

**COCLJ AUTOMATION AND ACCOUNTING ADVISORY COMMITTEE
MEETING – DECEMBER 15TH, 2011
HELENA, MONTANA**

MEMBERS PRESENT:

Chairperson Judge Larry Carver	Judge Gregory P. Mohr
Judge Linda Budeski	Judge Audrey Barger
Lisa Mader, Montana Supreme Court Administrator's Office	
Claudia Anderson, Supreme Court Administrator's Office	
Sharon Skaggs, Yellowstone County Justice Court	
Thelma Keys-Nicol, Kalispell Municipal Court	
Jennifer Boschee, President of the MJC&MCCA	

MEMBERS IN ATTENDANCE BY PHONE:

Barbara Pepos, Richland Co. Justice Court/Sidney City Court

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

APPROVAL OF OCTOBER 20TH, 2011 MINUTES:

Judge Carver wanted a correction to the minutes on page 1, as the name is Jim Kropp with Fish, Wildlife and Parks. Judge Barger noted on page 20, 2nd paragraph, it should be Major Butler, not Judge Butler. These corrections would be made. Judge Mohr made motion minutes should be approved, second by Judge Budeski. Committee approved minutes as corrected.

PUBLIC COMMENT

No one appeared to make public comment at this time.

LARRY CARVER – UPDATE:

Judge Carver noted that Sheri Bishop now works for the Court Administrator's Office and she will be in Helena at 11:30 AM today. The committee is presenting her with a plaque for her dedication and hard work. Judge Carver wanted to address the question of her replacement and noted the committee as it stands now has the same number of members as when originally formed. The members were increased by one when Barb was no longer President of the MJC&MCCA, but the committee voted to keep her on. Right now the committee is made up of 4 clerks and 4 judges. Usually committees have an odd number of members because if there is a tie, then the President of the committee votes to break the tie. This committee and the court administrator's office make the recommendation to the Commission on Courts of Ltd. Jurisdiction when appointing a new member. Judge Carver said members should try to get to the meetings when possible, use and are willing to learn all facets of Full Court and take into consideration the statewide needs when making decisions about Full Court.

Each committee member was asked their opinion regarding this issue. Sharon asked Claudia and Lisa if the committee is missing a component or are the courts well represented as it is now. Ravalli County and Missoula were mentioned as they are a

single database with 2 judges and even installing CitePay is challenging in their courts. Anaconda is a combined justice and city court and they have run into an issue with CitePay as well. Judge Barger said it is important to have a good representation geographically.

Judge Mohr made a motion they actively seek a new clerk member who is qualified, forward thinking and able to come to the meetings. This was seconded by Judge Budeski. During discussion, it was decided the committee could come up with 3 or 4 names as possible candidates. The committee voted and approved this motion. Next meeting agenda will include nominees.

Judge Carver handed out the Discussion Draft Electronic Filing System for Montana Courts. This draft is on the agenda for discussion at the State IT committee meeting. Lisa started by saying there is a \$243,000 grant available for the first component which is the prosecutor e-filing. This would be government to government e-filing to begin with. Full Court is considered a case management system and the e-filer will provide another piece of the component, which is referred to on Page 7. The Request for Proposal is to provide an electronic filing provider and an electronic filing manager. This will allow an attorney to access documents and file documents into Full Court. The RFP committee's job is to find a software provider, analyze and accept bids. Both Judge Carver and Sharon Skaggs are on that committee. The document handed out is being sent to the Commission on Technology for approval.

On page 10, the document sets out the 3 phases for the program. Lisa explained phase 1 deals with the customization necessary for the electronic filing system to support the current filings in the Courts of Ltd. Jurisdiction, the District Courts and the Montana Supreme Court. Phase 2 is the pilot of the electronic filing system which will be installed in 2 courts of Ltd. Jurisdiction, District Courts and the Montana Supreme Court. Judge Carver brought up at the previous meeting that Phase 2 is worded differently than what he understood as pilot in 2 Courts of Ltd. Jurisdiction, 2 District Courts and the Montana Supreme Court. At the meeting tomorrow, Judge Carver will reiterate that phase 2 should be clarified to state 2 District Courts and not leave it open to all District Courts.

Phase 3: Pilot of the civil case electronic filing application states this will be done in 1 District Court and the Montana Supreme Court. Karen Nelson who worked on this document did not take into consideration that Ltd. Jurisdiction courts receive many civil filings from Attorneys. Judge Carver left the last meeting with intent to change this to add 1 Court of Ltd. Jurisdiction as well. Lisa has forwarded these requests to Karen Nelson. Sharon said her court this year is up to 6500 civil cases. 90% are filed by attorneys. In one month they had 2000 cases filed which were initiated following a class action lawsuit. Judge Carver stated when he was in Gallatin County he noted they had 43 civil filings and the fees were all included in one check.

Lisa brought to the committee's attention there is an error on page 5 which states there are approximately 169,000 e-citations filed, because in that amount was included the Billings and Great Falls Municipal courts. Adding up the e-filings from Smart Cop the

number is actually closer to 72,000 in the Justice Courts. Sharon and Judge Carver spent many, many hours reading the material regarding e-filings. Lisa and Rex are a part of the RFP review. Judge Carver said it has been his experience once adopted by the Commission on Technology the document is always the guideline should they need to come back to it.

Lisa said after the Commission on Technology approves this document, Karen Nelson will write the full detailed RFP with all of the specifications, requirements and mandates. That document must be approved by State Procurement first and then it is let out for vendor bidding. The amount of time it is let out to bids will be determined by the COT. Lisa said they are required to have this project in the process by September. The RFP will be on the state web site for vendors to read. Karen expects there will be at least 12 bidders, but the successful bidder must be able to accomplish this project within the budget.

Phase 2 is the e-filing with the County or City Attorneys. Sharon's court gets about 750 of these filings a year, with Judge Carver advising in his Court it would be about 20 cases. Judge Mohr advised there is an increase in the volume in Richland County as well. Judge Mohr inquired if JSI will get an opportunity to bid on this project and Lisa said yes they will.

Katy Brandis Request:

Judge Carver initially denied this request, but he feels the committee needs to discuss this and set a policy. Katy is asking for another Judge to have remote access to her computer. The reason he denied this request is the only people allowed access are the court staff, the Court Administrator's personnel and JSI. Citrix is a central database with many users hooked up to it. All you have to do to obtain access to someone else's computer is use that person's password. Enterprise will work the same way because it is web based.

As background on the request, Katy Brandis resides in Bozeman, but her court is in West Yellowstone. She is not there a lot of the time, but a clerk is stationed there. To quote her e-mail to Judge Carver:

"It turns out in my Court the Full Court records are completely wrong. It boils down to a personnel issue and the town's lack of support for my push for drastic measures. Also, I discovered the town has not paid any fees since the new City Clerk was hired which was back in 2007. Therefore, the town is facing a big expense to catch up on this amount owing. I do not have access to writing checks, so I had no idea these were not being paid. To resolve these problems I have been working late into the night starting in 2007 to verify each and every file, journal receipt and Full Court entry. This job is possible as the court averages 350 cases a year. The journal sheets are OK, but Full Court is a disaster. I do not see any fraud or theft, but lack of computer skills. I have been told by IT it is impossible to wipe everything off and start over, even though; nothing has ever been receipted into Full Court. So, Michelle Snowberger has been working through the night with me and we are 100% committed to fixing these data errors. An accountant could not understand the case file because the case files are disorganized and they are

stapled in numerous random locations. My request is to allow Michelle Snowberger access to my program on her laptop. This would streamline the process. The program can be removed once we have completed the fix. Right now, one of us is doing the paperwork while the other is doing data entry. This creates an inefficient bottleneck. I do not think the request will hurt anyone. If you say no, we will finish this job, just slower than I hoped. I am bringing this issue to you as committee chair and give you a heads up and answer any questions."

Judge Carver did discuss this with Court Administrator staff and it would create a problem if we open this up here, then we have to open it up for everyone. Judge Carver would like it entered into the minutes as far as what the Automation Policy is. Lisa said at issue is why the City of West Yellowstone has not noticed this since 2007. She also sees it as a liability issue for those two judges. It has been their division's common practice since 2001 to not allow anyone outside of your Court access to your database. If their database was not on Citrix, this would be a moot point as it cannot be done. What they are doing right now is sharing one ID and password to get on to Citrix and get into Full Court and do this work. Claudia does not have full confidence in what is being entered into Full Court will give them the results they are looking for.

They had 2 days of discussion with them and the very next day Cindy called to report Joyce could not do her end of day report due to the entries Judge Brandis had entered. Cindy's recommendation was to take that money and lock it up safely. Then call your Judge and ask her how she wants you to proceed. Claudia stated the letter is not entirely accurate because there has been money entered into Full Court.

Jennifer has discussed this with Joyce and she gathered due to the nature of her office in West Yellowstone, she does all the bookwork by hand and then later on enters it on Full Court. Also, she is not always sure which Judge is doing what. Joyce will call Judge Brandis to figure things out, but because Judge Snowberger actually did the entries, Judge Brandis cannot answer Joyce's question. Lisa fully understands her division cannot stop someone from getting into another database, but she wants them to understand this is outside the scope of support the Court Administrator's office provides. One of the problems Claudia mentioned is entering all this information from 2007, but the money has been turned over to the City, which makes it virtually impossible to reconcile.

Judge Carver asked the committee members how they wanted to address this issue. Judge Barger recommended they make a policy. Lisa commented it would have to be an access policy. Judge Carver said if they make a policy, then they may also need a remedy. Sharon inquired if there is a state policy regarding access to the state computers. Lisa said the State of Montana has security requirements. Sharon commented the committee could adopt a policy that is in line with the state requirements. As a remedy, Sharon suggested if a court cannot follow the policies and Best Practices set out there for Full Court, then access to the Full Court program should be denied. Lisa said that would create the problem of a Judge saying they cannot get their work done. Judge Carver wondered if the state policy should be e-mailed out to the committee members and put

this issue on the next meeting agenda, after everyone has reviewed it. The committee members agreed access should be denied in the recent request from Judge Brandis.

Judge Barger made a motion that remote access is denied and the only ones allowed access to the databases are personnel from the Court Administrator's office and JSI. In addition, this committee will research the state access policy and develop an access policy for Full Court users. Jennifer seconded that Motion. Committee voted and unanimously passed the motion.

Therefore, Judge Carver will reply to the request by stating the committee unanimously agreed remote access will not be allowed to anyone outside of personnel from the Court Administrator's office and JSI, primarily due to liability issues. The committee and the Court Administrator's office are working on a statewide access policy.

Judge Carver said the members will receive an e-mail of the State's access policy, in order for it to be discussed at the next meeting.

LISA MADER – UPDATE:

Lisa said the 2 business analyst positions have been filled, one by Sheri Bishop and they are happy she is aboard and the other by Michael Rushetti, who was a CJIN trainer. The two developer positions are still open and it has been hard to find qualified applicants. In 2 months she has only received 12 applications and interviews from these applicants will be conducted on December 29th. If no one is hired from this pool, the job may be rewritten from software developer to system engineer in the hope of raising the pay grade.

High level focus has been on hiring the system developers and working through the legislative budget proposal process. They are working on the District Court case cleanup for court performance and on Tuesday they are doing a demonstration to the Drug Court coordinator of the Full Court diversion module, both in V5 and in Enterprise. As Judge Carver mentioned they have been working with the e-filing group on that project. Soon they will be putting together the end of the year stats for Beth and the District Court counsel. She and Marty, who is working as a temp, are working in Missoula County with the District Court conversion, because they are on the old JCMS system. The Gallatin County desk calendar project is moving along which Marty had started and Judge Holly Brown has been happy with the results so far.

Lisa said approximately 72,000 citations have gone through their department, onto the Courts for the Citation Import project. This is from January 2010 when the Yellowstone County Justice Court implemented the Smart Cop import program. The latest version of Smart Cop has been put on hold due to the lack of resources in the Court Administrator's office. The Smart Cop people are talking to her about Fish, Wildlife & Parks and Motor Carrier Services coming on board, with Fish, Wildlife & Parks first. They are currently in the development phase with CTS on the forms. This will take development on the Court Administrator's end, plus they will have to test it extensively. They did receive a new release of Full Court which has some new citation import processes; however, Lisa

has not yet found the time to work with it. The DOJ and FW&P could not give her a time frame on their end. CitePay is now at 54 installs. The new Full Court release came in October; however, it has been changed 4 times now due to major breaks. They are pushing to get a good quality release and get it out to the courts. She reiterated that pushing out a new Release is compounded even more with CitePay. No implementation plan can take place until they receive the quality release.

Lisa and Beth will get together with Ernie and his staff regarding Enterprise and the infrastructure needed. She is hoping by March to have a better idea what is needed to make it work. Decisions to be made are do they have one server, which could present a problem if it goes down, because the entire state would go down. Another possibility is to use 2 servers with one in Miles City, because of the Miles City state server.

Lisa said the List Serv has been up and running since November 17th and she has seen a nice comment from Judge Kluth. Lisa wanted to give everyone a quick update on Adobe. The State was contacted by Adobe about fillable PDF forms and was informed they were not in compliance with their licensing. There are 120 forms which are fillable extended forms and would cost the state an exorbitant amount to license for that usage. The State is trying to work with Adobe on this. The DOJ has gone into their 120 forms and changed them so they cannot be saved. By doing this, they are now back in compliance with the licensing. On their web site are instructions if someone wants to save the document to use a free product to do so. The DOJ will scan across the state web site and then Lisa will know how many fillable PDF forms they have. She believes they have around 29 forms. Any future decisions on this issue will be run through Beth and Lisa will keep the committee updated.

OCA – Information Technology Division

Judge Carver is on the State Information Technology Division Committee, which is chaired by Justice Nelson. The other Judge on the committee is Judge Orzech. Senator Shockley, Judge Hegel, Clerk of District Court Peg Allison, Jim Powell, Law Library and Ed Smith. This committee will be updating their technology plan in 2012. Lisa put together a chart in part to point out all the IT services provided.

Judge Carver put on the Agenda Accomplishments-Goals-Objectives-Priorities-Realities due to the number of requests he gets from various Courts around the State. There is also a District Court Automation Committee that Lisa and her staff deal with. Kevin Cook provides the support for C-track which is the Supreme Court program. Lisa said they have a staff of 15 FTE. Lisa explained under the Court Administrators Office there are 4 divisions, of which Court services have 4 divisions. There are also 4 divisions under the IT division. Lisa wanted to impress upon the group while they know there are the business units up above, there are business needs within their own division they want to accomplish. If they could meet those projects and goals they can be more efficient to the courts they serve.

Under the District Courts there are Juvenile Probation Offices and Drug Courts listed, as well as Drug Courts listed under the Courts of Ltd. Jurisdiction. There are other

community interests that are constantly asking for something, as in Smart Cop, Roadside Payments, data exchange for the Dept. of Revenue on Probate, marriage licenses and debt records. Under the State Information Technology Division are mandates, such as push out security requirements and network requirements allowing networks to be monitored. These mandates take time from their network and technical department, which has been down in staffing.

Lisa right now as the IT Director needs to prioritize for the Branch and has not figured out the best way to do this. Currently, they are trying to get through the projects that come up each and every day. The main objectives that came out of this committee were in the May minutes listed as: Highway Patrol, Cite Pay and repository issues. Lisa asked to defer some projects and the committee agreed upon these: MHP change to include VIN number, Roadside payments, new Overdue Installs and ROA codes and events standardization.

Under accomplishments Lisa listed Day to Day operations, on a 33% staff deficit. Lisa listed out the current projects and outstanding projects. She decided these projects needed to be identified further. In other words, were they part of the strategic plan, day to day operation, or drive-by projects? Full Court Release testing and deployment require large resources. *A drive-by project is defined as an ad-hoc task or initiative which gets dropped in your lap at random intervals every day. These are time users, resource users, distract the project team and have the potential to push active projects behind schedule. They are often an emergency project and not a strategic initiative.*

To put in current times, it is the Kalispell Municipal project or the Billings Municipal project, which is an emergency for these courts, but not part of the strategic plan. Lisa listed the Outstanding Projects/Day to Day Operations and she categorized these as well. Below that is Technical Accomplishments and Outstanding which mainly hits the technical group. Tammy provided Lisa with a list of outstanding technical tasks. These include computer replacements or equipment which is not working properly.

Earlier during the week, Lisa said they had a District Court automation committee meeting. They added to the business analysts list of tasks by an addition of hearing types, an addition of ROAs and a change to a jury questionnaire. They have to touch every one of those databases until a new developer is hired and up to speed.

Lisa said the prioritizing needs to be done, because it is very hard to say no. Judge Carver added they are getting pressure from the MHP for roadside payments. This is a very intensive project. Fergus County and Culbertson courts are in buildings where there is no state connection, they use local ISP connections. Therefore, they do not meet the security criteria. Lisa said they may have a solution, but there is no one available to work on these projects at this time. Lisa said Beth will be going to the Legislature with a staffing package, which includes 7 more positions.

Lisa attended a Court Technology conference and at the end was visiting with an IT director from North Dakota. They had just completed a statewide e-filing project and

what Lisa got out of the conversation was while e-filing, data sharing and highway patrol imports help the courts, it creates more work from the IT staff. One of the strategic objectives is to secure the proper amount of IT resources to meet the business demand. She believes this is an important piece of information to take to the legislature. Dick Clark, the State CIO is very supportive of their proposal. Beth will be discussing this issue with the various groups for support.

Sharon added it may be beneficial to bring this up at the Spring Conference for the Judges. A decision when hiring someone to do the job is they need to be more qualified to keep up with the development of the court programs. Judge Barger commented they have the same issues as the Court Administrator's office regarding the pay scale. Sharon said the court must have a list of the qualifications needed in order to be a court clerk. This helps when going before the County Commissioners and making their case for pay raises. Judge Carver commented how hard it was for Judge Shields to get his lead clerk more money. She had 18 or so years of experience and her pay was on the same level as employees at McDonalds. Jennifer said the clerks sent a wage salary survey around at one of the training seminars and pay was as low as \$8.00 an hour and as high as \$19.00.

Lisa said her Department has had an issue for several years of trying to pay competitively with the Executive Branch. However, in speaking with various IT directors she has learned they are having problems recruiting as well. Lisa said for the lead software developer position she is able to pay from \$52,000 to \$56,000, and for the regular position it is \$43,000. Marty left as he was on a career path and there was no place for him to go in this division. They do not have a systems analyst lead, or #1, #2, so advancement is very limited.

Lisa said the coding for CitePay at the jail is done but she has more work to do with JSI. They will need to develop the training materials for the jail. That is still an outstanding project. In the last two years the MHP import project is finished, as well as CitePay installs in the courts. The courts on Citrix need to be set up on CitePay. DL suspension and reinstatement is complete. Lisa said the No insurance/vehicle license plate suspension project is not complete, as it requires expansion of the DCD. Judge Carver commented the repository issues are still outstanding. This is the automatic reporting of dispositions to the DMV in Helena. 75% of the dispositions are being reported that way due to the larger courts which have that ability. The 25% remaining is the numerous small courts in the State. Lisa said it has been 5 years since they have implemented the program in a court. Since then they have gone through many staff changes, which means staff must be brought up to speed, coordination with the DMV and training of the courts, which all makes this a large project. There are still some outstanding issues with the program that need to be fixed, but the majority of the dispositions are being received. Judge Carver said reporting of dispositions is important for the Dept. of Motor Vehicles, especially with commercial vehicle drivers. Some of the smaller courts do not get them sent in more than once a month. Lisa said it is an incomplete project due to the fact once they got 75% of the dispositions being reported electronically, they were forced to move to another project. For the VIN # to be included in the electronic reporting, a developer must come in and engineer the process. Judge Carver was asking these questions to find

out where the committee is going in the future, and what to expect from the Court Administrator's Office.

ROADSIDE PAYMENTS

Major Butler admitted at the last meeting it was the Highway Patrol's decision to not collect bond anymore. There are many good reasons why they came to this decision. Judge Carver said he is hearing from various courts this has created more work for them. This project takes up resources and time from the Court Administrator's office, as well as support to the courts once it has been installed. Lisa wanted everyone to remember they are done with CitePay installs, but the level of support has increased. She said the courts are still getting used to CitePay and throwing another payment method at them will create more support issues on their end. Lisa said this is what her department is here to do, but it impacts the progression of the project.

OVERDUE INSTALLS

Judge Carver wondered why they wanted to do more Overdue Processing in V5, when that data will not convert over to Enterprise. Lisa said they do have requests out there from the courts and she understands how this would benefit them tremendously. To implement overdue, however, the court must be completely caught up. Claudia is the one and only resource for Overdue Processing right now. That knowledge needs to be transferred to all the trainers. Judge Carver said the process was the hardest one for him to adapt to. You must be consistent in *resulting* your hearings and keeping all records current. Thelma said you can opt-out of the hearings on overdue processing. Enterprise does not recognize the current overdue processing program.

Regarding Enterprise, the Court Administrator's office paid for it during the 2009 legislative session. Not until this past summer did the work start by JSI to get the Montana requirements in the program. Lisa said there is no statewide deployment of Enterprise right now; they are installing it on a court by court basis in other states.

SHERI BISHOP PRESENTATION

Sheri Bishop was given a plaque to thank her for the many years she has served on this committee. Lisa is so happy to have Sheri aboard. To have a business analyst who was on the job as a court clerk for so many years is going to be very helpful to the rest of her staff as well.

FUTURE PROJECTS & GOALS

Lisa stated they have got to resolve the repository issues and she is not referring to new installs. The Billings Municipal infractions have not been reporting for the past year. They have an issue with the Full Court software which has been reported to JSI. She wants the 24/7 reporting changes mocked up, with a quote from JSI. This reporting change deals with DUI charges and reporting interlock, probationary license, or 24/7 programs. For example, there is no way to mark Drug Court participant, or on the 24/7 program. Lisa has scheduled a meeting with Greg Noose from the DMV on January 5th. Lisa did attend the Highway Traffic Safety meetings and inquired about funds available

for such a modification. She was asked to provide them with the modifications and the costs and may get the project funded that way.

Her division needs to work through the issue of deferred imposition of sentences. Deferred sentences do not need to be reported to the DMV on regular drivers, however, with commercial drivers they do. They have not totally figured out a way to do this. One way to get this done is through an addition of a finding on the finding table. Lisa said a regular deferred does not need to be reported due to a legislative change. What Greg Noose is proposing is a finding of commercial driver deferred and a dismissed-deferred commercial driver. Lisa then asked the committee if this discussion can be postponed to the next meeting, after she has had an opportunity to meet with Greg Noose.

Lisa added Fish, Wildlife & Parks will be going to Smart Cop this next year. It does meet the strategic plan, even though, it came later on. There is the No insurance/vehicle plate suspension which is part of the DCD project, roadside payments, day to day bond book and statute table work, and Claudia is especially interested in the development of e-learning training tools. The more e-learning they can get out there, the less time her department spends on helping the courts.

Claudia does not believe there is any way to go forward on overdue without a developer. They would have to enter everything by hand and that is extremely tedious. Lisa added that Claudia is there only resource on overdue and she would have to be afforded the time to work on this. Training materials have to be developed as well. Lisa said if they do all this work now, when Enterprise comes along, it will all have to be redone. Claudia said you cannot write training materials, you just explain the rules. Claudia said even if the trainers could be brought up to speed on this, to enter all that information in each individual court leaves room for errors.

Lisa said it is her intent to start implementing Enterprise in some courts in the next 2 years. She does not know if installation could be done in parallel, in other words, one District Court and one Ltd. Jurisdiction Court. She also does not know if it should be Ltd. Jurisdiction courts first and then District Courts as when they implemented Full Court in the beginning. Judge Carver commented during one of the COT meetings, their members felt installations could be done on Ltd. Jurisdiction Courts and District Courts all at the same time, even when it came to e-filing. Lisa remembers the first install of Full Court in Gallatin County and how much work has been done with the program and the Ltd. Jurisdiction Courts. District Courts have just received the program. Judge Carver believed there were hard feelings over that process. There were questions also as to why the District Courts all got scanners. When District Court started out with JCMS, scanners were provided with that program. Subsequently, they went to the legislature to obtain funding to move those courts into Full Court and they could not eliminate the functionality of a scanner. Therefore, it had to be included in the package. Lisa thinks Enterprise will be more ready for the Ltd. Jurisdiction Courts, but she knows there will need to be modifications made in order for it to work in the Montana District Courts.

Lisa summarized the issues discussed: repository issues, roadside payments, commercial motor vehicle deferred, Smart Cop for Fish, Wildlife & Parks, No insurance and the DCD for suspension on vehicle registration, and the 24/7. These need to be prioritized. From the Dept. of Justice, the two top projects are roadside payments and the 24/7. There is no money for a statewide Drug Court case management system, but they are just looking at options right now. The Drug Courts are all operating under a different case management system. Lisa said last week they discussed the best way to handle Drug Courts is the diversion program in Enterprise, but this will not happen anytime soon. None of the Drug Courts are willing to fund an IT project, because they want to keep those funds mainly for services to the defendants. They will explore a “Buffalo system” for courts that now have nothing, but there are no plans to ask the legislature for funding an IT project. Lisa believes this is a drive-by project for their division.

Judge Carver also added the ROA and Events coding standard project. The courts are currently all locked out of those tables and some of the courts want to be able to use their own specific ROA code. That project requires a programmer. CitePay terminals were also discussed, but it was decided they were a court by court decision, not a decision the Court Administrator’s office would make for each court. Judge Mohr believes to have this terminal available to the jail may be a priority.

Judge Carver inquired if the Court Administrator’s office helped when Great Falls Municipal and Yellowstone County wanted to import police or sheriff department tickets. Lisa said yes they did. She added they work a lot with the Justice Department. Lois and Beth have made it clear to Tim Burton just because it is a priority project at the Department of Justice, does not automatically make it a priority project for the Montana Supreme Court. But, they do try to accommodate when possible. Lisa has had to go to Joe Chapman and narrow down their list of 5 projects to the top 2.

Judge Carver noted when the citation import project took off with Highway Patrol; everything else was put on the back burner. He inquired if other agencies importing their citations would require this same concentration level. Lisa replied it will require some testing and training, and right now Lisa does not know how Full Court is going to handle the import of Fish, Wildlife & Parks citations, because that is a separate statute table. Either way it will take in-house programming. The courts, however, should follow the same procedures as they do now for citation import without much new training. The priorities the committee would discuss were listed as:

- Central Repository issues
- 24/7 program
- Fish, Wildlife & Parks import
- No insurance/vehicle registration suspension, DCD document
- Roadside Payments
- E-learning tools
- ROA and Events standardization project
- CitePay bond at the jail and terminal
- Enterprise
- Deferrals

Regarding the Repository issues, two items need to be addressed. One is the issues that need to be resolved, such as Billings Municipal not reporting and the second is other courts being added to electronic reporting to the DMV. Another issue to resolve is when an error message is reported, it is abbreviated, instead of a full error message.

Claudia commented they want to have an on-line library where you could pick which video you would like to see. This would be training on citation entry, document creation, jury processes and other Full Court processes. It would be put on Share Point and web based. It was decided that e-learning and Best Practices are day to day operations and should not be included in the above list. Smart Cop, No Insurance and ROA standardization were marked with no staff available to work on those projects.

The committee members then went through the list and came up with the 3 top projects they would like to see worked on. The consensus from the committee was:

Repository Issues
Roadside Payments
24/7

Lisa believes there are approximately 17 large courts that use the 24/7 program. It is important to remember these priorities must fit within the Branch priorities. Right now they are being tasked with the case cleanup for the District Courts. Because of the District Court performance measures, Beth is going out and giving presentations to the District Court Judges of the “dashboard”. The uniform case filing standards went into effect on November 1st, which relies on the Court Administrator’s office personnel. “Dashboard” is a tool housed on Share Point from their Department that lists all the Judges, all the districts and the cases. Performance measures include age of cases pending and active cases. The District Court clerks need to go through the cases that have been pending with no action and now clean them up. Once that is done, Judges can see if they are staying on top of their case loads. They can look at active cases and find out how many are over a specific time reference point. It’s all on an excel spreadsheet and gives the judges a great tool.

Currently, because the program is in a prototype, it is only accessible by the judges. The clerks do see the data, but they can only look at the active cases and which cases are over the time reference point. They do not see the judge’s side of it, nor do the judges see the clerk’s side. Karen and Beth have been working on this project for over 3 years. Therefore, our priorities have to fit in with the other projects.

ACCOUNTING RESPONSIBILITY AND COMPLIANCE AGREEMENT

The committee looked at the changes made since the last meeting. Sharon wondered if on the Adjustments on page 1, “the IT division *may* be forced to negate assistance.” should may remain in there, or use *shall*.

Judge Carver inquired about the Tasks outside of the IT Division staff responsibility.

Claudia said they do not have a problem with questions about procedures, but they are not going to perform these functions for the court. A better definition would state they will support, but not perform these functions over and over again for the court. Claudia gave an example of a court that called and wanted help in balancing the end of day. The court has been on Full Court for some years and the head clerk has been on staff for 20 years. Claudia said there are other clerks with years of experience as well. The problem does not exist with clerks needing help with new programs or new clerks, but is for the chronic offenders. There are approximately 5-10 courts that need their help on a continuous basis.

Judge Carver said 2 areas definitely outside their scope of responsibility is the In-Depth research and correction of untimely reported accounting issues and performance of any type of auditing function. Claudia believes the courts know they are supported by the Court's Administrator's office and no court has been turned down for help. The Support and Assistance Matrix on the 2nd page explains further what their division is willing to do. The problem comes into play when the issue becomes a user issue, not training or systems issue. Claudia said the user guide to Full Court needs to be updated, as the one out there is a few versions behind.

Lisa advised the document was shown to the Clerk of District Court committee members and they endorsed it with just a few minor changes. Lisa will rewrite and expand the Tasks outside IT Division staff responsibilities, as Beth wants to take the document to the Commission on Technology meeting. This is simply for them to see what is being done. Before the document is finalized, Beth wants to look at it and give the final OK. Lisa will break down the first section to state the Staff will support, but not perform, and then the second change would be to the bottom two, stating these are completely outside the IT responsibility. Lisa said she will make the changes and send that version out to the committee members for approval.

Lisa said January 1st her division will have a program in use that will track support calls and training sessions. This should be a great tool in helping them determine where there are resource issues and how to fix that. This will be information they can take to the next legislature as well.

JSI BID FOR TERMINALS

Judge Mohr said this information should go out to the judges to see if they want to use it or not. The questions concern who performs the maintenance on the terminals. If they become obsolete in a couple of years, will he replace them with new ones at no charge? Lisa said she would contact Ernie from JSI and ask for a sample contract that would specifically answer these questions. Also, who does the install and training of the terminals. Lisa noted that Ernie did go through all the steps to obtain the safest terminals that are out there.

Judge Carver inquired about old computers being used specifically for the purpose of the public accessing CitePay and paying the citation on line. Lisa said there would be charges for the network connection. In addition, old computers fail more often than the

newer ones and who is going to support them. Judge Mohr asked about an I-pad being used specifically for this use in the Court. Lisa said anything is possible if you have the money to pay for it. She could certainly look at those options in her 2012 strategic plan. Judge Mohr commented when he was back east he used kiosks to print out documents. He said possibly start out with just payments and then add more functions later on. Judge Budeski felt this could be addressed at the local government level as well.

Lisa explained her division must pay for each and every connection to the internet. There is the initial fee and then a \$240.00 fee each year. It may not sound like much money, but for every connection that gets added; the money must come out of her budget somewhere. Sharon said they have a public access terminal, and she is adding a 2nd one which will have CitePay, Order of Protection forms and public access to court records on a read only basis and her County is paying for it.

Lisa will ask Ernie from JSI to provide a sample agreement between JSI and the court. It would need to address upgrade of equipment, repairs of equipment, refund issues and maintenance support.

MONTANA INTERACTIVE

Sandy with Montana Interactive gave a credit card demonstration to the committee. Sgt. Tenney with the Montana Highway Patrol was on the phone during this demonstration. Basically, the offender will give his credit card to the trooper and he will swipe it on Smart Cop. That information is sent to their terminal where they process it. They will know in an instant if the funds are available. A success or failure is immediately sent back to Smart Cop. The ticket received in the Court will show the amount of bond posted at the stop.

Montana Interactive continues to capture those funds from the credit card providers and currently they send an e-mail to Yellowstone County showing what transactions happened that day for their court. This e-mail is received in the Court the day following the transaction on the road. A second e-mail is then sent to the court when the deposit has been made into the court bank account. Claudia stated upon receipt of the 1st e-mail, the court clerks need to put the Dollars on the case as they won't automatically be posted as CitePay does now. Lisa said when you get your e-citations delivered, an excel spreadsheet is included. The excel spreadsheet will list every case where money was received. Judge Carver asked if it is noted somewhere on the ticket payment was received via credit card at the stop. Is it designated as credit card payment, versus just \$40 cash or check being received? Scott Tenney added the officer can manually make an entry in the court notes for the ticket.

Claudia said the 1st e-mail is important, in order for the fines and fees to be assessed on the case and the money receipted. It can take 2-3 days before the money actually shows up in your bank account. If an offender attempts a charge back after the transaction, Montana Interactive fights that charge back on the court's behalf. They will send the credit card company all the information they need to know this transaction stemmed from a traffic stop and a citation. Sandy said out of approximately 265,000 credit card

transactions per year, they probably see 10 charge backs and she can only remember one person winning the charge back.

Sandy said if there was a \$20 credit card payment and a person wins a chargeback which normally takes 20-30 days, Montana Interactive would make the refund and invoice the court for the funds they received. Claudia explained further the court would pay \$20.00 back to Montana Interactive by check, since Montana Interactive took care of the refund to the defendant on their end.

Lisa pulled up a court copy of a ticket to see if credit card payment was noted on it and there was no notation, whether by cash or credit card. However, the Highway Patrol is not accepting cash - credit card only, therefore, the Court can make that assumption. Judge Carver is worried about assumptions auditors may make. Claudia said the e-mail would be proof the credit card payments were made, as they provide the defendant's name and the citation number. One idea discussed was to keep the e-mail somewhere, or scan it into the case. Judge Barger commented once you scan it the first time into the case, just copy the imaging number onto the other cases. That way you are not scanning a piece of paper on every case.

Judge Carver said we cannot assume no cash is ever received by the Officer, because once in a great while the Officer gets a feeling they will never see this Defendant again and do accept cash. Judge Carver explained he had a situation where bond was posted and he did not know it. He, therefore, sent the defendant his notice about failing to appear on a ticket. The defendant responded he paid the Officer \$85.00. Then there was an argument from the Officer he had indeed brought the money in. Judge Carver said no, he never received it. It ended up the Officer had to come up with the funds from his personal money, since no one was able to locate it.

What Judge Carver is referring to is every time an Officer accepts a roadside payment, could the Smart Cop system automatically note the payment as credit card, personal check or cash, whatever the case. Lisa asked Scott Tenney if there was a way to modify the citation when a credit card is swiped to check a box credit card received. In other words, if not checked and there is a dollar amount in the bond received box, the court will be made aware a check or cash will be coming in. Scott replied it can be done, but will take some time to modify the hard codes. Sharon from Yellowstone County reported no issues in her court with the way it is being done now. Scott replied the way to handle it is to have the trooper make the note, with the majority of the time being credit card and only rarely some other form. The notation would need to be put on a portion of the citation the court receives. Once the court receives the actual pdf of the citation, the court will see the court comment section. Lisa said unfortunately they are experiencing delays in that process, because they do not have a developer on their staff.

Judge Carver said he does not look at each and every ticket imported into his Court and that is why he did not find the \$85.00 until later on. Sharon said if your Court is running overdue processing, you will look at a copy of the citation and if it says bond was received, then you will start looking for it and not sending out the overdue notice. Judge

Mohr said if the Officer could make a notation of payment being received by credit card, cash or checks on the citation, problem would be solved. Scott Tenney said the troopers will be told not to accept cash or check, but he knows sometime, somewhere it will happen.

Scott said in the court comments field there should be room for the Officers to make the notation about credit card accepted. Norma right now is sending the information out to the courts using Crystal Reports, but she might be able to find a spot on the lower portion of the citation for these comments. Judge Carver would rather see the payment information right on the citation. Lisa noted included in the import is the excel spreadsheet which lists the citations with money received and they could include this in the Best Practices guide when training courts. When you get the e-mail that payments were made from Montana Interactive, then you need to print out the excel spreadsheet and reconcile the two.

Sharon commented they have been using Montana Interactive for the past 1 ½ years. The approximate number of transactions is around 100. Sharon said if the officers pushed the credit card payments, the court would certainly see a reduction in overdue processing. Claudia wants to make sure clerks don't refer to roadside payments as e-payments, because they are not. They are credit card payments, which mean you have to go to the case and enter the payment, versus CitePay which automatically puts the payment in the case and closes it. At the end of the day when the court does its deposit, you will do a separate deposit for credit cards, the same as you do a separate deposit right now for CitePay. The deposit on credit cards will be done separately and labeled Smart Cop.

Sandy stated the 1st e-mail will always match the 2nd e-mail which lists the deposits made to the court account. Claudia wants the two e-mails to look differently and make it easier to distinguish one from the other. Claudia demonstrated how to do the deposits, both for Montana Interactive and CitePay, in order for the committee to see the process. Sandy said Montana Interactive charges a flat fee of \$5.00, whether paying a \$20 speeding ticket or posting a \$600.00 bond on some other charge. Sandy said when they did their research of the 2008 citations, the average fine or bond was \$127.00. Visa has implemented changes and you must be careful in how you charge consumers fees. You must do a flat fee, unless you are careful about advising them a 3rd party vendor will be charging a percentage fee.

Lewis & Clark County takes credit card payments and Mineral County uses Virtual Cashier. Sharon wondered if you could offer Montana Interactive to the courts that are already using a credit card payment system. Claudia said they could offer it to those courts. Montana Interactive has swipe terminal machines and they cost \$85.00. You can search transactions one at a time on these devices, as they are a fully integrated system. Sandy guessed they have 8 courts using the terminals.

Judge Carver replied the issues with roadside payments are training. Claudia said she is not against roadside payments, she just has concerns. Sharon suggested a court would need to qualify to get roadside payments, such as being able to balance out every month

without any issues. Lisa said they need to get the staff trained as well and develop a training guide. Judge Barger feels this is another training issue and the courts will have to be sure to follow the instructions. Claudia said when they train; they call the court and are on the phone with them for 2 to 3 hours. They go through the training guide with the clerks in a thorough manner.

Lisa suggested starting with Montana Interactive in the committee courts, which is a good test site, to make sure all training materials are in place. Judge Carver said he is in agreement with that. The committee members will have a better idea of how complicated the process is and how much training is needed. The 4 courts that would be installed would be: Richland County, Judith Basin, Hill County and Park County. Lisa gave a time line of March for these installs. The Court Administrators office has 2 new trainers and this might be an opportunity for them to present training materials.

However, the District Court project is still on the table and needs to be done as well. Judge Carver asked if training materials could be done by the next automation committee meeting in February and then install the committee courts.

HIGHWAY PATROL CITATION CHANGE

The checkbox change to the Court Minutes part of the Highway Patrol citation was discussed. Judge Mohr made a motion to approve this change, second by Judge Barger. Full committee voted and approved this change.

KALISPELL MUNICIPAL COURT

The committee received a copy of the municipal infractions for the Kalispell Municipal Court which are currently in effect and has been passed by the council so far. Thelma commented none of these are reportable to the DMV. Lisa asked if the infractions will have 1st, 2nd, or 3rd offenses to which Thelma said no. These will all come under civil infractions, which mean Small Claims procedure. Lisa said they will have to change the case type and case degree and the technology surcharge will need to be added to the bonds already listed. In addition, the statute table, degree table, overdue processing table and finding table will have to be changed. The only work they can skip is the reporting to the DMV. Lisa said Kalispell will have to provide them with the documents and required wording. Thelma asked if they could duplicate Billings. Lisa asked if that would be both documents and ROA codes and Thelma said yes. Lisa gave a conservative estimate of 40 hours of staff time to make the changes, even though; the number of municipal infractions is small.

Lisa further commented it is 40 hours taken away from the District Court project and the projects outlined as priorities at this meeting. Judge Carver believes this is in the priorities, because it directly affects a court's operation. This is a circumstance beyond the court's control. Judge Ulbricht called and talked to Beth about priorities and how something else would drop in order for this project to be worked on. Lisa has not heard back from Judge Ulbricht. Lisa will send Judge Ulbricht the change request form. Shelly from Whitefish informed Thelma their city council wants to go to municipal infractions as well and they want to piggy back with the Kalispell project.

Lisa added they need the approving governmental document that makes these municipal infractions. Judge Mohr said they needed that also when they were working on the Billings Municipal infractions. Thelma has not seen any new tickets and she thought either the city attorney would do these or they will wait until new tickets come out. The committee will revisit this issue at the next meeting.

DEMONSTRATION OF WEB TRAINING

The committee then viewed a training video hosted by Chad on the creation of documents in Full Court, as an example of e-training. Financials are not as easy to show on a video, as opposed to showing how to enter a citation in Full Court. Lisa said they will deliver this training in services through Share Point.

NEXT MEETING DATE

February 10th, 2012 in Helena, Montana

MEETING WAS ADJOURNED

Minutes submitted by member, Barb Pepos