

JUDGES' ADVISORY COMMITTEE ON E-FILING
July 7, 2009
MINUTES

The Judges' Advisory Committee on E-filing met at the Meriden Training Facility-Town-Line Square Plaza, 533 South Broad Street, Meriden, CT on July 7, 2009 at 2:00 PM.

Committee members in attendance: Hon. Barbara N. Bellis, Hon. Marshall K. Berger, Jr., Hon. Patrick L. Carroll III, Attorney Joseph D. D'Alesio, Hon. Arthur A. Hiller, Hon. Aaron Ment, and Hon. Joseph H. Pellegrino.

Staff in attendance: Elizabeth Bickley, Faith P. Arkin, Nancy L. Kierstead, Daniel B. Horwitch, Martin R. Libbin, Alice H. Mastrony, Lucio DeLuca, Rhonda Stearley-Hebert and Janice R. Calvi.

The meeting was called to order at 2:00 PM.

- Welcome – The Honorable Patrick L. Carroll III welcomed the members of the committee.
- Daniel B. Horwitch reported back to this committee regarding the Federal Violence Against Women Act's (VAWA) impact on efilable casetypes and concluded that Family Restraining Orders (F65) and Civil Protective Orders (M80) will not be efilable and will remain on paper. In addition, Attorney Horwitch examined the Family Foreign Judgments (F70) and Civil Foreign Judgments (M84) and concluded that both casetypes require the original certification to be filed thus should remain on paper until a statutory change is proposed and implemented.
- Janice R. Calvi referred to the list of items filed on paper but not coded into the civil/ family system and explained that a list of items would be incorporated into the system for scanning and/or filing by internal and external users.
- Martin R. Libbin reported back to this committee regarding the Freedom of Information Act's (FOIA) impact on Judges' Notes. Attorney Libbin's memo concluded that provided the notes are related to the adjudication of the case, including the Judge's mental impressions of the parties, etc., the notes should be exempt from disclosure pursuant to the FOIA. The committee asked that Attorney Libbin send proposed language to be added to the Judges' Notes screen to the committee for approval.
- Daniel B. Horwitch reported back to this committee regarding how to process Medical Records, Depositions and Juror Selection information electronically.

- A discussion ensued with regard to building a “Delete Function” in the paperless system and the committee concluded that the system will have no ability to delete anything filed. The correction measures enumerated in the Chief Court Administrator’s Procedures and Technical Standards under Practice Book § 4-4 and the sealing powers explicitly stated in Practice Book § 11-20 et al. would suffice.
- The Honorable Barbara N. Bellis spoke to the committee about the paperless short calendar experiment she has been conducting in Fairfield Judicial District. Judge Bellis highlighted the advantages she has experienced in doing short calendars electronically. In addition to the real-time access to motions filed electronically, Judge Bellis explained the ease and fluidness of the electronic system from the Judge’s perspective. Judge Bellis expressed an interest in being able to access files outside of the courthouse. In light of that, the committee asked that Lucio DeLuca work with the IT division to come-up with a proposal for Judges to log-in to the system outside the courthouse for the committee’s approval.
- The Honorable Patrick L. Carroll III continued discussion on policy issues addressed to this committee by the Courtroom Processing Committee. With regard to the issue of the Judges’ ability to enter orders from the bench directly into the civil/family system the committee unanimously agreed to provide Judges with the ability to enter orders directly into the system or queue their orders for court staff to process. It was reported to the committee that efiled motions and or motions scanned by court staff will not have the technological ability for a Judge to edit or “write-on” motions/pleadings.
- Lucio DeLuca opened discussion with the committee regarding the advantages of having all PDF documents filed with Optical Character Recognition (OCR). Judge Carroll highlighted for the committee the advantages of having documents OCR’d, namely the ability to cut copy and paste from said documents as well as the ability to search said documents. The committee proposed that Lucio DeLuca coordinate with the IT division and explore the technology needed to convert documents and any disadvantages from a technological stand point in doing so, i.e. storage and accuracy.
- The next issue presented to the committee by Janice R. Calvi and Elizabeth Bickley was the issue of destruction. Currently Practice Book P.B. § 7-10 provides the branch with a retention of documents/file schedule and the issue addressed to this committee is whether or not in the paperless world said schedule should be adhered to allowing electronic files to be destroyed and/or removed from the internet. The Committee agreed that since retention may affect the storage capability that said schedule is to be adhered to in the electronic world as well and advised Daniel B. Horwitch to analyze whether or not additional language needs to be added to the rule to cover electronic files.

- Janice R. Calvi brought up the issue from the Courtroom Process Committee regarding whether or not at this phase of development that committee will need to incorporate into their specs the ability for counsel and the public to electronically view the file in the courtroom. With the current budget deficit, the committee unanimously agreed that the Branch will not be able to provide the infrastructure and hardware to support this type of access, but will revisit this issue in a future phase of the project.
- Lastly, the committee began to entertain discussion with regard to the development of a Continuity of Operations Plan (COOP) for the paperless system and opening up public access to the electronic file. Both items were tabled for future discussion at the next meeting.

The meeting was adjourned at 4:25 PM. The next meeting is scheduled for 2:00 PM on July 16, 2009.