COT MEETING MINUTES

COMMISSION ON TECHNOLOGY

Friday, November 7, 2008
10:00 AM - 2:30 PM

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

CONFERENCE ROOM 119A/B

MEMBERS PRESENT
Louraine Arkfeld
Kent Batty
Michael Baumstark
Rebecca Berch, *Chair*
Christopher Cummiskey *(Brian Sherman, proxy)*
Garye Vasquez
Ann Timmer (*Phil Urry, proxy)*
Michael Jeanes
Gary Krcmarik
Martin Krizay
Sheri Newman *(Beverly Frame, proxy)*
Marcus Reinkensmeyer
John Rezzo
Roxanne Song Ong

MEMBERS ABSENT
Robert Brutinel
Catherine O'Grady
Elizabeth Hegedus-Berthold
Roger Klingler

GUESTS

Mohyeddin Abdulaziz, *TAC*
Cathy Clarich, *CACC*
Janet Cornell, *CACC*
Jennifer Gilbertson, *TAC*
Rachel Matteo-Boehm, *Courthouse News Svc*
Rich McHattie, *Maricopa COSC*
Gordon Mulleneaux, *CACC*
Michael Pollard, *CACC*
Rick Rager, *CACC*
Lisa Royal, *PCCJC*
Jim Scorza, *CACC*
David Stevens, *CACC/TAC/PACC*
Hon. Peter Swann, *COA Div 1*

AOC STAFF

Don Bentley, *Admin Services*
Stewart Bruner, *ITD*
Gary Graham, *ITD*
William Earl, ITD
Jennifer Greene, *Legal Services*
Karl Heckart, *ITD/TAC*
Patrick McGrath, *CSD*
Adele May, *ITD*
Stephanie Nolan, *ITD*
Pamela Peet, *ITD*
Jim Price, *ITD*
Renny Rapier, *ITD*
Janet Scheiderer, *CSD*
Gene Stout, *ITD*
Jeff Viemont, *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:

- The project health metric from the Court Automation Coordinating Committee (CACC) included in the printed packet for members' reference continues to show green for all projects being monitored.
- Meeting dates for 2009 have been included in members' packets. She thanked Stephanie Nolan for her hard work in arranging all the behind-the-scenes details for COT and its subcommittees.
- Today's meeting has the potential to require an executive session to obtain procurement-related details. The session may be attended only by members and those on the evaluation team who have signed nondisclosure statements.
- The budget situation continues to worsen and will present an even larger problem next year, with deficit projections as large as $4 billion. The court's approach is to use leveraging and automation to obtain operating efficiencies and to replace end-of-life systems. Stopping development of new statewide systems is simply not an option, as described in the opening article of the latest COT Newsletter. To do so would further a court environment having splintered automation systems long into the future.
- Following some confusion at the recent presiding judges' meeting, staff has placed a model breach notification policy on the COT documents webpage to aid local courts to comply with Administrative Order (AO) 2008-68. The same documents have been included in members' packets.

She then called members' attention to the minutes from the October 9 special meeting.

MOTION	**A motion was made and seconded to approve the minutes of the October 9, 2008, Commission on Technology special meeting. The motion passed unanimously.**	**TECH 08-39**

	MARICOPA CLERK'S OFFICE INTEGRATED FINANCIAL INFORMATION SYSTEM	Mr. David Stevens & Mr. Gordon Mulleneaux

Mr. David Stevens, Project Manager for the RFR Replacement portion of the Integrated Financial Information System (iFIS), provided a brief history of the project beginning with COT approval in 2004. He described the relationship between the portion of development being handled by the Clerk of the Superior Court and the portion being handled by his organization, Court Technology Services. He emphasized that the seven major modules of the project are under the strict control of his organization's project management office. David then focused on the challenges of data conversion and the shared approach that will be taken. He outlined project risks, most notably loss of personnel, which is compounded by Maricopa County's hiring freeze. If this risk is realized, the project timeline will undoubtedly be elongated. Having set forth the risks, David projected an implementation date of September 2010. This extends the overall iFIS

implementation date beyond that already agreed to for the cash receipting system replacement, March 2, 2009.

MOTION	**A motion was made and seconded to approve the updated delivery date for the Integrated Financial Information System. The motion passed unanimously (Michael Jeanes and Marcus Reinkensmeyer both noted their interests before voting).**	**TECH 08-40**

	AJACS GJ CMS – PROGRESS REPORT	Mr. Renny Rapier

Mr. Renny Rapier, Program Manager for the general jurisdiction (GJ) case management system (CMS), AJACS, brought members up to date with the financial aspects of the project thus far, including milestone-related payments to the vendor, AmCad. He reviewed the schedule for the upcoming court implementations in Cochise and Mohave counties and referred members to the GJ CMS website to view continuing updates about the project. Renny reviewed the current condition of the pilot courts, Yuma and La Paz, and thanked them for continuing to resolve issues that will aid the remaining courts. These issues are being recorded formally and tracked though resolution. Formal review of the list is being scheduled and this step has been added to the project plan for each upcoming court. The majority of issues still being resolved relate to financial processing and especially to financial data conversion. Renny described how conversion will be handled differently in upcoming courts to preclude recurrence of the problems. Special strategic meetings have been held with the vendor to deal with issues related to validation tables, ticklers, and fee tracking.

Renny described recent efforts related to Phase 2 in the areas of governance, working with the vendor, applying the various lessons learned from the pilots, and improving communication with each upcoming court. His overall assessment was that the future for AJACS still looks bright.

Beverly Frame, proxy for Sheri Newman, questioned whether the GJ CMS should be expanded to other courts before all pilot court issues have been resolved. She mentioned automated minute entry difficulties as being particularly troubling. The chair thanked both clerks for their willingness to suffer the trials and imperfections associated with being pilot courts.

	LJ CMS – PROGRESS REPORT	Mr. Karl Heckart

Mr. Kart Heckart brought members up to date with the limited jurisdiction (LJ) CMS effort. Following Arizona Judicial Council (AJC) approval of the hybrid CMS approach, AOC and the vendor undertook a two-week review of activities at the state's largest volume LJ court, Phoenix Municipal Court. Needs reviews with several other municipal and justice courts are also underway. These-will aid the vendor in understanding items specific to Arizona LJ courts and serve as input to the gap analysis effort. Karl then described the composition of the gap analysis team, the master timeline for their intensive efforts, and the anticipated weekly schedule during the gap effort. He emphasized the need for a policy-oriented team to meet weekly to consider issues raised during the gap analysis activities. A technical review with the vendor will also be held each week.

Karl also reviewed the governance model currently used for AJACS and proposed a parallel structure for the LJ CMS effort. The project manager would report to a steering committee, itself overseen by the contract governance body and COT. The project manager would also provide a monthly report to CACC. The LJ CMS Steering Team proposed would manage the interaction of local court needs, multiple-court shared innovations, enhancement priorities, and standards. The steering committee would also be responsible to generate the state JCEF funding requests related to the approved list of enhancements. Consideration of the lessons learned from the Large Volume Courts Committee (LVCC) meetings in Casa Grande years ago led Karl to propose that only courts formally committed to implement the system be involved in overseeing it . He proposed including representatives of three large municipal courts, two medium municipal courts, one large justice court, two medium justice courts, a judge or two, and someone from AOC.

Members questioned the demarcation point between large and medium courts, why small courts were not represented, and whether videoconference technology would enable participation from smaller, more rural courts. Karl pointed out that small courts' needs don't differ dramatically from their larger brethren – only the support model changes – and that participating courts must have sufficient staff to dedicate to the effort while still maintaining their own operation. The sizeable investment warrants face-to-face interaction and that extensive interaction over long periods of time doesn't lend itself to videoconferencing, though the steering committee's weekly meetings could be handled electronically.

MOTION	**A motion was made and seconded to approve the governance structure as proposed. The motion passed unanimously.**	**TECH 08-41**

Members recommended that the authority, scope of activities, and frequencies of the various meetings of the teams be formally documented. The chair reminded members of the breadth of courts' case volumes, sophistication, funds available, and support capabilities then emphasized that the approved structure would allow courts to leverage and benefit from the work of others.

UPDATE	**PROCESS AND DIRECTION – STATEWIDE E-FILING**	Mr. Karl Heckart & Mr. Jim Price

Justice Berch introduced the e-filing discussion by recounting the initial guidance of Chief Justice McGregor along with AJC's willingness to investigate a vendor-powered solution conforming to that guidance. Mr. Karl Heckart then reviewed the material related to the request for proposal (RFP) and evaluation that could be publicly released. This included the anticipated outcomes from the effort, the evaluation team members by court and function, the timeline of activities, the evaluation weightings employed, and the names of the five bidders.

As members indicated a need to convene an executive session to learn more details of the evaluations, the chair invited public comment on the topic. Rachel Matteo-Boehm, an attorney representing Courthouse News Service, warned members of the dangers of selecting a single vendor for who has control of the courts' documents. Her client is concerned about a vendor's using filed documents as news sources for a competitive advantage as well as the cost for access

to those documents. She counseled that the state not allow any documents to reside on a server owned by a vendor.

MOTION	**A motion was made and seconded to convene an executive session to review details of the proposal evaluations. The motion passed unanimously.**	**TECH 08-42**

Justice Berch reconvened the public meeting.

MOTION	**A motion was made and seconded to approve the process and the conclusion of the "best fit" vendor solution and to further recommend the solution to AJC for consideration. The motion passed with four nay votes.**	**TECH 08-43**

	MODEL POLICY FOR BREACH NOTIFICATION	Mr. Karl Heckart

Karl Heckart briefly called members' attention to the model breach notification policy mentioned by the chair at the opening of the meeting. Karl clarified the discussion with the presiding judges about clarifying their policies related to the back end of the process, which spurred demand for developing a more comprehensive privacy policy at the front end of the processes. The policy would define standards for courts to use in protecting personally identifying data they hold.

CALL TO THE PUBLIC	Hon. Rebecca Berch

After hearing no further discussion from members or the public, Justice Berch entertained a motion to adjourn.

Upcoming Meetings:	January 09, 2009	AOC – Conference Room 345 A/B
	March 06, 2009	AOC – Conference Room 119 A/B
	May 07 & 08, 2009	AOC – Conference Room 106

MEETING ADJOURNED	2:25 PM