

JUDGES' ADVISORY COMMITTEE ON E-FILING Minutes

On January 5th, 2010, the Judges' Advisory Committee on E-filing met at Juvenile Matters in Bridgeport, 1st floor conference room at 60 Housatonic Avenue, Bridgeport 06604.

Committee members in attendance: Hon. Barbara N. Bellis, Hon. Marshall K. Berger Jr., Hon. Patrick L. Carroll III, Attorney Joseph D. D'Alesio, Hon. Dennis G. Eveleigh, Hon. Barbara Bailey Jongbloed and Hon. Barbara M. Quinn.

Staff in attendance: Melissa Farley, Elizabeth Bickley, Daniel B. Horwitch, Lucio DeLuca, Alice H. Mastrony and Janice R. Calvi

The Honorable Patrick L. Carroll III welcomed the members of the committee and called the meeting to order at 1:00 PM.

Janice Calvi provided the committee with a project update highlighting that there were approximately 65,994 efiled transactions in December. Attorney Calvi went on to describe the learning curve staff are facing with the implementation of the new CV/FA system and the requirements to code and scan and process filings via 3 interfaces in addition to the challenges faced by managers and staff managing and allocating work electronically. In light of said changes the committee agreed to allow the court operations unit to formulate and present to the Judges' Advisory a plan to ensure that quality assurance measures are established and implemented to assist courts in electronically managing coding turn-around time. In order to increase the efficiency of processing documents electronically and conducting court business electronically, the committee proposed that an edict be sent to the court staff via the Steering Committee on efilings stating that files for short calendar be analyzed and prepped fully prior to pulling said files and if the documents in the files are available electronically, these files need not be pulled unless the individual Judge wants the paper file. For those files where the official record is the electronic file, those files are only available electronically so the need and availability of paper files will eventually be obsolete. Additionally, the committee recommended that the Steering Committee on efilings will provide the courts with a policy on prepping files in order to make certain there are consistent efforts done uniformly statewide and to set a time standard so that Judge will know by, for example, 5 PM on Thursday before a Monday short calendar the files will be fully prepped and assigned to the Judge.

Attorney Calvi went on to explain that the limitations of the former case management system are approximately 50% completely usurped and rectified by the establishment of the new system. Due to the constraint of the former case management system the committee discussed the need to migrate off the former system fully before additional development can take place. With that goal in mind Judge Berger will present a proposal to the committee regarding the replacement and/or revamping of the short calendar via the new system.

Lucio DeLuca updated the committee on the roll-out of equipment indicating that there are minimal issues regarding wiring and placement of monitors in the courtroom that Judge Support Services is handling. With regard to PC's available to the public in courthouses, this committee referred the analysis of additional equipment to the Steering Committee on efilings and said committee chair will report back to this committee at the next meeting. Additional discussion ensued with regard to security and Mr. DeLuca proposed implementing an auto log-out on the

courtroom PCs and Judges' laptops which will take effect after 1 hour of inactivity. The committee unanimously agreed with this proposal and further asked that security be emphasized in training of Judges and staff. Mr. DeLuca went on to discuss an issue with extended weekend support when the system is down, the committee referred all support issues to the Steering Committee on e-filing and said committee chair will present a proposal regarding support, notification of system failures and extended support coverage to this committee at the next meeting.

The Honorable Barbara N. Bellis briefly described the training for Judges that went into the paperless courtroom implementation. Judge Bellis informed the committee that there was 100% participation in training which was a direct correlation to the 100% integration of electronic orders on the civil matters. Janice Calvi went on to describe the effort put into getting staff training prior to and subsequent to the paperless / mandatory e-filing release. Attorney Calvi expressed concern over the implementation of Q'ing and electronic management which the committee agreed to refer to the Steering Committee on e-filing and said committee chair will report back to this committee at the next meeting. Attorney Alice Mastrony summarized the efforts made to training the Bar in anticipation of the mandatory e-filing requirement. Said training for the Bar will be reevaluated in March. The effort set forth through the Legal Exchange program in the courts will continue to have an e-filing component; however, Attorney D'Alesio noted that these programs will be the responsibility of the court staff rather than central administrators.

Ms. Elizabeth Bickley presented to the committee what efforts the Judicial Information Systems Division have in place in order to prevent data mining of court documents. Additionally, Ms. Bickley described the issues in relation to data scrubbing. Both topics will be revisited as additional information and analysis is available. The issue of cost for data downloads was discussed and the committee advised that the contract the Branch provided to sell data be revised. Furthermore, legal services will analyze the need for revised legislation to recoup said costs to off-set the technology needed to support said data.

The committee went on to discuss the availability of documents and electronic files publically via the Internet outside of court facilities, i.e. remotely by the public and the committee unanimously agreed that until such time as P.B. § 4-7 which has taken affect as of 1/1/2010 is fully incorporated into the civil practice and personally identifiable information no longer appears in electronically filed documents, the public access to the electronic file will be limited to viewing electronic documents in courthouse facilities. With that being said, the committee agreed that they will revisit the issue of opening up access remotely in 6 months. The committee was pleased with the fact that for now anyone can come to any JD court location and on the public PCs can access any electronic documents in any file in any courthouse, i.e. a person can come to Hartford and see Stamford's files if the documents in those files are electronic. This access has been created by IP address as identified in each Judicial District (JD) thus the issue of extending internal access to other divisions / units beyond court operations is moot in light of the fact that as long as a judicial employee utilizes a judicial computer in the JD location they have access to the electronic documents. And if additional access is needed those individuals as well as the public must see the clerk for the official record if that file is not fully electronically available.

Judge Bellis and Attorney Horwitch presented the new language added to the appearance form which gives the filer the option to accept certification via email in accordance with P.B. § 10-13. In response to feedback from the Bar with regard to emailed certification, a discuss ensued regarding the possibility of emailed notice from the Branch, the committee unanimously agreed

that the Branch will not email notices because of the huge structural change this option poses on the system as well as the resources needed to support such a system. Instead, the Branch will in the not so distant future, build upon the existing structure in place which delivers notice of short calendar matters to the logged in juris number. The same concept will be the core of building the "secure server" notification system to accommodate all notices sent from the Branch.

Judge Bellis and Judge Berger opened a discussion with regard to Judges order entry and staff scheduling matters, the committee advised that additional information be sent out to the Judges regarding the options available and staff be notified of the changes. Judge Bellis went on to discuss additional changes scheduled for the Judges' interface to the system. Additionally, both Judges Berger and Bellis expressed concerns over P.B. § 17-20 et al motions which authorize the clerk to grant defaults and in light of the efficiency the e-filing system has created the turn around time for said motions being granted must be standardized and a policy must be sent to the courts advising them accordingly. The committee advised that a policy be developed and implemented by the Steering Committee on e-filing. Further, the Judges' advisory via legal services will propose a rule change to the Rules Committee asking for a 7 day hold for judgments in accordance with P.B. § 17-20 et al motions.

Next, Judge Bellis asked that Attorney Calvi present the issue presented to them regarding the non-uniform procedure for scheduling Complex Litigation cases. Since the manner of scheduling requires some additional programming in order to get that information on the Internet site, the committee asked that Judges Berger and Eveleigh propose a uniform scheduling policy following the model used in Stamford's Complex Litigation office.

Attorney Horwitch reported back to this committee that a package of rule changes would be presented to the Rules Committee reflective of the mandate to electronically file and with consideration of the management of the paperless file and the official record being paperless.

Attorney Joe D'Alesio presented a plan to the committee in order to stabilize the project. Mr. D'Alesio described the committees who collaborated on the project in 2003 and concluded that the same commitment must be reestablished in order to sustain progress of this enormous undertaking. The first step as described by Joe would be the creation of a Steering Committee whose first task will be to create a support mechanism to support the external users of the system and consider extended hours for said support. This committee will also be charged with establishing and implementing policy and protocol regarding the electronic file with special consideration for the training and support of the new role as electronic managers in the courts. The Steering Committee will report out at the next meeting regarding their status and progress.

Judge Carroll updated the committee regarding the workgroup established to propose resolutions to the unique electronic filing needs expressed by the Administrative Appeals section of the Bar. At this time the workgroup proposed a moratorium for the electronic filing of the return of record which this committee unanimously endorsed.

Lastly, Judge Berger briefly described the generational issues faced by the Judiciary with the implementation of the electronic file. The committee proposed that additional training be offered to assist in the transition to the electronic order process.

The committee tabled the following issues for the next meeting and asked that the newly established Steering Committee report back to this committee and propose solutions for:

1. Court staff scanning, printing for paper files and retro-scanning.
2. Pulling files at will – files not pulled unless judge requires.
3. Scanning in orders to show cause and/or any other documents requiring hearing dates assigned.

Judge Carroll adjourned the meeting at 4:10 PM and agreed that the next meeting be scheduled for 2/17/10.