

**COMMISSION ON TECHNOLOGY
e-COURT SUBCOMMITTEE
APPELLATE COURTS SUBTEAM
MEETING SUMMARY**

December 16, 2011
9:30 a.m. – 11:00 a.m.

State Courts Building Room 415

**SUPREME COURT MEMBERS
PRESENT**

Clerk Rachelle Resnick
Staff Attorney Ellen Crowley

**APPEALS DIVISION ONE
MEMBERS PRESENT**

Chief Judge Larry Winthrop
Vice Chief Judge Diane Johnsen
Patsy Lestikow
James Towner

**APPEALS DIVISION TWO MEMBERS
PRESENT**

Clerk Jeff Handler*

AOC STAFF & GUESTS

Mike Baumstark, *Exec Office*
Stewart Bruner, *ITD*
Melinda Hardman, *CSD*
Janet Johnson, *CSD*
Karl Heckart, *ITD*
Jennifer Liewer, *PIO*
Jim Price, *ITD*
Amy Wood, *CSD*

* indicates appeared via telephone

WELCOME AND OPENING REMARKS

Karl Heckart chaired the meeting in place of Justice Hurwitz, who was unable to attend. He welcomed Diane Johnsen, the new vice chief judge from Division One.

AZTURBOCOURT STATUS AND SCHEDULE

Clerk Rachelle Resnick provided e-filing numbers from November and notified the group that the ACE filing facility was closed on December 12. Patsy Lestikow estimated that 50 percent of filings by attorneys are electronic in the current permissive environment but obtaining a target number of total electronic filings at the appellate level is problematic. Amy Wood provided an update on the improvements being made to PayPal and their estimated timing. The group discussed moving back the mandatory date for filers paying fees to make certain the changes would be in place with sufficient leadtime for necessary documentation and training. Karl provided a context for the upcoming PayPal improvements within the larger roadmap of improvements in the credit card processing arena. After a discussion of the risks that might come with the PayPal enhancements, the group arrived at April 2 as the consensus date for fee-paying filers.

PREPARATIONS FOR MANDATORY E-FILING

Discussion turned to the mandatory date for non-fee-paying filers. Leaving all filers to a single mandatory date seemed excessive from a training perspective. The previously

proposed date of February 1 for employees of state and local governments will stand. Trainers will need to make calls once the announcement letter has been issued to be certain training gets evenly distributed between now and then. Melinda will change the language in the AO to clarify the various distinctions among fee-free filers.

Mike Baumstark recounted the various communication vehicles that are being used and the general message and timeline for each. The group discussed modifications to several of the items, including the announcement letter and the draft AO. Mike requested that the changes be completed in time for his final CJ/VCJ meeting of the year next Wednesday.

Members were pleased that AJC had passed the proposed language in ACJA § 1-506 requiring bookmarks for electronic documents containing multiple appendices, but a concern was raised about the need for training to address the details of compliance with the requirement as well as with the maximum file size requirement imposed on submittals by AZTurboCourt.

OTHER UPDATES AND ISSUES

- Rachelle Resnick requested clarification about the application fee collection process following granting of a fee waiver. She'd like AZTurboCourt to align the appellate courts with the practice at the superior court of suppressing the fee in the application. A decision about whether the federal public defender should be charged filing and application fees will be handled outside of the meeting.
- Stewart Bruner revisited last month's brief discussion of the need to scan paper filings in open cases to prevent mixed cases versus the existing labor shortages in the clerks' offices of Division One and Supreme Court, since Justice Hurwitz requested additional discussion. Karl, Amy, and Jim Price provided illustrations of the various customers and processes that depend on a completely digital record. Rachelle, Patsy Lestikow, and the judges from Division One reiterated that labor remains too scarce to scan everything submitted over the counter. Jim also emphasized the critical nature of accurately classifying electronic documents that arrive through e-filing.

WRAP UP

Melinda will submit the revised AO draft for consideration at the final Wednesday meeting of the year. A followup meeting will be held in January to check on progress on executing the communication plan in support of the February 1 date for mandatory e-filing by employees of state and local government agencies at Division One and the Supreme Court.

Meeting adjourned at 10:45 a.m.