

MINUTES
JUDGES' ADVISORY COMMITTEE ON E-FILING
Bridgeport Juvenile, 1st Floor Conference Room
Monday July 8, 2013 - 2:00 PM

Those in attendance: Hon. Barbara Bellis; Hon. Marshall Berger; Hon. Patrick Carroll; Hon. Linda Lager; Hon. Aaron Ment; Hon. Lynda Munro; and Hon. Barbara Quinn.

Staff: Elizabeth Bickley; Joseph D'Alesio; Patrick Deak; Joseph DelCiampo; Lucio DeLuca; Tais Ericson; Melissa Farley; Margaret George; David Iaccarino; Alice Mastrony; and Roberta Palmer.

1. Welcome and Acceptance of Minutes from 04/22/2013 – Judge Carroll welcomed everyone and thanked Judge Munro for serving on the Committee. This meeting is her last as the chief administrative judge of family. The minutes of the last meeting were unanimously approved.
2. Displaying Civil Documents on the Public Internet Site – P.J. Deak explained that currently, if any sealed documents are on a case, no notices and orders are displayed on the public site, but the docket sheet is viewable. This decision was made out of caution but now that we are discussing displaying on the public site documents filed in cases with return dates on or after January 1, 2014, we should decide whether it makes sense to continue the existing rules on displaying documents in cases with sealed documents. After a lengthy discussion, including the frequency of a single sealed document in business complex litigation cases; whether to make the decision prospective vs. retroactive; the need to educate judges, attorneys and self-represented parties about the Internet display of documents; and whether to seal only the motion to seal, or to seal both the motion and the order granting the motion to seal.

The committee decided that orders and notices filed in cases with a return date prior to January 1, 2014 will be viewable on the public site; but in cases filed with a return date after January 1, 2014, all documents, notices and orders will be viewable on the public site except for the sealed document and the order, if granted.

P.J. also presented proposed revised language to be added to the e-filing system regarding the review of documents filed for personal identifying information. The language approved by the Committee is: "I have reviewed the document(s) I am filing with the court to make sure that they do not contain personal identifying information as defined in section 4-7 of the Connecticut Practice Book unless otherwise required by law or ordered by the court."

After discussion, the Committee also decided to include the language in the release currently scheduled for August 17, 2013.

3. Report Back: Retention Of Electronic Files – Rules Committee – Judge Bellis reported that the Rules Committee will not be involved in this issue, which has, in the past, been an administrative determination. The Chief Court Administrator's office will address the issue of the retention of electronic files.
4. Report Back: Rule Change to Permit Electronic Delivery Confirmation – Atty. DelCiampo reported that this rule change was approved by the judges at the annual meeting and will be effective January 1, 2014.

5. E-Filing in Non-Appearing or Non-Party Situations – P.J. Deak explained that in the course of going to observe the process in the court and the clerk’s office for family, the possibility of creating a mechanism to permit e-filing by a non-appearing party or a non-party came up. Non-appearing parties and non-parties have occasion to file documents in cases when they are an interested entity filing a motion to intervene, a non-party witness filing a motion to quash, or an attorney attempting to file a motion to consolidate two cases, while only appearing in one of the two. The development of the business processes will be the charge of the Civil/Family Business Process team, and the modifications of the system will not be undertaken until after family e-filing has been implemented. The development of this mechanism will benefit family practitioners and clerks, where motions to quash are frequent, and civil practitioners and clerks, where motions to intervene and to consolidate are frequent.

6. E-Filing Project Update – P.J. Deak updated the committee on the e-filing project, including:
 - e-filing by self-represented parties, with the statistics on the number of applications for electronic access filed, approved and denied, the number of SRP e-filings;
 - adjustments made to the system to permit expanded data collection on foreclosures in order to comply with legislation;
 - expansion of small claims e-filing to include executions, which is a major “win” for the small claims clerks, and is a move toward more small claims e-filing;
 - roll-out of e-mail updates for anyone on August 17, 2013;
 - automated e-mails to the appellate court clerk when an appeal is filed;
 - correcting the display of dispositions on cases with VAWA motions;
 - including credit card transaction fees in the e-filing payment process;
 - displaying short calendar write-in as scheduled events on the Internet;
 - rolling out the “disable the case display” upon the beginning of voir dire and the means to disable the display of a case transferred to Juvenile court;
 - plans for the family pre-paperless release, including enhancements to the short calendar screens;
 - the completion of the DSS data extract;
 - release of e-filing of case initiations in the child protection docket;
 - meeting on the automation of UIFSA cases for Support Enforcement;
 - meeting on the e-filing of G.A. civil matters (asset forfeitures; firearms cases)
 - continuing work on business requirements in housing cases and in family cases, including meeting with other stakeholders; and
 - electronic notices to filers in the winter of 2013/2014.

7. Family E-Filing Business Process Team – Status – This topic was basically covered in the report on the prior agenda item. David Iaccarino pointed out the need for additional scanners. The idea is that people like family relations officers and DSS staff who create and handle documents on a court day should have access to a scanner in order to scan documents and get things into the file ahead of time. Having scanners readily available to these people would make the courtroom process proceed more efficiently.

Judge Munro raised a possible issue with respect to the current process that was negotiated with the AAGs who only have an interest in a family case because of HUSKY orders. Now, the AAGs come to the court, but if they can e-file those HUSKY orders, they may not be coming to the courthouse. This issue will be put on the agenda for the

annual meeting with the Office of the Attorney General. Judge Munro will send an e-mail to Judge Carroll and Atty. D'Alesio about the specifics.

Judge Munro also mentioned that a family judge will need to view multiple documents concurrently on the bench. Do we need to consider larger monitors or multiple screens to allow this? A similar issue exists in foreclosure cases, where judges must view a number of multi-page documents at the same time. Judge Berger also pointed out that it can be difficult to manipulate multiple documents electronically, depending upon how they are filed. Options include having an electronic index for a large document, filing each exhibit separately or bate stamping each exhibit separately.

Judge Munro suggested having three or four "computer-agile" family judges work with some of the available options to identify the best ones for family. A workgroup of Judge Berger, Judge Bellis and P.J. Deak was assigned to look at this issue and the possible options to address it.

8. Report Back: Judges Scheduling Events in Edison – P.J. Deak reported back on the request from Judge Berger that judges be able to schedule events in Edison. Two viable options for accomplishing this are: (1) change the system to give judges the same rights as staff; and (2) if it involves only a limited number of judges, provide those judges with a staff ID in addition to their existing judge ID. The first option requires a fair amount of coding; the second option would give an individual judge the ability to enter orders for and send workflow queue items to other judges. After discussion, including the logistics of a judge using two separate IDs with separate logins; the ease of sending a workflow queue; and the possibility of scheduling the matter and then entering it as an order, the consensus was that this should be put on the "aspirational" list for the future.

Finally, the members discussed some miscellaneous items. Judge Berger asked whether an opinion/memorandum of decision would be posted in the e-Notice box. Currently, we are only delivering judicial notices that we now send on paper, so a memorandum of decision would not be posted to the e-Notice box. People would have to go to the electronic file to read a decision but could view a SCRAM or a JDNO, they could go to the e-Notice box.

If all of our orders are online and publically accessible, it would be feasible to put a hyperlink to the order on the public site in the e-Notice. This option will be discussed in the future. Judge Munro mentioned that some portions of decisions may be sealed so we may need a means of redacting some sections on the public site. As we approach the expanded access to documents on the public site, we need to do serious educational outreach to the judges as well as the bar.

Judge Carroll then asked Judge Bellis, Judge Berger and P.J. Deak to put together a team to work on the issue of electronic evidence: how to make it readily accessible in an electronic file. Judge Munro suggested including a family judge from Stamford in this group.

The meeting adjourned at 2:59 PM.