Minutes

**Court Technology Committee**

Supreme Court, Bismarck

June 28th, 2013

9:15am

Members Participating:

Hon. Dale Sandstrom, Supreme Court Justice, Chair

Hon. Doug Mattson, Judge – Northwest Judicial District

Becky Absey, Clerk of District Court - Grand Forks County

Penny Miller, Clerk of Supreme Court

Lee Ann Barnhardt, Director of Education & Communication

Hon. Joel Medd, Judge – Northeast Judicial District

Hon. Frank Racek, Judge – East Central Judicial District

Members Absent:

Hon. William Herauf, Judge – Southwest Judicial District

Hon. Daniel Narum, Judge – Southeast Judicial District

Sally Holewa, State Court Administrator

Donna Wunderlich, District Court Administrator - Unit 3

Ginger Dangerud, Clerk of District Court – Adams County

Guests:

Mike Hagburg, Staff Attorney

Chris Iverson, Trial Court Manager – Unit 2

Samantha Martin, Tyler Technologies

Staff:

Larry Zubke, Director of Technology

Cammie Schock, Business Analyst

The meeting was called to order by Chair Sandstrom.

**Approval of Minutes from April 5th, 2013 Meeting**

**Penny Miller moved to approve the April 5th, 2013 meeting minutes. Judge Medd seconded the motion and the motion carried.**

**Odyssey User Group update**

Chris Iverson shared that the user group is waiting for direction from Jim Ganje on the federal firearms reporting process. Once they receive guidance on what needs to be reported and in which scenarios, they will begin to develop a process in which to do so.

The user group has also been discussing which events should be available on File & Serve for internal use, as well as, how they could be displayed to identify these events from ones the attorneys use. It was decided these events will be followed by verbiage that clearly states they are for internal use only.

Chris stated that she attended the clerk’s conference this spring and became aware that many clerks were not following the established business processes and were developing their own. She stressed the need for uniformity and communication. Bev Demers, president of the Clerk’s Association, has been helping Chris with identifying these issues. A workgroup has been formed as well to address these processes.

Chris also attended the statewide administrative in-service for parole and probation. They expressed frustration with cases where there should have been multiple counts within one case; however, a new case was being opened for each count. Because of this, they have to e-file one document into several cases rather than just one case.

There was a short discussion on the user group not having a reporter/recorder representative.

**Judge Medd moved to authorize the chair to appoint a court reporter/recorder to the user group. Judge Racek seconded the motion and the motion carried.**

The group discussed the need to communicate to the clerks on the goals in regards to automating processes. It was suggested to incorporate the goals into the annual clerks meeting and look for additional ways to communicate to the clerks.

**Odyssey Updates**

**Burleigh County/Statewide IVR status**

Larry stated there has not been a lot of use of the IVR system in Burleigh County. The group agreed to set up the IVR system in Williams County for additional testing.

**2012 Release Testing**

Larry reported an issue with the project we requested to change a label within the confinement component of sentencing from “Suspended” to “First Serve”. The existing cases with suspended time now read in QA, as if they have to serve that suspended time. Tyler Technologies prefers not to take the project out but rather fix the issue and move forward. Tyler presented us with a couple of options; leave suspended and add an additional field for first serve and be able to use them both or the ability to use one or the other. Validation can also be included. Sally has sent out an email to poll the units to see what their preference is.

**Judge Medd moved to approve adding the additional field of “First Serve” with the ability to automatically calculate the field not entered, otherwise give the ability to fill in only one or the other and have the verbiage in the order include language regarding the suspended time. Judge Racek seconded the motion and the motion carried.**

**Public Access Update**

In a prior meeting, Larry had reported that there were robots searching our data which slowed our production database. Larry stated we were able to stop this from happening. Additionally, there was a company scraping our database and trying to sell the ability to remove the information from their site. The Attorney General’s office had been contacted and they stated it is public data and there is nothing that can be done.

**Other**

Larry updated the group in regards to rejected Highway Patrol e-citations. There system did not have validation in certain areas which Odyssey requires, such as the state of the license. Highway Patrol has updated their system this week and the clerks should now see a decrease in the number of citations requiring manual attention.

Judge Racek questioned if the TRACS system has the ability for the clerks to go online to retrieve copies of citations. Currently, they have to send a memo to obtain a copy. Larry will check if the capability exists.

**File and Serve Update**

**File and Serve processing numbers and future standards**

Justice Sandstrom noted the mandatory filing of initiating documents for most civil cases has passed and seemed to have gone smoothly. Larry agreed that it seemed to be a non-issue.

Larry questioned the group if we should put standards in place in regards to how long it should take to process filings through File & Serve. Penny stated she is not ready to put deadlines on the clerks since this is fairly new and business processes are still being put into place. Justice Sandstrom asked if there was functionality where if a filing was in a queue for a set amount of time, if it could be sent to a different queue for review. Larry will check into this. Chris stated the current guidelines say 2 business days for processing. The group agreed that the Trial Court Administrators should be communicating expectations and that there may be standards set in the future. Judge Mattson asked if Larry could send the e-filing statistics out to the clerks asking for comments on behalf of the Court Technology Committee in regards to setting standards.

**Penny moved to have the statistics sent out seeking comments on setting standards for processing time. Additionally, to have the Trial Court Administrators advice the clerks that the current clerk of court manual is out of date and not applicable. Becky Absey seconded the motion and the motion carried.**

**County differences with filing rules, policies and interpretations**

Larry reported that the helpdesk received many calls from attorneys in regards to how they should be filing documents based off of county location. The attorneys have stated that many counties have different requirements. Mike Hagburg stated this topic has been brought up before and unfortunately it cannot be easily answered by looking at the rules.

A concern was brought forth that when an attorney serves via file and serve, it does not communicate to Odyssey that the service has been completed. This is causing differences in actions between counties. After discussion, it was agreed that technology, at this time, could not solve this issue.

Penny explained a concern brought to her office where File & Serve users cannot serve at the same time they initiate a case.  Users can only serve after the initial documents have been accepted.  The concern was in regards to workers comp and other administrative agency cases and needing to serve the notice of appeal and specifications of error by paper in order to have a timely appeal. However, the person was concerned for all case types that they could not simultaneously serve and file initiating pleadings. Mike Hagburg will look into the question on the timing of service.

**For the Good of the Order**

LeAnn Barnhardt questioned the training process for the new judges and how formal it should be. Judge Medd agreed that there needs to be training of some sort. Larry Zubke stated that early on the judges received 4 hours of training. He thought that the helpdesk should provide a day’s worth of training and then the judges could have a mentor for future questions.

Judge Racek asked for an update on the status of the juvenile court case management study. Larry said the RFP has been released. Judge Racek expressed concern that the present case management system deals primarily with delinquent and unruly cases and would like the RFP to encompass all of the juvenile cases including deprivation and termination.

The meeting was adjourned by Justice Sandstrom. The next meeting is scheduled for August 9th, 2013.