

**Task Force on Countering Disinformation  
State Courts Building, Phoenix  
Meeting Minutes: April 21, 2021**

**Members attending** (remote unless otherwise noted): Aaron Nash (Chair) (in person), Shelly Bacon, Fredric Bellamy, Jessica Fotinos, Victoria Stratton (proxy for Dawn Gilpin), Eduard Goodman, Patience Huntwork, Hon. Todd Lang, Krisanne LoGalbo, Scott Ruston, Deborah Schaefer

**Absent:** Hon. Bradley Astrowsky, Hon. David Fuller, Joe Hengemuehler

**Guests:** Public members: Lori Ford, Malinda Sherwyn, Linda Arters

**Administrative Office of the Courts (AOC) staff:** Alicia Moffatt

1. Call to order. The Chair called the meeting to order at 10:04 a.m.

The Chair welcomed members and made administrative comments. Victoria Stratton was introduced, proxy for member Dawn Gilpin. The Chair updated the task force on progress with implementing the task force recommendations, noting two recommendations are complete, one has not begun, and the remaining 24 are in different stages of progress. The Chair noted a national speaker addressed judicial branch leadership recently and recommended courts have a social media presence.

2. Approval of minutes. The Chair called for corrections to the March 17, 2021 meeting minutes and noted a correction to be made. No other corrections were offered.

Motion: A member moved to approve the March 17, 2021 minutes, as amended. The motion was seconded and approved unanimously. CDTF: 2021-4

3. Liaison updates.  
Arizona Council for the Social Studies (ACSS)

<http://acssaz.org/>:

The Chair, as task force liaison, updated the task force on the latest meeting:

- The Arizona Department of Education (ADOE) is hosting a free half-day seminar on Saturday, April 24, 2021 that will cover civics issues. The event is open to the public via registration and the event is virtual.
- ADOE has a calendar of summer events. On July 6, 2021 the programming includes the topics of civil liberties and elections, using U.S. Supreme Court cases to inform the discussion.

Task force input for the liaison's follow-up:

- The Chair will follow up regarding whether the July ADOE sessions are limited to teachers or if task force members can register.

Civic Education Community Engagement Program (CE2)

<https://www.azed.gov/civicengagement>:

The CE2 group has not scheduled a next meeting. Their next event will be the April 24 half-day session noted above.

4. Conforming changes to the Arizona Code of Judicial Administration (ACJA) regarding disinformation. The Task Force resumed discussion on whether to keep its use of “unsubstantiated” allegations in the rule petition language or to change the term to “unfair” allegations in its reply to the rule petition. The Task Force was drawn to “unsubstantiated” because it reflected a higher standard and more objective basis of review. Alternatively, an allegation could be substantiated, but used out of context, making it unfair in application.

A motion was made and seconded to change “unsubstantiated” to “unfair” in the reply to the petition. The motion passed unanimously. CDTF: 2021-5

The Chair will draft the reply for Task Force review in May and update the ACJA proposals to conform.

5. Workgroup Reports. The members provided updates on workgroup progress.

Workgroup 1: Lead, Debi Schaefer. The workgroup completed its review of Arizona courts’ web and social media presence. Many courts rely on a municipality or county for web postings and the municipality or county does not usually post on the courts’ behalf on social media. The workgroup is developing a survey for courts, including whether they can get a message posted to the available website timely, for example, to broadcast sudden, unexpected events like an evacuation. When contacting the courts for a survey the workgroup will note the recommendation is for courts to have their own social media presence. This is less feasible with websites, given the cost to create and maintain one, but social media is low-to-no additional cost beyond creating and monitoring the account(s). The survey will also ask who performs the public information officer role when needed at each court. The workgroup will bring survey language to the task force to consider.

The workgroup discussed recommending a social media “handle” format and creating step-by-step instructions for courts to create a social media account on the most popular platforms to make it easier for courts to secure a presence online. A member noted social media posts are not specifically included in the current judicial branch records retention schedules and retention is currently considered “reference value served” under existing schedules. At least one county asked its departments not to create any new social media accounts and to register their current official accounts with ArchiveSocial Software. The taskforce members determined courts’ social media accounts would fall under Rule 123 rather than title 39 public records requests. A member suggested the workgroup recommend courts submit their official accounts for verification through the social media platforms. This gives recognizable credibility to official pages, compared to rogue or lookalike sites. The workgroup will look into including this process in their step-by-step instructions.

Workgroup 2: Lead, Krisanne LoGalbo. The workgroup will work with the Arizona Broadcasters' Association to schedule a court-led media event. The Clerk's Office in Maricopa County recently hosted a successful webinar on public records. The audience was media representatives and it was well attended and received several participant questions and exchanges.

Instead of a physical court employee guide to recognizing and responding to disinformation the workgroup decided to recommend content on the subject that courts could use in new employee orientation, new judge orientation, and in Committee on Judicial Education and Training (COJET) classes as ongoing education for all judicial branch employees. Pima County is developing a disinformation COJET class now, separately from the task force's efforts.

The workgroup reviewed a sample survey Pima County Superior Court uses to survey employees and the public. Signs advertising the survey are posted in high-traffic areas and incorporate a QR code where respondents can scan the code, taking them to the survey online. The workgroup mentioned other options like a comment box that can be posted with comment cards and pencils for the same information.

The workgroup is discussing a countering disinformation playbook for Arizona. The workgroup will use materials from the National Center for State Courts and other similar information as models in developing a product specific to Arizona. For the mini-guide recommendation, the workgroup found a webpage that could be incorporated into the Administrative Office of the Courts (AOC) websites and public libraries, courts, and others in the public could link to and where public information officers could consult as needed.

Workgroup 3: Lead, Chair Aaron Nash. The workgroup presented draft language courts can use on their forms and orders, advising the public how they can verify the accuracy of court records. Task force members will review the draft and suggest edits for the task force's review and finalization at the May meeting.

The workgroup is compiling branding information courts could consult, understanding the requirements of municipalities and counties will vary and limit the changes individual courts may be able to make.

Workgroup 4: The Chair provided the update. Judges will be encouraged to register as presenters through the Arizona Bar Foundation's existing lawforkids.org website in their "Connecting with Classrooms" initiative. Programming and coordination are already available through that website for K-12 learners. The Chair gathered the information needed to create a similar registration page for the AOC-based outreach programs website. Technical review and implementation are still required. The Chair contacted the Attorney General's office for input on their community outreach program – still pending.

The workgroup discussed changing the name "Our Courts Arizona" to "Community Outreach and Education" as something more descriptive and more likely to match the wording by which the public would be searching. Alicia is considering design ideas for the website, which is primarily text based now.

The workgroup discussed judges who are known for community outreach and who are well-received in the community, including judges with diverse backgrounds, to better reflect the community at large and for audiences that request a presenter who has a background similar to their own.

The supreme court's Commission on Minorities/Commission on Diversity, Equity, and Justice offered to review the five outreach modules currently available through Our Courts Arizona. They will review for diversity and inclusion in the content and delivery and can help in suggesting and creating new content. As material gets updated or created, the workgroup supports providing Spanish versions of the materials.

Workgroup 5: Lead, Jessica Fotinos. The Chair is following up on the recommendations that call for reaching out to the American Board of Trial Advocates and the American College of Trial Lawyers.

The Chair revisited the Rapid Response Team concept with AOC leadership. The Arizona Judges Association may be able to help establish a Rapid Response Team. The Chair and a Judges Association representative will meet with the California Judges Association's Judicial Fairness Coalition, the only known state courts rapid response team, for information on how their group was formed and how it operates. A threshold question for misinformation and disinformation events will be whether the targeted court or individual wants to respond to the event.

The National Center for State Courts (NCSC) has not encountered an event that prompted them to attempt having content removed as disinformation. The Chair discussed with the NCSC what data points would be helpful for state courts to provide when reporting an event and actions taken. The specifics will have to develop over time, as events and trends are identified. Indications are "disinformation" as such is not an approach referenced on social media platforms or they have their own internal processes for addressing what the platforms consider disinformation. Current requests for review involve potential violations of individual platforms' terms of use or community standards. Once reported, the individual platforms determine whether the content violates a term or standard and take action as appropriate.

The workgroup is progressing on comprehensive information showing the steps for reporting or flagging content on individual platforms for review as misinformation or disinformation under the platforms' terms of use and standards. Currently the information is directly from the individual platforms and the information does not seem to change often, but it would need to be reviewed periodically for updates as procedures and platforms change. A companion document is being prepared with links to the individual platforms' processes for reporting content for further review.

The workgroup is compiling a list of Arizona media outlets. The list could be used for requesting corrections to misinformation or disinformation and getting information to the correct media outlet for local stories. For example, the closest media outlet to report on a probation event

or program taking place in a rural area of the state. A member suggested the local media resource information be included in the developing playbook.

6. Call to the public. The Chair made a call to the public. Lori Ford and Malinda Sherwyn addressed the task force. Linda Arters was unable to address the task force during the meeting and submitted written comments to the Chair following the meeting, which the Chair forwarded to the task force members by email.

7. Roadmap. The next Task Force meeting will be May 19, 2021 (virtual).

8. Good of the Order and adjournment. The meeting adjourned at 12:00 p.m.

Next meeting: Wednesday, May 19, 2021, 10:00 - Noon.

Arizona State Courts Building (Virtual)

1501 W. Washington St., Phoenix, AZ 85007

Link for remote audio/video attendance to be provided