

**COCLJ AUTOMATION ADVISORY COMMITTEE
MEETING – October 23rd, 2009
HELENA, MONTANA**

MEMBERS PRESENT:

Chairperson Judge Larry Carver
Judge Johnny Seiffert
Lisa Mader, Montana Supreme Court Administrator's Office
Karen Nelson, Court Administrator's Office
Judge Gregory P. Mohr
Sharon Skaggs, Yellowstone Co. Justice Court
Jennifer Boschee, Miles City – City Court, President of MJC&MCCA

MEMBERS PRESENT BY VISION NET:

Thelma Keys-Nicol, Kalispell Municipal Court
Judge David Ortley

MEMBERS PRESENT BY PHONE:

Barb Pepos, Richland County Justice Court/Sidney City Court

Meeting was called to Order by Chairperson Judge Larry Carver at 9:00 A.M.

APPROVAL OF AUGUST 20TH, 2009 MINUTES:

Minutes were accepted by vote of the committee.

PUBLIC COMMENT

No one appeared to make public comment at this time.

CARVER UPDATE:

Judge Carver began by updating the committee on the current status of issues that were discussed at the previous meeting. Greg Noose did not have a new DL Suspension form to hand out at the Fall Training in Big Sky. Judge Carver will contact him again on this. There has been no opinion from the Attorney General's office regarding the Public Defender fees as to their distribution order, therefore, Judge Carver will follow-up on this as well. Fish, Wildlife & Parks did develop a new form for the non-pay, non-appear issues and it can be sent to that department electronically from Full Court. No one has done this yet.

Lisa from the Supreme Court stated that all the forms are being sent to the Courts; however, imaging has not been set up yet. Lisa explained the technical aspects of getting imaging out to all the courts. The forms that are being installed in Full Court are: 2 Pyette letters, the TOP and OOP forms, as well as the Fish, Wildlife & Parks suspension form. Lisa inquired if all courts should receive these forms and Judge Seiffert and Judge Carver advised that all courts need access to them. As these forms were approved by the Automation committee and the Commission on Courts of Ltd. Jurisdiction, it was hoped that all courts would use them as the **goal is uniformity**. The Attorney General's office

was also involved in the process of approving these forms. Lisa said they would advise the courts of the “Best Practices” in the usage of the FW&P and TOP and OOP forms. Lisa would send e-mail to both the judge and the clerk in each court. Judge Carver suggested advising all the courts where they can find forms on line. He suggested perhaps a reference page that would advise the courts where to go when they are looking for, as an example, jury instructions. Lisa said the Court Administrator's Office has been working on a web site which would solve this issue.

Lisa said the update was way too big to just push out to the courts. They had to put it on a CD and the CD goes out to each County to share with the District Courts, but City Courts would probably receive their own. There are different training issues for District Courts –vs- Ltd. Jurisdiction courts, which may take 1 ½ months to complete. The latest version of Full Court has all the changes that the committee recommended, except for the “driver license suspension” tab which was discussed at the previous meeting. That change was quoted at a cost by JSI of \$10,000.00; therefore, it was not approved in time for the latest update. Judge Ortleby inquired of how his court was being updated. Lisa said she is monitoring which courts are being updated, to make sure none are missed.

Lisa advised that the update is working well now, with JSI fixing the previous issues. However, one issue in the update may show up depending on how many add-ins the courts have. If a document is opened when Outlook is open, an error pops up, which can be clicked over and everything will be OK. If Outlook is closed, there is no problem. JSI is aware of this, but due to the importance of getting this latest version out, it was decided not to wait for that fix. Judge Carver suggested the courts be made aware of this and Lisa agreed she would send a note out.

Sharon said there were some issues with the image component in that there are some new priorities set up. In other words you need to print first and then e-mail. If you e-mail first, it won't print. Lisa was not aware of this issue, but would do some WebEx with Yellowstone County Justice Court to see what is happening. Imaging is now available to all courts, but there is no budget to deal with the scanning of documents. There needs to be some guidelines before scanning begins in the Ltd. Jurisdiction courts. What the District Courts did is set up a list of ROAs that documents are scanned to. If there was no ROA setup, how would the Ltd. Jurisdiction courts use their scanners? Judge Carver asked if Lisa could demonstrate scanning to the committee so everyone understood it better.

Judge Seiffert said this committee could certainly come up with a set of ROA codes for scanning. Sharon Skaggs noted that she handed out her protocol to members in an earlier meeting. They currently scan all court documents into the case. They have had no problems in finding the documents at a later date with the ROA codes they use, plus if they use a misc. ROA they name the document. Judge Carver asked if the committee could look at the list created by the District Courts for their ROA codes.

Jennifer Boschee advised the committee that the clerk's training went well, although, some clerks have not received the "survey monkey" yet. All clerks at the Fall Conference did provide their e-mail address. It was decided that courts need to keep the Court Administrator's office advised of e-mail addresses. Sharon suggested that when Kelly Pierce signs up a new user on Full Court she could obtain the e-mail address as well. Judge Seiffert advised that on his county e-mail, the survey and even some legislative e-mail was filtered out; therefore, he has e-mail come through his personal account.

KAREN NELSON-UPDATE:

Karen Nelson stated the final updated version of Full Court was being deployed. Marty and the Montana Highway Patrol are working to get the citation import up and running in the Yellowstone County Justice Court. Their target date is October 31st. This will tie in with the presentation that JSI is making later today. The closer the citations are brought in with the money, the better this whole program will work.

Lisa wanted to bring up the fact that when CitePay is being used and a new update is installed, there can be a disconnect. Now, there are only 3 courts to worry about, but later when there are 110 courts using CitePay, this is a consideration.

A survey was sent out to Judges, Clerk of the Supreme Court, clerks in the District Court and Probation offices regarding the work that has been done and what needs to be worked on in the IT strategic plan. Further, the IT Strategic Plan is on the Web Site and it is time to renew it and look up ahead the next 2-3 years in technology. A quick glance over the survey **points to the need for electronic payments as well as electronic filing.** Looking at the previous 2006 strategic plan it was noted that they had accomplished many of their goals. Karen said her staff will review the IT survey on November 5th and they will have a better idea of goals and objectives after that. As a member of that committee, Judge Carver welcomed any ideas that he could take to that meeting from this group.

Lisa is working with Marty on a new Bond Book for the courts. **The Bond Book committee will be meeting on November 19th** and the members are Judge Herman, Judge Stahl and Judge Carver. That committee will need to go over many change requests that have come in since 2006.

In regards to the Fish, Wildlife & Parks issues, Karen noted that they focused on HB 222 and getting the new form up and running. In the future, they are looking at being able to do electronic reporting of the dispositions to Fish, Wildlife & Parks.

ERNIE SEGO – JSI SYSTEMS – CITEPAY:

Three courts currently have CitePay in Montana; Bozeman Municipal, Gallatin County Justice Court and Lewis & Clark Justice Court. CitePay is a program that allows the acceptance of payments over the internet to the court via credit cards. It can be set up to automatically make changes to the case in Full Court, such as post the payment, do the ROA, result a hearing if needed, post disposition and close the case. This works because

CitePay was developed to interact with the Full Court program. The program can be set up so that if all the logic is met, CitePay can do all the work.

Ernie went on to state that nearly 100 courts are using CitePay. They use a “plea and pay” set up, where a full payment is received; the case in Full Court is updated and then closed. There were 3 issues that he wished to discuss.

1. It takes only a few weeks to set up CitePay and make it available to the courts in the State of Montana. Defendants can then log on to the internet, see what they owe and make a payment via a credit card.
2. Judge Drusch of the Gallatin County Justice Court wanted help with processing credit cards at the weigh scales. This is a situation where the scale is located outside the city limits and the trucker wishes to take care of his violation at the scale with a credit card. Currently there is no way to do this. Other weigh stations operated by the Dept. of Transportation were discussed, which included those in Wibaux, Cascade County, Laurel and the Kalispell location. If those scales had a computer set up with access to the internet, truckers could use their credit cards to make a payment to the court. Judge Drusch mentioned to Ernie that they have a credit card machine at the weigh station currently, but all it does is prove that the credit card is valid. In addition, her bank is now charging fees for this convenience. In CitePay, the court receives the entire amount of the fine or fee. There are no credit card charges to the court when using CitePay.

Sharon advised Yellowstone County has the Department of Transportation Officer fill in the credit card name, number and defendant information on a form which is submitted to the Court with the citation. However, they have found that there are errors, as 1 out of 5 is rejected.

Ernie suggested that if the numbers were there, internet access at the weigh stations could resolve this problem. Even though, the citations would not be entered yet, Full Court would receive a flag that a payment was made, showing the party and the citation information, which could easily be matched up once the citation is received in the Court. CitePay would create a party on the court Full Court program, and then the clerk would apply the “unapplied receipt” to the proper charge.

3. E-citations are a huge benefit to the court in eliminating the need for the clerk to enter the information in Full Court. This is a step that could be incorporated into the full picture of electronically entering the citation, receiving payment electronically and electronically posting the disposition and closing the case. Of course, when a citation is not eligible for an electronic payment, none would be allowed and the defendant would be advised that he must appear in court. One thought was to have an internet site such as: www.citepay/montana CitePay takes Visa, MasterCard and Discover credit cards; however, their database does not store these numbers. The credit card companies convert Canadian funds into US funds automatically.

Ernie went through a demonstration of CitePay. The court sets the rules regarding which cases can be paid over CitePay and which ones cannot. Full Court is immediately updated once someone has made a payment on CitePay. If there is any change to the Full Court case, it is immediately upgraded on CitePay. Full Court is a party based system, which also means that CitePay is a party based system. Therefore, a defendant will know everything that he owes to the court. The defendant will also be able to see if he has charges that are not eligible for CitePay.

Judge Carver inquired of the issue of balancing out at the end of the month, as he learned that Lewis & Clark Justice Court makes a memo adjustment when doing the bank reconciliation in Full Court. Mary, a trainer with JSI, pointed out that **each day the court receives a report on any payments that have been made on CitePay.** This shows up on the end of day deposit slip as an **e-payment.** It takes approximately 2-3 days before the dollars are actually in the court's bank account. When CitePay cannot find the citation # in Full Court, a payment is allowed in through the "unapplied account". That way the money is received and will be posted to the proper Citation once it arrives in the Full Court program. The CitePay internet site can be set up to ask the correct questions, which would prevent the wrong court from receiving the payment.

Bill from JSI explained that some courts have their CitePay set up to where if there is no citation in Full Court yet, the defendant can go through a list of offenses where a payment is acceptable. If the defendant picks a violation that is a must appear, then CitePay will not accept his payment over the internet. Ernie said having CitePay ask all the questions that a clerk would ask the defendant alleviates issues of the wrong court being paid, or the wrong charge being picked. Sharon asked if a court can opt out of the unapplied receipt feature, to which Ernie replied yes. Judge Carver suggested that at the site, the verbiage could read, **"I am agreeing that I am posting bond and this will be considered a guilty plea on my record."** Also, add that your court appearance may be required.

Judge Carver asked if it is possible for a court to get a print out of that receipt generated from CitePay, specifically the acknowledgment of rights and the defendant's check of the box allowing this bond to be used for the payment of the fine and fees. Bill from JSI advised that a screen print would be fairly easy to develop. Judge Seiffert inquired about receiving a copy of their charges. Ernie stated that CitePay is capable of capturing all the data in Full Court. Ernie was wondering if the Full Court receipt could capture the wording that the Judges wanted to print out. Judge Seiffert said having the documentation print out would prove that the defendant had his notice. Judge Carver said that the language on CitePay would be uniform throughout the State and could not be edited.

Jennifer asked if CitePay generated a ROA to the case and that ROA could be printed out if the court needed it. Ernie said that whatever the Montana courts needed is what he felt they should develop. If the courts need the language on the screen printed out, then that could be done. Judge Seiffert asked if the defendant could see how much they owe,

if they have a Warrant of Arrest issued and a DL suspension. Bill from JSI stated that the set-up could be done to show this on the screen.

Sharon inquired if the receipt would show the balance on a time payment and the next payment date. Bill stated that Version V can do that, although, he said Enterprise has an installment program set up, where this information could easily go on the receipt. Bill spoke about partial payments, stating that they cannot be made until the pay agreement has been entered in Full Court. The receipt will print the balance owed and next payment date.

Again, Ernie discussed the benefits of having e-citations handled by JSI, receiving the payment at the stop and all that information automatically being entered into the Full Court program. Karen Nelson gave a breakdown of what the Montana Highway Patrol is currently doing. They contracted in June of this year with Montana Interactive to process the credit card payments. All the MHP officers have a laptop and printer in their cars. However, Karen felt that CitePay could still fit into the courts automation plans by being the preferred internet payment site. It was noted that most cities and counties have not began the e-citation process, or the acceptance of credit cards at the traffic stop. Karen believes the functionality of the import module in Full Court will be used to get the Citation into Full Court. Ernie stated that in the Montana courts now using CitePay, approximately 90% of their calls for assistance are due to the citation not being found in the system. The citations can be imported rather quickly and Ernie wanted to keep in mind that Enterprise will handle this process very well.

Karen further stated that they want the import module to accept a PDF version and create an image, so there is a record of the case. Ernie asked how the State of Montana was planning on using the digital image of the citations. That image is stored in a database and could be recreated on demand. Karen stated that the purpose is to create what the Officer handed to the Defendant at the traffic stop. With a PDF version, there is no question as to whether the data was modified. Judge Seiffert explained that Montana law states a citation is a complaint, which must be signed and sworn to by the issuing officer. Ernie said that it can be recreated from a digital core, but he understands Karen's point that 10 years down the line if something was changed, it needs to be created in its original form. Judge Carver stated the courts need to examine that information and find probable cause before it can be filed. Sharon Skaggs stated that her court is not going to print out copies of the citations from Full Court, unless the defendant needs to appear in front of a Judge.

Ernie understood that the Montana Highway Patrol would not be using CitePay, but Judge Carver stated the defendant would have another option, which would be to go on the internet and pay the ticket there. Karen agreed that the Officer could give them the CitePay option, if they did not pay at roadside. Also, the City or County may go a different route when it comes time to take credit cards. Judge Carver said each Judge will have an option to use CitePay, due to the fact there may be other programs already in usage.

Again the issue in Bozeman with the Dept. of Transportation was brought up. Karen Nelson felt they would need to contact the Dept. of Transportation in this regard, as this committee could not make their decisions. Ernie stated that the courts do not pay a fee for this service. With a computer terminal in the courthouse lobby or in a weigh station payments can be made over the internet. With Cite Pay, any payments made before the citations are entered are shown as “unapplied receipts”. Sharon said now with credit cards, the clerk must search in Full Court to find the proper case and then post the payment. Judge Ortley stated that having internet access at the scales, enabling the defendant to pay via credit card in CitePay would be a good tool to offer them. Another point brought out is that trucks do not want to drive downtown to a Courthouse to take care of the violation.

Ernie said there is an option that CitePay can create the case, accept the payment, create an “unapplied receipt” and allow the citation to come in through its normal route and then be entered into Full Court. Ernie is willing to look at either option. Judge Ortley inquired if CitePay could do both and Ernie said yes. Karen said she could see usage of the import module to create a case and if there is no payment, to become eligible for CitePay. Bill said that cases can be created in CitePay, but you do not want the defendant doing that at the scales. You may have an officer creating a case through CitePay and the defendant making his payment on a credit card through CitePay.

Ernie wanted the group to understand that if CitePay is used, it is generating revenue. If the payment comes in through another source, there is no revenue for CitePay. He has quoted in the past a small transaction fee for every transaction that does not come in through CitePay. CitePay and Full Court are created together, to keep everything in sync. In other words, there are no changes made to Full Court without contemplating what changes may need to be done to CitePay. Judge Carver wanted everyone to know that “e-filing” is still down the road right now. Karen said with the New World system, they have been able to import citations right now. She felt they are moving along rather quickly with the pilot program in the Yellowstone County Justice Court and the Montana Highway Patrol.

Lisa said she would have to talk to the IT techs regarding the Yes, accept payments, or No, must appear, as these are currently tied to the statutes. Karen said that all courts are using this, but there are the local ordinances which are also in the database. Ernie said that whenever a state can make things standard, it works well for everyone. CitePay will work the same for everyone in Montana, but the way the court interacts with CitePay could be different. Karen said to have a payment system that works well with the court system is going to be valuable; however, they will not be able to mandate the usage of CitePay.

Bill explained the function of a “fuzzy search”, where the defendant has no idea what court he needs to make a payment to. If they enter the citation # and DOB, Cite Pay will find the court with that information. Bill said they can have the search done in the whole State of Montana. Karen said a benefit of importing citations is that they are entered uniformly and this cuts down on the problem of a match. Judge Carver said there are

some courts that enter the prefix on citations and some courts that do not which stems from how they were trained in the very beginning. Judge Seiffert said they have been working for over 13 years to get uniform citations. Right now in Full Court the length of the field for a citation entry is 10.

Jennifer asked if there is a statewide search, and the defendant owes several courts, would they all show up. Bill said they could enhance CitePay to show this. Bill said it is better to separate payments by court. Sharon thought that if CitePay could show all the court obligations in other courts, it would still be helpful information to the Defendant. Ernie said all the data is in place, it is just a matter of making it happen.

Ernie said that if the committee can come to an agreement that CitePay is going to be in place in all courts throughout the state of Montana, then they have one merchant account, instead of a separate agreement with every court that wants to have CitePay. Also, this may need to be done in phases, due to a Full Court Enterprise system coming in. Kansas is already done with phase 1 and in phase 2 they have made CitePay their only credit card payment provider.

Ernie went through 5 items he felt were needed for an e-filing environment:

1. File portal – create filing and attach documents
2. court clerk review – acceptance and stamped as filed
3. court case management - storage
4. document management - images
5. payment portal – pay filing fee

Enterprise will also bring in the Enterprise service bus component. Therefore, when a payment is received in CitePay, the automated process kicks in and there is a reduction in the clerk's workload. Ernie said there are states that use this system and they have decided to use CitePay exclusively.

Karen Nelson felt her environment would look like this:

1. Electronic filing service supplier – many different filers
2. Electronic filing management system – the clerk review – payment component is part of this and it can be through multiple payment vendors
3. Court case management system – document management system
4. Possible public document management system

She felt Cite Pay could handle the internet payments, filing fees on civil cases and accept payments on the time pay agreements. Ernie asked the committee for the next steps in this project. He offered his resources as long as he gets paid through CitePay, there are no other charges to any court or group. He wanted to know what the committee would recommend as next steps.

Ernie wanted to be consistent in his offer with the State of Montana which is a charge of 5%. This is a percentage point below what they would charge individual courts. Ernie wanted to know if the State of Montana wanted to participate in any fees from their agreement. Karen said the State does not have a special revenue account and the idea of fees coming back to the State would not work out. Ernie said if they were to charge 6% at CitePay, the state could receive a discount of 1% on their maintenance agreement. One state they work with has done this. Karen felt the user fee should be as low as possible, to encourage its use.

Judge Carver asked Ernie if he was considering the 5% fee amount and then giving a percentage of that back for the maintenance agreement. Ernie would like to get 5% for their effort in programming and setup, however, he believes he could make a business model with 4 1/2%. Ernie stated that this might become a combined effort with the Supreme Court and his staff in getting the import of citations in Full Court, which would take care of the problems they have with the citations not being in CitePay. Karen said that right out of the box, the import utility from JSI works, but does not have the image component to it. She said she sees the import of the citation and the internet payment as two sides of a project. They would welcome the help from JSI to import citations and get CitePay. Karen believed they could scale this project statewide and make the transition to Enterprise.

Bill from JSI said that since the plan for Montana is to go to Enterprise, anything new regarding functionality in CitePay now would need to be done in a manner to make the transfer of data go smoothly. In Enterprise and Citepay the preferred data transmission system is XML, and the standard for the transmission of court data. CitePay court service itself is independent of the different versions of Full Court. Ernie added that it is a quick project to move from CitePay in Full Court to CitePay in Enterprise. Therefore, in that respect there is no reason to delay CitePay until Enterprise is implemented.

Judge Seiffert asked Ernie what kind of a commitment the committee needed to make at this time. Ernie said there should be a simple 2 page agreement between the Supreme Court and CitePay that says any courts in the State of Montana can use CitePay. Once that is in place, everyone will work together to make this the preferred on-line payment provider. Judge Seiffert said that this agreement would not say that CitePay is exclusive. Ernie would like to have an exclusive to the on-line payments. Karen said that if she signs an agreement with JSI, this does not bind an agreement with all the courts in Montana. Karen said that she would like an addendum to the current contract to give options to the courts to use CitePay.

Judge Carver would like CitePay to be installed and the courts can turn it on or not. Right now, CitePay is in Full Court, but it is not turned on. Judge Carver wanted to know how long 5% would be the fee. Ernie said it is to CitePay's benefit to have the court use this and it would remain 5%, unless the parties mutually agree to change it. Ernie said there is no other cost involved. If Ernie does a court separately, there is a \$200 setup fee, as well as a \$50.00 fee if they have not done 20 transactions in a month. He

said it would save the State money, because there would not be a setup charge, and statewide he was confident there would be at least 20 transactions a month.

Ernie said that JSI would support the setup of the courts, however, he knows that they would not need their help with every court. He said there needs to be a high level connection and then set the drive to run to identify the cases that are eligible for CitePay. Lisa stated that they need to talk about standardized statutes. Ernie said to get going he will need an agreement and a merchant account. The merchant account will appear on the credit card holder's statement, so he can remember what he paid.

Ernie said then they need to sit down with a pilot court or the committee and make the "tweaks" that need to be made to Full Court and the Montana version of CitePay. Bill and Mary would do this and it would be good to come up with an answer to the question Judge Drusch has with the DOT. There would be a Phase I and then a Phase II. Once that is done, then JSI goes to work making the program for Montana, goes to pilot and tests it. Full Court has already been working for the State of Montana and Bill said that the statute setup is 90% of the job. They already have the export program which would only allow citations available for payment on CitePay. Ernie said that the public needs to know they have this option. Court clerks and police officers can advise defendants of the option to use CitePay. This information needs to be posted on the state web site, as well as each city and county web site. There is some training involved, especially the end of day and end of month balancing. Mary showed the committee how the deposit looks with an e-payment and that line item is on the new Version V.

Thelma wanted to know if Full Court updates immediately following the payment on CitePay and yes it does. The actual deposit into the bank account, however, would take the 2-3 days. Thelma inquired how you would balance out with the bank statement. Mary gave a demonstration of how the bank statement is reconciled. E-payments are processed and as far as what the bank shows, there would be an outstanding deposit, which would show up on the next month's deposit, similar to how checks are reconciled now. Whenever CitePay makes an ACH deposit into the court's bank account, a report is sent to the court. Sharon commented that this system is working better than what they are doing in their court right now. Training could be done on WebEx.

Judge Carver asked what the time line would be from agreement to pilot Court. Ernie said 2 months, but the 2 months including Thanksgiving and Christmas would make it 3 months. Bill said the amount of customization that needs to be done would make a difference as well. Ernie said he did include customization time. Mary said there is a form that needs to be filled out by each court and in addition, they must send back a form authorizing CitePay to make deposits into the court bank account, showing the routing number and bank account number.

In a question regarding the acceptance of a bond payment, Mary said the money goes to an "unapplied receipt". Once the case has a disposition with fines and fees entered, then the unapplied receipt can be applied to the case. Ernie said that Phase I is

normally getting the on-line payment feature up and running and then Phase II might be getting a setup where the credit card can be swiped at the court counter. There is a touch screen terminal already working with CitePay which allows the defendant to make the payment at the terminal. Judge Mohr pointed out that if in the future a credit card can be used to post bond on someone in jail, they would need to see the language advising them they are not getting their fee back.

Judge Carver said that in many situations the defendant is posting bond and a notice would be there to advise them of the transaction fee. Judge Mohr said when a ticket comes in with money on it, it is a bond until the appearance date has come up, then the court uses that bond for the fine and fees. Judge Seiffert said that the only payment a court gets is when a sentence has already been handed down and there are fines and fees. Ernie said that a Judge can make any charge ineligible for e-payments. Judge Carver wanted to know if they could add a box, which when checked would enter the fine and fee from the statute table, so the payment could be made. Mary said that the Bozeman Municipal Court and Gallatin County Justice Court have gone to this method, which has a finding of forfeited. Bill said that right now Cite Pay does not record a bond record in Full Court and if needed, that would be a customization to add on.

Judge Ortley thanked JSI for the presentation given to the judges and clerks in Phoenix. Ernie said that the program is everything they were shown. He said that some courts using Cite Pay have actually noticed about a 35% drop in the people coming to their counter to take care of traffic violations. Ernie said that 2/3 of the defendants who go on line and find their case, pay it. About 1/3 of the people checking on-line decide not to pay it at that time. Ernie and his crew left the meeting at this point.

Karen was asked in regards to the agreement, what channels need to be gone through, since the program was already there and did not need to be purchased. Karen said she wasn't prepared to deal with an agreement to use CitePay solely as their on-line provider and the issue of revenue coming back to the State. Karen said her idea is to extend the JSI agreement to include CitePay as an option for the courts in Montana. Judge Carver asked the committee if they wanted to make a recommendation to include CitePay in the JSI agreement. Sharon Skaggs said that her current credit card procedure is more work than the one that was presented here today.

Judge Seiffert made a motion that the committee recommends we go with CitePay as Montana's preferred on-line payment provider. Judge Ortley seconded. Judge Mohr said that they make a motion that the Supreme Court enter into negotiations for an agreement with JSI, by adding an addendum. Therefore, Judge Seiffert accepted the rewording of his motion.

The Motion would be to make a recommendation to the Supreme Court to pursue a contract addendum with JSI to add CitePay as an option for the courts. Judge Ortley again seconded that motion. The committee voted after some discussion and the motion passed unanimously.

Judge Carver recommended we get going on this as soon as possible and also that the courts represented in this committee be pilot courts. Karen said that users need to sit down and make the customization for Montana. Karen said that JSI personnel would be with the Supreme Court in Helena the week of November 9th. The Bond Book meeting is scheduled for November 19th. Judge Carver suggested meeting with JSI during the week of November 9th. Lisa said developing the language for Montana courts is one thing, but it is important to discuss specifications and statute table standards. In the statute table right now, you can change bond amount and the appearance, YES or NO. Lisa said there are 4 or 5 other tables that need to be standardized for CitePay. Judge Seiffert said there are some courts that require an appearance on certain statutes that other courts may not require an appearance on. Lisa said the YES or NO aren't the settings she is worried about, but it is the other ones involved.

Judge Carver said there will be 3 issues to discuss at the next Automation Committee Meeting:

1. Imaging
2. E-filing rules
3. CitePay

Judge Carver scheduled the next meeting for **Friday, November 13th at 9:00 A.M.**

Karen wanted the committee to focus on the CitePay analysis, so that the customizations could be identified. Judge Carver said that imaging and e-filing rules would be marked with a ? mark.

Judge Ortley asked the committee as judges and members if they had any obligation, ethical or otherwise, to have some sort of an advisement or notice that by using credit cards some defendants could be aggravating their financial circumstances. Judge Ortley was speaking about young people getting credit cards that they cannot afford, nor should they use. Judge Carver felt this was something that we could think about. Judge Ortley said that 65% of their civil cases are on credit arrangements. He felt that it would be better to deal with it upfront, rather than on the civil end.

Karen said they still have problems with some courts calling the Supreme Court to assist with their financials and they are hoping to resolve this with some sort of an agreement. Karen also inquired if "nolo contendere" should be reported to Motor Vehicle records. Judge Seiffert said that it is a plea and it has the same effect as a "guilty" plea. Judge Mohr said they can only plead "nolo contendere" by agreement with the prosecutor and this allows the court to accept the plea. The statute is 46-17-203 MCA. Lisa said that the definition of a conviction is under 61-5-213 MCA. Judge Mohr said that once it is accepted by the court it is a plea. Karen agreed the problem would be taken care of by listing it as both a plea and finding.

MEETING ADJOURNED.

Minutes submitted by Barb Pecos, member.

