



Judicial Council of California

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Title

Report to the Legislature | Code of Civil Procedure Section 367.9: Report to the Legislature and Governor (Remote Proceedings) (Action Required)

Summary

Assembly Bill 177 (Stats. 2021, ch. 257), a Public Safety Trailer Bill enacted in 2021, added section 367.9 to the Code of Civil Procedure, requiring the Judicial Council to convene a working group for the purpose of recommending a statewide framework for remote civil court proceedings that addresses equal and fair access to justice, and to submit a report with the working group's recommendations to the Legislature and the Governor by January 1, 2023. The law mandates that the composition of the working group include judges, court executive officers, attorneys, court reporters, court interpreters, legal aid organizations, and court-appointed dependency counsel. The bill further specifies that the working group consider and make recommendations regarding (1) court reporter availability and future workforce, (2) statewide procedural and technical guidelines to ensure court users receive the best possible levels of service and access, (3) case types and proceeding types for which remote proceedings are appropriate, (4) protocols for ensuring court users fully understand their options for accessing the court remotely, and (5) whether changes are needed to existing laws protecting the accuracy of the official verbatim record and preserving parties' rights to appeal. In response, the Judicial Council convened the Code of Civil Procedure Section 367.9 Working Group to undertake the requirements of AB 177. The attached report, *Code of Civil Procedure Section 367.9: Report to the Legislature and Governor*, fulfills the requirements of that statute.

Recommendation

The Ad Hoc Workgroup on Post-Pandemic Initiatives recommends that the Judicial Council:

1. Receive *Code of Civil Procedure Section 367.9: Report to the Legislature and Governor*; and
2. Direct the Administrative Director to submit this report to the Joint Legislative Budget Committee and the Department of Finance.

Speakers

Hon. Marsha G. Slough, Chair, Code of Civil Procedure Section 367.9 Working Group
Ms. Leah Rose-Goodwin, Judicial Council