

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

August 11, 2011
2:00 p.m. – 3:30 p.m.

State Courts Building Room 415

**SUPREME COURT MEMBERS
PRESENT**

Vice Chief Justice Andrew Hurwitz
Clerk Rachelle Resnick
Staff Attorney Ellen Crowley

**APPEALS DIVISION ONE
MEMBERS PRESENT**

Chief Judge Larry Winthrop
Clerk Ruth Willingham
Jeremiah Matthews
Vice Chief Judge Pat Irvine

**APPEALS DIVISION TWO MEMBERS
PRESENT**

Clerk Jeff Handler*
Vice Chief Judge Peter Eckerstrom*

AOC STAFF & GUESTS

Stewart Bruner, *ITD*
Karl Heckart, *ITD*
Jim Price, *ITD*

* indicates appeared via telephone

AZTURBOCOURT STATUS AND SCHEDULE

Karl Heckart reported that the monthly volume of AZTurboCourt filings increased 45 percent between June and July and is now 450 filings per month. To prepare for mandatory e-filing, Division One and Supreme Court are implementing a new software release that contains their “must have” items. Additional software enhancements are being scheduled over time. The URL is now published and the support center number has been added to the website.

Division Two has experienced a 25 to 30 percent attorney holdout rate over the years, absent a mandating order. It is not easy to determine the potential number of e-filed documents since metrics are kept at the case level only. Justice Hurwitz suggested that the Maricopa model be followed for the AO and activities mandating attorney e-filing in appellate cases. The duty justice or pro tem judge can be used to make immediate decisions on the applicability of requested exceptions to the AO’s terms.

Very few criminal filings a month continue to arrive via ACE. A notice will be sent to remaining users prior to its shutdown.

**PROGRESS ON TRANSFERS FROM MARICOPA SUPERIOR COURT
CLERK’S OFFICE**

Rachelle Resnick confirmed that two cases, both death penalty, have now come directly from Maricopa Superior Court to the Supreme Court. Ruth Willingham added that cases of all types are now delivered electronically to Division One with the exception of juvenile, which seems to be hit or miss. Justice Hurwitz asked that Division One

investigate the inconsistency, suspecting that it may be tied to an individual deputy clerk at Maricopa rather than a technology issue.

Court reporters' transcripts are being received by both courts, but clerks shared a concern from the reporters that additional paper copies are still being required in some cases. The group discussed possible techniques for sharing electronic transcripts received as part of the appeal with the trial court that originated the record.

OTHER UPDATES AND ISSUES

- Stewart asked the group about the relative importance of expanding the policy requirement for bookmarking multiple appendices beyond appellate filings in the current iteration of Rule 124. The consensus was that it can wait until next year's update since appellate rule changes are addressing it this year. Judge Winthrop stated that his ultimate aim is to have cross-references to other documents in the same case included in filings. This capability would benefit judges at all levels of court.
- Karl warned the group that the technical support load would increase for some time after September 1 due to the recently issued AO instructing clerks in Maricopa to turn away paper filings subject to the earlier AO mandating e-filing by attorneys. He also brought the group up to date on the progress with enabling payment by credit card rather than PayPal.
- Justice Hurwitz closed by conveying users' positive assessment of the e-filing experience in AZTurboCourt. He reflected on the fact that AZTurboCourt is merely a front end for courts' complex case management and document management systems – a fact that escapes the awareness of many filers and contributes to their frustration, at times.

WRAP UP

A follow-up meeting will be scheduled in early September to report on progress and resolve any issues.

Meeting adjourned at 2:40 p.m.