

**COMMISSION ON TECHNOLOGY
MEETING MINUTES**

September 7, 2007
10:00 a.m. – 1:45 p.m.

Arizona Supreme Court

Conference Room 119 A/B
Administrative Office of the Courts
1501 W. Washington
Phoenix, AZ 85007

MEMBERS PRESENT

Louraine Arkfeld (*Rick Rager, proxy*)
Kent Batty
Michael Baumstark (*Dave Byers, proxy*)
Rebecca Berch, *Chair*
Robert Brutinel
Christopher Cumiskey (*Dr. Max Ivey, proxy*)
Peter Eckerstrom
John Gemmill (*Phil Urry, proxy*)
Michael Jeanes
Roger Klingler
Gary Krcmarik
Martin Krizay
Beth Anne LeWallen
Sheri Newman
Catherine O'Grady
Marcus Reinkensmeyer
Roxanne Song Ong

MEMBERS ABSENT

John Rezzo

GUESTS

Cathy Clarich, *CACC*
Janet Cornell, *CACC*
Donald Jacobson, *CACC*
Tim Lawler, *Phoenix Muni Court*
Rona Newton, *PACC*
Gregg Obuch, *CACC*
Michael Pollard, *CACC*
Jim Scorza, *CACC*
David Stevens, *TAC*
Carl Ward, *Maricopa Clerk's Office*

AOC STAFF

Stewart Bruner, *ITD*
Dan Corsetti, *ITD*
Jennifer Gilbertson, *ITD*
Karl Heckart, *ITD/TAC*
Patrick McGrath, *CSD*
Stephanie Nolan, *ITD*
Jim Price, *ITD*
Renny Rapier, *ITD*
Robert Roll, *ITD*
Janet Scheiderer, *CSD*

WELCOME AND OPENING REMARKS

Vice Chief Justice Rebecca Berch, Chair, called the Commission on Technology (COT) meeting to order promptly at 9:00 a.m. She welcomed Committee Members and members of the public present, and then introduced Beth LeWallen, Legislative Liaison from the County Supervisors' Association of Arizona, as a new member of the Commission. Having confirmed that a quorum existed, she asked members to introduce themselves and tell the constituency they represent.

In her introductory remarks, Justice Berch called members' attention to a memo from the Chief Justice reinforcing ground rules of proxy designation according to the Arizona Code of Judicial Administration (ACJA) 1-104, section D. She clarified the following items for COT members:

- The proxy shall be used only for extraordinary circumstances;
- Because the Commission meets only five times a year, members may send a proxy no more than twice a year;
- Notification and designation of a proxy must be received in writing and should be sent to the Commission staff in addition to the chair.

The chair mentioned that specific meeting dates for 2009 would be distributed at the November COT meeting, but most meetings are scheduled for the first Friday of January, March, May or June, September, and November. She then briefly outlined the activities related to the General Jurisdiction Case Management System (CMS) effort since the Commission's recommendation in June and reviewed the route being taken to fulfill Maricopa Superior Court's request for guidance about releasing party address information in bulk data.

Vice Chief Justice Berch then turned members to consider the minutes from the annual meeting held June 7 and 8, 2007. Kent Batty raised a concern about the use of the vague term "space" in the PACC report. Staff agreed to rewrite the sentence for clarity.

MOTION: A motion was made and seconded to approve the minutes of the June 7 & 8, 2007, Commission on Technology meeting. The motion passed unanimously. TECH 07-42

INFORMATION TECHNOLOGY STRATEGIC PLAN APPROVAL

Karl Heckart, CIO for the Administrative Office of the Courts (AOC), briefly reviewed changes and updates incorporated in this year's 2008-2010 Arizona Judicial Branch IT Strategic Plan, which has been posted on the COT website for members' review. He summarized revisions made to the plan to reflect the updated priority list approved at the Commission meeting held in June 2007 and updated Commission Members on accomplishments, new county detail, and revised inventory lists. He also emphasized the role of the plan in providing a context for project approval and funding requests being made of ITAC and JLBC, respectively. Thanking members who had taken time to review the lengthy document, he opened the floor for any questions or changes members might have. The chair added that editorial changes could be made up to the time of publication.

MOTION: A motion was made and seconded to approve the Arizona Judicial Branch Information Technology Strategic Plan for FY 2008-2010, with any corrections, additions, or changes identified and to authorize distribution to GITA and JLBC. The motion passed unanimously (Beth LeWallen abstaining).
TECH 07-43

2009-2011 IT PLAN TEMPLATE AND COMMUNICATION PACKAGE

Stewart Bruner, IT Strategic Planning Manager for AOC, talked the Commission through a set of slides detailing the context of IT planning, comments from stakeholder meetings about the process, a set of proposed changes for the next planning cycle, and next steps. He focused on the one major change: incorporation of a risk assessment process in conjunction with COT's business continuity initiative. Other specific items mentioned in the approach were:

- Holding changes to the plan materials to an absolute minimum due to risk assessment tasks falling on the same few resources every year,
- Conducting more teleconferences with planners earlier in the process,
- Speeding development by keeping requested information as similar as possible to prior year material,
- Continuing to provide an optional LJ survey for obtaining more detail, and
- Allowing inventory information to be submitted outside of the template using Excel.

Next steps mentioned include obtaining approval for FY09-11 template and direction, communicating the planning timeline, and circulating the revised template/spreadsheet and risk assessment matrix as soon as names of contacts are received from presiding judges. Stewart requested approval to begin the process in September rather than November again this year, allowing court administrators more time for compiling business input.

The Commission members discussed limited IT staffing and the added pressure the risk assessment puts on court administrators in the planning process. The chair reiterated that Stewart is requesting for more time for court administrators to complete the IT plan template, recognizing that small adjustments can be made as the process begins. A suggestion was made that Stewart visit various courts and groups again this year to help the process, much as he did during last year's planning cycle. Karl Heckart noted that the planning cycle this year does not include starting all planning processes over from scratch, but instead adding to or updating existing documents. The major focus should be on risk assessment. The risk matrix becomes more vital as more court functions are automated. While it is appropriate to assess risk as new projects are implemented, that has not been done historically, so we need to find out where courts stand today, county by county, and what coverage is needed today should a disaster occur. Most of the members agreed that risk assessment was a priority, but questioned going through the complete assessment, emphasizing the impact that would have on local staff resources. A suggestion was made for special meetings with court Administrators and Clerks of the Court to discuss minimizing the impact of the planning process on them. Consensus was that the planning materials should be sent out now. Once receiving contact information, ITD staff should facilitate a meeting with those affected to obtain feedback on whether the risk assessment task is feasible, then meet again with Stewart at COT in November to discuss the planning process in general and the risk assessment in detail.

MOTION: A motion was made and seconded to move forward with the planning process in accordance with the timeline set forth and set the matter for discussion at the next Commission on Technology meeting scheduled in November to assess whether the planning process should be modified. Also, AOC ITD staff should be available to assist with the process when needed. The motion passed unanimously.
TECH 07-44

GJ CMS PROGRESS REPORT

Renny Rapiere, General Jurisdiction (GJ) CMS Project Manager, updated members about efforts related to the new GJ CMS since COT recommended a vendor solution in June. Recent accomplishments include completing negotiations, signing a contract, as well as drafting a detailed project plan between the AOC and AmCad, in August. Dave Byers has sent a notification e-mail to the court community announcing the new vendor. The pilot courts selected are the Superior Courts in La Paz and Yuma Counties.

Renny then reviewed some details related to the project process getting underway, including defining project team members, selecting pilot courts, project monitoring, project scheduling, obtaining additional staffing, organizing governing boards, and establishing a communications network and planning the content to communicate. A minute entry demonstration is scheduled for September 14, 2007, at the AOC. Afterward, COT may decide whether the clerks should pursue minute entry distribution through the OnBase solution or wait for the CMS-based solution demonstration.

Dave Byers recapped negotiations with the vendor and highlighted that Arizona has perpetual license to use the software in any court in the state and that AOC possesses the source code, giving COT more options down the road. He also mentioned the financial challenge that procuring, rolling out, and supporting the case management systems presents and the various options being pursued to address it.

REQUEST FOR AN E-FILING PILOT

Jim Price, E-Filing Project Portfolio Manager at AOC ITD, asked members to approve a Litigant-to-Court e-Filing pilot in the Supreme Court to demonstrate the feasibility of creating a common interface through which litigants and attorneys may submit case files to any court within the state at any time and from anywhere a citizen has access to the Internet.

Jim reviewed the project scope in the context of the previously adopted e-Filing principles. He illustrated the efficiency of having a "single front door" for e-filing in the state. The Clerk of the Supreme Court will be the initial service provider. The pilot project participants are the public, prosecutors, and defenders in criminal cases. He explained that the technology would involve a complex, web-based, electronic filing manager (EFM) using enterprise service bus (ESB) elements in LegalXML (ECF) 3.x. The first phase of the pilot project would begin in September 2007 and end by January 2008. More case types and courts could be added following the proof of concept.

MOTION: A motion was made and seconded to direct the AOC to pursue the litigant to court e-filing pilot project, as described, for criminal cases, beginning

**with implementation in the Supreme Court. The motion passed unanimously.
TECH 07-45**

MARICOPA SUPERIOR COURT JURY+ EXCEPTION REQUEST

David Stevens, Maricopa Superior's Chief Information Officer, provided members with the history of Maricopa's current Juror for Windows (JFW) system and explained why continuing with it is no longer an option from either the hardware or software perspective. JFW handles more than a million summonses a year for 23 justice courts and 13 municipal courts as well as the superior court, leaving only 6 courts in the country operating their own jury systems. David described the vendor solutions reviewed for current and future capabilities before proposing a custom jury solution that includes a system developed in the statewide standard architecture; allowance for expanding CourTools Measure 8 to customer courts; CMS integration; and one that is incorporated in the court's disaster recovery solution. He estimated a 12 to 18 month development cycle. TAC has reviewed the technical details and recommended the exception be granted.

No state funding will be requested; court administration has agreed to pay for development in order to reap the benefit of increased functionality. Benefit analysis figures indicated operating cost will be lower than Jury+, but about the same as the current JFW system.

MOTION: A motion was made and seconded to grant the Superior Court in Maricopa County an exception to ACJA 1-501 to develop a custom jury management system. The motion passed unanimously (Michael Jeanes and Marcus Reinkensmeyer abstaining). TECH 07-46

MODEL BREACH NOTIFICATION POLICY

Karl Heckart reminded members of the need for a Security Breach Notification Policy that responded to recent legislation, A.R.S. § 44-7501. The AOC reworked the draft policy shown in June in accordance with the request to create a model policy for courts throughout the state to use as a starting point for creating their own policies. Karl briefly reviewed the draft document with members, noting the scope, purpose, and definitions, and explaining loss prevention, employees' obligation to protect personal information, and notification procedures for breach of the security system. He focused on crafting an internal policy for statewide applications having data housed at AOC.

Members discussed the scope and purpose of the policy more than its content, asking what its eventual state will be – an AO, a code section, etc. Concern was expressed that by prohibiting copying databases onto portable storage devices it over-regulated the ability to transfer necessary data, especially with respect to probation data. Some courts have already spent time creating their own policies that may provide good alternative language on some points. Members directed Stewart to place the document on the COT website and announce its location and to collect comments. The topic will be revisited at the next meeting in November. An idea was put forth to add the topic to the agenda for the October presiding judges' meeting as the starting communication point.

MOTION: A motion was made and seconded to place the draft policy regarding protection of personal information on the COT website. Other courts could then

**provide input regarding the model policy. The motion passed unanimously.
TECH 07-47**

CALL TO THE PUBLIC

After verifying that no further business existed from members, Justice Berch made a call to the public. No members of the public responded.

The next COT meeting is scheduled for November 2, 2007, in Conference Room 119 A/B of the Arizona State Courts Building.

The meeting adjourned at 12:50 p.m.