

Minutes
JUDGES' ADVISORY COMMITTEE ON E-FILING
Bridgeport Juvenile, 1st Floor Conference Room
May 16, 2012

9:00 AM

Present: Hon. Barbara Bellis, Hon. Marshall Berger, Hon. Patrick L. Carroll III (chair), Attorney Joseph D'Alesio, Hon. Barbara Jongbloed, Hon. Linda Lager, Hon. Aaron Ment, and Hon. Lynda Munro,

Staff: Beth Bickley, P.J. Deak, Lucio DeLuca, Tais Ericson, Johanna Greenfield, Dan Horwitch, David Iaccarino, Nancy Kierstead, and Alice Mastrony

1. Welcome and Acceptance of Minutes from 03/07/2012 – Judge Carroll called the meeting to order at 9:02 AM, and explained that the meeting would have to be shortened and only certain agenda items that were critical would be considered this morning. He noted that today's meeting is Nancy Kierstead's last meeting with the Judges' Advisory Committee, and he extended the thanks of the committee to her for all of the time and effort she has contributed to the Branch, to the work of the committee and to the development and implementation of e-filing.
2. Report Back: E-Notices to Attorneys & Registered SRPs – P.J. reported that several meetings have taken place of a committee and business process team, looking for electronic noticing of three things: court notices by email; notices of filings; and notices of short calendar markings. As has been done with e-filing since the beginning, it was suggested that these three types of notices be developed and implemented in phases, with the first phase, sending court notices electronically, to be done in the near future, and the second two phases, notices of filings and of short calendar markings, to be done later. The suggestion was that the court notices be done either just after the self-represented parties begin e-filing in civil cases, or at the same time as that release in the fall. Interposing this first phase of electronic noticing would delay the release of family e-filing slightly. It would benefit the clerks to have this change to the orders process, and it would be better for self-represented parties to have electronic noticing in place when they begin to utilize e-filing.
3. Discussion: Notification of Activity on Civil/Family Cases Like SAVIN – About two or three weeks ago, Judge Bellis and Attorney D'Alesio did a presentation at the Judicial Branch's Media Committee. Judge Bellis did a wonderful job on explaining where the Branch was with respect to e-filing. It was also an opportunity to talk to the media about issues with opening up files to the public. One of the issues was the possibility of jurors going on line and viewing pleadings or information that they should not be seeing. The idea of building the capability to remove the entire file from the Internet once jury selection is to begin was presented. Eric Parker, one of the reporters at WFSB asked whether it would be possible for the Branch to provide a mechanism that would allow people to sign up with the Branch to track civil and family cases along the lines of the system provided through SAVIN for tracking criminal cases. This capability would also be a benefit to attorneys, and could reasonably be looked at in conjunction with e-notices as discussed in the second agenda item. P.J. will put together a business process team to develop specs. Even though providing this option could unintentionally provide people with a tool to track cases with an eye to creating disruptions, the benefits outweigh the potential disadvantages. It may be advisable to provide this capability in civil cases first and then expand it to family cases to see how it works.
4. Report Back: Hybrid Files in Family when Family Becomes Paperless – The Committee recommended for a variety of reasons that any decisions wait until the courts have a better idea of the volume of filings and scanning that results from the implementation of e-filing in family cases next year.
5. Follow-Up: Personal Identifying Information – This agenda item was passed to the next meeting.

6. 4.0 - Release Update: Edison & E-Filing – P.J. gave a brief summary of where things stand. Multiple practice runs of data conversion from CATER over to the new system have been done successfully since September, but nonetheless, contingency plans have been developed to address any potential problems on the weekend of the release, including delaying bringing the system back up on Monday morning for an hour or two and postponing the release, if necessary. The public inquiry site will be down from 5:00 PM Friday, June 22nd until Monday, June 25th at 7:00 AM. Notices will be posted regarding the shutdowns of Edison, E-Services and the public inquiry site.

Judge Bellis suggested that caseflow be given a head's up to produce hard copies of the schedule for Monday, June 25th, just in case Edison is not available. Courts have scheduled events for that Monday because no short calendar will be taking place, so having the hard copy schedule will be helpful in the event Edison is not available.

7. Post-4.0 Edison Releases – After the major release on June 23rd, the plan is to return to a rapid schedule of small releases. The Edison team has been doing things in small chunks and will be doing several small releases, such as the new process for 120 day reminder; extract of data from magistrate orders to DSS so they can verify on a nightly basis; and the ability to distinguish among family, family support magistrate and civil order templates.
8. EDISON as “legacy” system – P.J. addressed the need to plan for upgrade to Edison, which will be a somewhat more involved process than the small releases discussed in the prior agenda item. Once CATER is out of the picture, Edison will be the “old technology.” It was built on an older platform, and it will become increasingly difficult to move ahead unless the upgrade is undertaken. Anything from the proposed future conversion to using PDF-A as the standard to the lack of people who know the programming language of Edison could create real problems for the future. The proposal is to have a release after the post-4.0 releases to rebuild Edison on the same platform and to the standards as e-filing. This rebuild could happen at the same time as other developments. The upgrade would be virtually unseen by the users. It might require a very small amount of re-training for judges.
9. Discussion: Adjust E-Filing Phases and Timeline – P.J. discussed the impact of the development of e-notices, the small releases in Edison and e-filing, and the need for a block of time to migrate from the platform that Edison is on the time line for releases in e-filing. The time line may have to shift a little bit perhaps. The necessary time for e-notices is currently being discussed, but it could take perhaps six months to develop, particularly if the plan is to tie it with optional SRP e-filing. Family e-filing had been targeted for February of 2013, based on the premise that family would work just like civil, but family truly has some different needs and requirements in the courthouse and with self-represented litigants. The question is, given the need to address these different needs and requirements to make a system that is truly paperless like civil is, would it be appropriate to delay the implementation of family e-filing until the fall of 2013.

Judge Carroll said the projection of fall of 2013 seems more realistic, and that it is important to do family e-filing the right way.

Judge Berger raised that question about the possibility of mandatory form pleading, and whether the committee should consider proposing any rule changes. To require that filers utilize forms when filing document with the court is a major change, and it is something that will need a great deal of discussion with the Bar and the Bench. The issue has broad dimensions, beyond e-filing. Until civil e-filing becomes an option for self-represented parties, it will be difficult to know what the level of participation will be from self-represented parties and to predict what types of documents will be filed. Judge Lager suggested that it may be necessary to have a way to monitor what is being filed to determine whether there are issues that must be addressed.

Discussion ensued, including the possibility of including somewhere in this process a pilot family form-based program; drafting rules to accommodate two different kinds of complaints: form and manuscripted; and the need to work with the family bar on these issues.

10. Discussion: Focus Group Items for Judges Advisory Review – This item was passed until the next meeting.
11. Review: Clarifying Recordation Page Dates & Notice Sent Date - This item was passed until the next meeting.
12. Discussion: E-File Mediation Requests - This item was passed until the next meeting.
13. Discussion: Judges Signatures on Paperless Memos of Decisions - This item was passed until the next meeting.
14. Discussion: Requiring Signature in Certification on Appearances - This item was passed until the next meeting.
15. Discussion: Initial Family File Analysis Statistics – P.J. reported briefly on the analysis of family files that had been conducted. Based on the analysis, the clerks will be handling 35% more paperless cases than they do today, and 48% more paperless documents. Family documents are typically shorter than document filed in civil cases. Overall, nothing indicated that the numbers will be way out of line. The one number that is quite high is the number of scanned pages. The likelihood is that scanning will be four times what it is today.

One of the major differences with family cases is the number of pleadings that are filed in the courtroom. Such filings would necessitate a high volume of scanning on court days. The scanning would potentially create chaos throughout the courthouse, including court service centers, clerk's offices, caseflow offices and family relations offices. Most self-represented parties will be relying on the court offices for scanning. This situation is quite different from civil, and it will be necessary to consider how this "day-of" scanning can be handled. Scanning in the courtroom is not feasible.

16. Report Back: Clerk Electronic Signatures & Editing/Appending E-Docs - This item was passed until the next meeting.
17. Pre-6.0 – Update: Family Templates in Edison - This item was passed until the next meeting.
18. 6.0 - Update: Family Equipment Needs - This item was passed until the next meeting.
19. 6.0: Additional Family Issues For Discussion - This item was passed until the next meeting.
20. PDF-A Document File Format - This item was passed until the next meeting.
21. Update: Appellate Court Access to Paperless Civil Files - This item was passed until the next meeting.

The meeting was adjourned at 9:40 AM. The next meeting date will be sent out as soon as it is scheduled.