

JUDGES' ADVISORY COMMITTEE ON E-FILING Minutes

On November 12th, 2009, the Judges' Advisory Committee on E-filing met at Juvenile Matters in Bridgeport, 1st floor conference room at 60 Housatonic Avenue, Bridgeport 06604.

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. Dennis G. Eveleigh, Hon. Barbara Bailey Jongbloed, Hon. Aaron Ment, Hon. Joseph H. Pellegrino and Hon. Barbara M. Quinn

Staff in attendance: Melissa Farley, Elizabeth Bickley, Nancy L. Kierstead, Daniel B. Horwitch, Alice H. Mastrony and Janice R. Calvi

The Honorable Patrick L. Carroll III welcomed the members of the committee and called the meeting to order at 1:00 PM.

Janice Calvi provided the committee with a project update highlighting that there were approximately 47,441 efiled transactions in October, the mandatory e-filing enforcement policy implementation has been implemented and all materials reflect this policy. In preparation for mandatory e-filing, Nancy Kierstead assured the committee that the Public PCs in the court service centers and/or located outside the clerks' offices would be able to serve the needs of the public with regard to looking up paperless files. The committee suggested that we reassess the need for additional equipment for public use at a later date.

Daniel B. Horwitch presented the issues regarding the scanning of documents in conjunction with C.G.S. §51-36 and the impact of the implementer bill. Additionally, Dan led a discussion regarding the filing, scanning and destruction of documents requiring an oath or affirmation. The committee unanimously agreed that the Procedures and Technical Standards be updated to reflect said policy. Additionally, if a party submits a self-addressed stamped envelope with their original pleading court staff will send said document back to the filer. Posters reflecting this procedure should be placed at the clerks' counters for those filing paper documents. The committee asked Attorney Horwitch to analyze the practice book in light of mandatory e-filing and recommend changes to this committee for approval and recommend proposed changes to the Rules Committee, specifically but not limited to P.B. §§ 10-11, 7-10, 7-11.

Furthermore, the committee recommended that we develop procedures in conjunction with the Federal District Court to receive federal remands electronically.

The Honorable Barbara N. Bellis briefly describe the electronic order and paperless courtroom implementation plan. Judge Bellis articulated the training plan for the Judges and the role the E-Judges will play in each district. Attorney Horwitch reported that PA-09-07 allows for the electronic entry of Judges orders. The committee unanimously agreed that all civil orders must be entered electronically as of 12/5/09.

Judge Bellis reported that she will be leading an intensive training effort for Judges along with Judge Berger in Hartford.

Judge Bellis presented the issues with regard to court staff preparing the files electronically. The committee unanimously agreed to leave the issue of prepping files up to each Judge in the district in conjunction with the Chief Clerk in each Judicial District.

Further, the committee endorsed the recommendation that Judge Bellis continue to experiment with electronic trials and serve as the point person for Judges recommended changes to the system.

The Honorable Patrick L. Carroll III presented the committee with issues regarding security and privacy and discussed measures to ensure that Judges' work product remain private and solutions to further ensure that access to the system is protected.

Attorney Calvi reported out on behalf of Mr. DeLuca informing the committee that Judge Support Services has coordinated a team of technicians to visit the courthouses, assess equipment and wiring needs and oversee the deployment of equipment for the identified civil courtrooms. Accordingly, barring any unforeseen issues the deployment of courtroom equipment should be completed on or before 12/31/09.

Attorneys Calvi and Mastrony reported that since July 75+ onsite training sessions have been held at law firms throughout the state, from January 2005 - June 2009 they have conducted 250+ onsite presentations resulting in the training of 2500+ attorneys and support staff. Thus, a recommendation to limit attorney training to courthouses only on Mondays from 1-3:00 PM was unanimously agreed upon by the committee

Additionally, Ms. Calvi reported that in anticipation of the paperless file courthouse training will be conducted for over 225 staff members during the first 2 weeks of December and additional training will be provided throughout the month.

Attorney D'Alesio reported out to the committee regarding the need for project stabilization and organization. The Committee agreed with Attorney D'Alesio's recommendations to stop new development on 11/27 so that training and materials can be completed.

Further, the committee discussed issues surrounding the need for extended support hours for Judges, court staff and the Bar. Attorney D'Alesio explained that until we can organize and educate additional support staff and stagger hours of service, Janice Calvi, Alice Mastrony and Lucio DeLuca will be provide said services as needed. Additionally, the committee recommended that back-up equipment i.e. laptops be available at each district.

Concerns were raise regarding the granting of exclusion to EServices, the committee recommended that a proposal with regard to exclusion reallocation be drafted for the Chief Court Administrator's office to implement.

Judge Carroll led a discussion Administrative Appeals and the electronic submission of the record. Judge Carroll recommended that a workgroup be formed with the section on administrative appeals including Judges Eveleigh, Berger, Cohn, Quinn, Hiller.

Attorney D'Alesio proposed to the committee a recommendation with regard to the continuity of operations when we are paperless and the system is not available. Mr.

D'Alesio recommended and the committee endorsed that the courts treat systemic outage issues as we do with snow storms, court closings, power outages, flood, etc. The committee further recommended that the Procedures and Technical Standards be revised to reflect said policy. In the interim, Judicial Information Systems will keep track of outages and notify the users with an estimated time for recovery. In addition, outages will be posted on the Internet for external users.

New Business

Judge Berger asked the committee to consider access to the electronic file for non-judicial volunteers i.e. special masters, etc. The committee will looking into access additional access, equipment and facilities further but for the immediate future (as of 12/7/09), any place in a court facility identified by IP address can retrieve the electronic file form the Internet access. The issue of adequate areas with computer access will be revisited once more paperless files become the official record.

Next, Judge Berger asked the committee to consider electronic exhibits at trial. For now, the committee recommended that exhibits presented at trial be presented in the usual manner and electronic transmission and display of exhibits be tabled.

The next meeting which will be a paperless file demonstration from initiation through order entry / disposition is scheduled for November 24th 2009, 9:00 -12 PM, 99 East River Drive room 707.

Judge Carroll adjourned the meeting at 3:50 PM and agreed that the next meeting be scheduled subsequent paperless file release, after 12/7/09.