

Minutes
JUDGES' ADVISORY COMMITTEE ON E-FILING
Bridgeport Juvenile, 1st Floor Conference Room
Wednesday May 23, 2018
2:00 PM

Those in attendance: Hon. Patrick L. Carroll III, Hon. James W. Abrams, Hon. Barbara N. Bellis,

Staff in attendance: Joseph D'Alesio, P.J. Deak, Joseph DelCiampo, Lucio DeLuca, Tais Ericson, Damon Goldstein, Johanna Greenfield, Paul Hartan, Krista Hess, Alice Mastrony, Roberta Palmer and James Vogel.

1. Welcome and Acceptance of Minutes from 7/5/17 – Judge Carroll welcomed the Judge Abrams as a new member of the committee. Then, upon motion and second, the minutes were unanimously approved.
2. Proposals for New Committee Members - Judge Carroll discussed the addition of Judge Michael A. Albis as a replacement for Judge Colin, who resigned from the bench. He also suggested that the group may want to consider adding some additional members in the future.
3. Family Mediators and CV/FA E-Filing – Johanna Greenfield and P.J. Deak provided background on this issue. Mediators in family matters are often but not always attorneys, and generally work with parties prior to the filing of a dissolution action. The action is filed once the parties have reached an agreement and are ready to ask for an uncontested dissolution. Currently, there is no mechanism to allow mediators to file these actions electronically since mediators do not represent either party. Therefore, the cases are often filed on paper. The discussion noted that while having these cases filed electronically would take some pressure off the clerks, extending the ability to file electronically to mediators would create a new type of filer, filing for someone he or she does not represent, which seemed like a “slippery slope” to go down. This matter will be tabled for a further discussion at the next meeting when Judge Bozzuto can be present.
4. Electronic Documents / Electronic Evidence and CV/FA E-Filing – P.J. Deak reported on some questions from the last meeting of the Digital Evidence Committee. The committee had observed that there may be a need for some type of “gatekeeper” process to allow the clerk to review items submitted as evidence electronically before it is accepted into the e-filing system and/or the possible need to create a different status to identify those who can access electronically submitted evidence, particularly prior to its admission as either an ID or a full exhibit. Discussion ensued on these questions, the related areas of public access to exhibits submitted electronically but not yet admitted and whether all exhibits would be required to be electronic. Discussion included how juries would access electronic exhibits, the possibility of providing digital capability in at least one courtroom in each district, information on what the federal courts do, the fact that something is not really an “exhibit” until it is marked for identification, and the suggestion that we find out what other states are doing in this area. The Digital Evidence Committee may already be reviewing what other states are doing, and Damon Goldstein and P.J. Deak are members of that committee, and will keep this committee apprised of developments or other questions.
5. Making Habeas Cases Paperless In The CV/FA E-Filing System - P.J. Deak reported that Tolland clerks and the office of the attorney general are interested in making habeas cases paperless. Those cases

currently represent the vast majority of active paper civil cases. Making habeas cases paperless would require minimal coding changes and training for office staff currently handling these paper cases, and it would be a tremendous benefit to the clerks, AAGs and private attorneys. The federal system has designated filers do electronic filing for inmates, but the majority of habeas cases involve ineffective assistance of counsel, with attorneys on both sides, and even if inmates do not file electronically in the remaining habeas case types, the clerks will still benefit. These cases will display publicly on the Judicial Branch website like other civil cases.

Judge Carroll will contact Department of Correction's Commissioner Scott Semple about inmates and access to the Internet and assistance for purposes of e-filing.

6. Other States and CT Judges Electronic Signatures – Language regarding the standards governing electronic signing and verification of documents is being added to the Frequently Asked Questions page on the Judicial Branch website and to the recordation page that is often printed by clerks when paper copies of documents are provided. Judge Carroll suggested including this language on the order pages, and that will also be done.
7. Changes In E-Filing Project Staffing, Unit Configuration and Systems Supported
8. Status: E-Filing, Edison & Other Systems - Including Migration of Systems from MS-Access & .ASP to .NET

P.J. Deak reported on the far-reaching impact that retirements in Court Ops and JIS, new staff or transfers who will require time to get up to speed, and unit consolidation have and will continue to have on the staffing of teams working on e-filing, Edison, Jury, and Criminal systems, and the support of over 110 applications and thousands of MS-Access applications Branchwide. Efforts are being made to increase effective allocation of resources and move toward a more efficient way of doing business. The result of all of this will be that new enhancements to e-filing, Edison and Clara after the UIFSA release scheduled for August will require additional time, and the priority will be the migration of Edison to the .net platform, together with the migration and data consolidation of other applications, including Legacy Housing and Small Claims applications. A comprehensive spread sheet, delineating all of the applications that must be supported, migrated, and possibly consolidated in the next few years, and a timeline of future e-filing releases were provided to the committee.

9. Status: Developing Policy Recommendations for Destruction of Electronic Records – This committee met, identified six areas of issues, and established subcommittees to address the issue areas in more detail. Brief discussion ensued concerning the many formats used to store historic data, and the benefit of centralizing and standardizing storage to reduce the burden of maintaining these records. As a result of other issues taking precedence, the policy development is temporarily on hold, but will reconvene later this year.
10. Report Back: Not Mailing Memos of Decision to Attorneys on Civil Cases – Roberta Palmer reported that a process that allows clerks to send JDNOs in civil cases about the online availability of memorandum of decision, arbitrator's reports and factfinder report instead of sending paper copies of these documents has been developed by Court Operations and approved by Legal Services. It will begin June 1, 2018.

11. Online Dispute Resolution Pilot – Roberta Palmer reported that forms have been drafted and reviewed by Legal Services, locations have been selected (New Haven and Hartford), training for mediators has been created, and mediators have been identified for Online Dispute Resolution. Some further discussion is need to finalize the forms, but the pilot could be up and running by the end of this year. The need to have sufficient mediators and to utilize existing housing and foreclosure mediators to the extent possible was discussed. The possibility of using judges to mediate these cases was raised. Judge Bellis raised the idea of having some type of mediation/pretrials in small claims cases to see if that would result in a higher volume of settlements, more in keeping with the settlement rates of other civil cases.
12. Report Back: Mandatory E-Filing for Self-Represented Parties – P.J. Deak reported back on the results of the discussions and findings of the Consolidate Civil/Family Business Process Team in terms of identifying potential issues for self-represented parties resulting from mandatory e-filing and identifying ways to address those issues and make e-filing more accessible. Issues ranged from possible payment issues, whether from bad checks or an inability of some SRPs to make payments electronically, ensuring adequate staffing and hardware at Court Services Centers, adequate staffing and training for the E-Services Support Line, projected increases in the numbers of exclusion requests, definite increases in the number of electronic access requests, the need to simplify elements of the e-filing system to reduce errors and confusion; the need to ensure e-filing’s mobile accessibility since a significant portion of SRPs only have Internet access via mobile devices. After extensive discussion, the proposal was to draft business requirements for the implementation of mandatory SRP e-filing including the simplification of the e-filing system and the development of increased system-generated forms, determine the tasks and workload involved in the business requirements as drafted, the consideration of leading first with a pilot for small scale implementation, and the development of a timeline for implementation, which will have to take into account the needs of the self-represented parties for an accessible system.
13. Letters Filed by Litigants in Family Cases – This item was put over to the next meeting when Judge Bozzuto is available.
14. Status: Form Assembly Tools for SRPs Completing Court Documents – P.J. Deak reported that this is still a work in progress. We know how to do it, but we need more time to work on it.

The meeting adjourned at 3:30 p.m.