

**COMMISSION ON TECHNOLOGY
e-COURT SUBCOMMITTEE
MEETING SUMMARY**

April 25, 2007
1:30 p.m. – 3:30 p.m.

Conference Call 602-452-3192

MEMBERS PRESENT

Andrew Hurwitz, *Chair*
Diane Drain, *State Bar*
Karl Heckart, *AOC*
Donald Jacobson, *Court Administrators*
Michael Jeanes, *Clerks*
Dennis Lusk, *Limited Jurisdiction*
Sheri Newman, *Clerks*

MEMBERS ABSENT

Robert Brutinel, *General Jurisdiction*

GUESTS

Rich McHattie, *Maricopa COSC*
John Ore, *Maricopa Justice Courts*

AOC STAFF

Stewart Bruner, *ITD*

WELCOME AND INTRODUCTIONS

Justice Hurwitz welcomed members to the call at about 1:35 p.m. and reviewed the two main objectives for the meeting – to obtain status updates from the various subteams and determine the content of the COT presentation scheduled for June 7 or 8.

LIMITED JURISDICTION SUBTEAM

Goal One: Create web-enabled forms that feed case data into case management systems and documents into document management systems. Judge Dennis Lusk reported that forms in the Generic and Forcible Entry and Detainer areas will be delivered first, approximately 10 to 15 in number, to be developed and hosted centrally. Slow progress is being made on civil and small claims forms. A lack of participation by judges and administrators is causing the group to lag far behind its original timeline. Justice Hurwitz suggested that formal appointments of team members by the Court might help secure increased commitments. Stewart Bruner pointed out that he sees multiple forms standardization projects being served up in IT plans that are coming in. This issue needs to be raised in the COT presentation. Justice Hurwitz asked Stewart to deliver a list of courts contemplating projects so they can be asked to include a representative in the forms group, connecting them to the state effort and obtaining committed volunteers. Justice Hurwitz also volunteered to speak with Terry Stewart in Maricopa Justice Court Administration about increasing their participation.

Goal Two: Enable electronic citations statewide to prevent re-keying citation data. Judge Lusk reported that testing the standardized XML code on the vendor handhelds with AZTEC is getting underway. An issue with transport of the data stream between the law enforcement agency and the court appears to have been solved by DPS' recent agreement to let the data traverse their network. DPS also says that they will do a

statewide contract for handheld devices after all, though they are not committing to deploy them widely themselves. Many courts are lined up to obtain the handhelds and IT plans show a need to define a fast track for LJ courts and law enforcement to purchase handhelds and implement the integration. Judge Lusk invited members to attend training at his court during the upcoming weekend. Karl Heckart shared that AOC is working on a contract with the vendor, APS, to reproduce tickets and signatures for courts by using a server housed at AOC.

GENERAL JURISDICTION SUBTEAM

Goal One: Prove the multi-provider case filing concept. Work continues on each of the various “experimental” filing models being piloted. Clerk Michael Jeanes shared that Maricopa is expanding e-filing to more judges, case types, and courtrooms using the free filing model. Consideration is being given to opening the entire family court to e-filing using interactive forms. Consideration is also being given to opening the procurement process to allow additional e-filing service providers to be qualified since none of the original three has yet submitted a filing. Vendors seem divided in their concern about the presence of a court filing product: some view it as competition while others whose business model involves full service don’t view it as competition. The court continues in dialog with State Bar members. Michael Jeanes and Justice Hurwitz have secured a spot on the civil practice committee agenda at the upcoming State Bar convention to continue the dialog with practitioners.

Barriers listed included ability to collect initial filings and handle payment. Senate Bill 1167 will require all superior court clerks to display minute entries online, sorted by judge, by January of 2010. Clerks’ opinion about it is positive, but funding is an issue.

Goal Two: Obtain document management systems in all superior courts and integrate them with case management systems. Karl Heckart briefly reviewed the progress of the AGAVE case management system development and timetable for its enhancement by AOC.

APPELLATE LEVEL SUBTEAM

Goal One: Transfer records on appeal electronically from superior courts to appellate courts. The Yavapai e-ROA pilot has been extended by three months to enable development and testing of a method to handle amendments to the record. Judges are asking for more features as they experience more of what automation can do for them. The Cochise/e-Blueback modification pilot has successfully collected records from the clerk but issues involving transport using MQ are still being resolved. The plan is to open the floodgate by deeming e-ROA to be “in production” once these two pilots complete successfully this summer.

Goal Two: Enable e-filing at the appellate court level. The focus is on taking the Maricopa system and adapting it to do criminal filings at the Supreme Court by late September. Karl Heckart mentioned an idea to expand its use to Division One next and then to increase functionality to enable civil filings. The Court of Appeals Division One and Supreme Court are installing their EDMSs this summer in advance of beginning e-filing this fall. Justice Hurwitz also reviewed the Supreme Court’s e-Distribution project that allows frequent government filers to submit a disk in place of multiple paper copies.

CRIMINAL FILING

Karl updated members on progress being made with construction of the Arizona Disposition Reporting System (ADRS), its adoption by Maricopa County ICJIS, and tying it into the AZTEC CMS. Yavapai Superior Court is still anticipated to be a pilot site for the AZTEC tie-in. The fact that ADRS does not move documents is a possible barrier, leaving the court to hold criminal data pending receipt of the authorizing documents. Since DPS, the owner of the system, does not supply criminal data to defense counsel, there needs to be an e-filing solution in place similar to what ICJIS does today in Maricopa County.

POTENTIAL INHIBITORS

The subject of e-signatures was raised again as a major barrier. Justice Hurwitz stated that the recent Supreme Court opinion regarding the validity of an electronically signed document would go a long way toward removing the barrier. Supreme Court staff attorneys have compiled a report showing every rule that mentions signature as a starting point for determining which must be changed. Research still needs to be performed on the statutes. There was general agreement that Arizona had adopted the federal Uniform Electronic Transactions Act (UETA), but no certainty existed about how deeply the statute reaches into defining signatures.

Another general barrier is the cost of protecting electronic records. Karl described how most systems purchased by clerks lack a second document repository and the way an e-filing portal could be used to provide a second copy of documents. Michael Jeanes stated that since Judge Mundell has set a goal of less than 24 hours from the time the filer hits "send" to judge review, the date and time requirements in Rule 124 may have to be changed.

CONCLUSION: THE NEXT STEPS

Stewart will use detailed updates from this meeting to draft the presentation for Justice Hurwitz and Karl to deliver at the COT annual meeting. The diagram on relationships among the various e-court subteams and projects will be included, but in a more legible version. The general outline of the presentation will match what was used for the most recent COT e-Court update. The presentation will be circulated for members' review prior to the May 25 deadline for COT meeting materials.

After verifying that subcommittee members had no further business to discuss, Justice Hurwitz adjourned the meeting at about 3:05 p.m.