

**COMMISSION ON TECHNOLOGY
e-COURT SUBCOMMITTEE
APPELLATE COURTS SUBTEAM
MEETING SUMMARY**

November 4, 2009
10:00 a.m. – 11:30 a.m.

State Courts Building Room 106

**SUPREME COURT MEMBERS
PRESENT**

Justice Andrew Hurwitz
Clerk Rachelle Resnick
Staff Attorney Ellen Crowley

**APPEALS DIVISION ONE
MEMBERS PRESENT**

Chief Judge Ann Timmer
Clerk Phil Urry

AOC STAFF PRESENT

Stewart Bruner, *ITD*
Karl Heckart, *ITD*

WELCOME AND MEEETING PURPOSE

Justice Hurwitz described the purpose of the meeting as catching up on the various e-court project efforts at the appellate level.

TURBOCOURT PROGRESS REPORT

Clerk Rachelle Resnick summarized two main issues: case initiation and handling rejected filings. These items surfaced in performing the analysis of appellate processes with Intresys. Those present talked through the business processes associated with appeals and the opportunities that exist for streamlining by generally switching from a date orientation to an event orientation and compressing the process into fewer distinct events. Experience indicates that the faster all case documents arrive, the faster a judgment can be rendered in an appeal.

Collection of all appeals fees up front would provide benefits on several fronts and is worth pursuing. Appeals courts will still have to collect fees for subsequent filings, but case initiation can be made much simpler.

ELECTRONIC TRANSCRIPTS

As a followup to an item raised at the previous meeting, Justice Hurwitz asked what was necessary to initiate the flow of electronic transcripts from court reporters. Rachelle has scheduled a meeting with reporters in Maricopa County about using ACE to file transcripts in death penalty cases. The technical issues surfaced all have workarounds which she described. TurboCourt will need to have a specific role added for court reporters. Karl Heckart pointed out that the e-filing portal will require a second step of registration to certify government users. Documents filed must be text searchable to be

of value. A question was raised about the suitability of submitting the original audiovisual record made of the proceeding (not the transcription).

EXPANSION OF RECORD ON APPEAL TRANSFER

Chief Judge Timmer stated that the flow of records from Yavapai Superior is going well and demonstrably reducing the timeline for receiving the record. Sufficient capacity exists to handle additional volume. She is now comfortable with allowing Maricopa to open the spigot and send all possible records electronically. Justice Hurwitz recommended a clerk-to-clerk discussion on the topic. Other counties are lining up to participate but being held back until AJACS is implemented.

Discussion stemmed from Justice Hurwitz' question about whether logging on to the source system at the lower court would be wiser, since the current transfer system is modeled on the traditional flow of paper. Karl reminded everyone that AOC is constructing a central document repository to enable document access without logging into other systems. There was consensus that the transfer program should be expanded even if no solution yet exists for electronic petitions for review at the Supreme Court.

DISCIPLINARY RECORDS TRANSFER

Rachelle updated members on the progress and setbacks of receiving disciplinary records filed electronically. Stewart will investigate the issues with scan quality that have led to rejections of the record. He suspects it is a training issue rather than a technical issue.

EXPANSION OF CRIMINAL E-FILING IN ACE

Rachelle reported that cases are still in mixed format but paper is being scanned in the clerk's office to make them all electronic. She recently held ACE training for contract death penalty attorneys in Maricopa County. Justice Hurwitz offered to personally contact the three who did not respond to the invitation. Judge Timmer reported that all criminal defense agencies within Maricopa are now filing electronically into Division One and that she is willing to expand to agencies outside Maricopa, but the distance seems like a barrier to training. Justice Hurwitz suggested holding a demonstration for the criminal defense associations to increase awareness.

WRAP UP/NEXT STEPS

There was brief discussion about ways to handle changing the paper-based rule regarding attachments to petitions for review. Ellen Crowley is the keeper of the list of rules that get in the way of e-filing and should be informed of any new issues discovered in the process of undertaking various projects. Justice Hurwitz reminded members that the chief is willing to deal with any rule-based barriers in the way of implementing further digitization in the appellate courts.

A 60-day (or so) followup meeting will be called to track progress of projects mentioned.