

COLJ AUTOMATION & ACCOUNTING ADVISORY COMMITTEE MEETING.

November 16, 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

Thelma Keys-Nicol, Kalispell Municipal Court

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

Kim Dumon, Flathead County Justice Court

Jackie Schara, Joliet and Fromberg City Court

Lisa Mader, Montana Supreme Court Administrators Office

Claudia Anderson, Montana Supreme Court Administrators Office

MEMBERS ABSENT:

Belinda Schweigert, Gallatin County Justice Court

MINUTES:

Judge Cantin made a motion to accept the minutes as presented from the August 25, 2017 meeting, Thelma seconded the motion, it was passed unanimously.

Judge Carver presented a plaque to out going Judge Greg Mohr to thank him for his membership of many years on the Automation Committee, Judge Mohr was one of the first members of the committee and has helped with many projects through the years. He will be missed.

PUBLIC COMMENT:

None.

JUDGE CARVER UPDATE:

Larry advised that he, Judge Barger and members of the Commission on Technology met, there are two people retiring, replacements have been appointed. Justice Wheat and Chris Mannos are the members leaving the committee. There will be a review of the public access rules done, Sarah McClain with the State Law Library has volunteered to review and update the rules, then they will be sent to the committee for review and update proposals. Efilng requires that the rules be in place. Judge Carver went to Fergus County District Court public access terminal and found he could get into any case unless it was sealed. Judge Barger said she had gone through hers and made sure nothing was given out unless it was ok.

With the security breaches happening the state has come up with a security fob that will change access codes often, the fob has been financed through the state for State employees but not for County, City or municipal, It is highly recommended that each court purchase the fobs for their employees, the cost is approximately \$60.00 each but well worth the extra security it provides. They suggest waiting a couple of months before purchasing so any bugs can be worked out of the fobs.

Larry advised the budget cuts this year are horrible.

LISA UPDATE:

Lisa also spoke about security, she is not sure when but there will be a blanket approval on the Enterprise security policy. Procedures are in place, there will be screen time outs, security training through videos, questions asked then annual training after.

The Enterprise testing for District Courts it is not functioning properly, Beth had a meeting with Erni Segó asking when things would be ready. Lisa said JSI had a full system failure last week and a new fix was coming.

Kim with Flathead County has been having weekly if not more meetings with JSI on problems, they are working on them. Kim is still not balanced and that is also being worked on.

December is the set date for testing for Flathead County District Court, user acceptance roles are being worked on, Peg has said if it is not working right she will not accept the program.

The grant has been extended and there will be no more payments to JSI until it is fixed.

Eric Hummel with Flathead County Justice Court and several others have said Kim is doing a great job with what she has and commended her and the staff working with Enterprise.

Questions about going with other vendors came up, we have invested in Enterprise, it would take a lot to go with someone else.

Efiling has been installed in the 4th Judicial District and the 10th Judicial District, Fergus and Judith Basin Counties.

There are some concerns with the efilng process, some people love it, some don't, the OCA is trying to do training to get the users adjusted to the program.

Larry was concerned that he was hearing he designed the program, he did not, he was instrumental in writing the rules and being part of the vendor choice but he did not design the program.

Tina said her clerks love it and if a filing is rejected they contact the sender to let them know why and get it fixed and resend the filing.

Larry said there is not a committee to address the problems and make changes to the efilng process, Lisa said Beth agreed to the creation of such a committee when the Pilot courts are up and running.

Larry said training has been pretty easy for the courts but the prosecutors need some training, problem is the clerks leave after the training because of low wages and other issues and the training has to start over again. The rules for the efilng need to be sent to all courts. Larry said the judges queue is different from the clerks, you can adjust the name of a document in the queue on the judge page.

Larry had been contacted by David Carter in Yellowstone County who asked that clerks be trained quarterly, not happening, Judge Carter is not happy about that.

There are 6 new judges so far, recertification school in in December 2018.

CLAUDIA UPDATE:

The bond books are being worked on, lots of changes had to be made due to HB 133, the draft copy has been sent to the agencies then back to the Supreme Court and hope to have completed by January 2018.

Claudia also said the new DCD Drivers License suspension and reinstatement are out and the new ROA is available.

Claudia said the new ROA's are out there, they are: PETREV-Petition to revoke; SUBISS-Subpoena issued; SUBRET-Subpoena returned; WRITRET-Writ returned.

Claudia said she has been working with Kim a lot on Enterprise. They did make a change request on the Surety Bond Document, made the change as it was holding Kim up. They took the bond number out to fix the problem.

Lisa said the MVD exchange is working well. A funding change request has been sent to JSI to see what it will cost to change the 16 passenger vehicle and the subsequent offender indicator and the probationary license modification request.

Larry said as of now the convictions from District Court are not being sent to the MVD, they go to DOJ and nowhere else, therefore there is not an accurate violation count on some peoples driver's record.

Tina asked if there was the ability to put in more than one MANS number, advised no. Lisa said the charge tracking relates to the MANS number.

FULL COURT ENTERPRISE UPDATE:

Lisa went through the Civil Action tables to see what the fee was and which action had a fee:

Answer-Per filer \$30.00; Appeal to District Court-per filer-inactivated; Civil complaint-per filing-\$50.00; Confession judgment-per filer-\$20.00; Judgment fee-Final-\$20.00; Motion to dismiss-motion-no fee; Small Claims appearance-per filer-\$20.00; Small claims complaint-per filing-\$30.00; Summary judgment-\$20.00.

Fee of \$20.00 on all judgment entries except default. Judgments are done through the finding window, not the filing action type. Money is on final judgment, all others are on dispositions.

Kim is really concerned that if changes are made to the settings, something else will break. Kim said if the civil stuff is not broken, don't fix it, the most pressing for her is the criminal problems. She is concerned with the changes efilng will bring.

Lisa said at the next meeting she would like to go through the application events and see that they are consistent.

BENCH WARRANT/DL SUSPENSION

After some discussion, Judge Barger made a motion to remove ROA app event from the bench warrants and the DL Suspensions and keep the manual ROA on the bottom to clean up the overdue process. Judge Cantin 2nd the motion, approved.

COUNTY ATTORNEY ROLE

Kim said her County Attorney wants to be able to print some of the documents, now he has read only access and the calendar is not printable. Lisa will be looking at what is available to the other entities in the future, it needs to be a court by court process. Lisa said she will send out info by next meeting to go over.

Larry asked that it be put off till next meeting to see a list of the documents the CA wants to see. He is concerned to be telling courts what they have to give out as public record until each court gets the updated public access rules.

PAYMENT PLAN vs PAYMENT ARRANGEMENT

Lisa asked if the right decision had been made on the payment agreement. Kim said no it had not. She said they had chosen to use the payment plan and not the payment agreement and the amortization schedule is a nightmare to make changes to. It is hard to adjust anything, they have found a workaround by always putting \$5.00 in the pay agreement then they can adjust it. It is a problem for the court. You have to change the date out 30 days in 2 places. If you want to add an agreement and there is already a plan you have to delete the plan. Kim said the best to use is the extension date. If the date is changed overdue will not look at it.

To change the money extension date on the front screen and have that change the amortization schedule that would be perfect. They need to see what dates overdue looks at before changes are made.

FAIL TO PAY VICTIM

Overdue does not look at money owed when it is for restitution and fail to pay the victim, this is not set up in Kims court. Needs to be looked at.

FULL COURT ENTERPRISE PROS/CONS.

Kim gave high praise to Claudia for all of her help with Enterprise. Kim said this has been a hard process to work through. She has been working some weekends to get the other part of her job done. She said some things are getting fixed, she has not balanced since May and the month end process is a struggle.

Kim still does not trust the system, it is getting better the longer they use it, but she wants it to work, some of the fields are unstable, you have to click more places more times, she is possibly going to ask for another employee just because of FCE. Everything takes more. She asked if she could be the last install for efilng as she did not want to have anything else on her staff now.

Kim asked the clerks to send their list of pros and cons:

Pros:

Imports, MVD Error, Judge Notes;

Batch hearing schedule, Batch summons and complaints, Imports, Judge notes;

Imports, Batch Hearing schedule, Batch Filing of complaints, Next available button for hearings, bread crumb trail.

Cons:

Overdue, do not trust program, change printer option every time new window opens, calendars, background check for civil, sealing cases, seals does not close;

Fix 1 thing, 4 break, can't trust system, collections, 12 extra steps when disposing a case;

Calendars, more difficult to navigate, can't trust the system, Overdue, Something always breaking, missing reports.

The cons seemed to out number the pros.

Lisa advised they are working on the issues and want to help Kim as much as possible.

Tina is concerned with her setup not having time to do what is needed to be ready for the conversion.

Larry said in order to keep the funds there has to be 4 courts installed by June, 2018.

Lisa said they are still working on the financial part of the program, if not working will not go ahead with install.

Tina is concerned with training issues with such a big staff. Very concerned.

Peg has been watching Kim's court very closely to see what is going on before she is installed. Lisa said it is not perfect, will get better, Kim said they are learning how to use it everyday.

Larry talked about the differences from District Court to Justice Court efling, asked that the codes be the same, Lisa said when she gets the docs she will talk with Lois, the program needs to be working state wide. Larry asked that the tables be consistent then the filer can know where to look in each court.

Judge Barger said the following is not needed in the efling in Justice Court-Motions and Affidavits for relief to file information, DOC report, Pre Sentence Investigation.

Notices are all statutory, standardized for all.

Tina said the clerks want a spring training, Claudia and Lisa both said it would be tough with the FCE implementation, will keep in touch.

Next meeting to be January 25, 2018 at 8:30.

Meeting adjourned.

Respectfully submitted:


Jackie Schara

Approved Jan 25, 18