

Minutes
JUDGES' ADVISORY COMMITTEE ON E-FILING
Bridgeport Juvenile, 1st Floor Conference Room
Friday October 16, 2015 – 10:00 AM – 12:00 PM

Those in attendance: Hon. Patrick L. Carroll III, Hon. Barbara N. Bellis, Hon. Elizabeth Bozzuto, Hon Linda K. Lager, and Hon. Aaron Ment.

Staff in attendance: Joseph D'Alesio, P.J. Deak, Joseph DelCiampo, Lucio DeLuca, Sharon Dukett, Tais Ericson, Melissa Farley, Damon Goldstein, Daniel Grabowski, Johanna Greenfield, Alice Mastrony, Roberta Palmer and Terry Walker.

1. Welcome & Acceptance of Minutes from 04/20/2015 – Judge Carroll called the meeting to order at 10:05 a.m., and the minutes of the meeting of April 20, 2015 were accepted.
2. Agreements E-Filed in Paperless Family Cases – Judge Bellis pointed out the different locations are handling the filing of agreements differently and said that having consistency across the state is important. Some take agreements on paper on short calendar and case management days (Hartford); others scan in or require that the attorneys scan in agreements and other papers on these days prior to going to court (Stamford and Bridgeport). A lively discussion ensued including concerns about the risk of confusion on the part of self-represented parties on what the final agreement is if more than one agreement is filed electronically; difficulties when only the judge has a copy of an agreement and not the clerk; the realities of how agreements are prepared and filed in family cases; the need for consistency in handling agreements; the potential for a delay in the time court can start because of a backlog of litigants who need to have agreements scanned in by the clerk or in a court service center; the use of watermarks and resulting by the clerks to maintain the file properly; whether agreements that are filed prior to the approval by the judge could be filed as “draft” or “proposed”; whether a scanner in the courtroom would help; the volume of additional work for clerks; and the preference of the judges for paper or paperless files and agreements.

After a lengthy discussion, the consensus was: (1) Judge Bellis, PJ, and Johanna will go to Bridgeport and observe how the “scanning-before-hearing” process works and share this information with Judge Bozzuto (who is welcome to go to Bridgeport as well); (2) Judge Bozzuto will discuss with the family judges in Hartford the proposed process of requiring all documents to be filed electronically prior to appearing before the court; and (3) Hartford will implement the same process as Bridgeport has (scanning all documents on Case Management and Short Calendar days prior to parties appearing before the court) as a pilot for a few weeks. Currently, the family caseload office, clerk’s office and court service centers have scanners that can be used by staff and/or self-represented parties and attorneys, depending on the location of the scanner. Hartford will also install a scanner in the main family courtroom for possible use in scanning document by the clerk in the courtroom.

There was also a discussion of utilizing watermarks and developing a function that would combine the resulting and watermarking processes to ensure that the result value (approved, rejected) would always display on the document. This, along with the use of the scanner in the courtroom will be discussed further. Judge Bozzuto will provide feedback from Hartford after the “scanning-before-hearing” process is tried there.

3. Fee Waivers & Pay Stubs Filed in Paperless Family Cases – In some locations, an applicant is required to attach a recent pay stub to the application for a fee waiver. If it is attached to the application, the clerk is then required to scan it into the electronic file or place it in the paper file. The consensus was that the clerks cannot be directed to require a pay stub, and if paystubs are provided, the clerk should not scan them into the file.

4. SRP E-Filing at Court Service Centers on Short Calendar Days – This item was on the agenda because of a situation that occurred in New Britain. Self-represented parties were required to file electronically, which created a major back-up because most of the self-represented parties had not enrolled in E-Services. This problem has been resolved.
5. Abode Service & Appearance Tracking – This item is in relation to an inquiry that comes from the legislature about restraining orders: how many were served by abode and how many were served in hand. Can we develop a mechanism to capture this information? Apparently, this information is in the Protective Order Registry, but Johanna will talk with Chris to see what information he is getting now. This item will remain on the agenda.
6. Civil/Family/Housing E-Filing Project Status – PJ Deak reported on the status of e-filing, including the new date for bringing the Housing Sessions into e-filing, which is March 1, 2016, and the new date for the release of phase 2 of family, which is October 3, 2016. Many other smaller releases will occur, including software upgrades for JIS, civil limited appearances, the prototype for digital signage in Rockville, ensuring that the assignment of short calendar matters in family cases occurs only on a calendar that occurs after the return date plus three days in order to build in time for the defendant to file an appearance and get notice of the calendar; expanded small claims e-filing, and internally migrating to IE11. The building of the electronic notices function could be done in parallel with some of the already-scheduled releases. Efforts are being made by JIS to obtain grant money to bring a consultant in for these notices.
7. Confirm Priority of Various Items in E-Filing Project – Roy Smith, the chief clerk in Tolland asked about making habeas cases e-filable. After discussion, the consensus was that e-filing for habeas matters will remain a backburner item for now.
8. Electronic Documents & Electronic Evidence – Judge Berger is not here, so this item was tabled.
9. Appearances By Self-Represented Parties – Judge Bellis talked about this issue. In e-filing, a self-represented party cannot file an appearance on behalf of a corporation, but clerks are accepting and coding in appearances for individuals on behalf of corporations, estates, etc. It is really the unauthorized practice of law. A major area where this occurs is in the transfer of cases from small claims to Superior Court. Appearances by individuals on behalf of a corporation are permitted in small claims, but not in superior court. There was discussion about how these appearances should be handled, perhaps having them coded in as appearances “for notice only.” After further discussion, it was decided that Judge Bellis will work with Atty. DelCiampo on drafting a rule to address this situation.
10. Discuss Expanding Display of Short Calendar Marking Info. On Internet – J. Bozzuto had received a request that the Branch display short calendar markings on the Internet. The clerk has this data but there is no real-time update between the case events display and the calendar markings functions. This is not an easy build, and it is a much lower priority than family phase 2 and electronic notices. Information on electronically marked matters is already available through E-Services, and an interested party can always contact the court for information.
11. Discuss Electronic Court Records Disposition & Preservation Planning – This item will continue to be discussed at a future meeting.

The meeting adjourned at 11:34 a.m.