

JUDGES' ADVISORY COMMITTEE ON E-FILING Minutes

On February 19th, 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 Quinn, Hon. Joseph H. Pellegrino, Hon. Arthur A. Hiller and Hon. Aaron Ment.

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

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 69,537 efiled transactions in January. Attorneys D'Alesio and Calvi described the initiatives in place to insure project stabilization and discussed the protocol for new development i.e. Judges interface and system development will continue to be lead by Judge Bellis and internal and external system development will be lead by Janice Calvi.

Joseph D'Alesio presented the Continuity of Operations Plan to the committee for approval. Attorney D'Alesio pointed out the increased need for a 24/7 supported system. Both Court Operations and Judicial Information Systems divisions would share the responsibility of support. A flow chart of the proposal was presented to the committee and after much discussion the committee agreed to provide system support from 7 AM- 3:30 AM 7 days a week, but would limit the availability of in-person support calls for Judges to 7 AM- 12 AM. Additionally, if there are system failures between the hours of 7 AM and 6 PM the branch will be notified via the email alert system proposed. If however there is a system failure between 6 PM and 7 AM that will not affect business the next day, notice of said failure will only be logged. External and internal user support in addition to system support (7AM- 3:30 AM) will be available from 7 AM through 9 PM Monday- Friday. Elizabeth Bickley described the routine maintenance schedule and "patch" schedule in place for IT. The committee unanimously agreed to the proposal as discussed and changed but reserved the right to review the need for extended support.

Lucio DeLuca provided the committee with and update regarding the deployment of equipment. Mr. DeLuca and Ms. Bickley provided the committee with an overview of PDF conversion software. The committee asked that Ms Bickley and Mr. DeLuca explore the cost associated with the purchase of conversion software, and in the interim, Judge Support Services will continue to provide conversion to Judges on an individual basis as needed.

The Hon. Barbara N. Bellis summarized the training efforts provided to the Bench and proposed to the committee that additional judge training is needed statewide for routine system and operational enhancements. The committee agreed that Judge Bellis should continue training the Bench as needed and will be the point person for changes to the Judges' Interface.

Attorney Alice Mastrony summarized the efforts made to train the Bar; said training for the Bar will be reevaluated in March. Attorney D'Alesio added that the effort set forth through the Legal

Exchange program in the courts will continue to have an e-filing component. Judge Carroll asked that questions from the Bar be tracked and correlated with suggested edits to system. In addition, Judge Carroll suggested that an article be drafted highlighting the efforts made to incorporate suggested changes in the development of the system. Finally, the committee unanimously agreed with Judge Carroll's suggestion of a link on the EServices home page requesting comments / suggestions.

The Hon. Dennis G. Eveleigh reported to the committee that the traditional dormancy program will not be built into the e-filing system but that courts will be reviewing cases and individual dormancy programs will be implemented in each district.

Attorney Horwitch reported back to this committee and distributed a package of proposed 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. The committee reviewed the rules as presented and advised that the new rule changes be analyzed by a smaller work group with Judges Bellis and Berger. The rules currently on the agenda for the rules committee were reviewed and the draft of the revised Procedures and Technical Standards were reviewed and approved.

The Hon. Barbara N. Bellis presented a potential issue with regard to electronic issuance of orders prior to the calendar date. After lengthy discussion the committee decided to add the following language to the short calendar page to notify the litigants of the issue:

Reminder: Counsel are strongly encouraged to file any pleadings, motions or documents relevant to matters scheduled on a short calendar matter prior to the close of the marking period. Judges may review files and enter orders on nonarguable civil matters immediately after the close of the marking period.

The Hon. Barbara Quinn presented a suggested change to the procedure regarding Administrative Appeals from Judge Cohn regarding transferring of tax appeals.

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. The issue of cost for data downloads was discussed and the committee was advised by legal services that the Chief Court Administrator can establish the fee pursuant to C.G.S. § 51-5b. The contract the Branch was to sell data will have to be revised.

Nancy Kierstead reported out to the committee on the restructure of the project with the addition of the steering committee oversight of the civil business analysis team with their two workgroups, family business analysis team, training and support team and the technology team.

The steering committee reported back to this committee regarding the issues assigned to them from the January 5th meeting:

1. Regarding a quality assurance plan and time standards, Nancy Kierstead on behalf of the steering committee advised that a team will be charged with "reengineering the clerks' offices (RECO)" after analysis of the "best practices" of 2 courts in order to insure quality assurance and to establish time standards for processing.
2. Regarding the challenges faced by managers and staff managing and allocating work electronically Nancy Kierstead on behalf of the steering committee advised

that a team will be charged with “reengineering the clerks’ offices (RECO)” after analysis of the “best practices” of 2 courts.

3. Regarding Short Calendar prep and the recommendation from the January 5th meeting “that the Steering Committee on efilng 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 Kierstead reported that this recommendation will be considered in conjunction with the RECO team’s analysis.
4. Regarding this committee’s recommendation that the steering committee send a policy to the courts regarding pulling files “at will” Attorney Kierstead reported that the steering committee would discuss this policy with the JD Clerks prior to a memo being sent. This committee after discussion reiterated that a policy should be sent to the courts 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 is obsolete.” Judge Carroll added that unless the operative pleading is not electronic or unless a Judge requests otherwise, files should no longer be pulled for short calendar matters. Additionally, the committee recommended that the steering committee provide the courts with a policy on prepping files in order to make certain there are consistent efforts done uniformly statewide.
5. Regarding this committees recommendation to the steering committee to present a proposal regarding retro-scanning of paper files, the steering committee after analysis recommends that retro-scanning not be implemented. The issue of paper processing and printing will be obsolete sooner then expected.
6. Regarding the issue of scanning in orders to show cause and/or any other documents requiring hearing dates assigned raised by Judge Berger was referred to the civil business analysis team by the steering committee for comment and report back at the next meeting.

Nancy Kierstead discussed the issue of additional public PC allocation and/or scanners available to the public in the court service centers and asked that said issue be tabled until the RECO team can complete their analysis.

The Hon. Barbara N. Bellis presented to the committee the continued issues regarding P.B. §17-20 et al proposed rule changes. With regard to the recommendation from the January 5th meeting regarding the recommendation that a policy memo be sent to court staff advising them of the issues involving P.B. § 17-20 et al, the steering committee reported that a memo would go to staff when the proposed rule change is implement.

Joseph D’Alesio asked that the issues involving exclusions from EServices be tabled.

Hon. Marshall K. Berger Jr., updated the committee on the workgroup assessing administrative appeals and will continue to provide the committee with updates.

Attorney D’Alesio went on to explain that due to the constraint of the former case management system Judge Berger will be analyzing the short calendar concept and present a proposal to the

committee regarding the replacement and/or revamping of the short calendar via the new system.

New Business

Janice Calvi presented a recommendation from the Workflow Workgroup regarding the option of e-filing a LETTER. The workgroup recommended and the committee agreed that a letter to the court should not be e-filable but should be filed on paper (or via fax, email or other acceptable mechanism). To the extent that an individual letter is identified by the Clerk and/or the Judge as belonging in the file, that letter can be scanned into the file by the clerk.

Judge Berger presented to the committee issues involving the need for a "recordation page", writing on file jackets and companionizing files and issues will be referred to the civil business analysis team to report back to the steering committee.

Judge Carroll adjourned the meeting at 4:00 PM and agreed that the next meeting be scheduled for March.