

Draft Minutes
Judges' Advisory Committee on E-Filing
November 4, 2008

The Judges' Advisory Committee on E-Filing met at the attorney conference room at the Supreme Court Building located at 231 Capitol Avenue, Hartford, CT on July 17, 2008 at 1:00 p.m.

Those in attendance: Hon. Barbara Bellis, Hon. Marshall Berger, Hon. Patrick Carroll, Attorney Joseph D. D'Alesio, Hon. Arthur Hiller, Hon. Barbara Jongbloed, Hon. Aaron Ment, and Hon. Barbara Quinn.

The meeting was called to order at 1:10 by Judge Carroll.

1. Welcome – Judge Carroll welcomed the members of the committee and introduced items on which input and directions from the committee are needed.
2. Short Calendar Enhancement Project – Attorney Calvi provided an update on the short calendar enhancement project. Mandatory online markings of civil and family short calendar matters and the elimination of the clerks' longsheets will begin on December 1, 2008.
3. The Civil E-filing Update – The number of cases initiated electronically and documents filed electronically continues to grow. Currently there are 16,875 electronically filed cases and 274,391 electronically filed documents.
4. Projected Timeline – Future Developments - Upcoming developments include (in February 2009) the standardization of short calendar notices and markings, the implementation of attorney designee filing, the expansion of the shopping cart, the implementation of mandatory electronic filing of reclaims in efileable case types and (in November 2009), the generation of notices through efilings.
5. Issues for Discussion:
 - Request to Conform – The committee at its last meeting directed that a form be created to create a uniform procedure for allowing the correction of summons information entered by an attorney returning case initiation documents to court when the information in the summons itself is correct, but the data entry of the information contains errors. The form was drafted and submitted to Legal Services. The form, Request to Conform Case Initiation Data Entry to Summons, was distributed for comments. It will be given to Judge Quinn for her final approval.

Related to the conforming of data is the issue of documents filed erroneously. The committee, at its prior meeting, had decided that documents that were incorrectly attached to a filing would have to be corrected in accordance with the procedures already established in the rules. (For example, a Motion to Substitute). When a document is substituted, the original document remains viewable with the caption "Doc Substituted." The new substituted document is then entered and the question has been raised: Should the file date on the substituted document be the date of the original filing (relate back) or should it be the actual date the substituted document was filed? The committee unanimously agreed that the file date of substituted documents should be captured as the actual date of filing, not the date of the earlier filing.

- Redaction – The rule proposed by the Identity Theft Committee, which was discussed at the last meeting of the committee was revised and presented to the committee. As revised, the new subsection to Practice Book § 11-20A (k) and 25-59A (j) provides for an

expedited procedure to be used to remove personal identifying information from a document. The court, in response to a motion or on its own motion, may order the filer to resubmit a redacted copy of the document, order the clerk to redact the personal identifying information, or, in appropriate circumstances, order the clerk to seal the document with the personal identifying information. Language amending the Procedures and Technical Standards will also be sent to Judge Quinn.

A discussion ensued over what should be done with documents filed with or exhibits submitted to the court, either deliberately or inadvertently, that contain inappropriate or scandalous material or are, themselves, inappropriate or scandalous. A related issue that was discussed concerned the changing of notices that had been sent out earlier in a case to reflect an order entered at a later time. (i.e., a full name was on a judicial notice (JDNO) sent out in 2005, but the court then ordered initials substituted for that full name in 2008.) After extensive discussion, the committee agreed unanimously that in the case of inappropriate or scandalous material, the case management system should provide the option to seal the offensive material and should also be built to provide the capability to remove from the file a document that has been filed. In the case of judicial notices, any changes would be made prospectively only and would not impact prior notices contained in the system as data.

- Offer of Judgment, demand and Judge's figure – A discussion was had about expanding the capability to allow a judge to enter data into Edison on offers, demands and settlement figures that come out of pretrial discussions with attorneys and parties to actions. The potential advantages and disadvantages of such a capability were considered and discussed at length. The committee unanimously agreed to table the discussion until the next meeting so that additional information could be obtained.
6. Other Business – The date of the next meeting will be announced.

The meeting adjourned at 3:40 PM.