



# Judicial Council of California

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January 19, 2024

## Subject Text

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### Title

### **Rules and Forms: Remote Access to Electronic Records (Action Required)**

#### Summary

The Information Technology Advisory Committee recommends that the Judicial Council adopt a new set of rules of court governing remote access to electronic records by parties, parties' attorneys, court-appointed persons, legal organizations, qualified legal services projects, and government entities. This proposal advances a major initiative of the judicial branch's *Tactical Plan for Technology 2017-2018* to develop rules "for online access to court records for parties and justice partners." These changes will facilitate the trial courts' existing relationships with these persons and entities, and will provide clear authority for the trial courts to provide them with remote access to electronic court records. The committee also recommends limited amendments to the existing public access rules to bring them into conformance with the new rules.

#### Recommendation

The Information Technology Advisory Committee recommends that the Judicial Council, effective January 1, 2019:

1. Amend chapter 2 of division 4 of title 2 of the California Rules of Court to split the chapter into the following four articles to organize the chapter topically and accommodate the new proposed rules:
  - Article 1. General Provisions
  - Article 2. Public Access
  - Article 3. Remote Access by a Party, Party's Attorney, Court-Appointed Person, or Authorized Person Working in a Legal Organization or Qualified Legal Services Project
  - Article 4. Remote Access by Government Entities
2. Adopt rules 2.515-2.528 and 2.540-2.545 to allow remote access to electronic records by specified persons.
3. Amend rules 2.500-2.503 to expand the scope of the chapter and define new terms relevant to remote access.

#### Speakers

Hon. Sheila F. Hanson, Chair, Information Technology Advisory Committee

Hon. Peter J. Siggins, Chair, Rules and Policy Subcommittee of the Information Technology Advisory Committee

Mr. Patrick O'Donnell, Legal Services

Ms. Andrea L. Jaramillo, Legal Services