

## COMMISSION ON TECHNOLOGY

Friday, September 5, 2008

10:00 AM - 2:30 PM

ARIZONA SUPREME COURT  
Administrative Office of the Courts  
1501 W. Washington  
Phoenix, AZ 85007

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### CONFERENCE ROOM 119A/B

#### MEMBERS PRESENT

Louraine Arkfeld  
Kent Batty  
Michael Baumstark  
Rebecca Berch, *Chair*  
Robert Brutinel  
Christopher Cummiskey (*Max Ivey, proxy*)  
Elizabeth Hegedus-Berthold  
Michael Jeanes  
Roger Klingler  
Gary Krcmarik  
Martin Krizay (*Margaret Guidero, proxy*)  
Sheri Newman  
Marcus Reinkensmeyer  
John Rezzo  
Roxanne Song Ong  
Ann Timmer  
Garye Vasquez

#### MEMBERS ABSENT

Catherine O'Grady

# COT MEETING MINUTES

## GUESTS

C. Daniel Carrion, *LJC*  
Janet Cornell, *CACC*  
Cathy Clarich, *CACC*  
Charles Drake, *PCCJC*  
Jennifer Gilbertson, *TAC*  
Don Jacobson, *CACC*,  
Cary Meister, *TAC*  
Gordon Mulleneaux, *CACC*  
Rona Newton, *PACC*  
Michael Pollard, *CACC*  
Rick Rager, *CACC*  
Lisa Royal, *PCCJC*  
Jim Scorza, *CACC*  
David Stevens, *CACC/TAC/PACC*  
Mark Stodola, *Tempe Municipal Court*

## AOC STAFF

Carol Ashton, *CSD*  
Stewart Bruner, *ITD*  
Dan Corsetti, *ITD*  
Karl Heckart, *ITD/TAC*  
Keith Kaplan, *CSD*  
Adele May, *ITD*  
Stephanie Nolan, *ITD*  
Renny Rapier, *ITD*

# COT MEETING MINUTES

## WELCOME AND OPENING REMARKS

Hon. Rebecca Berch, Chair

Vice Chief Justice Rebecca Berch, Chair, called the Commission on Technology (COT) meeting to order promptly at 10:00 a.m. She welcomed members and the public present, then asked members to introduce themselves for the record. Staff confirmed that a quorum existed.

Justice Berch updated members on several items of interest:

- The project health metric from the Court Automation Coordinating Committee (CACC) included in the printed packet for members' reference contains a red designation for the general jurisdiction (GJ) case management system (CMS) project in the month of July. The designation resulted from the lack of any report to CACC that month. There was and is no sense that the project is in any jeopardy.
- The pilot courts of Yuma Superior and La Paz Superior are now operational using AJACS, though some issues are still being worked out. The chair thanked the pilot courts and all those who have worked so diligently on the implementation team.
- It is officially a "bad budget year." The legislature has already swept JCEF and may come back again for more. Remaining money set aside for implementation of the limited jurisdiction (LJ) CMS may tempt the Joint Legislative Budget Committee (JLBC). She placed the 44 percent filing fee increase in context and reminded members that the funds are allocated according to statute so only about \$1.5 million is projected to actually aid JCEF. The time payment fee was extended beyond January 1, 2010, having an estimated \$1.5M annual impact to state JCEF and \$1.5M impact to local JCEF.
- The recommendation of an administrative order (AO) requiring each court to produce a breach notification policy prompted the call for an accompanying one-page protocol. Since last meeting, the item has been produced by staff and included in members' packets.

She then called members' attention to the minutes from the June 5 and 6 COT annual meeting. A member complimented staff for the excellent treatment of the discussion regarding e-filing recorded in the minutes.

<b>MOTION</b>	<b>A motion was made and seconded to approve the minutes of the June 5 &amp; 6, 2008, Commission on Technology meeting. The motion passed unanimously.</b>	<b>TECH 08-30</b>
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	<b>BRANCHWIDE INFORMATION TECHNOLOGY STRATEGIC PLAN</b>	Mr. Stewart Bruner
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Mr. Stewart Bruner, Manager of Strategic Planning for the Information Technology Division (ITD) of the Administrative Office of the Courts (AOC), reviewed the development process and major areas updated in the latest branchwide plan. He described various detailed projects that were added and others that were combined or removed, as well as those having additional detail included this year. The document was posted on August 6 for review and comment by members. Stewart asked whether members agreed with the content of the document in general, reminding them that editorial comments will be taken until submission to the Government Information Technology Agency (GITA) and JLBC later this month.

## MOTION

**A motion was made and seconded to approve the Arizona Judicial Branch Information Technology Strategic Plan for 2009-2011, with allowance for any editorial changes required before submission to GITA and JLBC. The motion passed unanimously.**

**TECH 08-31**

Stewart then proposed that the strategy and timeline for developing next year's plan parallel this year's, due to the budget difficulties courts are facing and the degree of change sweeping through the GJ courts. Members raised no issues with the proposal.

## AJACS GJ CMS – PROGRESS REPORT

Mr. Renny Rapier

Mr. Renny Rapier, Program Manager for the GJ CMS, AJACS, described in detail the accomplishments of the project to date and referred members to the GJ CMS website to view continuing updates about the project. Renny reviewed some positive results of pilot activities and explained the application of lessons learned on the upcoming implementations in Mohave and Cochise counties. He described the challenges related to data conversion and integration points with other applications as well as the steps being taken to address the issues. He focused on specific issues related to historical, case-related financials brought in from AZTEC.

Renny described efforts being made to resolve the issues that appear on the consolidated list from the pilots, leading to change orders with the vendor and the need to manage the change request process. The tables and event codes that drive the system have been the largest challenge; these are being better documented and coordinated with the code standardization team. In general, issues discovered in pilot courts are being moved ahead in the implementation checklists for subsequent courts to ensure they get addressed earlier. Meetings are being held with the vendor to negotiate support for implementations beyond the pilot courts, though the master plan involves reducing dependence on the vendor over time.

Some members questioned the wisdom of expanding use of the system to other courts until all the issues are resolved. Renny gave an overview of the efforts being made to resolve the areas of concern, especially in the financial conversion arena. Pilot clerks stated that the system is a good one overall, but that the initial hurdles, like financials and minute entry, must be cleared. They recommended pressing on, stressing that the system must be in place to meet the January 1, 2009, legislated deadline for posting criminal minute entries on the web in rural superior courts.

## MARICOPA CLERK'S OFFICE INTEGRATED FINANCIAL INFORMATION SYSTEM

Mr. Gordon Mulleneaux

Mr. Gordon Mulleneaux, Project Manager for the Integrated Financial Information System, described some challenges associated with the cash receipting system replacement portion of the project, leading to a need to change the implementation date from October 27, 2008, to March 2, 2009. The 15-year-old system adequately serves the Clerk's Office and customers at 18 sites, but needs to be ported to newer, more supportable technology. Gordon requested no additional funding and no change in project scope. He stated that extension of the timeline would provide

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increased quality assurance and help address the recurring human resources issues experienced by the project.

<b>MOTION</b>	<b>A motion was made and seconded to approve the updated delivery date for the Integrated Financial Information System. The motion passed unanimously with Michael Jeanes abstaining.</b>	<b>TECH 08-32</b>
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<b>UPDATE</b>	<b>E-FILING RFP</b>	<b>Mr. Karl Heckart</b>
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Justice Berch introduced the e-filing request for proposal (RFP) update by recounting the visit of Chief Justice McGregor last meeting. Mr. Karl Heckart handed out several printed copies of the RFP created since the previous meeting. The model described in the RFP preserves the court's independence and ability to use a servicing vendor. It enables the court to readily swap vendors in and out depending on the market and needs. Vendors are being given a chance to describe their better ideas within the context of the principles the Chief elaborated. Eight vendors appeared at the pre-bidder's conference and Karl's sense was that some are working together to bid a consortium of e-filing-related services.

Karl detailed the cost models vendors were being asked to address: 1) traditional per-filing fee on non-excluded cases; 2) a "non-traditional" approach that charges the state rather than the filers on non-excluded cases, taking the risk factor out of the vendor's equation; and 3) an open model proposed by the vendor. Vendors were asked to propose pricing on a flat-fee-per-case basis in addition to a per-filing basis.

Karl briefly outlined the timeline for activities going forward with a goal of returning a recommendation to COT in November and AJC in December (likely requiring an executive session in each meeting discuss details of an open procurement).

	<b>PROTECTION OF ELECTRONIC RECORDS</b>	<b>Mr. Karl Heckart</b>
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Karl called members' attention to a proposed code section developed in response to courts' requests for guidance about prerequisites for destroying paper records. A Technical Advisory Council (TAC) subcommittee has determined technical requirements for maintaining official electronic records, both scanned and e-filed, including photo enforcement records. TAC's recommended minimum solution for electronic records requires maintaining two separate servers with separate disk arrays and a backup tape stored offsite long term. Skilled maintenance technicians are required for all components of the system, as well.

Karl responded to an objection that LJ courts can't afford the solution by stating that reliable protection was the driver for TAC, not cost. He described a provision that reduces requirements for closed records in LJ courts -- a single server with backup tape stored offsite. He also mentioned that within the context of statewide e-filing, the AOC will create a document repository that may be used by courts around the state, precluding the need for each court to construct its own. In response to a member's question, Karl clarified that e-citations fall within the purview of the code section but that those received by AZTEC courts today already meet the

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requirements described in the document. In TAC's judgment, reliability issues are far more likely to exist at the electronic document management level than at the case record management level, so the document prescribes more requirements for images, though equal protections apply to case records.

<b>MOTION</b>	<b>A motion was made and seconded to approve the content of the proposed code section as recommended by TAC, with the addition of "minimum prerequisites" language in the document's purpose statement. The motion passed unanimously.</b>	<b>TECH 08-33</b>
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<b>UPDATE</b>	<b>TEMPE CMS</b>	<b>Mr. Rick Rager</b>
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Mr. Rick Rager, project manager of the Tempe Case Management System, appeared before the Commission to request a change in the implementation date for the project. Rick handed out a dashboard showing the proposed completion dates for remaining tasks that roll up to a March 30, 2009, go-live date for the system in Tempe. Contributing to the need for additional time are the complexity of the financials in development, continued under-resourcing in the testing area, and time needed to complete the production environment being housed at AOC.

Members were concerned that the date slip would affect the ability to make a fair assessment of the Tempe system against the AmCad LJ CMS (AJACS). Rick pointed out that even though the application would not be complete, the scope remains identical to that assessed against the detailed functional matrix last year. Judge Louraine Arkfeld shared her belief that sufficient information will exist to support an accurate assessment, except that the Tempe system was never intended to include justice court functionality in its initial implementation. She invited members to come look at the Tempe CMS for themselves.

<b>MOTION</b>	<b>A motion was made and seconded to approve the updated delivery date for the Tempe CMS, March 30, 2009. The motion passed unanimously with Louraine Arkfeld abstaining.</b>	<b>TECH 08-34</b>
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	<b>PROCESS AND DIRECTION OF LIMITED JURISDICTION CMS ASSESSMENT</b>	<b>Ms. Adele May Mr. Karl Heckart</b>
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Ms. Adele May, project manager for the LJ CMS effort, provided an update on the assessment and gap analysis activities performed thus far in support of deciding which candidate system should eventually be used statewide. She briefly described the development and validation of the functional matrix itself as well as the various times it has been used to check the capabilities of the candidate systems as they underwent development. A user hands-on assessment has now added an important dimension to the previous comparisons performed against the functional matrix. Adele provided members with some of the documentation used by the 60 participants representing almost every county in the hands-on assessment as well as a day-by-day overview of their activities. Though materials are still be digested and tallied, Adele provided some sample feedback received from various participants.

So far, no clear choice has emerged: The bottom line is that both applications have numerous gaps that will require time and effort to close once development is complete. Next steps involve creation of a comprehensive product comparison report for use by COT. In support of a decision, Adele will also create an initial development plan encompassing the necessary programming effort and cost to fill gaps; a network bandwidth utilization plan; testing plans; a conversion plan for AZTEC data; a statewide implementation plan, model, and timeline; a training plan; and a maintenance and support strategy.

Members questioned whether the two systems would be at equivalent levels of development in March 2009. Karl reminded members that COT has the unique opportunity to set needed direction, and prune current LJ CMS diversity while replacing some end-of-life systems. Larger courts have funds building up to replace systems that could be leveraged to benefit the judiciary as a whole. The hidden costs of maintaining/supporting the 10 systems in use today would be reduced as the number of systems was reduced and standardization increased. Without action, the moment will pass and courts will each do their own thing in their own way. A decision about a statewide system is needed and enough information exists to make it.

Karl proposed an October decision making meeting to stay ahead of the legislature's potential fund-sweep process. He summarized the inputs to the decision: functionality matrix, usability assessment with feedback from the candidate systems' development teams against comments, and supportability details. A smaller team, likely meeting a couple of times per week, is needed to sort through all the inputs and recommend a decision to COT.

Members peppered Karl with questions about the state of the candidate systems and the various considerations involved in arriving at a rapid decision. Karl summarized the approach he recommends into two main actions: 1) Evaluate the components involved to ensure they deliver the right data for making a decision, and 2) Proceed with a focus group to review the assessment materials and arrive at a recommendation to COT as a whole.

<b>MOTION</b>	<b>A motion was made and seconded to approve the overall selection approach and strategy, as presented. The motion passed unanimously.</b>	<b>TECH 08-35</b>
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Adele shared the names of representatives from stakeholder courts with whom she has already spoken about being involved in the focus group. Balanced representation is very important. The chair volunteered to collect names suggested by members for inclusion in the subcommittee.

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## MOTION

A motion was made and seconded to approve the formation of an ad hoc subcommittee to review the information and options and recommend a “best fit” system, returning to COT in time that the recommendation can be forwarded to AJC for consideration at its October 22 meeting. Members’ recommendations for membership may be forwarded to the chair by September 8, 2008. The motion passed unanimously.

TECH 08-36

## CALL TO THE PUBLIC

Hon. Rebecca Berch

After summarizing the meeting and hearing no request for further discussion from members or the public in response to her call, Justice Berch entertained a motion to adjourn.

## Upcoming Meetings:

October 9, 2008 (tentative special meeting)    AOC – Conference Room 106  
November 07, 2008                                    AOC – Conference Room 345 A/B  
January 09, 2009                                      AOC – TBD

## MEETING ADJOURNED

1:35 PM