

COT MEETING MINUTES

COMMISSION ON TECHNOLOGY

Friday, November 6, 2009

10:00 AM - 12:30 PM

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

CONFERENCE ROOM 119A/B

MEMBERS PRESENT

Kent Batty
Michael Baumstark
Robert Brutinel*
Andrew Hurwitz, *Chair*
Michael Jeanes
Dennis Kavanaugh
Gary Krcmarik
Sheri Newman (*Rich McHattie, proxy*)
Marcus Reinkensmeyer
John Rezzo*
Delcy Scull
Roxanne Song Ong
Ann Timmer

GUESTS

Eduardo Alvarez, *Maricopa OET*
Janet Cornell, *Scottsdale City Court*
Jennifer Gilbertson, *TAC*
Mary Hawkins, *CACC*
Cary Meister, *TAC**
Michael Pollard, *CACC*
Eloise Price, *TAC*
Jamie Ross, *Courthouse News*
David Stevens, *TAC/PACC*
Paul Thomas, *CACC*

MEMBERS ABSENT

Catherine O'Grady
Elizabeth Hegedus-Berthold
Garye Vasquez

AOC STAFF

Carol Ashton, *CSD*
Theresa Barrett, *CSD*
Stewart Bruner, *ITD*
William Earl, *ITD*
Melinda Hardman, *CSD*
Karl Heckart, *ITD/TAC*
Gary Graham, *ITD*
Nat Mara, *ITD*
Adele May, *ITD*
Mark Meltzer, *CSD*
Stephanie Nolan, *ITD*
Jim Price, *ITD*
Jeff Schrade, *ESD*

* indicates attendance by telephone

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WELCOME AND OPENING REMARKS

Hon. Andrew Hurwitz, Chair

Justice Andrew Hurwitz called the meeting to order at 10:00 a.m. He welcomed members and the public present, then asked members participating to introduce themselves for the record. Staff confirmed that a quorum existed. Justice Hurwitz welcomed Councilmember Dennis Kavanaugh from Mesa as the new League of Cities and Towns representative on the Commission on Technology (COT). The chair also briefly discussed

- the calendar of meeting dates for 2010 that officially moves the early January meeting to February,
- clarifying the reduction in IT planning burden described in a Dave Byers' e-mail to presiding judges,
- performing individual reviews of the draft branch strategic plan posted by Janet Scheiderer,
- the November 19 statewide broadcast relating to technology and the courts,
- the continuing budget crisis and court leadership's approach to preserving funds for technology projects, and
- the CACC status report showing both monitored projects.

He then called members' attention to the minutes from the September 4 meeting.

MOTION

A motion was made and seconded to approve the minutes of the September 4, 2009, Commission on Technology meeting. The motion passed unanimously.

TECH 09-30

PHOENIX MUNICIPAL COURT CASE MANAGEMENT REPLACEMENT PROJECT

Ms. Jennifer Gilbertson

Ms. Jennifer Gilbertson, Information Systems Director for the Phoenix Municipal Court, provided a brief history of the project to replace the court's local, end-of-life case management system (CMS), the alternatives considered, and the selected strategy. The goal is to enhance the ability of the statewide limited jurisdiction CMS to handle items specific to the large volume courts. The project will be better defined following a supplemental gap analysis effort early next year, but currently targets the first quarter of calendar year 2012 as the implementation date.

In response to a question, Jennifer committed to submit revisions to the approach and numbers documented in the judicial project investment justification document (JPIJ) as the project progresses and significant changes occur. Justice Hurwitz praised the highly collaborative nature of the project.

MOTION

A motion was made and seconded to approve the Phoenix Municipal Court's CMS Replacement Project as described in the JPIJ and attachments submitted. The motion passed unanimously with Roxanne Song Ong abstaining.

TECH 09-31

E-FILING/PUBLIC ACCESS PROJECT UPDATE

Mr. Karl Heckart
Mr. Jim Price

Mr. Karl Heckart, CIO for the courts, provided item-by-item updates on the various facets of e-filing underway, including:

- standardization and development of TurboCourt intelligent forms,
- the volume of filings associated with forms already in use at Maricopa Justice Courts and ideas for increasing the volume,
- case initiation progress with Pima Superior Court,
- appellate filing,
- construction of necessary infrastructure at AOC to support statewide e-filing,
- the interaction of a central document repository and central case index to support access to electronic documents and case information,
- integration efforts between the AJACS CMS and OnBase as well as between the AZTEC CMS and OnBase,
- progress toward full e-filing at Maricopa Justice Courts now that an electronic document management system (EDMS) has been selected, and
- recent progress with integrating TurboCourt with the Maricopa Clerk's legacy subsequent e-filing system.

Jim Price then provided a demonstration of the TurboCourt general civil filing capability. Justice Hurwitz invited members to share their issues or concerns with the e-Court subcommittee as the statewide e-filing effort progresses.

XML FORMAT FOR E-FILED DOCUMENTS

Mr. Karl Heckart

Justice Hurwitz set the stage for Karl Heckart's presentation by defining the question as not whether XML should be used for electronic documents but rather what brand of XML should be the courts' standard to fill in the current hole in ACJA § 1-506. Karl reviewed the business drivers behind the selection of a standard format including ease of authoring, ease of production, usability, and the overhead introduced by file size. Karl tackled a misconception that the format of a document can be relied upon to protect it from inappropriate use. He stated that the court's EDMS is the proper mechanism for applying protection, regardless of format. After showing a table comparing sizes of text files converted into various formats, Karl proposed to request AJC approval for the Open Document Format, a word processor independent international standard that provides high usability without specifying a particular product and carries the smallest associated overhead of any of the options researched.

Members questioned why such a technical item had been brought to COT without a recommendation from the Technical Advisory Council (TAC). Karl conveyed that TAC was unable to reach a consensus: certain members favored TIF, others favored PDF and still others favored Word 2007, depending on the priorities they associated with the particular business drivers. He added that having COT specify the appropriate business drivers would help TAC reconsider the format issue. No items were added or removed from Karl's list as a result of discussion.

Justice Hurwitz clarified that AJC long ago decided there would be XML submissions, but left the details for later. Rather than debate the wisdom of XML versus other formats, TAC now needs to fill in the details before the flood of e-filed documents begins in the Maricopa Justice Courts and spreads to the entire state. The chair added that it might be possible to poll the group via e-mail or conduct a brief telephonic meeting, in the interest of time, once TAC has made a formal recommendation.

MOTION	A motion was made and seconded to postpone any decision on approving Open Document Format as the XML standard for e-filed documents until after a formal recommendation is received from TAC. TAC is asked to take into account business drivers of cost and space required to store and transmit electronic documents, as well as searchability, when making their recommendation. The motion passed unanimously.	TECH 09-32
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PROPOSED ACJA CODE SECTIONS RELATED TO CHANGES TO RULE 123	Ms. Melinda Hardman
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Melinda Hardman, staff to the Rule 123 Advisory Committee, refreshed members' memories on the work of the Committee. Melinda then summarized changes made in two documents COT had already reviewed, ACJA § 1-604 and ACJA § 1-605. She also presented a new proposed section, ACJA § 1-606, "Providing Case Record Access to Public Agencies and Public Purpose Organizations," detailing the specific content of memoranda of understanding that must be in place for government or public purpose entities to receive ongoing access to court records. The three documents are posted on the new code section forum for review and comment. Melinda encouraged comments at that site, but also asked for a motion regarding the suitability of the documents for consideration by AJC.

MOTION	A motion was made and seconded to approve the content of the revisions to 1-604 and 1-605 code sections along with the new 1-606 document, as recommended by the Rule 123 Committee. The motion passed unanimously.	TECH 09-33
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TECHNICAL STANDARDS FOR INTERACTIVE AUDIOVISUAL PROCEEDINGS IN CRIMINAL CASES	Mr. Mark Meltzer Mr. Stewart Bruner
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Justice Hurwitz prefaced discussion about technical standards by describing the Supreme Court's work on the revision to Rule 1.6 during its August rules agenda meeting. In adopting Rule 1.6, the Supreme Court removed any reference to technical standards and instead asked COT to approve "operational standards." Mr. Mark Meltzer, staff to the Criminal Rules Video-Conference Advisory Committee (CRVAC) and Stewart Bruner, staff to TAC, suggested that there is an overlap between operational and technical standards. They then described the various operational and technical standards proposed in ACJA § 5-208.

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Justice Hurwitz reiterated that the Court's intent was not to specify technical standards, feeling that outcome based operational standards would prove sufficient. Members raised concerns about whether the proposed requirements would preclude any rural counties from continuing to hold interactive audiovisual proceedings and whether the annual certification requirement would prove overly burdensome. After much discussion, members agreed that because Rule 1.6 will take effect on January 1, 2010, AJC would be the proper venue for determining the necessity of including technical standards as well as the suitability of annual certification.

MOTION	A motion was made and seconded to approve the technical standards in the proposed ACJA Section 5-208 with a comment that AJC consider whether technical standards are even necessary and whether the annual recertification requirement is appropriate. The motion passed unanimously.	TECH 09-34
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CALL TO THE PUBLIC	Hon. Andrew Hurwitz
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After hearing no request for further discussion from members or the public in response to his call, Justice Hurwitz entertained a motion to adjourn.

MEETING ADJOURNED	12:37 P.M.
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Upcoming Meetings:	February 19, 2010	AOC – Conference Room 119 A/B
	May 6 & 7, 2010	AOC – Conference Room 119 A/B OR
	June 10 & 11, 2010	AOC – Conference Room 119 A/B