (2)	1.89% (1)	53
Security Concerns	26.42% (14)	58.49% (31)	13.21% (7)	1.89% (1)	53
Fear of Change	32.08% (17)	45.28% (24)	18.85% (10)	3.77% (2)	53

The chart below is an illustration of the aggregate table and shows how responses distribute for each of the possible impediments. For instance, the majority of respondents (72%) said that insufficient funding was the main impediment to implementation. The majority was also neutral (70%) as to whether the Judicial Council, Advisory Committees, and the AOC are an impediment to implementation. On the other hand, 70% of the respondents are divided (35% responding neutral and 35% responding significant) on whether inexperienced or untrained staff are an impediment to implementation. This type of division sometime suggests uncertainty. It is interesting to note that if you look back at those counties that are currently implementing e-filing, all said inexperienced or untrained staff was a significant impediment.

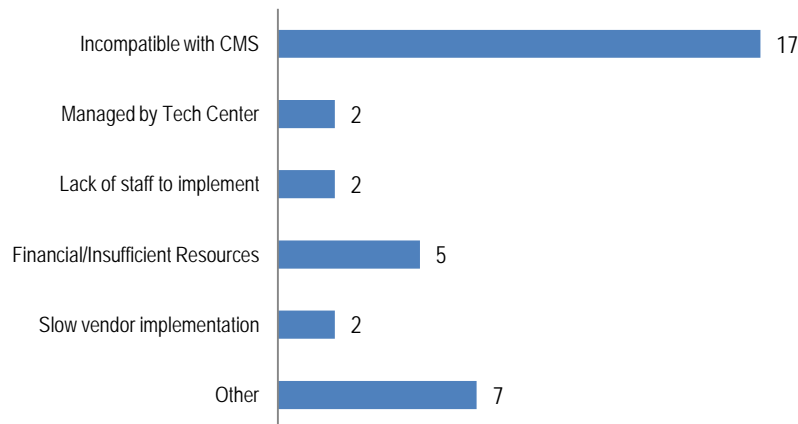
Figure 1. Barriers to E-Filing Implementation



Question #4

List any other factors that have impeded, or you think will impede, the adoption and implementation of an e-filing system in your court.

Figure 2. Other Factors That Impede or Are Likely to Impede E-Filing
Total Population (n=35)



Responses:

Butte: Our current case management system does not support e-filing, or even integration with a document management system. Until we have a new CMS in place, e-filing will not be practical.

Contra Costa: Quality of e-filing product.

El Dorado: Lack of understanding of the process.

Imperial: Electronic resources: our system is not able to do e-filing because our data is at the Tech Center.

Kern: Legacy criminal system provided by County for criminal cases was not capable of being modified for e-filing. E-filing development by current civil case management system vendor has not been developed.

Lassen: CMS capacity.

Los Angeles: Absence of a contemporary case management system to facilitate the e-filing process

Madera: Our current case management system does not have the ability to interface into an imaging system at this time.

Marin: The amount of time and personnel it will take to re-engineer the workflow, implement the process and train staff.

Mariposa: We are unable to implement a feasible E-Filing solution with our current Case Management System. However, we are researching possible opportunities to migrate to a new CMS. Once we begin that process, we will determine the best methodologies of incorporating an E-Filing solution alongside the new CMS.

Merced: We have not implemented electronic filing.

Modoc: Continued budget cuts and lack of resources.

Mono: as a very small court, we do not have the resources to implement such an ambitious project, given the cost and benefit, which is very high cost with moderate to low benefit. We would be very interested in doing e-filing if we were provided funding and project implementation support to do so

Napa: Outdated CMS; Lower demand.

Nevada: Outdated case management system - we implemented a new CMS during April 2013 so this impediment has been eliminated.

Placer: Outdated CMS coupled with minimal IT staff.

Plumas: Plumas has no I.T. staff but are a managed court through the Tech Center. Plumas would need to hire both a consultant to advise us on an e filing system and then vendors to implement. The current contract law would make this difficult and perhaps cost-prohibitive in the current fiscal/budget environment.

Riverside: Slow vendor implementation

Sacramento: Our court is hesitant to make any major technological changes during this period of budget cutbacks. A majority of my judicial colleagues believe that if the investment of resources is made in

technology, then the court will need to lay-off even more employees because the funds are not available to have both a full complement of employees and new technological systems.

San Bernardino: Old Case Management System. Recent changes to statute and rules of court have been very helpful.

San Diego: Ineligible cases (non-imaged), permissive filing factor, limitations of our CMS system to all for electronic service of court-generated documents.

San Mateo: Allocating staff resources to various projects (and the project's on-going support) is a concern.

Santa Barbara: Inability to incorporate e-Filing on our old CMS. We are configuring an upgrade to the CMS that includes a DMS and e-Filing portal.

Santa Clara: Aging inflexible case management system.

Sonoma: The major impediment is our use of an outdated case management system coupled with minimal IT staffing.

Stanislaus: Contract negotiations with vendor on price and services.

Trinity: Our court does not have technology capabilities.

Tuolumne: Leadership. Court has had 4 CEOs in the past 7 years.

San Luis Obispo: Antiquated CMS that has made implementing e-filing impractical.

Sutter: Lack of resources to explore and develop proposed program for e-filing.

Tulare: Inability to offer all case types.

Ventura: A positive Return on Investment (ROI) for e-Filing at a Court is dependent upon integration with a CMS or pre-existence of document imaging / electronic workflow at the Court.

Yolo: Lack of a vendor/solution that integrates with court's CMS

Yuba: Lack of support and integration with the SungardPS JALAN CMS system in use by the court.

Questions #5 and #6

Question #5: Please identify the sources of the initial funding for your e-filing system and estimate how much (in percentage terms) each source contributes to the system.

Question #6: Please identify the sources of the on-going funding for your e-filing system and estimate how much (in percentage terms) each source contributes to the system.

Table 4A. Initial Funding Sources by Percent of Contribution

	Filing Fees				Vendor Paid				Court Paid				Other			
	0% to 25%	26% to 50%	51% to 75%	76% to 100%	0% to 25%	26% to 50%	51% to 75%	76% to 100%	0% to 25%	26% to 50%	51% to 75%	76% to 100%	0% to 25%	26% to 50%	51% to 75%	76% to 100%
Currently Offering E-Filing	Contra Costa											X				
	Los Angeles															X
	Orange						X					X				
	Sacramento											X				
	San Bernardino															X
	San Diego						X			X						
	San Francisco	X						X	X							
	Santa Clara															X
Plan to Offer E-Filing	Alameda											X				
	Amador	X				X						X	X			
	El Dorado															X
	Fresno	X				X						X	X			
	Glenn												X			
	Humboldt															
	Imperial															
	Kern															X
	Kings												X			
	Lassen	X										X				
	Marin												X			
	Napa			X											X	
	Nevada															X
	Placer															
	Riverside							X	X							
	San Joaquin					X							X	X		
	San Luis Obispo	X					X				X					
	San Mateo							X								
	Santa Barbara	X				X							X			
	Santa Cruz	X				X							X			
	Shasta	X								X						
	Sonoma	X				X						X				
	Stanislaus											X		X		
	Tehama	X				X					X				X	
	Tulare	X				X							X	X		
	Tuolumne			X						X				X		
Ventura													X			

Note: Those not planning to implement e-filing were not included. Where multiple entries occurred for a county, CEO responses were used.

Specified "Other":

Glenn: Our court is in the process of purchasing Tyler case management system. There are many variables to this.

Kerns: Reserves
Los Angeles: Internal Staff
Monterey: Funding for the e-filing system has not been fully vested.
Nevada: Unknown
Orange: Except for the first three vendors, all EFSPs have paid the court for the Court's expenses to certify them as EFSPs.
San Joaquin: Future cost savings from efficiency savings
Santa Clara: Grant funded
Tehama: Fund specified for court automation held at county
Tuolumne: AOC

Table 4B. On-Going Funding Sources by Percent of Contribution

	Filing Fees				Vendor Paid				Court Paid				Other			
	0% to 25%	26% to 50%	51% to 75%	76% to 100%	0% to 25%	26% to 50%	51% to 75%	76% to 100%	0% to 25%	26% to 50%	51% to 75%	76% to 100%	0% to 25%	26% to 50%	51% to 75%	76% to 100%
Currently Offering E-Filing	Contra Costa											X				
	Los Angeles															X
	Orange	X				X						X				
	Sacramento			X		X			X							
	San Bernardino	X				X						X				
	San Diego							X		X						
	San Francisco	X						X	X							
	Santa Clara	X														X
	Plan to Offer E-Filing	Alameda		X			X			X						
Amador				X		X				X			X			
Fresno												X				
Glenn													X			
Humboldt																
Kern				X						X						
Kings																X
Lassen					X											
Marin				X				X	X							
Monterey														X		
Napa			X					X								
Nevada																X
Placer																
Riverside								X	X							
San Joaquin			X				X									
San Luis Obispo				X		X			X				X			
San Mateo					X											
Santa Barbara		X														
Shasta		X							X							
Sonoma												X				
Stanislaus											X		X			
Tehama		X				X				X				X		
Tulare		X				X						X	X			
Tuolumne				X				X								
Ventura													X			

Note: Those not planning to implement e-filing were not included. Where more than one entry for a county appears, CEO or judge responses were used.

Specified "Other":

- Glenn: "Unknown"
- Los Angeles: Internal Staff
- Kings: "Not yet implemented, will be part of the new CMS that will be implemented."
- Monterey: "N/A-The strategy for funding the e-filing system has not been fully vetted."
- Nevada: "Unknown"
- Sacramento: "Not sure"
- Santa Barbara: "To be determined"
- Santa Clara: "Grant funded"
- Shasta: "No funding sources available at this time"
- Stanislaus: "Ongoing licensing for 3rd party (EFSP)"
- Tehama: "Fund specified for court automation held at county"

Question #7

Please indicate how much it cost in dollars to implement e-filing in your court. Or if you are planning to implement e-filing, how much you estimate your cost to be.

Table 5A. Actual Costs in Dollars to Implement E-Filing

Currently Offering E-Filing		One-time equipment cost thru deployment	Ongoing equipment Cost	One-time human resource costs thru deployment	Ongoing human resource costs
	Los Angeles	\$200,000	\$50,000	\$1,000,000	\$200,000
	Orange	\$40,000 - \$60,000	\$10,000 - \$15,000	--	--
	San Bernardino	\$150,000 (last 2 yrs)	\$30,000	\$400,000 (last 2 yrs)	\$100,000
	San Diego	\$115,700	\$8,000	\$89,000	~\$600,000/year
	San Francisco	--	--	\$25,000	--
	Santa Clara	--	--	\$155,000	\$183,500/year

Table 5B. Estimated Costs in Dollars to Implement E-Filing

Do Not Currently Offer E-Filing		One-time equipment cost thru deployment	Ongoing equipment Cost	One-time human resource costs thru deployment	Ongoing human resource costs
	Alameda	--	--	\$300,000	\$100,000
	Calaveras	Unknown	Unknown	Unknown	Unknown
	El Dorado	Unknown	Unknown	Unknown	Unknown
	Fresno	--	--	\$6,000	--
	Glenn	Unknown	Unknown	Unknown	Unknown
	Lassen	Unknown	Unknown	Unknown	Unknown
	Marin	Unknown	Unknown	Unknown	Unknown
	Mendocino	Unknown	Unknown	Unknown	Unknown
	Monterey	Unknown	--	--	--
	Riverside	\$60,000	\$40,000/year	\$75,000	\$90,000
	San Luis Obispo	\$15,000	\$3,000	\$0.00	\$0.00
	San Mateo	\$0 (vender purchased)	\$0 (vender supported)	-\$100,000	~125,000
	Santa Cruz	Unknown	Unknown	Unknown	Unknown
	Shasta	Unknown	Unknown	Unknown	Unknown
	Siskiyou	\$300,000	\$100,000	\$100,000	\$100,000
	Sonoma	\$1,000,000	\$250,000	\$3,000,000	\$600,000
	Stanislaus	\$60,000	--	\$40,582	\$10,000
	Tulare	\$200,000	N/A	N/A	\$40,000
	Tuolumne	Unknown	Unknown	Unknown	Unknown
	Ventura	N/A	N/A	N/A	N/A
	Yolo	Unknown	Unknown	Unknown	Unknown

Note: Very few completed all columns. Further, many put in notes and qualified responses. "--" means the court was non-responsive to the column question. All responding (at least to one column) courts were included in chart.

Comments:

Contra Costa: E-filing upgrade \$20,000.

Monterey: "Estimated costs will be dependent on e-filing strategies adopted by the court."

Orange: One-time equipment costs through deployment, court said, "\$40K to \$60K; (2) Load Balancers; 2) Electronic File Manager Server (EFM); (1) Web Service Server (data)"; Ongoing equipment costs, "10K to \$15K, Server Maintenance Support (Annual)"; One-time human resources, "Project Manager, Business System Analyst, Application Developer, Contractor (2GEFS XML expert). Note: Additional cost may vary for actually deploying an e-filing module as Orange County Superior Court utilized the CCMS V3 e-filing module which was already developed by the AOC"; On-going human resources, "IT Manager (Part time), Business System Analyst Application Developer".

San Diego: One-time equipment cost, "EFM Servers \$47.9K, Desktops \$18.8K, Automated Testing Tool \$65K, OneLegal EFSP work \$14K"; Ongoing equipment costs, "EFM Servers Maint & support \$6K, Adobe Pro Maint & Support \$2K"; One-time human resource cost, "XML Legal \$89K".

San Francisco: One-time equipment costs, "No real additional equipment. Users access e-filing through issued PCs"; Ongoing equipment costs, "Rolled in with PC replacement costs"; Ongoing human resource, "Assumed with existing employee duties and responsibilities".

Santa Barbara: E-filing is included in the software upgrade. However, the Court purchased a DMS as needed as part of the e-filing document flow. Ongoing human resource costs TBD.

Question #8

Please indicate the percentage of filings in each case type that were e-filed in your first year, or that you anticipate to be filed in your first year.

Table 6A. Percent of Filings E-Filed in First Year by Case Type

	Complex Civil	Unlimited Civil	Collections	Unlawful Detainers	Small Claims	Probate	Family	Juvenile	Criminal	Traffic	Domestic Violence/ Protective Orders	Other
Contra Costa	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Los Angeles †	0%	0%	0%	0%	Text*	0%	Text*	0%	0%	Text*	0%	0%
Orange	100%	86%	75%	7%	30%	0%	0%	0%	0%	0%	0%	11%
San Bernardino	Unk	Unk	Unk	Unk	Unk	Unk	Unk	100%	20%	20%	Unk	Unk
San Diego	100%	10%-15%	<1%	<1%	0%	<1%	0%	0%	0%	0%	0%	--
San Francisco	100%	--	--	--	--	100% trusts	55% child support	--	--	--	--	100% Asbestos
Santa Clara	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

† Los Angeles writes in: Small Claims: FY 2012-2013: 22.0% (12,829 of 58,211 total)
 Family: FY 2012-2013: 26.1% (23,872 of 91,512 total)
 Traffic: FY 2012-2013: 13.9% (219,823 of 1,580,588 total)

Table 6B. Anticipated Percent of Filings E-Filed in First Year by Case Type

	Complex Civil	Unlimited Civil	Collections	Unlawful Detainers	Small Claims	Probate	Family	Juvenile	Criminal	Traffic	Domestic Violence/ Protective Orders	Other
Alameda	90%	--	--	--	--	--	--	--	--	--	--	--
Amador	4%	38%	0%	0%	0%	0%	0%	0%	17%	62%	0%	0%
El Dorado	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Glenn	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk
Kings	75%- 100%	75%- 100%	75%- 100%	75%- 100%	75%- 100%	75%- 100%	75%- 100%	75%- 100%	75%- 100%	75%- 100%	75%- 100%	75%- 100%
Marin	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk
Nevada	25%	25%	0%	10%	10%	0%	0%	0%	0%	0%	0%	0%
Riverside	75%	50%	50%	50%	25%	0%	0%	0%	0%	100%	0%	0%
San Joaquin	25%	25%	--	10%	25%	--	25%	25%	--	--	--	--
San Luis Obispo	20%	20%	0%	15%	40%	20%	15%	0%	0%	20%	0%	--
San Mateo	90%	20%	40%	25%	5%	0%	0%	0%	0%	25%	0%	0%
Santa Barbara	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Shasta	100%	Unk	Unk	Unk	Unk	Unk	Unk	Unk	Unk	100% from LE	Unk	Unk
Sonoma	100%	95%	100%	90%	100%	100%	75%	100%	90%	100%	100%	--
Stanislaus	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Tulare	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Tuolumne	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Ventura	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Notes:

1. "--" means the court was non-responsive and "unk" indicates the court wrote-in unknown.
2. Some courts responded N/A, even though these courts plan to implement e-filing, including: Santa Cruz, Solano, and Yolo.
3. Courts not planning to implement e-filing were not included

Question #9

Which of the following most closely describes how attorneys or other filers submit their documents to the courts?

Table 7. How E-Filers Submit or Will Submit Documents to Court

Total Population (n=17)

		File directly with the court using court's e-filing system	File through a single approved e-filing service provider (EFSP)	File through one of multiple approved EFSPs
Currently Offering E-Filing	Contra Costa			X
	Los Angeles	X		
	Orange			X
	Sacramento		X	
	San Bernardino			X
	San Diego			X
	San Francisco		X	
	Santa Clara		X	
	Plan to Offer E-Filing	Amador		
Fresno			X	
Napa		X		
Merced		X		
Riverside				X
San Luis Obispo			X	
San Mateo				X
Shasta			X	
Sonoma		X		
Tulare		X		

Note: Courts not planning to implement e-filing were not included.

Specified "Other":

Alameda: Counter, Fax Filing, E-Delivery (E-Mail)

Alpine: Fax and mailing of original

Glenn: Our current system does not accept e-filings.

Los Angeles: Small Claims, Family Law (CSSD), Traffic

Kern: Fax Filing, Filing Service, or Filed directly with the court

Kings: When implemented, will file directly with the court.

Lassen: If and when implemented, would be court's e-filing system

Marin: Unknown. We have not evaluated.

Monterey: N/A – E-filing strategy has not been fully vetted

San Diego: File and Serve XPress – Civil Construction Defect OneLegal – Civil, Probate

Stanislaus: In development—starting with one EFSP and working to multiple vendors

Tuolumne: They deliver/mail a hard copy to the court for filing.

Question #10

List all EFSPs that are approved to file documents in your court. If your court uses an internally developed system; please write "Internally Developed;" please also indicate if any outside vendor participated in designing the system. If your court takes submissions via e-mail, please write "E-mail".

Table 8. Approved EFSPs by Court

Contra Costa	OneLegal; Lexis Nexis
Alameda	Fax-Filing; E-Delivery (E-Mail)
Los Angeles	Small Claims: Internally Developed Family Law (CSSD): Internally Developed Traffic: Internally Developed
Orange	American LegalNet; DDS Legal; E-Filings of America; Essential Publishers; First Legal Network; ISD Corporation; Legal Aid Society of Orange County; One Legal; One Touch Legal; Rapid Legal; TurboCourt; Paszko Legal Services
Placer	CMS vendor to provide API to connect to as many EFSPs as possible
Riverside	Outside vendor
Sacramento	Essential Publishers, 7th Son Software, American Legal Net, Smart Forms
San Bernardino	In process. No approved EFSP's at this time
San Diego	File and Serve Xpress – CD cases OneLegal – Civil and Probate
San Francisco	EFSP - File and Serve Express. Vendor collaborated with the Court in developing the integration. The court also utilizes an e-filing application developed by the Department of Child Support Services (DCSS). DCSS submits e-filings to the Court using this application and is restricted only for DCSS use at this time.
San Luis Obispo	E-filings will occur through our CMS vendor, Tyler Technologies
San Mateo	We are planning a Q1 2014 launch with approved EFSP's: OneLegal, Essential Publishers, Rapid Legal, and ABC Legal
Santa Clara	Glotrans
Shasta	Complex cases-Lexis; otherwise, paper filings
Sonoma	Internally developed solution is being planned
Stanislaus	OneLegal

Note: Only those courts with actual answers are included.

Question #11

Please describe how filers pay for filings in your court.

Table 9. Filers Method of Payment

		By Credit/ Debit Card For Every Filing	Through an account with the Court that is depleted each time a filing is made	Through an account with the e-filing vendor that is depleted each time a filing is made	Billed for each filing and regularly invoiced
Currently Offering E-Filing	Contra Costa			X	
	Los Angeles	X (Small Claims)			
	Orange	X		X	X
	Sacramento	X			
	San Diego			X	
	San Francisco			X	
	Santa Clara	X		X	
Plan to Offer E-Filing	Alameda	X			
	Fresno	X	X		
	Kern	X			
	Lassen	X			
	Merced	X			
	Nevada	X			
	Placer	X			
	Riverside	X		X	
	San Luis Obispo	X			
	San Mateo			X	
	Shasta	X			
	Sonoma	X			
	Stanislaus	X			
	Tulare	X			
	Tuolumne	X			

Note: It is possible not all courts understood this question. All courts should have responded but some wrote in "N/A" or "none", and others answered only how filers filing through e-filing pay.

Specified "Other":

Butte: "Filers pay by cash or check at the time of each filing."

Fresno: ""Represents paper filings only at this time."

Glenn: "All filings are over the counter or by fax."

Kings: "This will be an agenda item as the Court approaches implementation of the new CMS"

Nevada: "Filers also pay by check or cash."

San Bernardino: "Filers pay the EFSP, which settles the account with the court."

San Francisco: "Clarification - Asbestos, Complex Litigation, and Probate Trust e-Filers have an account with the e-filing vendor and then invoiced monthly. Child Support filings are accepted directly into the Court's Case Management System with no charge to the filing party (DCSS)."

San Luis Obispo: "Cash/Check at counter"

San Mateo: "We are not exactly sure on the financial arrangements between the EFSPs and their customers."

Tulare: "With check"

Tuolumne: "Or by check"

Ventura: "E-filing not offered."

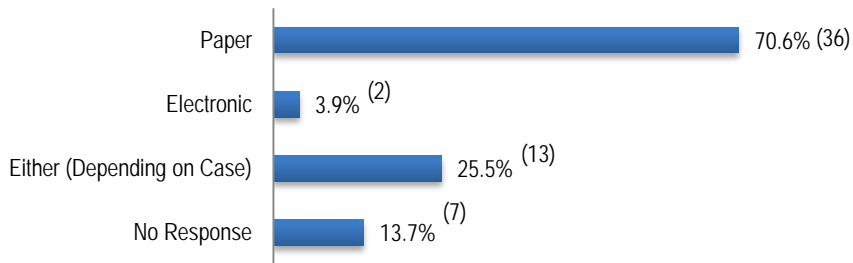
Yolo: "At counter by cash or check, or via regular mail via check"

Question #12

What is the medium for the official record in your court?

Figure 3. Medium of Official Record

Total Population (n=58)



Notes:

Sonoma responded Paper and commented: "Court also uses some level of electronic official records (i.e. digital images, register of actions, warrants)"

San Luis Obispo responded Paper and commented "Other – Microfiche"

Kern responded Paper and commented: "We are currently beginning to image archived documents."

Questions #13 and #14

Question #13: Is your e-filing system integrated with your case management system (CMS)?

Question #14: Is your e-filing system integrated with your document management system (DMS)?

Table 10. E-Filing System is Integrated with CMS and DMS

Total Population (n=34)

	CMS			DMS			Current CMS [†]	Planned CMS
	Yes	No	N/A	Yes	No	N/A		
Currently Offering E-Filing	Contra Costa	X				X		
	Los Angeles [§]	x			x	x		
	Orange	X			X		V3, Banner, Vision	Tyler
	Sacramento	X			X		V3, JAS, OCS	Thomson Reuters
	San Bernardino	X			X			
	San Diego	X			X			Tyler
	San Francisco	X				X		
	Santa Clara		X			X		Tyler
Plan to Offer E-Filing	Calaveras					X	Ciber	Tyler
	Colusa					X		
	El Dorado					X		
	Glenn		X			X		
	Kern		X			X		Tyler
	Kings	X			X		Contexte, County	Tyler
	Lassen	X			X		Ciber	Tyler
	Mariposa		X			X		
	Merced		X			X		
	Mono		X			X		
	Nevada		X			X		
	Riverside	X			X			ISD
	San Joaquin		X			X		Justice System
	San Luis Obispo		X			X		Tyler
	San Mateo	X			X			
	Santa Barbara	X			X			
	Santa Cruz	X					X	
	Siskiyou		X				X	
	Sonoma		X			X		
	Stanislaus		X			X		
Trinity		X				X		
Tulare	X			X			Sustain	
Tuolumne		X			X			
Ventura		X			X			

Note: The question was asked of those with e-filing but others answered as well. It is likely those intending to implement e-filing responded with what is planned.

[†] Current and Planned CMS information was taken from a survey conducted in 2011

[§] Los Angeles: Integrated with CMS: Small claims, Family Law (CSSD), Traffic
Integrated with DMS: Family Law (CSSD), Traffic - Not Integrated with DMS: Small Claims

Question #15

How can cases be initiated?

Table 11. How Can Cases Be Initiated?
Total Population (n=39)

		A hardcopy of the initial filing is delivered to the courthouse	The initial filing can be e-filed	Other (Fax filing)
Currently Offering E-Filing	Contra Costa		X	
	Los Angeles	X	X	X
	Orange	X	X	
	Sacramento	X	X	
	San Bernardino	X	X	
	San Diego		X	
	San Francisco	X		
	Santa Clara		X	
Not Currently Offering E-Filing	Alameda	X		X
	Alpine	X		
	Butte	X		
	Colusa	X		
	Del Norte	X		
	Fresno	X		
	Glenn	X		
	Kern	X		X
	Kings	X	X	
	Lake	X		
	Lassen	X	X	
	Marin	X		
	Mariposa	X		
	Merced	X		
	Mono	X		
	Napa		X	
	Nevada	X		
	Riverside	X	X	
	San Joaquin	X		
	San Luis Obispo	X	X	
	San Mateo	X	X	
	Santa Barbara	X		
	Santa Cruz	X		
	Shasta	X		
	Sierra	X		
	Sonoma	X		
	Stanislaus	X		
	Trinity	X		
	Tulare	X	X	
	Tuolumne	X		
Ventura	X			
Yolo	X			

Comments:

Alpine: Fax followed by mailing of original

Los Angeles: Other: Fax Filing

Napa: Initial filing can be e-filed except for Red Light

Orange: Civil (except Small Claims), Probate, and Mental Health must be e-filed; other case types are paper.

San Mateo: We are planning a Q1 2014 launch with complex litigation cases as the initial case type.

Question #16

Please describe the clerk review function as it pertains to e-filings.

Note: While 5 options were allowed, only 3 types of reviews were selected.

Figure 4A. Clerk Review Function As It Pertains to E-Filings for Courts Planning to Offer E-Filing

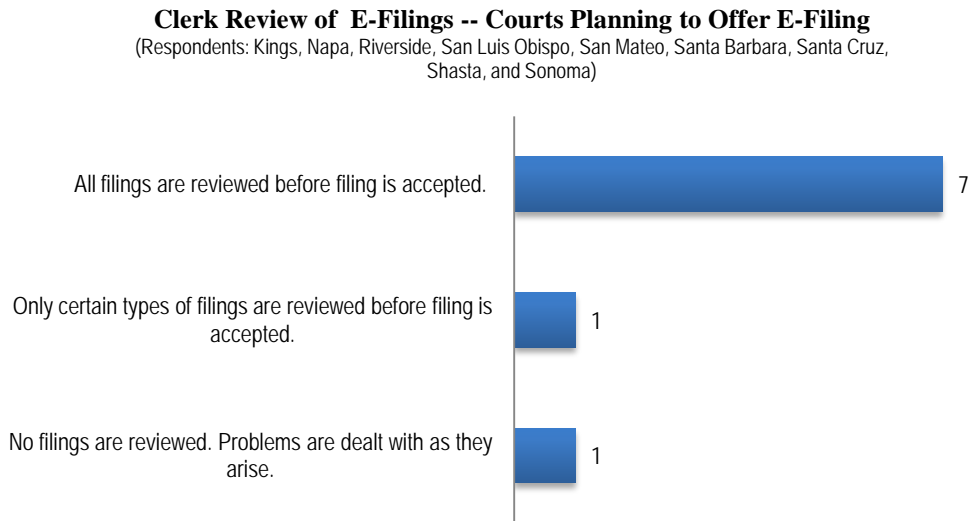
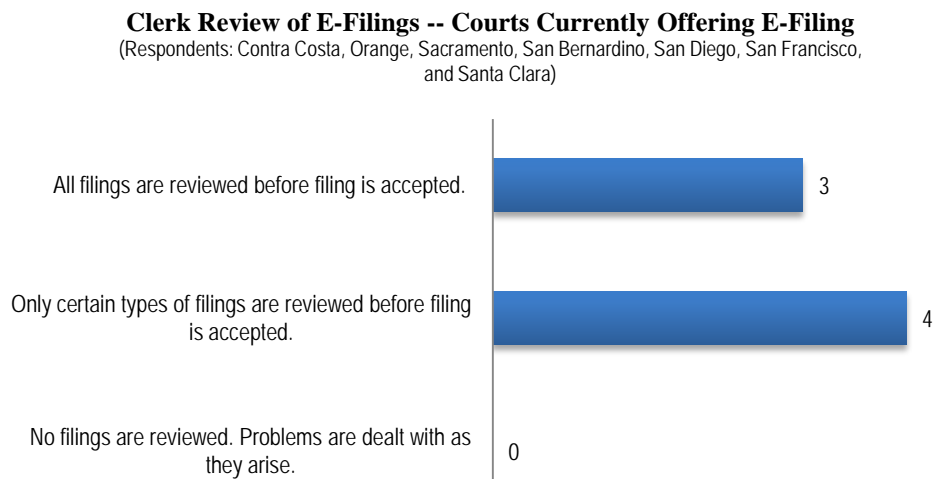


Figure 4B. Clerk Review Function As It Pertains to E-Filings for Courts Currently Offering E-Filing

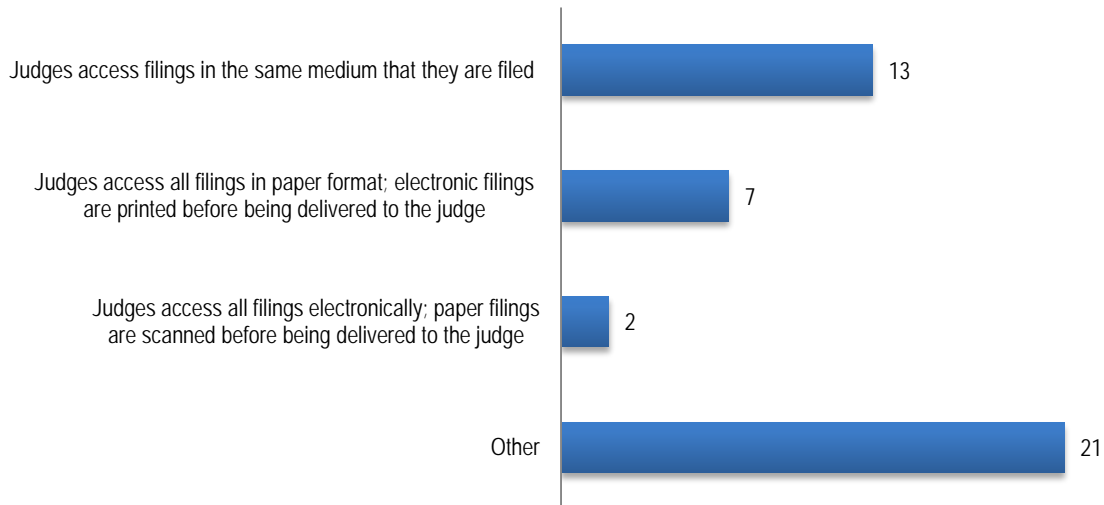


Question #17

Once your court receives filings, how do judges access the filings?

Figure 5. How Judges Access Filings

Total Population (n=43)



Notes:

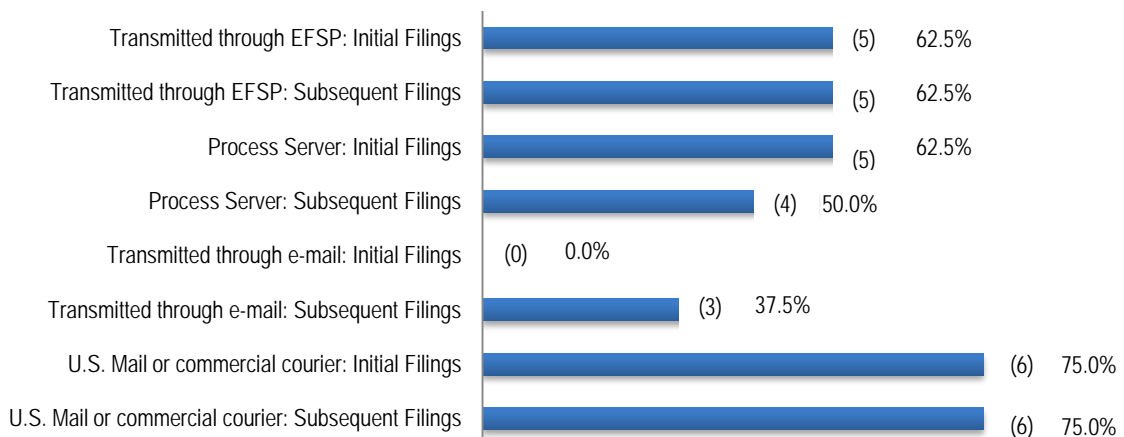
1. There was confusion as to whether this question was how judges access filings if they were originally e-filed. 16 of the "Other" category referred to the question as being N/A because they didn't currently offer e-filing.
2. Most of the remaining "Other" responses said either "it depends on the judge" or "mostly paper".
3. Alpine specified that "Judge reviews the Fax filed document".

Question #18

Please describe how parties serve documents in your e-filing environment.

Figure 6. How Parties Serve Documents in Your E-Filing Environment

Total Population (n=8)



Note: While only 8 counties said that they have implemented e-filing, some counties (10) planning to implement e-filing answered this question as well. For purposes of reporting, only the 8 declared counties were used to render the above chart.

Question #19

Describe all types of electronic notification that your court currently uses (including types of cases, types of proceedings, types of documents, and the manner of service of notices).

Table 12. Types of Electronic Notification by Court

Contra Costa	Complex Lit New Case Open
Alameda	We do not currently send electronic notifications
Kings	The Court is currently not using any electronic notices. This will be an agenda item as we approach implementation of the Courts new CMS.
Los Angeles	None
Marin	None
Merced	None
Mono	We do not provide any type of electronic notification
Nevada	None
Orange	Currently, our court electronically notifies court reporters when transcripts are required for appellate cases. We are looking toward expanding our electronic service to include court generated notices and proposed orders for civil cases in the coming year.
Riverside	None
Sacramento	EFSP, E-Mail
San Bernardino	Notices sent by the court are planned to be e-delivered to e-filers.
San Diego	Currently, the only electronic notification our court uses is electronic service of Court-generated notices on Complex Unlimited Civil Construction Defect cases through our EFSP, File & Serve Xpress. These Court-generated notices include, but are not limited to Notices of Hearing, Orders, and Rulings.
San Francisco	None
Santa Barbara	TBD
Santa Cruz	None
Shasta	Criminal - electronic notifications from District Attorney and Probation (i.e. complaints, warrant requests, petitions, amended charges) are received but not processed until paper copy is received. Traffic - electronic notifications are received for local law enforcement citations and traffic school completions and processed once the hard copy is received.
Sierra	None
Sonoma	E-mailing from court to attorneys or self-represented. Within current CMS, data shared among justice partners.
Tulare	We are currently in the process of implementing e-filing. These options do not apply at this time.
Tuolumne	CCPOR for DV cases. TAP for transmission of clerks transcripts to 5th DCA

Notes:

1. 16 counties answered "N/A", including Calaveras, Colusa, El Dorado, Glenn, Lassen, Mariposa, Mendocino, Monterey, Napa, San Joaquin, San Luis Obispo, Siskiyou, Solano, Stanislaus, Ventura, and Yolo.
2. 20 courts did not respond to the question, including Alpine, Amador, Butte, Del Norte, Fresno, Humboldt, Imperial, Inyo, Kern, Lake, Madera, Modoc, Placer, Plumas, San Benito, Santa Clara, Sutter, Tehama, Trinity, and Yuba.

Question #20

Describe how non-electronic evidence is handled.

Table 13. How Courts Handle Non-Electronic Evidence.

Total Population (n=34)

		The resulting electronic image of evidence that can be scanned can be filed electronically with the pleading	An image of the evidence can be filed in hard copy, but the pleading can still be filed electronically	Both the pleading and the evidence can be filed in hard copy	Other
Currently Offering E-Filing	Contra Costa				X
	Los Angeles			X	
	Orange			X	
	Sacramento		X	X	
	San Bernardino	X			
	San Diego		X		
	San Francisco			X	
	Santa Clara	X		X	
	<hr/>				
Not Currently Offering E-Filing	Alpine			X	
	Fresno			X	X
	Glenn			X	
	Kern		X		
	Kings	X	X	X	
	Lassen			X	
	Marin				X
	Mariposa			X	
	Mendocino				X
	Monterey				X
	Napa			X	
	Nevada			X	
	Riverside			X	
	San Joaquin			X	
	San Luis Obispo			X	
	San Mateo				X
	Santa Barbara				X
	Santa Cruz				X
	Shasta				X
	Solano				X
	Sonoma			X	
	Trinity			X	
	Tulare				X
	Tuolumne			X	
Ventura				X	
Yolo				X	

Note: Many respondents checked "Other" and noted "N/A" (15, including Contra Costa) or "TBD" or that they did not have e-filing.

Question #21

Describe how your court handles e-filing for self-represented litigants, including any assistance provided.

Table 14. How Courts Handle E-Filing for Self-Represented Litigants.

Kings	Will have self-help scanners available at the clerk office and additional assistance will be provided by Court Staff at the Self-Help Center when the new CMS is implemented.
Los Angeles	For Small Claims, refer the filer to the following sites (Right click on link and select Open Hyperlink): L.A. Department of Consumer Affairs Small Claims Court Advisor Program California Department of Consumer Affairs Small Claims Advisors California Courts Self Help Center State Bar of California
Orange	Self-represented litigants (SRLs) have the ability to opt-in to electronic filing, but it is not mandatory. To facilitate the use of electronic filing by SRLs, our Court has established clinics at our Self-Help Centers to aid them in the submission of their filings. We have also contracted with vendors, whose interface is designed with the SRL in mind. Legal Aid Society of Orange County also assists SRLs with electronic filing.
Riverside	Self-Help Centers at court locations
Sacramento	Smart Forms- Business logic in Smart forms provides Guidance and immediate feedback to filer.
San Bernardino	EFSP's will be required to support self represented litigants. The court also assists self represented litigants through our self help program.
San Diego	Self Rep litigants are exempt from e-filing in Complex cases that are ordered Mandatory e-file. If a Self Rep Litigant opts to e-file, they are able to open an account with the EFSP and pay the appropriate fees to e-file. If litigants are indigent, e-filing fees owed to EFSP are waived.
San Francisco	SRL's are exempt, but are encouraged to e-file.
San Joaquin	Paper forms over the counter.
San Mateo	Self-represented litigants can e-file through one of the approved EFSPs. Our e-Filing partner (ISD Corp.) will waive their fees if the filer has a fee waiver.
Santa Clara	N/A e-filing for complex civil only
Sonoma	Have not made a decision as to voluntary versus mandatory use of e-filing for self represented and the case types.
Tulare	We are currently in the process of implementing e-filing. These options do not apply at this time.

Note: Only courts with content in their responses are included, including courts that are only in the planning stages—Kings, Riverside, San Joaquin, San Mateo, Sonoma, and Tulare. All others either entered N/A or did not answer.

Question #22

If you have implemented e-filing, please describe to what extent and how the rules of court adopted under AB 2073 are being used by your court.

Table 15. How Courts With E-Filing Are Using the Rules of Court Adopted Under AB 2073.

Contra Costa	Complex Lit Only for E-filing
Los Angeles	Not at all
Orange	Our court has fully adopted and implemented the rules of court adopted under AB 2073.
Sacramento	Not
San Bernardino	Our existing e-filing implementation pre-dates AB 2073. AB 2073 will be very helpful with the planned implementation of civil e-file.
San Diego	Our Court currently follows the CRC adopted AB2073 in our Civil and Probate Divisions, Complex Unlimited Civil actions can be ordered as mandatory e-filing and all other Civil and probate cases may be designated as permissive e-file cases.
San Francisco	Our court currently accepts Complex Litigation, asbestos, and Probate Trust cases as mandatory e-Filed documents. Our court also accepts department of child support filings electronically, but limited only by certain document types.

Question #23

If you are planning to implement e-filing, to what extent and how do you plan to use the rules of court adopted under AB 2073.

Table 16. How Courts Without E-Filing Plan to Use the Rules of Court Adopted Under AB2073.

Alameda	Under review
Calaveras	We have not considered this issue.
El Dorado	Still in planning process. We will review AB2073 and our processes will follow accordingly
Fresno	We do not know at this time.
Glenn	Not sure at this time.
Kerns	We have selected a vendor that other California Courts are already working with and anticipate that this will be decided on by user group.
Kings	Specific procedures regarding e-filing and how the Court will utilize the Rules of Court adopted under AB 2073 will be developed by Court Staff and Judicial Officers prior to the Courts implementation of the new CMS.
Lassen	Our court is in initial planning stages, many issues are yet to be addressed
Los Angeles	Will set up multiple EFSPs and will mandate e-Filing in all allowable case types
Marin	Unknown - we have not evaluated
Mendocino	Unknown
Merced	I do not know.
Monterey	N/A – E-filing strategy has not been fully vetted
Napa	Unknown
Nevada	TBD
Placer	Not yet decided
Riverside	Our local rules indicate that we will begin Mandatory e-filing January 1, 2014
Sacramento	Undetermined
San Bernardino	AB 2073 provides direction for EFSP's and the opportunity to move to mandatory e-filing.
San Diego	We have implemented e-Filing.
San Francisco	We are planning to expand our e-filing program to all limited and unlimited civil cases by next year.
San Joaquin	Have not gotten to the planning stage of e-filing to determine how much of the rule to use vs. not.
San Luis Obispo	Plan to use the rules to the extent of e-filing, with e-notification occurring later.
San Mateo	Plan has not been fully developed at this point.
Santa Barbara	TBD
Santa Cruz	Unknown
Sonoma	Voluntary and providing incentives to litigants by keeping the transaction costs low.
Stanislaus	Not sure at this time.
Tehama	To the extent possible.
Tulare	E-Filing will be implemented in accordance with all rules adopted under AV 2073
Tuolumne	We would plan to follow the Rules of Court
Ventura	Still TBD.

Questions #24 and #25

Question #24: What is the time of “close of business” in your court, i.e. the time on a court day at which the court stops accepting documents for filing at its filing counter?

Question #25: If your court offers e-filing/fax filing/filings via e-mail, is the filing deadline the same or different than the physical window as indicated in the previous question? Please describe if different.

Table 17. Close of Business Times: Window, E-Filing, E-Fax, E-Mail.

		Window Time	Yes	No
Currently Offering E-Filing	Contra Costa	5:00 PM		
	E-File			
	E-Fax		X	
	E-Mail			
	Los Angeles	4:30 PM	X	
	E-File		X	
	E-Fax		X	
	E-Mail			
	Orange	4:00 PM		X
	E-File			X
	E-Fax			
	E-Mail			
	Sacramento	5:00 PM	X	
	E-File		X	
E-Fax		X		
E-Mail				
San Bernardino	3:00 PM*	X		
E-File		X		
E-Fax		X		
E-Mail		X		
San Diego	3:30 Mon. – Thur. Noon on Fri.*	X		
E-File		X		
E-Fax		X		
E-Mail		X		
San Francisco	4:00 PM	X		
E-File		X		
E-Fax				
E-Mail				
Santa Clara		X		
E-File		X		
E-Fax				
E-Mail				
Not Currently Offering E-Filing	Alameda	2:30 PM 4:00 PM Traffic		
	E-File			
	E-Fax			X
	E-Mail			X
	Alpine	4:30 PM	X	
	E-File		X	
	E-Fax			
	E-Mail			
	Butte	4:00 PM	X	
	E-File		X	
	E-Fax			
	E-Mail			
	Calaveras	4:00 PM	X	
	E-File		X	
	E-Fax			
	E-Mail			
	Colusa	5:00 PM		
	E-File			
	E-Fax			
	E-Mail			
El Dorado	3:00 PM		X	
E-File			X	
E-Fax				
E-Mail				
Fresno	5:00 PM			
E-File				
E-Fax				
E-Mail				
Glenn	4:30 PM			
E-File				
E-Fax				
E-Mail				
Inyo	4:00 PM			
E-File				
E-Fax				
E-Mail				
Not Currently Offering E-Filing	Kern	5:00 PM		
	E-File			
	E-Fax		X	
	E-Mail			
	Kings	4:00 PM Mon. - Thur. 11:30 AM on Fri.	X	
	E-File		X	
	E-Fax		X	
	E-Mail			
	Lake	1:00 PM		
	E-File			
	E-Fax			
	E-Mail			
	Lassen	4:00PM	X	
	E-File		X	
	E-Fax		X	
	E-Mail		X	
	Mendocino	4:00 PM	X	
	E-File		X	
	E-Fax			
	E-Mail			
Mariposa	3:00 PM			
E-File				
E-Fax				
E-Mail				
Merced	3:00 PM			
E-File				
E-Fax				
E-Mail				
Modoc	5:00 PM	X		
E-File		X		
E-Fax				
E-Mail				
Mono	4:00 PM	X		
E-File		X		
E-Fax				
E-Mail				
Napa	5:00 PM	X		
E-File		X		
E-Fax				
E-Mail				
Nevada	4:00 PM	X		
E-File		X		
E-Fax				
E-Mail				
Placer	3:00 PM	X		
E-File		X		
E-Fax		X		
E-Mail		X		
Plumas	4:00 Mon. – Thur. 3:00 PM on Fri.		X	
E-File			X	
E-Fax				
E-Mail				
Riverside	Same as court house	X		
E-File		X		
E-Fax		X		
E-Mail		X		
San Joaquin	3:00 PM			
E-File				
E-Fax				
E-Mail				
San Luis Obispo	4:00 PM	X		
E-File		X		
E-Fax				
E-Mail				

		Window Time	Yes	No
Not Currently Offering E-Filing	San Mateo	4:00 PM		
	E-File		X	
	E-Fax		X	
	E-Mail			
	Santa Barbara	3:00 PM		
	E-File			
	E-Fax		X	
	E-Mail			
	Santa Clara	5:00 PM		
	E-File		X	
	E-Fax			
	E-Mail			
	Santa Cruz	3:00 PM		
	E-File			
	E-Fax			
	E-Mail			
	Shasta	2:00 PM		
	E-File			
	E-Fax		X	
E-Mail				
Sierra	4:30 PM			
E-File				
E-Fax		X		
E-Mail				
Siskiyou	4:00 PM			
E-File				
E-Fax		X		
E-Mail				
Solano	2:00 PM			
E-File				
E-Fax		X		
E-Mail				
Sonoma*	Text*			
E-File		X		
E-Fax		X		
E-Mail		X		

		Window Time	Yes	No
Not Currently Offering E-Filing	Stanislaus	4:00 PM		
	E-File			
	E-Fax		X	
	E-mail			
	Tehama	2:00 PM		
	E-File			
	E-Fax			
	E-mail			X
	Trinity	3 PM		
	E-File			
	E-Fax			
	E-Mail			
	Tulare	4:00 PM		
	E-File			
	E-Fax			
	E-Mail			
	Tuolumne	3:00 PM		
	E-File			
	E-Fax			
E-mail		X		
Ventura	3:00 PM			
E-File				
E-Fax				
E-Mail			X	
Yolo	3:00 PM			
E-File				
E-Fax				
E-Mail		X		
Yuba	4:30 PM			
E-File				
E-Fax				
E-Mail				

* Sonoma writes in: for fairness purposes, we would need to pick the same time as closure of the clerk's office; otherwise, e-filers have an advantage over non e-filers.

Note: Only courts answering the question were included. There were 9 courts that did not answer the question.

Comments:

Alameda: entered "No Deadline" for Fax filing and E-delivered

Colusa: "N/A"

El Dorado: "Existing fax filing can be received up to 5:00 PM"

Fresno: "TBD"

Glenn: "N/A"

Kern: "Drop boxes are located at all court locations for filing after counters are closed" & "It is likely that when e-filing is available, the filing deadline will be changed to reflect the ability to file and post to the case system after hours"

Lake: "1:00 pm at the public counter; however a drop box is available until 5:00 pm"

Lassen: "Court would likely have the same deadline regardless of method of filing for consistency"

Mariposa: "N/A"

Merced: "I do not know."

Monterey: "N/A – E-filing strategy has not been fully vetted."

Nevada: "5:00 PM via drop box"

Orange: "Pursuant to the authority granted in CCP section 1010.6(d)(1)(D), our Court adopted Orange County Local Rule 352, which permits documents filed prior to midnight to be deemed filed as of that day. This rule does not apply to ex parte documents or other documents that require same day service, which must be filed within the same time period as would be required for the filing of a hardy copy of the document at the clerk's window to be deemed timely"

Placer: "Although we do not have e-filing today, the deadlines will be the same"

Plumas: "Plumas accepts Fax filings until 5:00 p.m. Mon – Fri"

San Bernardino: "4:00 is close of filings, but the counter closes at 3:00. From 3 - 4 a drop box is available."

San Diego: "COB at our actual filing counters ends at 3:30pm M-Th and at noon on Fridays. There are drops boxes in our lobbies that allow parties to receive stamp and drop filings until 5pm even though the business offices with filing counters are closed. All documents rec'd prior to 5pm are filed that same business day.

San Francisco: "Our court does not accept direct fax filing or E-delivered filings."

San Joaquin: "N/A"

Santa Barbara: "3:00 pm at public counter but 5:00 pm at drop box."

Shasta: "Public counter closes at 2:00; drop box is available until 5:00."

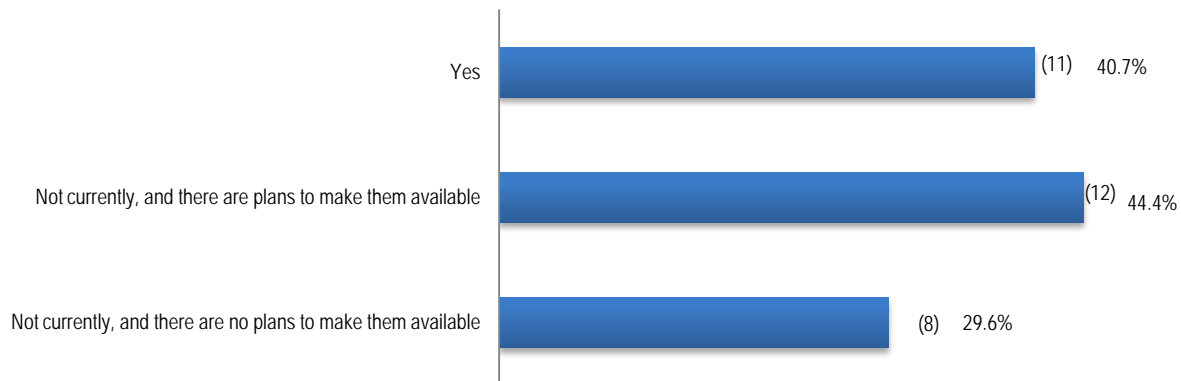
Yolo: "3 PM at counter 4 PM Drop Box"

Question #26

Are electronically filed documents available online for the public view?

Figure 7. Online Public Availability of Electronically Filed Documents.

Total Population (n=31)



Comments:

Kings: "Electronic documents will be available online when the new CMS system is implemented"

Lassen: "Not yet addressed. However, likely depending upon CMS web availability"

Orange: "In civil cases only pursuant to California Rules of Court"

Shasta: "Scanned filings are available online for viewing at the courthouse only"

Question #27

Does your court charge a fee for access to electronically filed documents? If yes, how much?

Table 18. Access Fees to Electronically Filed Documents.

Total Population (n=34)

	Yes, charge per access to image of document	Yes, charge per number of pages downloaded	Yes, charge per number of pages printed	Yes, charge a monthly subscription fee for access to image of documents	Yes, charge a monthly fee for downloading copies of documents	No
Contra Costa						X
Orange	\$7.50 flat fee for each case document downloaded (up to 10 pages)	\$7.50 flat fee if document is 10 pages or less, an additional \$0.07 for each page thereafter for a maximum of \$40.00.				
San Bernardino	\$.50 per page; \$50 max per document					
San Diego	For public internet ROA access: \$7.50 for first 10 pgs. of each document. \$0.07 per page thereafter.					
San Francisco						X
Santa Clara						X
Alameda						X
Calaveras						X
El Dorado						X
Glenn						X
Kern						X
Kings						X
Mariposa						X
Mendocino						X
Merced				X		
Monterey						X
Napa						X
Nevada						X
Placer						X
Riverside		\$1 per page for first 5 pages, \$.40 per page thereafter—max of \$40.00				
San Joaquin						X
San Luis Obispo						X
San Mateo						X
Santa Barbara						X
Santa Cruz						X
Shasta			\$.50 per page			
Solano						X
Sonoma						X
Stanislaus						X
Tehama						X
Tulare						X
Tuolumne						X
Ventura						X
Yolo						X

Notes:

Riverside and Shasta do not currently offer e-filing.

Although Merced specified they charged a monthly subscription fee for access to image of documents, they did not specify how much.

10 courts specified "N/A" and were counted as "No"

Specified "Other":

Alameda: Planning to implement.

El Dorado: We plan to charge when we implement. No fee schedule has been decided on yet.

Kings: This item will be discussed prior to go live of the Courts new CMS.

San Bernardino: \$50.00 max per document

San Diego: For Courthouse Kiosk ROA - \$0.50 per page.

San Joaquin: We planned to charge for downloading e-docs when possible

Stanislaus: Not yet e-filing.

Tulare: Dollar amounts will be determined after review

Question #28

What is the business process for documents requested to be sealed or confidential in an e-filing environment?

Table 19. How Documents Are Sealed.

	Both the motion to file under seal and the filing must be submitted in hard copy	Both a motion to file under seal and the filing must be submitted electronically	The motion to file under seal can be submitted electronically, but the filing must be submitted in hard copy	The filer can choose any of the mentioned methods	N/A
Currently Offering E-Filing	Contra Costa	X			
	Los Angeles	X			
	Orange		X		
	Sacramento	X			
	San Bernardino				X
	San Diego			X	
	San Francisco	X			
	Santa Clara			X	
	Not Currently Offering E-Filing	Alameda			X
Calaveras					X
Colusa					X
El Dorado					X
Glenn					X
Kern		X			
Lassen				X	
Riverside				X	
San Joaquin					X
San Luis Obispo					X
San Mateo					X
Santa Cruz					X
Shasta		X			
Sierra					X
Siskiyou					X
Solano					X
Sonoma		X			
Stanislaus					X
Tehama					X
Tulare					X
Tuolumne				X	
Ventura				X	
Yolo				X	

Comments:

Alameda states "Since we have not yet implemented e-filing, we are looking at all of the above methods."

Orange states that "if the entire case is sealed pursuant to court order, the electronic filing on the case is not available and documents must be submitted in hard copy".

San Mateo states that the "process has not been fully developed at this point."

Note: It's likely those providing a response other than N/A in the "planning to implement" group reflects what they anticipate will be the process.

Question #29

What document types and/or formats are accepted/required for e-filing?

Table 20. Accepted/Required Document Formats for E-Filing.

	PDF		TIFF		Microsoft Word		N/A
	Accepted	Required	Accepted	Required	Accepted	Required	
Currently Offering E-Filing	Contra Costa	X					
	Los Angeles	X		X			
	Orange	X			X		
	Sacramento	X	X				
	San Bernardino	X	X			X	X
	San Diego	X		X		X	
	San Francisco	X		X		X	
	Santa Clara		X				
Not Currently Offering E-Filing	Alameda	X		X		X	
	Glenn						X
	Kings	X					
	Lassen	X					
	Mendocino						X
	Monterey						X
	Napa			X	X		
	Nevada						X
	Placer	X	X				
	Riverside		X				
	San Joaquin						X
	San Luis Obispo						X
	San Mateo	X	X				
	Santa Barbara						X
	Santa Cruz						X
	Shasta						X
	Solano						X
	Sonoma		X				
	Stanislaus	X		X		X	
	Tulare	X		X		X	
Tuolumne						X	
Ventura						X	
Yolo						X	

Note: Courts not planning to implement e-filing were not included. Also, it is assumed that those courts planning to implement e-filing responded with what they anticipated to be the acceptable formats.

Comments:

San Bernardino wrote, "Word is required for proposed orders".

San Diego wrote, "All MS Office documents, TXT".

San Francisco wrote, "WordPerfect (.wpd), Text (.txt), Rich Text Format (.rtf), Graphic formats (.gif, .bmp, .jpg)".

Question #30

Indicate whether you support any of the XML-based e-filing standards.

Table 21. XML Based E-Filing Standards Supported.

		None	LegalXML 1.x	ECF 3.x	ECF 4.0	NIEM	2GEFS	N/A Unk**
Currently Offering E-Filing	Contra Costa		X					
	Los Angeles	X						
	Orange						X	
	Sacramento					X	X	
	San Bernardino						X	
	San Diego						X	
	Santa Clara						X	
	<hr/>							
Not Currently Offering E-Filing	Alameda	X						
	El Dorado						X	
	Glenn							N/A
	Mendocino							Unk
	Monterey							N/A
	Napa	X						
	Nevada	X						
	Placer						X	
	Riverside						X	
	San Joaquin							N/A
	San Luis Obispo							N/A
	San Mateo						X	
	Santa Cruz							N/A
	Shasta							N/A
	Solano							N/A
	Sonoma		X					
	Stanislaus						X	
	Tehama							Unk
	Tulare	X						
	Tuolumne							
Ventura	X							
Yolo	X							

Note: Courts not planning to implement e-filing were not included.

Comments:

El Dorado: "Our CMS is ISD and it supports 2GEFS"

San Bernardino: "Criminal E-File uses and XML based format, DCSS uses the DCSS XML format"

San Francisco: "Own in-house standard developed in collaboration with Lexis Nexis (now known as File & Serve Xpress)"

Santa Barbara: "Vendor is developing a NIEM-ECF API 1A2014"

** Unk = unknown

Question #31 and #32

Question #31: Have you made any effort to determine any cost savings as a result of doing e-filing?

Question #32: If you responded yes to question 31, please include your e-filing cost saving study by pasting the text in the box provided below. Alternatively, you may also email it to: Fati.Farmanfarmaian@jud.ca.gov. Please write: "CTAC Survey: E-Filing cost saving study" in the subject line

Only Alpine, Los Angeles and Orange answered "Yes"

Note: An example of Orange's e-filing cost saving study was sent in pursuant to request of Question #32, and Alpine and Los Angeles's responses to question #32 are included in the comments below.

Comments:

Alpine: "We have no written study, but were advised of the cost of implementing e-filing, the amount of which I don't recall, but it was inordinately costly and we could perceive no benefit to the court, court users, or the public that would warrant the expense. "

Los Angeles: "\$0.5014 per traffic case (FY 2012-2013 \$110,000)"

Kern: "We are replacing our entire case management system and requiring e-filing be part of the installation."

Mariposa: "Once we begin our planning/integration process for a new case management system, we will take that opportunity to determine potential cost savings by utilizing E-filing options."

Monterey: "The court plans to conduct a cost benefit analysis."

Riverside: "Riverside expects to have similar cost savings as Orange County."

San Diego: "Not formally. We did a quick time study prior to e-filing on time/effort for paper filing processes."

San Mateo: "Without the finalized process in place it is difficult to do such a study."

Santa Barbara: "We have seen Orange County's analysis of cost savings."

Sierra: "Insufficient filings to justify e-filing at this time."

Question #33

Indicate the number of filings in each case type that are filed using data from a recent month.

Table 22. Filings by County per a Recent Month
Total Population (n=35)

Currently Offering E-Filing

	Complex Civil		Unlimited Civil		Collections		Unlawful Detainers		Small Claims		Probate		Family		Juvenile		Criminal		Traffic		DV/Protective Orders		Other	
	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper
Contra Costa			100-999				100-999		100-999		100-999		100-999		<100		100-999		1000-2499					
Los Angeles		91		5,368		6,209		5,092	1,069	4,851		890	1,989	6,099		3,054		33,276	18,318	113,397		1,360		1,827
Orange	1000-2499	<100	25000-75000	1000-2499	25000-75000	100-999	10000-24999	1000-2499	100-999	2500-9999	1000-2499	2500-9999	2500-9999	25000-75000									100-999	100-999
Sacramento	<100		<100		<100		1000-2499		100-999		<100		<100		<100		<100		<100		<100			
San Bernardino	<100	<100	<100	2500-9999	<100	1000-2499	<100	2500-9999	<100	1000-2499	<100	100-999	100-999	2500-9999	100-999	100-999	2500-9999	2500-9999	2500-9999	10000-24999	<100	100-999	<100	<100
San Diego																								
San Francisco	<100			100-999		100-999		100-999		100-999		100-999	<100	100-999		<100		100-999		10000-24999				100-999
Santa Clara	1000-2499																							

Table 22. (continued)

Not Currently Offering E-Filing

	Complex Civil		Unlimited Civil		Collections		Unlawful Detainers		Small Claims		Probate		Family		Juvenile		Criminal		Traffic		DV/Protective Orders		Other	
	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper
Alameda		<100		100-999		100-999		100-999		100-999		100-999		1000-2499		100-999		1000-2499		10000-24999		100-999		100-999
Calaveras		<100		<100		<100		<100		<100		<100		<100		<100		<100		100-999		<100		<100
Colusa		<100		<100		<100		<100		<100		<100		<100		<100		<100		100-999		<100		<100
Del Norte		<100		<100		100-999		100-999		100-999		<100		100-999		<100		100-999		100-999		100-999		<100
El Dorado		<100		<100		<100		<100		<100		<100		100-999		<100		100-999		1000-2499		<100		100-999
Kern		<100		1000-2499		2500-9999		2500-9999		2500-9999		2500-9999		10000-24999		2500-9999		25000-75000		>75000		2500-9999		100-999
Lassen		<100		<100		<100		<100		<100		<100		<100		<100		<100		100-999		<100		<100
Marin		<100		100-999		100-999		<100		<100		<100		100-999		<100		100-999		2500-9999		<100		100-999
Mariposa		<100		<100		<100		<100		<100		<100		<100		<100		<100		100-999		<100		<100
Modoc		<100		<100		<100		<100		<100		<100		<100		<100		<100		<100		<100		
Mono		<100		<100		<100		<100		<100		<100		<100		<100		<100		100-999		<100		<100
Napa		100-999		100-999		<100		<100		<100		<100		<100		<100		100-999		10000-24999		<100		
Nevada		<100		100-999		100-999		100-999		100-999		<100		1000-2499		100-999		2500-9999		10000-24999		100-999		<100
Plumas		<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	100-999	<100	<100	<100	<100
Riverside		<100		100-999		1000-2499		1000-2499		1000-2499		100-999		1000-2499		100-999		2500-9999	25000-75000			100-999		
San Benito		<100		<100		<100		<100		100-999		<100		<100		<100		100-999		100-999		<100		
San Joaquin		100-999		100-999						100-999		<100		100-999		100-999		2500-9999		2500-9999				100-999

Table 22. (continued)

Not Currently Offering E-Filing

	Complex Civil		Unlimited Civil		Collections		Unlawful Detainers		Small Claims		Probate		Family		Juvenile		Criminal		Traffic		DV/Protective Orders		Other	
	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper	E-Filed	Paper
San Luis Obispo		100-999		<100		<100		<100		<100		<100		100-999		<100		1000-2499		2500-9999		<100		
San Mateo		100-999		2500-9999		2500-9999		1000-2499		100-999		1000-2499		2500-9999		100-999		1000-2499	1000-2499	10000-24999		100-999		
Santa Barbara		<100		100-999				<100		100-999		<100		100-999		100-999		1000-2499		2500-9999				
Santa Cruz	<100	<100	<100	2500-9999	<100	1000-2499	<100	100-999	<100	100-999	<100	100-999	<100	2500-9999	<100	1000-2499	<100	10000-24999	<100	25000-75000	<100	100-999	<100	<100
Sierra		<100		<100		<100		<100		<100		<100		<100		<100		<100		<100		<100		<100
Solano		<100		100-999		100-999		100-999		100-999		<100		100-999		<100		100-999		2500-9999		100-999		<100
Sonoma		<100		100-999		100-999		<100		<100		<100		100-999		<100		100-999		1000-2499		<100		<100
Stanislaus				100-999						100-999		<100		100-999		<100		2500-9999		2500-9999				
Trinity		<100		<100		<100		<100		<100		<100		<100		<100		100-999		100-999		<100		<100
Tuolumne	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	<100	100-999	<100	100-999	<100	<100	<100	<100
Ventura		<100		100-999						100-999				100-999		100-999		1000-2499		10000-24999				
Yolo		<100		<100		<100		<100		<100		<100		<100		<100		100-999		1000-9999		<100		<100

Notes: It appears that some gave more than one month's worth of filings data. Some courts failed to answer believing the point was to capture e-filing numbers only. Los Angeles did not use the drop down ranges. Instead they provided actual numbers. The 1,827 paper filings under the "Other" category is for Limited Civil cases.

Comments:

- Alpine: We typically have ~1500 total filings annually, of which 1200 are traffic infractions, and the balance mostly criminal misdemeanors. None of this survey has any applicability at this small county.
- Butte: Please refer to statistics report. All are filed on paper.
- Kern: Appeals and Habeas Corpus (referring to the types of other case types)
- Kings: Specific data is unknown at this time as we are in the process of implementing e-filing.

Marin: Average for 2013 up to October, Average DV is what was entered into CCPOR

San Francisco: The numbers reported above represent initial complaints and petitions. Subsequent filings are not included. Please note: Other case types include: Appellate filings=29; Asbestos filings=13; Juvenile Traffic=137; Mental Health filings=129; Other Limited Civil=65.

San Mateo: The civil numbers are for document filed; the traffic and criminal numbers are for citations/complaints filed.

Santa Barbara: This info is available to the AOC via the JBSIS portal.

Santa Clara: Documents processed indicated rather than filings.

Tulare: We are currently in the process of implementing e-filing. These options do not apply at this time.

Ventura: Filing by case type for all courts is available in the Court Statistics Report issued by the AOC

The tables below, representing the total population are an aggregate of the county responses in the above table.

Table 23. Filings by Case Type per a Recent Month

	E-filed							Total
	Less than 100	100 - 999	1000 - 2499	2500 - 9999	10,000 - 24,999	25,000 - 75,000	More than 75,000	
Complex civil cases	75% (6)	0% (0)	25% (2)	0% (0)	0% (0)	0% (0)	0% (0)	8
Unlimited civil cases	83.33% (5)	0% (0)	0% (0)	0% (0)	0% (0)	16.67% (1)	0% (0)	6
Collections cases	83.33% (5)	0% (0)	0% (0)	0% (0)	0% (0)	16.67% (1)	0% (0)	6
Unlawful detainers	66.67% (4)	0% (0)	16.67% (1)	0% (0)	16.67% (1)	0% (0)	0% (0)	6
Small claims	66.67% (4)	33.33% (2)	0% (0)	0% (0)	0% (0)	0% (0)	0% (0)	6
Probate	83.33% (5)	0% (0)	16.67% (1)	0% (0)	0% (0)	0% (0)	0% (0)	6
Family	71.43% (5)	14.29% (1)	0% (0)	14.29% (1)	0% (0)	0% (0)	0% (0)	7
Juvenile	80% (4)	20% (1)	0% (0)	0% (0)	0% (0)	0% (0)	0% (0)	5
Criminal	80% (4)	0% (0)	0% (0)	20% (1)	0% (0)	0% (0)	0% (0)	5
Traffic	57.14% (4)	0% (0)	14.29% (1)	14.29% (1)	0% (0)	14.29% (1)	0% (0)	7
Domestic violence protective orders	100% (5)	0% (0)	0% (0)	0% (0)	0% (0)	0% (0)	0% (0)	5
Other case types not shown above	80% (4)	20% (1)	0% (0)	0% (0)	0% (0)	0% (0)	0% (0)	5

	Paper							Total
	Less than 100	100 - 999	1000 - 2499	2500 - 9999	10,000 - 24,999	25,000 - 75,000	More than 75,000	
Complex civil cases	86.21% (25)	13.79% (4)	0% (0)	0% (0)	0% (0)	0% (0)	0% (0)	29
Unlimited civil cases	45.45% (15)	39.39% (13)	6.06% (2)	9.09% (3)	0% (0)	0% (0)	0% (0)	33
Collections cases	53.57% (15)	28.57% (8)	10.71% (3)	7.14% (2)	0% (0)	0% (0)	0% (0)	28
Unlawful detainers	60% (18)	23.33% (7)	10% (3)	6.67% (2)	0% (0)	0% (0)	0% (0)	30
Small claims	48.48% (16)	39.39% (13)	6.06% (2)	6.06% (2)	0% (0)	0% (0)	0% (0)	33
Probate	71.88% (23)	18.75% (6)	6.25% (2)	3.13% (1)	0% (0)	0% (0)	0% (0)	32
Family	36.36% (12)	39.39% (13)	9.09% (3)	9.09% (3)	3.03% (1)	3.03% (1)	0% (0)	33
Juvenile	68.75% (22)	25% (8)	3.13% (1)	3.13% (1)	0% (0)	0% (0)	0% (0)	32
Criminal	25% (8)	37.50% (12)	15.63% (5)	15.63% (5)	3.13% (1)	3.13% (1)	0% (0)	32
Traffic	9.68% (3)	29.03% (9)	16.13% (5)	19.35% (6)	19.35% (6)	3.23% (1)	3.23% (1)	31
Domestic violence protective orders	62.96% (17)	33.33% (9)	0% (0)	3.70% (1)	0% (0)	0% (0)	0% (0)	27
Other case types not shown above	68.18% (15)	31.82% (7)	0% (0)	0% (0)	0% (0)	0% (0)	0% (0)	22

Questions #34 and #35

Question #34: How many payments do you process per month?

Question #35: Please indicate your monthly mailing cost.

Table 24. Type of Payments Processed per Month

Total Population (n=37)

	Responses
Electronically	81.58% (31)
Manually	94.74% (36)

Table 25. Payments Processed and Mailing Costs per Month

	Payments Processed Per Month		Monthly Mailing Costs
	Electronic	Manual	
Contra Costa	N/A	N/A	N/A
Los Angeles	105,520	193,635	\$50,000
Orange	40,388	24,261	\$74,525
San Bernardino	15,400	73,230	\$48,325
San Francisco	1,550	7,429	
Santa Clara	1,600		
Currently Offering E-Filing	Alameda	5136	
	Butte	30	Unknown
	Calaveras	120	1195
	Colusa		1836
	El Dorado	1416	5912
	Kern	3,113	33,404
	Kings	0	
	Lassen	260	760
	Marin	1,654	5,057
	Mariposa	40-50	250-300
	Modoc	20	80
	Mono		800
	Nevada		Unknown
	Placer		
	Plumas	60	200
	Riverside	40,000	
	San Benito	<100	<100
	San Joaquin		9,000
	San Luis Obispo	0	7750
San Mateo	-3,000	-7,000	
Not Currently Offering E-Filing	Santa Barbara	0	Unknown
	Santa Cruz		2,000
	Sierra	0	138
	Siskiyou		-2,100
	Solano		
	Sonoma		See note
	Stanislaus	2560	8600
	Tehama	350	Unknown
	Trinity	0	500
	Tulare	0	Unknown
	Tuolumne	95	750
	Ventura	4,280	6,420
Yolo	1,218	12,198	

Note: Because some courts noted that they either included or did not include jury mail costs, or that mailing costs included or did not include printing costs, it is hard to know for those courts not qualifying their responses what may or may not be included in the response. Also, it is likewise hard to know what is being counted in the responses to "Payments Processed Per Month", especially since some courts qualified their responses to indicate payments are processed in limited case types, such as San Mateo commenting that electronic payments reflect traffic cases only.

Comments:

Re: Payments Processed Per Month

Butte: (Electronic) "we accept online payments for traffic citations and average 30 per month, compared to approximately 1500 monthly in-person credit card payments. However, due to lack of integration with our current Case Management System, even the online e-payments must subsequently be manually entered by staff".

Kings: All payments are manual since we are currently in the process of implementing e-filing.

Marin: Electronic number for traffic cases, only; manual number for traffic and criminal cases, only.

Nevada: 100% (total number is unknown)

San Mateo: Electronic number is for traffic only. Manual is for all case types.

Solano: Court wrote: "We can determine gross \$\$ but not transactions.

Sonoma: Court wrote: "Between \$600,000 to \$750,000" manually.

Re: Monthly Mailing Costs

Butte: Approximately \$7,500, the majority of which is related to jury summoning and other administrative functions. We would not expect e-filing to have a significant impact on the Court's overall mailing costs.

Los Angeles: This is an ESTIMATE based on 50,000 physical mailings a week and a cost of \$1.00 per mailing (including labor, supplies and postage).

Marin: Average \$8,700 (postage and service fee)

Orange: Our average monthly mailing cost for 2012-2013 was \$74,525, this costs captures solely the postage and envelopes for mailings and does not include printing or labor costs.

Plumas: About \$300 excluding jury and appeals

San Bernardino: \$48,325 (all mailings, includes jury)

Question #36

Question #36a.: Please indicate the linear feet of file space you require for physical records per month.

Question #36b.: Please estimate related monthly costs in handling of paper records (e.g., filing supplies, staff: filing and retrieval of records, repair and maintenance of space).

Table 26. Linear feet of File Space Required and Costs for Records per Month

	Linear Feet	Cost Per Month
Currently Offering E-Filing	Contra Costa	N/A
	Los Angeles	Archives \$31,000.00 per month
	Orange	\$2,162,324 (details in comments)
	Sacramento	1700 \$35,000
	San Bernardino	44,500 \$85,000
	San Francisco	142,410 \$1,193,333
Not Currently Offering E-Filing	Alameda	40.27 linear feet \$12,000
	Butte	Not tracked on a "per month" basis. Insufficient information to provide an estimate.
	Calaveras	13,402 inches/1,120 feet ~ \$150,000
	El Dorado	Unknown Unknown
	Kern	\$100,000 (storage lease, files, materials) \$1,870,000 (staffing)
	Kings	Unknown, stored off-site. Estimated Cost \$20,833.
	Lassen	1082 \$45,000
	Marin	5,850 onsite, 300 local offsite Unknown
	Mariposa	1000 \$390
	Modoc	75 \$60,000
	Mono	4,500 \$2,000
	Nevada	Unknown Unknown
	Placer	Rough estimate: 50,000 linear feet \$78,000
	Plumas	Not Counted Not tracked
	San Benito	500 ~\$1000 per month
	San Joaquin	30,000 sq. ft. \$62,000 per month
	San Luis Obispo	5000 \$2,500
	San Mateo	-40,000 sq. ft. ~\$500,000
	Santa Barbara	Unavailable Unavailable
	Santa Cruz	Unknown
	Sierra	216 ft. Unknown
	Siskiyou	-70-100 Approximately 4 FTE
	Solano	25,838 \$399,627
	Sonoma	(a date was inserted) \$200,000-\$250,000
	Stanislaus	74.24 Unknown
	Tehama	Unknown \$300/month
	Trinity	500
	Tulare	Unknown Unknown
Tuolumne	1000 \$3,500	
Ventura	\$226,256.74	
Yolo	N/A N/A	

Note: It is not clear what is included in the monthly costs, which makes comparison difficult.

Comments:

Butte: The court wrote on linear feet: This is not tracked on a 'per month' basis. Space for newer files is accommodated through imaging or destruction of older records. Available space is limited, but is currently sufficient.

Orange: The court wrote on costs: "The breakdown is as follows:

Average Salary & Benefits Costs for all staff conducting physical records-related duties: \$2,048,224 annually [only includes staff who prep file for hearings, pull files for various reasons or maintain files at storage facility];

Average Cost for File Folders: \$85,000 annually;

Average Cost for Miscellaneous Supplies (i.e., out cards, gas & maintenance of courier vans for storage facility, storage boxes, target sheets in case files, etc.): \$29,100 annually"

Placer: writes: "lease space only does not include staffing costs or supplies"

Introduction

The following survey is administered on behalf of the Judicial Council's Court Technology Advisory Committee (CTAC). There are 36 questions, which CTAC requests that each court answer.

The purpose of this e-filing survey is:

- 1) To assess the current state of e-filing in the trial courts and illuminate the benefits of e-filing implementations;
- 2) To provide data that will inform an e-filing cost benefit report being prepared by CTAC; and,
- 3) To provide data to assist the branch in prioritizing and securing funds from the State for e-filing deployments in the coming years.

The survey includes general e-filing, cost data, and savings data questions. Since it is likely that multiple court staff will need to help with the answers, we recommend that you begin by printing the survey using your browser's print function. After you've gathered your court's responses, please return to this page to start the survey and enter your response data.

The survey will close on Friday October 18, 2013. Questions should be directed to: Fati.Farmanfarmaian@jud.ca.gov.

On behalf of CTAC, thank you, in advance, for your time.

*** 1. Please complete your contact information.**

Email and phone are requested in case follow up with the court is needed.

Respondent Name:

Title:

County of Court:

Email Address:

Phone Number:

2. Which of the following best describes your current usage of e-filing?

- We began offering e-filing more than two years ago.
- We began offering e-filing less than two years ago.
- We plan to begin offering e-filing within the next year.
- We plan to begin offering e-filing more than one year from now; but within two years from now.
- We plan to begin offering e-filing more than two years from now.
- We do not offer e-filing and have no plans to do so.

3. Please indicate the extent to which the following factors have been a significant impediment, or you think will be a significant impediment, to the adoption and implementation of an e-filing system.

	Insignificant	Neutral	Significant	Very Significant
Insufficient funding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insufficient staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inexperienced/untrained staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack of buy-in from judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack of buy-in from attorneys or other filers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Judicial Council and its Advisory Committees and the AOC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concerns about security	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fear of change	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Please list any other factors that have impeded, or you think will impeded, the adoption and implementation of an e-filing system in your court.

5. Please identify the sources of the initial funding for your e-filing system and estimate how much (in percentage terms) each source contributes to the system. Please specify for "Other".

	0% - 25%	26% - 50%	51% - 75%	76% - 100%
Implementation costs will be paid by filers through fees in the future collected by Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vendor (EFSP) paid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court paid (through court/branch budget allocation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	_____			

6. Please identify the sources of the ongoing funding for your e-filing system and estimate how much (in percentage terms) each source contributes to the system. Please specify for "Other".

	0% - 25%	26% - 50%	51% - 75%	76% - 100%
Implementation costs will be paid by filers through fees in the future collected by Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vendor (EFSP) paid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court paid (through court/branch budget allocation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	_____			

7. Please indicate how much it cost in dollars to implement e-filing in your court.
 Or if you are planning to implement e-filing, how much you estimate your cost to be .

One-time equipment costs through deployment _____

Ongoing equipment costs _____

One-time human resource (staff, contractors, etc) costs through deployment _____

Ongoing human resource (staff, contractors, etc) costs _____

8. Please indicate the percentage of filings in each case type that were e-filed in your first year, or that you anticipate to be filed in your first year. For case types in which e-filing is not allowed; please enter zero.

Complex civil cases	<input type="text"/>
Unlimited civil cases	<input type="text"/>
Collections cases	<input type="text"/>
Unlawful detainers	<input type="text"/>
Small claims	<input type="text"/>
Probate	<input type="text"/>
Family	<input type="text"/>
Juvenile	<input type="text"/>
Criminal	<input type="text"/>
Traffic	<input type="text"/>
Domestic violence protective orders	<input type="text"/>
Other case types not shown above	<input type="text"/>

9. Which of the following most closely describes how attorneys or other filers submit their documents to the courts?

- File directly with the court using the court's e-filing system.
- File through a single approved e-filing service provider (EFSP).
- File through one of multiple approved EFSPs.

Other (please specify)

<input type="text"/>	<input type="text"/>
----------------------	----------------------

10. Please list all EFSPs that are approved to file documents in your court. If your court uses an internally developed system; please write "Internally Developed;" please also indicate if any outside vendor participated in designing the system. If your court takes submissions via e-mail, please write "E-mail" in the space below.

<input type="text"/>	<input type="text"/>
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11. Please describe how filers pay for filings in your court. (Please check all that apply.)

- Filers pay with a credit or debit card every time they make a filing
- Filers have an account with the court that is depleted each time a filing is made
- Filers have an account with the e-filing vendor that is depleted each time a filing is made
- Filers are billed for each filing and invoiced on a regular basis

Other (please specify)

12. What is the medium for the official record in your court?

- Electronic
- Paper
- Either; depending on the case

Other (please specify)

13. Is your e-filing system integrated with your case management system (CMS)?

- Yes
- No
- We do not have a CMS

14. Is your e-filing system integrated with your document management system (DMS)?

- Yes
- No
- We do not have a DMS

15. How can cases be initiated? (Please check all that apply.)

- A hard copy of the initial filing is delivered to the courthouse
- The initial filing can be e-filed

Other (please specify)

16. Please describe the clerk review function as it pertains to e-filings.

- All filings are reviewed before filing is accepted.
- All filings are reviewed after filing is accepted.
- Only certain types of filings are reviewed before filing is accepted.
- Only certain types of filings are reviewed after filing is accepted.
- No filings are reviewed. Any problems with filings are dealt with if they arise.

Other (please specify)

17. Once your court receives filings how does the judge access the filings?

- The judge accesses the filings in the same medium that they were filed; if the filings come in paper the judge receives them in paper; if the filings come in electronically, the judge receives them electronically.
- The judge accesses all filings in paper; electronic filings are printed before being delivered to the judge.
- The judge accesses all filings electronically; paper filings are scanned before being delivered to the judge.

Other (please specify)

18. Please describe how parties serve documents in your e-filing environment. (Please check all that apply.)

- Service occurs through U.S. mail or commercial courier (e.g. FedEx or UPS). ; Initial Case Filing
- Service occurs through U.S. mail or commercial courier (e.g. FedEx or UPS). ; Subsequent Filings
- Service is transmitted through e-mail. ; Initial Case Filing
- Service is transmitted through e-mail. ; Subsequent Filings
- Service is transmitted through a process server (private, government, or law enforcement). ; Initial Case Filing
- Service is transmitted through a process server (private, government, or law enforcement). ; Subsequent Filings
- Service of process is transmitted through an EFSP, which facilitates service through one of the aforementioned methods. ; Initial Case Filing
- Service of process is transmitted through an EFSP, which facilitates service through one of the aforementioned methods. ; Subsequent Filings

19. Please describe all types of electronic notification that your court currently uses (including types of cases, types of proceedings, types of documents, and the manner of service of notices).

20. Please describe how non-electronic evidence is handled. (Please check all that apply.)

- The resulting electronic image of any evidence that can be scanned, can be submitted electronically with the pleading.
- An image of the evidence can be filed in hard copy, but the pleading can still be filed electronically.
- Both the pleading and the evidence can be filed in hard copy.

Other (please specify)

5

6

21. Please describe how your court handles e-filing for self represented litigants, including any assistance provided.

5

6

22. If you have implemented e-filing, please describe to what extent and how the rules of court adopted under AB 2073 are being used by your court.

5

6

23.

If you are planning to implement e-filing, to what extent and how do you plan to use the rules of court adopted under AB 2073.

5

6

24. What is the time of "close of business" in your court, i.e. the time on a court day at which the court stops accepting documents for filing at its filing counter?

5

6

25. If your court offers e-filing/fax filing/filings via email, is the filing deadline the same or different than the physical window as indicated in the previous question? Please describe if different.

	The same	Different
E-filed filing	<input type="checkbox"/>	<input type="checkbox"/>
Fax filing	<input type="checkbox"/>	<input type="checkbox"/>
E-delivered filing (via email)	<input type="checkbox"/>	<input type="checkbox"/>
Comments (Please describe)		

5

6

26. Are electronically filed documents available online for the public to view?

- Yes.
- Not currently; but there are plans to make them available.
- Not currently; and there are no plans to make them available.

Other (Please specify)

27. Does your court charge a fee for access to electronically filed documents?

If yes, how much? (Please check all that apply). If no, please enter zero.

Yes, charge per access to image of documents

Yes, charge per number of pages downloaded

Yes, charge per number of pages printed

Yes, charge a monthly subscription fee for access to image of documents

Yes, charge a monthly subscription fee for downloading copies of documents

No

Other (Please specify)

28. What is the business process for documents requested to be sealed or confidential in an e-filing environment?

- Both the motion to file under seal and the filing must be submitted in hard copy.
- Both a motion to file under seal and the filing must be submitted electronically.
- The motion to file under seal must be submitted electronically; but the filing must be submitted in hard copy.
- The filer can choose any of the above methods.

Other (please specify)

29. What document types and/or formats are accepted/required for e-filing? (Please check all that apply.)

	Accepted	Required
PDF	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TIFF	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Microsoft Word	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Other (please specify)

30. Please indicate whether you support any of the following XML-based e-filing standards.

(Please check all that apply.)

- None
- LegalXML 1.x
- ECF 3.x
- ECF 4.0
- NIEM
- 2GEFS

Other (please specify)

The following section attempts to gather more specific data related to cost savings for doing e-filing.

31. Have you made any effort to determine any cost savings as a result of doing e-filing? *

Yes

No

Comment

* Here is an example of how the Superior Court of California, County of Orange, determined their labor savings in 2012. (Source: Mr. Snorri Ogata, Chief Technology Officer)

The following describes only the labor savings associated with filing which is about \$2/document.

A fully burdened employee (salary + benefits) is approximately \$75,000/year, which translates into \$36/hour or \$0.60/minute.

An e-filed document requires UP TO 5 minutes less labor for Unlimited Civil and up to 4 minutes less for Limited Civil. Since not ALL documents require the same labor (e.g., documents with no filing fee do not require cashiering or adding parties), we have to capture the range. Every doc saves 2.5 minutes of data entry/imaging time. Other documents require up to 2.5 additional minutes of labor.

Therefore every document e-filed saves between 2.5 minutes and 5 minutes, or \$1.50/document and \$3.00/document (e.g., 2.5 minutes x \$0.60/minute). But, that's too nuanced and complicated. \$2.00/document is pithy and everyone relates to it.

Therefore we use \$2/document in labor savings.

Beyond this, when we committed to an electronic record for civil we achieved about \$1.5M/year in savings which came from labor savings, reduced filing supplies (e.g., file jackets), reduction of physical records space, reduction in repair and maintenance associated with physical records (e.g., movable shelves), etc.

So, if you do simple math, we get about 1 million documents filed a year in Civil, therefore the labor savings is:

- E-Filing savings: \$2M annually or \$2/document

- E-Record savings: \$1.5M or \$1.50/document

Our conclusion: "E-Filing saves the Court \$3.50 in labor for every document e-filed".

32. If you responded yes to question 30, please include your e-filing cost saving study by pasting the text in the box provided below.

Alternatively, you may also email it to: Fati.Farmanfarmaian@jud.ca.gov. Please write:

"CTAC Survey: E-Filing cost saving study" in the subject line.

33. Please indicate the number of filings in each case type that are filed using data from a recent month.

	E-filed	Paper
Complex civil cases	6	6
Unlimited civil cases	6	6
Collections cases	6	6
Unlawful detainers	6	6
Small claims	6	6
Probate	6	6
Family	6	6
Juvenile	6	6
Criminal	6	6
Traffic	6	6
Domestic violence protective orders	6	6
Other case types not shown above	6	6

Comment

34. How many payments do you process per month?

Electronically

Manually

35. Please indicate your monthly mailing cost.

36. a.) Please indicate the linear feet of file space you require for physical records per month.

36. b.) Please estimate related monthly costs in handling of paper records (e.g., filing supplies, staff: filing and retrieval of records, repair and maintenance of space).

Linear feet of file space

Related costs



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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: April 24-25, 2014

Title	Agenda Item Type
Executive and Planning Committee Chair's Report	Information Only
Submitted by	Date of Report
Justice Douglas P. Miller, Chair Executive and Planning Committee	April 22, 2014
	Contact
	Nancy Carlisle, Supervising Court Services Analyst 415-865-7614 nancy.carlisle@jud.ca.gov
	Cliff Alumno, Court Services Analyst 415-865-7683 clifford.alumno@jud.ca.gov

Executive Summary

The Executive and Planning Committee (E&P) oversees the council's meeting process and operating procedures, including agenda setting for council meetings, development of the council's long-range strategic plan for the judicial branch, and development of policies and procedures related to court facilities and communications with the branch. The committee is also charged with directing the nominations process for vacancies on the council and its advisory committees and overseeing specific advisory committees and task forces. This report summarizes the committee's activities since the council's February business meeting.

Overview of E&P Meetings

Since the February council meeting, the committee has met three times by conference call on March 27, April 11, and April 15. The committee also deliberated by e-mail on April 15 and 16.

Additionally, the committee met jointly in person with the Rules and Projects Committee (RUPRO) on April 11 and 15 to discuss the open meetings rule proposal. As noted below, the committee will hold an in person meeting on April 23, 2014.

Agenda Setting and Other Business

During its meetings and e-mail deliberations, the committee set the consent, discussion, educational, and informational agendas for the April council meeting. The committee also conducted other business as summarized below.

Open Meetings Rule Proposal

The committee met jointly with RUPRO on April 13 and 15 to review proposed new rule 10.75 of the California Rules of Court, the first item on this council meeting agenda. The rule was proposed to provide greater public access to meetings of the council's internal and advisory committees and of other multimember bodies that review issues and report to the council. During the April 15 joint meeting, RUPRO recommended approval of the proposal on the Judicial Council's April 24, 2014, discussion agenda. During its April 15 meeting, E&P approved its placement on the council's discussion agenda for April.

Modification to the Public Comment Process for Judicial Council Meetings

The committee discussed the recommendations of the five chairs of the Judicial Council internal committees on conducting public comment for Judicial Council meetings—to be more flexible while seeking to ensure that public comments are heard before the council arrives at any decision. The committee approved the public comment procedures summarized in the April council business meeting agenda. A key change in the process is that members of the public can come forward to speak on the day of the meeting, until the Chief Justice calls for public comment during the meeting, without prior notice.

Administration of Advisory Committees

The committee approved the recommendations from the chairs of the Court Facilities Advisory Committee, the Trial Court Facility Modification Advisory Committee, and the Tribal Court–State Court Forum on the terms of service for their respective memberships to transition them to the new appointment cycle established for all standing advisory groups. The committee also approved new membership categories for the new Advisory Committee on Providing Access and Fairness, effective August 1, 2014.

Review of Annual Agendas of Judicial Council Advisory Groups

The committee will meet in person on Wednesday, April 23, to review and approve the annual agendas of the advisory groups for which it has oversight and to review the nominations received for five upcoming Judicial Council vacancies, effective September 14, 2014.

New Distinguished Service Award for Excellence in Teaching

The committee approved a request from Governing Committee of the Center for Judicial Education and Research to establish a new Distinguished Service Award, in addition to the other five categories of Distinguished Service Awards, to recognize excellence in teaching. This award will acknowledge an individual faculty member's or faculty team's exceptional contribution to teaching and judicial education in California.

Advisory Committee Nominations: Data Collection

The committee reviewed the template for nomination recommendation memoranda from the advisory committee chairs and discussed the data collection and data quality issues concerning the information on race/ethnicity requested in the template. Recognizing that diversity and fairness are vital to the nominations selection process, the committee directed Judicial Council Support Services staff to temporarily suspend collection of this data in the nominations recommendations memoranda until an appropriate and consistent method of collecting the information can be determined for the next nominations cycle. The committee continues to solicit nominations for advisory committee positions through May 15, 2014.

Nomination for the 2014 Education Pipeline Award

The committee approved the E&P chair's nomination for the 2014 Education Pipeline Award of the State Bar of California.

Trial Court Liaison Reports

The council members below will provide their liaison reports at the April council meeting.

- Justice Judith Ashmann-Gerst will report on her visit to the Superior Court of Mono County.
- Judge Dean T. Stout will report on his visit to the Superior Court of Kern County.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | NOVEMBER 21, 2013
CONFERENCE CALL | 12:10 TO 1:10 P.M.

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller; Judges Stephen H. Baker, Teri L. Jackson, Mary Ann O'Malley, and Brian C. Walsh; Commissioner Sue Alexander; Mr. James P. Fox and Mr. David H. Yamasaki

COMMITTEE MEMBERS ABSENT: Judges David M. Rubin and David De Alba; Mr. Mark P. Robinson, Jr.

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Heather Anderson, Mr. Chris Belloli, Ms. Deborah C. Brown, Ms. Nancy Carlisle, Ms. Roma Cheadle, Ms. Tina Carroll, Mr. Arturo Castro, Ms. Shelley Curran, Ms. Charlene Depner, Ms. Claudia Fernandes, Ms. Ann Gilmour, Mr. Cory Jaspersen, Mr. Gregory Keil, Ms. Maria Kwan, Ms. Shelly Le Botte, Ms. Anne Maves, Ms. Susan McMullan, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Pam Reynolds, Ms. Leah Rose-Goodwin, Mr. David Smith, Mr. Curt Soderlund, and Ms. Nancy Taylor

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy E. Spero

COMMITTEE AND ACTION ITEMS

1. MINUTES

The committee reviewed the draft minutes of its October 10, 2013, meeting, its e-mail deliberations on October 16, 17, and 22, 2013, and the July 25, 2013, joint meeting of three internal committees (E&P, RUPRO, and the Technology Committee).

Action: The committee approved the meeting minutes listed above.

2. AGENDA SETTING FOR THE DECEMBER 12–13, 2013, JUDICIAL COUNCIL MEETING

The committee reviewed the available draft reports and set the agenda for the Judicial Council meetings in December.

Action: The committee set the agenda for the council meeting in December. Judge Baker abstained from setting the following report on the council meeting agenda: Item N, *Reduced Annual Membership Dues for the National Center for State Courts*.

Approved by the committee on December 11, 2013.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | DECEMBER 2, 2013
CONFERENCE CALL | 12:10 TO 1:10 P.M.

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller; Judges Stephen H. Baker, David De Alba Teri L. Jackson, Mary Ann O'Malley, and Brian C. Walsh; Commissioner Sue Alexander; Mr. James P. Fox and Mr. Mark P. Robinson, Jr.

COMMITTEE MEMBERS ABSENT: Judge David M. Rubin and Mr. David H. Yamasaki

AOC STAFF PRESENT: Ms. Deborah C. Brown, Ms. Nancy Carlisle, Ms. Roma Cheadle, Mr. Oliver Cheng, Ms. Gisele Corrie, Ms. Cristina Foti, Mr. Burt Hirschfeld, Ms. Bonnie Hough, Hon. Steven Jahr, Ms. Susan McMullan, Mr. Patrick O'Donnell, Ms. Sharon Reilly, Mr. Colin Simpson, Ms. Laura Speed, Mr. Courtney Tucker

OTHER ATTENDEE: Mr. Richard Feldstein (Court Executive Officer, Superior Court of Napa County)

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy E. Spero

COMMITTEE AND ACTION ITEMS

1. MINUTES

Action: The committee deferred review and approval of the November 21 meeting minutes to the next meeting.

2. AGENDA SETTING FOR THE DECEMBER 12–13, 2013, JUDICIAL COUNCIL MEETING

The committee continued to review available draft reports for the Judicial Council meetings in December.

Action: The committee further set the agenda for the council meeting in December.

Approved by the committee on December 11, 2013.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | DECEMBER 11, 2013
11:30 A.M. TO 12:30 P.M. | AOC EXECUTIVE OFFICE

COMMITTEE MEMBERS Judges David De Alba, Teri L. Jackson, Mary Ann O'Malley,
PRESENT: David M. Rubin, and Brian C. Walsh; Mr. James P. Fox,
Mr. Mark P. Robinson, Jr., and Mr. David H. Yamasaki

COMMITTEE MEMBERS Justice Douglas P. Miller; Judge Stephen H. Baker;
ABSENT: Commissioner Sue Alexander

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Deborah C. Brown, Ms. Nancy Carlisle,
Hon. Steven Jahr, and Ms. Maria Kwan

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy E. Spero

COMMITTEE AND ACTION ITEMS

1. MINUTES

The committee reviewed the draft minutes of its November 21 and December 2, 2013, meetings and the October 24, 2013, joint meeting of three internal committees (E&P, RUPRO, and the Technology Committee).

Action: The committee approved the meeting minutes listed above.

2. REVIEW NOMINATIONS FOR THE COURT SECURITY ADVISORY COMMITTEE

The committee reviewed nominations for the new Court Security Advisory Committee.

Action: The committee deferred making recommendations to the Chief Justice for positions on the Court Security Advisory Committee until the committee's next meeting on December 19.

3. JUDICIAL COUNCIL OUT-OF-CYCLE VACANCY

The committee reviewed information about an upcoming vacancy on the Judicial Council and considered possible courses of action.

Action: The committee directed staff to solicit nominations and bring them back to the committee for its review and consideration for making recommendations to the Chief Justice.

Approved by the committee on December 19, 2013.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | DECEMBER 19, 2013

1:00 TO 1:45 P.M. | CONFERENCE CALL

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller, Judges Stephen H. Baker, David De Alba, Teri L. Jackson, Mary Ann O'Malley, David M. Rubin, and Brian C. Walsh; Commissioner Sue Alexander; Mr. James P. Fox, and Mr. David H. Yamasaki

COMMITTEE MEMBERS ABSENT: Mr. Mark P. Robinson, Jr.

AOC STAFF PRESENT: Ms. Nancy Carlisle, Ms. Roma K. Cheadle, Ms. Cristina Foti, Hon. Steven Jahr, Ms. Maria Kwan, Ms. Susan McMullan

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy E. Spero

COMMITTEE AND ACTION ITEMS

1. MINUTES

The committee reviewed minutes of the committee meeting of December 11, 2013.

Action: The committee approved the December 11, 2013, meeting minutes.

2. AGENDA SETTING FOR THE JANUARY 23, 2014, JUDICIAL COUNCIL MEETING

The committee reviewed available draft reports for the Judicial Council meeting in January.

Action: The committee set the agenda for the Judicial Council meeting in January.

3. REVIEW NOMINATIONS FOR THE COURT SECURITY ADVISORY COMMITTEE

The committee reviewed nominations in order to make recommendations to the Chief Justice for the new Court Security Advisory Committee.

Action: The committee reviewed nominations for the new Court Security Advisory Committee and formulated recommendations to the Chief Justice.

4. REVIEW NOMINATIONS FOR THE JUDICIAL BRANCH RESOURCE NEEDS ASSESSMENT ADVISORY COMMITTEE (FORMERLY SB 56 WORKING GROUP)

The committee reviewed nominations in order to make recommendations to the Chief Justice for an out-of-cycle vacancy on the Judicial Branch Resource Needs Assessment Advisory Committee.

Action: The committee deferred to a future committee meeting consideration of the nominations for the out-of-cycle vacancy on the Judicial Branch Resource Needs Assessment Advisory Committee.

Approved by the committee on January 10, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | JANUARY 10, 2014
CONFERENCE CALL | 12:10 TO 1:10 P.M.

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Judges Teri L. Jackson and Brian C. Walsh; Commissioner Sue Alexander; Mr. James P. Fox, Mr. Mark P. Robinson, Jr., and Mr. David H. Yamasaki

COMMITTEE MEMBERS ABSENT: Judges Stephen H. Baker, David De Alba, and Mary Ann O'Malley

INVITED GUESTS PRESENT: Judge Lorna A. Alksne, Chair, Judicial Branch Resource Needs Assessment Advisory Committee; Judge James E. Herman, Chair, Judicial Council Technology Committee

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Deborah Brown, Ms. Jessica Craven, Mr. Mark Dusman, Ms. Cristina Foti, Ms. Donna Hershkowitz, Ms. Bonnie Hough, Judge Steven Jahr, Mr. John Judnick, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Leah Rose-Goodwin, Ms. Virginia Sanders-Hinds, and Mr. Zlatko Theodorovic

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

1. MINUTES

The committee reviewed draft minutes of the December 19, 2013, committee meeting.

Action: The committee approved the December 19, 2013, meeting minutes.

2. AGENDA SETTING FOR THE JANUARY 23, 2014, JUDICIAL COUNCIL MEETING

The committee reviewed the remainder of draft reports for the January Judicial Council meeting.

Action: The committee set the agenda for the Judicial Council meeting in January.

3. SUBORDINATE JUDICIAL OFFICER (SJO) CONVERSIONS

The committee discussed existing policies, workload implications, and budgeting issues related to the conversion of subordinate judicial officer (SJO) positions.

Action: The committee approved requesting that the Judicial Branch Resource Needs Assessment Advisory Committee (formerly SB 56 Working Group) provide to E&P updated information that would show how the remaining 54 subordinate judicial officer conversions authorized under Government Code section 61695 would be allocated if more current workload data were used. The committee will consult with the Trial Court Presiding Judges Advisory Committee after it receives this information.

4. NOMINATIONS FOR THE JUDICIAL BRANCH RESOURCE NEEDS ASSESSMENT ADVISORY COMMITTEE (FORMERLY SB 56 WORKING GROUP)

The committee reviewed nominations in order to make recommendations to the Chief Justice for an out-of-cycle vacancy on the Judicial Branch Resource Needs Assessment Advisory Committee.

Action: The committee determined its recommendations to the Chief Justice for the out-of-cycle vacancy on the Judicial Branch Resource Needs Assessment Advisory Committee.

Approved by the committee on February 7, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | JANUARY 17, 2014

E-MAIL DELIBERATION

COMMITTEE MEMBERS Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair);

WHO PARTICIPATED: Judges David De Alba, Teri L. Jackson, and Brian C. Walsh;
Commissioner Sue Alexander; Mr. James P. Fox, Jr. and
Mr. David H. Yamasaki

COMMITTEE MEMBER Judges Stephen H. Baker and Mary Ann O'Malley; Mr. Mark P. Robinson

**WHO DID NOT
PARTICIPATE:**

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

AGENDA SETTING FOR THE JANUARY 23, 2014, JUDICIAL COUNCIL MEETING

The committee reviewed the remainder of draft reports for the January Judicial Council meeting.

Action: The committee set the agenda for the Judicial Council meeting in January.

Approved by the committee on February 7, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | FEBRUARY 7, 2014
CONFERENCE CALL | 12:10 TO 1:10 P.M.

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair); Judges Stephen H. Baker, David De Alba, Teri L. Jackson, Mary Ann O'Malley and Brian C. Walsh; Commissioner Sue Alexander; Mr. James P. Fox, Mr. Mark P. Robinson, Jr., and Mr. David H. Yamasaki

INVITED GUESTS PRESENT: Judge Richard J. Loftus, Jr., Chair, Mental Health Issues Implementation Task Force

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Deborah Brown, Ms. Roma Cheadle, Mr. Curtis L. Child, Ms. Kimberly DaSilva, Mr. Mark Dusman, Ms. Cristina Foti, Ms. Donna Hershkowitz, Judge Steven Jahr, Mr. Cory Jaspersen, Mr. John Judnick, Ms. Maria Kwan, Mr. Patrick McGrath, Ms. Susan McMullan, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Kelly Parrish, Mr. Brian Simeroth, Mr. Curt Soderlund, Mr. Corey Sturges, Mr. Courtney Tucker, and Mr. Zlatko Theodorovic

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

1. APPROVAL OF MINUTES

The committee reviewed draft minutes of the following meetings:

- December 11, 2013, joint meeting of the Executive and Planning Committee (E&P), Rules and Projects Committee (RUPRO), and the chair of the Judicial Council Technology Committee (JCTC);
- January 10, 2014, E&P conference call;
- January 17, 2014, E&P e-mail deliberation; and
- January 23, 2014, joint meeting of E&P, RUPRO, and JCTC.

Action: The committee approved the minutes of the meetings listed above.

2. AGENDA SETTING FOR THE FEBRUARY 20, 2014, JUDICIAL COUNCIL MEETING

The committee reviewed the available draft reports for the February Judicial Council meeting.

Action: The committee set the agenda for the Judicial Council meeting in February.

3. SUBORDINATE JUDICIAL OFFICER (SJO) CONVERSIONS (SUPERIOR COURT OF SAN DIEGO COUNTY)

The committee reviewed recommendations from AOC staff to confirm the court's requests for conversion of one SJO position to a judgeship and an exception to the conversion of two vacant SJO positions to fill these vacant positions with commissioners.

Action: The committee confirmed the conversion and approved the court's request to fill two vacant SJO positions with commissioners.

4. PROPOSAL TO REVISE ADVISORY COMMITTEE NOMINATIONS AND APPOINTMENTS TIMELINE

The committee reviewed a proposal from the AOC's Judicial Council Support Services modifying the timing of the nominations and appointments cycle for advisory committees.

Action: The committee approved the proposal to be effective during the upcoming nominations and appointments cycle.

5. REQUEST FROM THE MENTAL HEALTH ISSUES IMPLEMENTATION TASK FORCE

The committee reviewed a request from the chair of the Mental Health Issues Implementation Task Force for Judicial Council participation in the California Mental Health and Substance Use Policy Forum on March 12–14, 2014.

Action: The committee requested that the AOC Legal Services Office provide recommendations for its consideration regarding the request.

6. JUDICIAL COUNCIL OUT-OF-CYCLE VACANCY

The committee reviewed nominations in order to make recommendations to the Chief Justice for an upcoming out-of-cycle vacancy on the Judicial Council.

Action: The committee determined its recommendations to the Chief Justice.

Approved by the committee on March 27, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | FEBRUARY 11, 2014

CONFERENCE CALL | 4:30 TO 5:00 P.M.

COMMITTEE MEMBERS Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair);

PRESENT: Judges Stephen H. Baker, David De Alba, Teri L. Jackson, Mary Ann O'Malley and Brian C. Walsh; Commissioner Sue Alexander; Mr. James P. Fox, Mr. Mark P. Robinson, Jr., and Mr. David H. Yamasaki

INVITED GUESTS PRESENT: Justice Robert L. Dondero, Chair, Center for Judicial Education and Research (CJER) Governing Committee

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Deborah Brown, Ms. Roma Cheadle, Mr. Mark Dusman, Ms. Cristina Foti, Judge Steven Jahr, Mr. John Judnick, Mr. Bob Lowney, Ms. Susan McMullan, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Anne Ronan, Mr. Corby Sturges, and Mr. Zlatko Theodorovic

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

1. CJER GOVERNING COMMITTEE MEMBERSHIP

The committee reviewed and discussed a request from the chair of the CJER Governing Committee for additional voting members to the committee's membership.

Action: The committee approved the following recommendations from the chair of the CJER Governing Committee regarding the committee's membership:

- Appointment of an additional three judges (bringing the total to 11), one of which would be an immediate past presiding judge, and
- Appointment of a supervisor or manager from the trial or appellate courts.

The committee directed AOC staff to:

- Solicit nominations for new positions with staggered terms of service during the upcoming nominations cycle and
- Draft amendments to rule 10.50(d) of the California Rules of Court to reflect the amendments to the committee's membership.

2. AGENDA SETTING FOR THE FEBRUARY 20, 2014, JUDICIAL COUNCIL MEETING

The committee continued to review the available draft reports for the February Judicial Council meeting.

Action: The committee set the agenda for the Judicial Council meeting in February.

3. REQUEST FROM THE MENTAL HEALTH ISSUES IMPLEMENTATION TASK FORCE

The committee reviewed a request from the chair of the Mental Health Issues Implementation Task Force for Judicial Council participation in the California Mental Health and Substance Use Policy Forum on March 12–14, 2014.

Action: The committee agreed to forward the request to the council for its consideration and action.

4. FINANCIAL ENCUMBRANCES AND THE TRIAL COURTS' ONE-PERCENT RESERVE

The committee discussed feedback from the Department of Finance on the exemption of trial court encumbrances from the 1% cap on unexpended reserves and determine course of action.

Action: The committee directed the AOC Chief Financial Officer to work with the Trial Court Budget Advisory Committee to develop a policy on financial encumbrances for the Judicial Council's consideration.

Approved by the committee on March 27, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | MARCH 27, 2014
CONFERENCE CALL | 12:10 TO 1:10 P.M.

COMMITTEE MEMBERS PRESENT: Justice Douglas P. Miller (Chair); Judges Stephen H. Baker, David De Alba, and Teri L. Jackson; Commissioner Sue Alexander; Mr. James P. Fox, Mr. Mark P. Robinson, Jr., and Mr. David H. Yamasaki

COMMITTEE MEMBERS ABSENT: Judge David M. Rubin (Vice Chair); Judges Mary Ann O'Malley and Brian C. Walsh

INVITED GUESTS PRESENT Justice Robert L. Dondero, Chair, Center for Judicial Education and Research (CJER) Governing Committee
Justice Brad R. Hill, Chair, Court Facilities Advisory Committee
Judge James E. Herman, Chair, Judicial Council Technology Committee
Judge David Edwin Power, Chair, Trial Court Facility Modification Advisory Committee

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Heather Anderson, Ms. Gwendolyn Arafiles, Ms. Deborah Brown, Ms. Roma Cheadle, Mr. Curtis L. Child, Mr. Kenneth Couch, Ms. Diane Cowdrey, Ms. Jessica Craven, Ms. Shelley Curran, Ms. Audrey Fancy, Ms. Cristina Foti, Judge Steven Jahr, Mr. John Judnick, Ms. Shelly LaBotte, Mr. Bob Lowney, Ms. Anna Maves, Mr. Patrick McGrath, Ms. Susan McMullan, Ms. Diane Nunn, Mr. Patrick O'Donnell, Ms. Kelly Parrish, Ms. Kelly Quinn, Ms. Anne Ronan, Ms. Laura Speed, Ms. Martha Wright, Mr. Michael Wright, and Mr. Zlatko Theodorovic

COMMITTEE STAFF: Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

1. APPROVAL OF MINUTES

The committee reviewed draft minutes of the February 7 and February 11 conference calls.

Action: The committee approved the minutes of the two meetings.

2. AGENDA SETTING FOR THE APRIL 24–25, 2014, JUDICIAL COUNCIL MEETING

The committee reviewed the available draft reports for the April Judicial Council meeting.

Action: The committee set the agenda for the April Judicial Council meeting.

3. MODIFICATION TO THE PUBLIC COMMENT PROCESS FOR JUDICIAL COUNCIL MEETINGS

The committee discussed suggestions from Judicial Council Support Services and the recommendations of the five chairs of the Judicial Council internal committees on conducting public comment for Judicial Council meetings.

Action: The committee responded to the internal committee chairs' recommendations for conducting public comment and provided its advice on a set of procedures.

4. NEW DISTINGUISHED SERVICE AWARD FOR EXCELLENCE IN TEACHING

The committee reviewed a request from the CJER Governing Committee to establish a Distinguished Service Award acknowledging an individual faculty's or faculty team's exceptional contribution to teaching and judicial education in California.

Action: The committee approved the CJER Governing Committee's request to establish a Distinguished Service Award for excellence in teaching.

5. ADMINISTRATION OF NEW ADVISORY COMMITTEES

The committee reviewed recommendations from the chairs of the Court Facilities Advisory Committee, the Trial Court Facility Modification Advisory Committee, and the Advisory Committee on Providing Access and Fairness on transitioning memberships and new appointments to the new appointment cycle established for advisory groups.

Action: The committee approved the following advisory committee memberships, appointments, and terms of service:

- a. Court Facilities Advisory Committee
With the exception of two Ex-Officio, non-voting members, E&P approved the committee chair's recommendation to reappoint one-third of the membership for two years, through September 14, 2016, and two-thirds for three years through September 14, 2017.
- b. Trial Court Facility Modification Advisory Committee
E&P approved the committee chair's recommendation to reappoint the membership for one year through September 14, 2015, with the exception of the vice chair, who the committee approved for a two-year appointment through September 14, 2016.

c. Advisory Committee on Providing Access and Fairness

E&P approved the following positions to complete the committee's membership:

- 18 judicial officers;
- 4 court executives/court managers; and
- 6 specialized positions, including self-help attorneys, persons with experience with disability issues, and other special areas of expertise.

6. ADVISORY COMMITTEE NOMINATIONS: DATA COLLECTION

The committee reviewed the template for nomination recommendation memos from the advisory committee chairs and discussed the data collection and data quality issues concerning the information on race/ethnicity requested in the template.

Action: The committee directed Judicial Council Support Services staff to suspend collection and reporting of ethnicity data in the nominations recommendations memoranda and work with staff to determine an appropriate and consistent method of collecting the information for the next nominations cycle.

7. NOMINATION FOR THE 2014 EDUCATION PIPELINE AWARD

The committee reviewed a nomination for the 2014 Education Pipeline Award of the State Bar of California.

Action: The committee approved the E&P chair's nomination for the award.

Approved by the committee on April 15, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

EXECUTIVE AND PLANNING COMMITTEE

MEETING MINUTES | APRIL 11, 2014
CONFERENCE CALL | 1:00 TO 2:00 P.M.

COMMITTEE MEMBERS Justice Douglas P. Miller (Chair); Judge David M. Rubin (Vice Chair);
PRESENT: Judges David De Alba, Teri L. Jackson, and Mary Ann O'Malley;
Mr. David H. Yamasaki

COMMITTEE MEMBERS Judges Stephen H. Baker and Brian C. Walsh; Commissioner Sue Alexander;
ABSENT: Mr. James P. Fox and Mr. Mark P. Robinson, Jr.

INVITED GUESTS Justice Robert L. Dondero, Chair, Center for Judicial Education and
PRESENT: Research (CJER) Governing Committee
Justice Brad R. Hill, Chair, Court Facilities Advisory Committee

AOC STAFF PRESENT: Mr. Cliff Alumno, Ms. Deborah Brown, Mr. Steven Chang,
Ms. Roma Cheadle, Mr. Bob Fleshman, Ms. Cristina Foti,
Mr. Clifford Ham, Judge Steven Jahr, Mr. Bob Lowney,
Ms. Susan McMullan, Mr. Chris Magnusson, Mr. Patrick O'Donnell,
Mr. Curt Soderlund, and Ms. Kelly Quinn

COMMITTEE STAFF: Ms. Jody Patel and Ms. Nancy Carlisle

COMMITTEE AND ACTION ITEMS

1. AGENDA SETTING FOR THE APRIL 24–25, 2014, JUDICIAL COUNCIL MEETING

The committee continued to review available draft reports for the April Judicial Council meeting.
Action: The committee set the agenda for the April Judicial Council meeting.

2. TRIBAL COURT–STATE COURT FORUM – EXTENSION OF MEMBERSHIP'S TERMS OF SERVICE

The committee reviewed the cochairs' recommendations relating to the transition of its membership to the new appointment cycle established for advisory groups.

Action: The committee approved the cochairs' recommendation that the Chief Justice reappoint the current membership, whose terms were scheduled to end on May 20, 2014, through September 14, 2015. Additionally, the committee approved the cochairs' request that

the Chief Justice recognize the service of Justice James R. Lambden, a committee member who has retired from the bench.

Approved by the committee on April 15, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION AND LIAISON COMMITTEE MEETING MINUTES

MARCH 6, 2014
4:30 P.M. | TELECONFERENCE

COMMITTEE MEMBERS Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair;
PRESENT: Hon. Marvin R. Baxter; Hon. Stephen H. Baker; Hon. Robert A. Glusman;
Hon. James E. Herman; Hon. Brian L. McCabe; Hon. David Rosenberg;
Mr. Mark G. Bonino; Ms. Angela J. Davis; and Mr. James P. Fox.

COMMITTEE MEMBERS Hon. Gary Nadler

ABSENT:

AOC STAFF PRESENT: Hon. Steven Jahr, Ms. Jody Patel, Mr. Curtis Child, and Mr. Curt Soderlund.

COMMITTEE STAFF: Mr. Cory Jasperson, Ms. Laura Speed, Ms. Sharon Reilly, Ms. Andi Liebenbaum, Ms. Yvette Casillas-Sarcos and Ms. Nina Tantraphol.

COMMITTEE ACTION ITEMS

1. APPROVE PAST MINUTES

N/A

ACTIONS ON BEHALF OF JUDICIAL COUNCIL

2. CONSENT ITEM

ACTION ON PENDING LEGISLATION

- a) AB 885 (Ammiano), as amended April 29, 2013 – Discovery: prosecutorial duty to disclose information

Requires the court, in any criminal trial or proceeding in which the court determines that the prosecuting attorney has failed to disclose materials and information required under law, to instruct the jury that the intentional failure to disclose the materials and information has occurred and that the jury may consider the failure to disclose as circumstantial evidence to support the presence of reasonable doubt.

Action: Oppose.

3. DISCUSSION ITEM

ACTION ON PENDING LEGISLATION

a) AB 1591 (Achadjian), as introduced – Firearms

Requires that courts notify the Department of Justice (DOJ) about individuals who have been adjudged by a court to be incompetent to stand trial, not guilty by reason of insanity, a danger to others as a result of a mental disorder or mental illness, or a mentally disordered sex offender within 24 hours instead of two days of the finding in an electronic format, in a manner prescribed by the DOJ.

Action: Support, if amended and funded.

4. INFORMATIONAL ITEM

a) Bills of interest update

Cory Jasperson provided an update on Judicial Council-sponsored legislation and other bills of interest to the branch.

Action: No action required.

Approved by the committee on March 27, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION AND LIAISON COMMITTEE MEETING MINUTES

MARCH 18, 2014

4:30 P.M. | TELECONFERENCE

COMMITTEE MEMBERS Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair;
PRESENT: Hon. Marvin R. Baxter; Hon. Robert A. Glusman; Hon. Brian L. McCabe;
Hon. Gary Nadler; Hon. David Rosenberg; Mr. Mark G. Bonino;
Ms. Angela J. Davis; and Mr. James P. Fox.

COMMITTEE MEMBERS Hon. Stephen H. Baker and Hon. James E. Herman

ABSENT:

AOC STAFF PRESENT: Hon. Steven Jahr, Ms. Jody Patel, and Mr. Curt Soderlund.

COMMITTEE STAFF: Ms. Laura Speed, Ms. Sharon Reilly, Ms. Andi Liebenbaum, Ms. Yvette Casillas-Sarcos, and Ms. Nina Tantraphol.

COMMITTEE ACTION ITEMS

1. APPROVE PAST MINUTES

N/A

ACTIONS ON BEHALF OF JUDICIAL COUNCIL

2. CONSENT ITEM

ACTION ON PENDING LEGISLATION

- a) AB 1708 (Alejo), as introduced – Jurors: peace officer exemption
Excludes additional peace officers including certain parole officers, probation officers, deputy probation officers, board coordinating parole agents, correctional officers, transportation officers of a probation department, and other employees of the Department of Corrections and Rehabilitation, the State Department of Mental Health, and the Board of Parole Hearings, from voir dire in civil and criminal matters.

Action: Oppose.

3. DISCUSSION ITEM

ACTION ON PENDING LEGISLATION

a) AB 2085 (Fox), As introduced – Vehicles: misdemeanor violations

Authorizes a court or county to establish an amnesty program for fines and bail due on or before January 1, 2012 for specified infraction and misdemeanor violations of the Vehicle Code and Penal Code, on or after January 1, 2015. The bill also authorizes the court or county, in addition to and at the same time as that amnesty program, to establish an amnesty program for specified misdemeanor violations due on or before January 1, 2012, if certain conditions are met.

Action: Oppose.

4. INFORMATIONAL ITEM

a) Update on AB 2332 (Wieckowski) – Courts: personal service contracts

Andi Liebenbaum provided an update on AB 2332, which appears to replicate AB 566 (Wieckowski) impacting the trial courts' ability to contract for personal services.

Action: No action required.

Approved by the committee on March 27, 2014.



JUDICIAL COUNCIL OF CALIFORNIA

POLICY COORDINATION AND LIAISON COMMITTEE MEETING MINUTES

MARCH 27, 2014

4:30 P.M. | TELECONFERENCE

COMMITTEE MEMBERS Hon. Kenneth K. So, Chair; Hon. James R. Brandlin, Vice-Chair;
PRESENT: Hon. Stephen H. Baker; Hon. Robert A. Glusman; Hon. James E. Herman;
Hon. David Rosenberg; Mr. Mark G. Bonino; Ms. Angela J. Davis; and
Mr. James P. Fox.

COMMITTEE MEMBERS Hon. Marvin R. Baxter, Hon. Brian L. McCabe, Hon. Gary Nadler, and
ABSENT: Ms. Mary Beth Todd.

AOC STAFF PRESENT: Mr. Curtis Child

COMMITTEE STAFF: Ms. Laura Speed, Mr. Daniel Pone, Ms. Sharon Reilly, Mr. Alan Herzfeld,
and Ms. Yvette Casillas-Sarcos.

COMMITTEE ACTION ITEMS

1. APPROVE PAST MINUTES

The committee reviewed the draft minutes of its March 6, 2014, and March 18, 2014 meetings.

Action: The committee approved the March 6, 2014, meeting minutes as submitted and approved the March 18, 2014, meeting minutes with correction to Hon. Stephen H. Baker as absent.

ACTIONS ON BEHALF OF JUDICIAL COUNCIL

2. CONSENT ITEMS

ACTION ON PENDING LEGISLATION

a) AB 2745 (Committee on Judiciary), as introduced – Family law

Allows the Judicial Council to impose more stringent requirements for case management in dissolution and nullity matters than those required by statute. Authorizes the conversion of ten subordinate judicial officer (SJO) positions to judgeships in FY 2014-15 if those conversions result in judges being assigned to a family or juvenile law assignment previously heard by an SJO.

Action: Support.

- b) SB 663 (Lara), as amended January 27, 2014 – Crimes: persons with developmental and intellectual disabilities
Among other things, requires that, in scheduling a trial date at an arraignment in superior court where the allegation is that the defendant committed a crime against a person with a developmental disability, courts make reasonable efforts to avoid setting that trial, when that case is assigned to a particular prosecuting attorney, on the same day that another case is set for trial involving the same prosecuting attorney.
Action: Support the provision relating to setting trial dates.
- c) SB 1088 (Yee), as introduced – Juvenile delinquency
Requires judges to consider the personal history of a minor, including any history of abuse and neglect, in determining the proper disposition following an adjudication that the minor is a ward of the court.
Action: Support, if amended.
- d) SB 1133 (Anderson), as introduced – Juries: peace officer exemption
Exempts designated employees of the Department of Fish and Game, whose primary duty as peace officers is enforcement of the law, from voir dire in both civil and criminal matters.
Action: Oppose.
- e) SB 1398 (Cannella), as introduced – Environmental quality: flood control activities: Salinas River
Prohibits a court, in an action brought pursuant to the California Environmental Quality Act challenging certain maintenance activities along the Salinas River from staying or enjoining such maintenance activities unless those activities present an imminent threat to public health and safety or would materially, permanently, and adversely affect unforeseen important Native American artifacts, or unforeseen important historical, archaeological, or ecological values.
Action: Oppose.

PROPOSAL FOR JUDICIAL COUNCIL-SPONSORED LEGISLATION

- f) Clarify Procedures for Continuance of Hearings
Amends the statutes on civil restraining orders to clarify and improve the procedures for continuing hearings.
Action: Recommend Judicial Council sponsorship.

3. DISCUSSION ITEMS

ACTION ON PENDING LEGISLATION

- a. AB 1932 (Jones), as introduced – Appellate court decisions
Requires a judgment of the appellate division of the superior court in an appeal to contain a brief statement of the reasons for the judgment, and provides that a judgment stating only “affirmed” or “reversed” is insufficient for this purpose.
Action: Neutral.

- b. AB 2089 (Quirk), as introduced – Domestic violence: protective orders
Amends numerous sections of the Domestic Violence Protection Act by: (1) clarifying that “abuse” is not limited to inflicting physical injury; (2) specifying that courts are authorized to issue restraining orders solely on the basis of evidence presented in an affidavit by the party requesting a protective order; (3) restricting a court from denying a protective order solely on the basis of the length of time between the occurrence of an alleged act of abuse and the filing of a request for a protective order; (4) limiting the circumstances under which a court may issue a mutual restraining order; (5) requiring a court to issue a statement of decision in every case, either in writing if requested by either party, or if not requested, in a statement on the record stating why the request for a protective order is denied; and (6) extending the default duration of a protective order from three to five years.
Action: Oppose, unless amended to eliminate the portion of the bill related to statements of decision; neutral if amended.

- c. AB 2195 (Achadjian), as introduced – Juvenile: truancy
Amends Welfare and Institutions Code section 256 to allow section 601 truancy violations, at the discretion of the referring probation officer, to be referred to the county juvenile traffic court and be heard by a hearing officer, instead of being referred to the juvenile court.
Action: Support.

- d. SB 1038 (Leno), as introduced – Juvenile delinquency
Eliminates the 21-year age limit by which a ward or former ward must request dismissal of a petition against him or her. Requires automatic sealing of a juvenile court record if a minor satisfactorily completes a specified informal supervision program, or, for certain offenses, probation. Specifies that all records in such cases would be sealed, except that prosecuting attorneys and probation departments would have access to the files in order to determine the youth’s eligibility for a future section 790 deferred entry of judgment.
Action: *No committee action. Staff pulled from agenda.*

Approved by the committee on April 17, 2014.