

**COLI AUTOMATION & ACCOUNTING ADVISORY COMMITTEE MEETING.**

**August 25, 2017**

**HELENA, MT**

**MEMBERS PRESENT:**

Chairperson-Larry Carver, Judith Basin Justice Court-Stanford City Court

Judge Audrey Barger, Hill County Justice Court

Judge Linda Cantin, Park County Justice Court

Tina Reinicke, Missoula Municipal Court, President, Clerks Association.

Kim Dumon, Flathead County Justice Court

Judge Jackie Schara, Joliet and Fromberg City Court

Lisa Mader, Montana Supreme Court Administrators Office

Claudia Anderson, Montana Supreme Court Administrators Office

**MEMBERS ABSENT:**

Thelma Keys-Nicol, Kalispell Municipal Court

Belinda Schweigert, Gallatin County Justice Court

**PUBLIC COMMENT:**

No public present.

**MINUTES:**

The November 17, 2016 minutes were approved with the correction that Larry not Lisa talked with Jennifer Vietz about the 72 hour no contact order.

The February 15, 2017 minutes were approved with the correction that a motion was made by Tina to put Race on the fields in the Warrant entry page. This was passed unanimously. And that the motion to add a miscellaneous field to the ROA's was actually a motion to add Notes. Linda made a motion to add the collection y/n field to the timepay ledger report, Belinda seconded the motion it was carried.

The April 10-14 minutes were approved. Linda made a motion to approve, Audrey 2<sup>nd</sup> and the motion was carried.

**JUDGE CARVER UPDATES.**

Larry said he was contacted to help with the new ACT forms so that will be happening.

On warrants when they are put in to CJIN, fail to appear warrants are always put in as contempt, there is no contempt unless charged, we need to look at the Warrants and see if there is something we need to do. This will be on the next agenda.

He visited with Michelle Snowberger with MVD and they consider the definition of conviction to be the sentence and the judgment. They just follow what we have on our forms. If the sentencing and conviction date are checked in full court and the disposition date is not, nothing is sent to DOJ.

The Drivers License suspension process is backed up about 120 days, this is a fiscal issue as they have lost staff. 2 people work on suspensions and reinstatements. Larry said the Magistrates may consider filing a complaint and they will let her know what the decision is.

Also it is not as easy as it seems to just add a phone line to MVD for the courts, they have added an email address for the courts and that seems to be working. MVD is also trying to get some of the steps for Licensing automated to take some of the work load, there is an issue with funding and Lisa said she has no extra funding at this time.

There was a lot of discussion of people getting pulled over for being suspended and their license had been sitting in the stack at MVD for a while.

Also discussion on suspending on city ordinances, if the suspension is sent in as a fail to comply they will have to suspend no matter what the charges. The statute for Fail to Comply: 46-18-201.

Tina was concerned that they are getting calls from defendants who have been told to call the courts to get the reinstatement fee rescinded. She asked if that is common practice at MVD. Also the Public Defenders office has been telling people that if they cannot afford an attorney they should not have to pay the reinstatement fee. This is not rescind, it is waiving the fee as rescinding is when the court does something wrong. When it comes down to it, the Judge is the one who makes the final decision on the fee. Tina said she will do some investigation and get counts of people who are calling with this issue. Larry did say that MVD is recording some of the calls into them.

HB-133: They are working on the bond books and penalties. They do not know the statute numbers so they cannot change the tables at this time. The process to change all of the statutes and penalties will take a while, it is not a short process. For now we can manually change the bond book and wait for the statute changes.

FW&P need to make changes to their citations as we cannot suspend the Drivers license for FW&P violations. They just took wording from MHP citations, needs to be re-done. This is on the imported citations.

Larry asked for comments on Greg Mohrs plaque, it was decided to place a quote on it: Make a living by what you get; make a life by what you give. It will also refer to his being a founding member of the Automation Committee. Larry will order the plaque, at least 8 X 10. Will present to Mr. Mohr at the next meeting.

Bernie Cassidy has retired and been replaced by Mary Ann Ries.(sp)

Lisa advised that Justice Wheat is also retiring.

Audrey Barger has been appointed to the Commission on Technology.

Larry advised that all of the 10<sup>th</sup> Judicial District is now e-filing.

**DRIVER IMPROVEMENT FORMS.**

On the suspension form Linda made a motion and Kim 2<sup>nd</sup> it that the upper check boxes for fail to appear or fail to comply do not need to be there, the motion passed. Larry will talk to Michelle Snowberger.

On the probationary license form Audrey made a motion to accept the form as is, Linda 2nd the motion, the motion passed.

**SECURITY:**

Tim Kosenko the IT Security Analyst with the OCA came in and spoke with us about the importance of not clicking on any links and emails that we are not sure who they are from, One Judge did it and compromised his computer and took a week to get back on like. Tim will get something sent out the Judges and Clerks with warnings and will also speak at the Clerks conference and possibly at the Judges conference on the subject.

**CHANGE REQUEST:**

Tina asked that 4 changes be made to the Global ROA code tables, this in for the efiling that is happening, the system does not look at criminal or civil, and as of now the Petition, Waiver, Writiss and Writser are only marked as civil and need to be both civil and criminal. Tina made a motion to allow the ROA codes be both criminal and civil, Audrey 2<sup>nd</sup> the motion, motion was passed.

Larry said there needs to be an ROA code for Subpoenas, Audrey made a motion to have the codes: Subpoena issued and Subpoena returned added. Subiss and Subrt. Linda 2<sup>nd</sup> the motion, motion passed. This will also allow imaging.

Audrey made a motion to add Petition to Revoke to the ROA codes. The code will be PETREV-Petition to revoke. ROA text to be Petition to revoke. Tina seconded the motion, motion passed.

Kim made a motion to have the Criminal Writ served to be changed to Criminal Writ returned. She asked that it be changed on both the Civil and Criminal. Audrey 2<sup>nd</sup> the motion. Motion passed. Kim then amended the motion after some discussion to only change the Criminal writ returned and leave the Civil Writ as is. Audrey again 2<sup>nd</sup> this motion and it was passed.

**LISA CHANGE REQUEST**

Lisa said the budget is tight and she needs to prioritize the changes that are listed. Erni is working with us on JSI-21529 Default fines and fees and JSI-21819 End of period disbursement. These will be fixed at no cost.

After some discussion on the list of changes, Audrey made a motion to approve the first three items, JSI-21543, 16507, and 20620. To hold off on 21541 and re-submit the 21516 to see if a default sort is available and resubmit 21651 to see if we can use the check mark the District Court uses. Linda 2<sup>nd</sup> the motion, motion was passed.

**FLATHEAD COUNTY JUSTICE COURT ENTERPRISE INSTALL UPDATE.**

Kim spoke with us about her experiences with the Enterprise install and the past 2 months working with it. She said she would give the clerks a positive outlook but in real life it has not been fun. If anything could go wrong it did. Kim was real close to pulling the plug on the project but she stood strong. We all heard how user friendly it would be, Kim said you have to touch each piece of information so many times it takes longer to get things complete. Hopefully lots of bugs will be worked through before it is installed further. Kim asked that the commission reconsider the vote to have Enterprise not Auto Seal the deferred dismissed cases. She said it is a problem with the clerks and the time they have to go back and seal the cases. After discussion Kim made a motion to have Enterprise Auto Seal Deferred Dismissed cases. Audrey seconded the motion. Motion was passed.

Kim also said some of the documents in the overdue process do not work. The merge codes are really touchy, things work one day then the next they do not, why?

Tina was wondering what the timeframe for the install people to start talking with her about what is needed, Lisa said 6 weeks before install, she also said the problems Flathead County has will hopefully be fixed before her install.

Larry reminded the committee about professionalism on the list serve, needs to be for everyone.

Lisa presented the FCE Global Changes on the list.

Some conversation on the changes, HB-133 took out all of the jail time on Theft, now if we want to jail someone we have to use the contempt charges, fail to appear is not a contempt charge. Warrants do not say contempt, cannot say contempt unless it is charged.

There are some issues with the warning notices in FCE Overdue, they do not bring in all of the charges, it was decided that the notices can be generic on the charges. The wording was changed to take out the mandatory jail time and the payment of Bond saying no further action is required.

The appearance for Warrants are all different, not sure how that will work, needs to be set, probably 20 days for all. Also there are no ROA showing when a warrant is issued.

Warning notices for the 87 codes need to have the charges also taken out. Also need two notices, one for must appear and one for not appear.

In the Civil Judgment window the money amount of judgment will be added also in favor and against will be added.

The next meeting will be Thursday November 16, 2017 at 8:30.

Audrey made a motion to adjourn, motion 2<sup>nd</sup>, passed. Adjourned 3:50pm.

Respectfully submitted.

Jackie Schara

*Approved  
11/16/17  
QS*