

**COMMISSION ON TECHNOLOGY
MEETING MINUTES**

September 9, 2005
9:00 a.m. – 12:00 p.m.

Arizona Supreme Court

Copper and Gold Conference Rooms
Judicial Education Center
541 E. Van Buren, Suite B4
Phoenix, AZ 85003

MEMBERS PRESENT

Louraine Arkfeld
Kent Batty
Michael Baumstark (*Dave Byers proxy*)
Rebecca White Berch, *Chair*
Robert Brutinel
B. Robert Dorfman (*Ron Beguin proxy*)
Peter Eckerstrom
Jeanne Hicks
Michael Jeanes
Roger Klingler
Gary Kremerik
Martin Krizay
Marcus Reinkensmeyer
Sheldon Weisberg

GUESTS

John Barrett, *TAC*
Janet Cornell, *TAC/CACC*
Joan Harphant, *CACC*
Donald Jacobson, *CACC*
Carol Merfeld, *TAC*
Gordon Mulleneaux, *CACC*
Gregg Obuch, *CACC/TAC*
Michael Pollard, *CACC*
Eloise Price, *TAC*
Rick Rager, *CCAC*

MEMBERS ABSENT

Christopher Cumiskey
Catherine O'Grady

AOC STAFF

Joe Blaszcak, *ITD*
Stewart Bruner, *ITD*
Elaine Cadman, *ITD*
Karl Heckart, *ITD/TAC*
Tim Lawler, *ITD/CACC*
Stephanie Nolan, *ITD*
Pamela Peet, *ITD*

WELCOME AND INTRODUCTIONS

Rebecca Berch, Chair, called the Commission on Technology (COT) meeting to order at 9:30 a.m. She welcomed members and the public; introduced new members Judge Robert Brutinel from Yavapai County representing Superior Courts and Professor Catherine O'Grady from ASU College of Law representing the State Bar; and provided a rundown of positions still to be filled. Nicole Waldron has accepted the executive director position at Arizona Association of Counties. The County Supervisors' Association will nominate her replacement. Jack Shomenta, public member, has retired. The chair invited members to suggest suitable candidates to fill the public member position. We are still awaiting a nomination from the State Senate for the legislative representative.

Justice Berch formalized certain items relating to conducting the business of the COT, including use of conference calls (effectiveness will be monitored), collection of the \$5.00 lunch fee, starting meetings on time, disclosing on the record when a project directly benefits a member's court, handling of the call to the public, the importance of reviewing draft minutes after meetings, executive session procedures, and what constitutes a quorum (50 percent of filled positions plus one). She also stated her understanding that the Judicial Project Investment Justification (JPIJ) acts as the COT-standard format for project approval and reiterated that dividing a project to avoid COT approval is forbidden. COT staff stressed the importance of timely delivery of materials (at least one week before a commission or subcommittee meeting) to the smooth operation of COT.

MOTION: A motion was made and seconded to approve the minutes of the June 2 and 3, 2005, Commission on Technology meeting. The motion passed unanimously. TECH 05-38.

2006-2008 INFORMATION TECHNOLOGY STRATEGIC PLAN APPROVAL

Karl Heckart, CIO for the Administrative Office of the Courts (AOC), summarized this year's IT strategic plan, which was placed on the COT website for members' final review. Thanking members who had taken time to review the document, he opened the floor for any questions. Comments included the desirability of emphasizing disaster recovery planning, in light of the recent natural disasters, and whether editorial changes could still be made to the document. Disaster planning will be better emphasized in next year's plan. Editorial changes submitted by members will be considered and, if appropriate, made to the text before release. The approved document will be submitted to the Government Information Technology Agency (GITA) and the Joint Legislative Budget Council (JLBC).

MOTION: A motion was made and seconded to approve the 2006-2008 Arizona Judicial Branch Information Technology Strategic Plan with proposed changes incorporated before distribution to GITA and JLBC. The motion passed unanimously. TECH 05-39

PROPOSED CHANGES TO PLAN PROCESS AND TEMPLATE FOR 2007-2009

Stewart Bruner provided background concerning changes being proposed to the plan template and the information gathering process for the next planning cycle. He reminded members that the format of the annual IT plan is determined by COT, according to ACJA § 1-109. He described proposed changes that would streamline the plan template and respond to stakeholder suggestions. Member discussion focused on a proposed change to collect local JCEF information in advance of any project-specific requests. Consensus was that collecting the information really did not meet the goal of describing the financial environment in which court projects would take place, since JCEF is only one source of project funding. The JCEF table will be dropped from the template. The next steps will be to produce the template and consolidated project information spreadsheet, along with a communication package to presiding judges and court administrators for review/approval at the November COT meeting.

MOTION: A motion was made and seconded to approve the proposed general changes to the next IT planning cycle, with the exception of collecting local JCEF information. The template and process detail will be reviewed at the next COT meeting. The motion passed unanimously. TECH 05-40

CASE MANAGEMENT SYSTEMS FUNDING

The state JCEF motion made in the previous COT meeting required the Tempe Case Management System (CMS) and Pima Agave projects to complete their detailed schedules and return with proposed milestones to which disbursement of approved funds would be tied. Staff reviewed the interaction with project representatives since that meeting.

Rick Rager of the Tempe CMS project and Gregg Obuch of the Pima Agave project were introduced. Each presented the actions and the associated funding amounts being requested for the projects they represent. Both speakers specified that their detailed project plans had been updated to reflect the milestone dates shown in the presentation. A question arose regarding placement of the documentation/training milestone in the Pima Agave plan. The milestone reflects completion of final documentation and was not meant to indicate that no documentation would exist until that point in the project. CACC and staff continue to monitor the activities of the projects.

MOTION: A motion was made and seconded to approve the plan and milestones for the Tempe CMS project as presented and to authorize the distribution of the installments of FY06 State JCEF monies to the project as milestones are completed. The motion passed unanimously. TECH 05-41

MOTION: A motion was made and seconded to approve the plan and milestones for the Pima Agave project as presented and to authorize the distribution of the installments of FY06 State JCEF monies to the project as milestones are completed. The motion passed unanimously with Kent Batty abstaining. TECH 05-42

Following the two presentations, Karl Heckart pointed out a potential gap before the initial implementation of the Pima Agave system in a different court, should the project remain on its stated schedule. Money to fund formation of the technical team that would determine the required changes to adapt the CMS for statewide use was not included in the approved FY06 JCEF budget. Since including it now would involve a mid-cycle request to AJC, members were asked if they supported moving forward now or if they felt it better to wait for FY07, as originally planned. Following a reminder about the clerk's association letter that stated their desire for as rapid an implementation as possible, members encouraged Karl to move forward. A detailed budget and plan will be presented at the November COT meeting as a prerequisite to requesting funding at the December Arizona Judicial Council (AJC) meeting.

RECOMMENDATION FROM COT FUNDING SUBCOMMITTEE

Gary Krcmarik, chair of the funding subcommittee, walked members through the eleven scenarios considered by that group before revealing their recommended scenarios in the following preferred order: 1) Not raising any local device costs to fund the rollout, 2) Getting the legislative sweep reversed in upcoming years, 3) Getting some of the legislative sweep reversed while increasing fees for civil filings and civil traffic penalties, and 4) If none of the legislative sweep can be reversed, increasing fees for civil filings and civil traffic penalties a greater amount.

Questions were raised about whether the CMS rollout costs presented included a variety of items. The chair stated that the estimate of costs was simply a best guess at this point. She stressed that the most important consideration was getting on the legislative calendar for the upcoming session.

MOTION: A motion was made and seconded to approve the recommendations of the funding subcommittee and authorize the next steps to get on the legislative agenda for the upcoming session.

More discussion ensued concerning financial impact to all local courts being taken into consideration by the proposal for securing CMS rollout funding. Several members felt that any proposal must include a provision for local funds to be used in large-volume-model courts. Several challenges related to changing fee-related legislation in the upcoming session were pointed out. As a result of discussion, the original motion was slightly re-worded to indicate COT's approaches, rather than specific requirements, leaving room for partners supporting legislative changes to operate within a specified framework rather than being limited in their negotiating strategies. The mover and seconder both concurred with the revision to the original motion.

MOTION: It was moved and seconded to approve the approaches recommended by the funding subcommittee and authorize the next steps to get on the legislative agenda for the upcoming session. The motion passed unanimously with members Jeanes and Reinkensmeyer abstaining.
TECH 05-43

CALL TO THE PUBLIC

After verifying that Commission members had no further business to discuss, Justice Berch made a call to the public. No one responded.

The meeting was adjourned at 11:15 a.m.

The next scheduled COT meeting is November 10, 2005, (a change from November 3) in Conference Room 119 A/B of the Arizona State Courts Building.