

COCLJ AUTOMATION ADVISORY COMMITTEE

MEETING – January 17th, 2008

Helena, Montana

MEMBERS PRESENT:

Karen Nelson, Supreme Court Administrator's Office
Chairperson Judge Larry Carver
Judge Gregory P. Mohr
Judge Johnny Seiffert
Sheri Bishop, Gallatin County Justice Court
Sharon Skaggs, Yellowstone County Justice Court
Barbara Pepos, Richland County Justice/Sidney City Court
Steppen Wirth, Full Court Trainer

MEMBERS PRESENT BY PHONE CONFERENCE:

Thelma Keys-Nicol, Kalispell Municipal Court

MEMBERS NOT PRESENT:

Judge Scott Wyckman
Judge David Ortley

GUESTS PRESENT:

Judge Michelle Snowberger

Meeting was called to Order by Chairperson Larry Carver at 10:00 A.M.

APPROVAL OF NOVEMBER 2ND, 2007 MINUTES

Minutes of November 2nd, 2007 were approved as presented.

PUBLIC COMMENT

Judge Carver explained that the committee would go through each of the change requests that Judge Snowberger submitted. Judge Snowberger would be allowed to answer any questions that the members had for her. Judge Snowberger wanted to know if any of the other courts made comments regarding the Overdue Processing Rules.

Judge Carver was on the original committee that adopted these Overdue Processing Rules. Further, he stated that the rules are confusing as written, plus it was hard to understand exactly what Judge Snowberger was asking to be added or eliminated in these rules. Judge Carver noted that the same steps are used for almost everything. There are steps for "*Must Appear*" and "*Statutorily Required to Appear*", when there is no difference in those steps. Judge Carver stated that either a Defendant must appear, or does not have to appear. Therefore, the rules need to cover "*Failure to Appear*", period. If no one has posted a bond, there is "*Failure to Appear*" on every violation. The steps are all the same for "*Failure to Appear*". When the committee broke down the rules into several categories, it got very confusing.

Judge Carver further advised that there is “*Failure to Appear*” when a Defendant has posted a cash bond. That is a 2nd, and no matter what the violation is, it is treated the same. Then the rules have a “*Failure to Appear*” for surety bond and we treat that process the same. Further, there is a rule for forfeiture of bond on mandatory appearance, and we want them to appear. In other words, the bond is ordered forfeited and a Warrant issued. That could be right under the rules for the surety bond.

Judge Carver went on to Page 2 on *Traffic Violations – Must Appear* - that the bondsman would receive a letter granting an additional 90 days to appear before the court. That is not statutory. The statute says that they forfeit bond and we must give them a forfeiture **notice within 10 days of the forfeiture**. This is done in order for the surety bonds people to know when the clock starts to get that particular defendant into court. But, no matter what type of bond amount is posted, if we want them to appear, the Court forfeits the bond and they have the 90 days. Therefore, the rules would be easier to follow if some of the categories were eliminated.

Secondly, Judge Carver wanted everyone to know that **no** court is currently using this setup. Steppen called all the courts that are using overdue processing, but those grandfathered in courts are using their own setups. This set-up has not been installed in any court currently. When looking at these rules, it is evident that Judge Snowberger’s comments become very valid.

Judge Carver wants a rule for “*Failure to Appear*”, if posted cash bond “*Failure to Appear*”, if bond forfeiture whether cash or surety and we want mandatory appearance, what rules will apply.

Steppen stated that when he talked to Tara from Broadwater County, she agreed with Judge Snowberger’s changes. None of the other courts contacted had read the rules, therefore, they had no input. Steppen stated that each court contacted did not want their “*overdue processing*” changed.

Thelma Keys-Nicol inquired of Steppen how many courts were using the standard that was adopted? Judge Carver reiterated that none were, as all the courts using overdue processing are grandfathered in. A total of 15 courts run overdue processing. Karen Nelson commented that the next version of Full Court is called “***Enterprise***”, which is a web-based application, which is complete for Limited Courts right now. Karen understands that JSI has completely reworked the *overdue processing module* in the new application. Therefore, it is Karen’s recommendation that sometime between now and August that the committee take a look at the next version of Full Court, to see how the *overdue processing module* is working. Karen believes that the next major reinstall of Full Court in the Limited Jurisdiction Courts will take place after January 2009, due to the fact the Supreme Court is currently working on installing the District Courts.

Karen Nelson added that ***Enterprise*** is quite amazing and Steppen agreed. Karen Nelson said that probably the current rules need to be changed, but she wanted the committee to be aware that the new program is on the horizon. Karen Nelson asked Lisa Mader why

overdue processing wasn't being installed and she advised that Version V had some issues with overdue, and those issues have not been fully addressed by JSI. The Pyette decision also held up any further installs of *overdue processing*. Judge Carver still believed that the steps were basically the same. The current rules for "*overdue processing*" were done before the Pyette decision came down. The letter which was reworked by this committee to include the Pyette decision, needs to be incorporated into the notice from "*overdue processing*"

Judge Carver advised the committee that due to the Pyette decision, the Defendant must receive 2 notices before a DL suspension. The 1st notice comes from the complaint, or it could be put on the time pay agreement, and it could be added to the failure to comply orders. But, on the *Failure to Appear* issues, Judge Carver felt there must be a 2nd notice. Sharon Skaggs stated that the Pyette decision was incorporated into the 1st notice that goes out to the defendant in their court. The committee changed the *Failure to Appear* notice going out to the defendants as well, which needs to be incorporated into the rules now.

The committee then discussed the Change Request #1 from Judge Michelle Snowberger. Judge Snowberger explained that her request was to split out when there was a surety posted and when there was **no** surety bond posted. The notice on this one is the 1st notice that goes out granting the additional 15 days. That is where Judge Snowberger's notice of DL suspension is located. She went on to explain that the request dealt with the difference in bonds posted. Secondly, she wanted a step to deal with the surety bond. When the defendant has not appeared, she wants a notice to the bondsman saying that the bond is forfeited. The bond won't actually be forfeited until the 90 days has run. Judge Carver believes that the statute should be followed – the Judge shall forfeit the bond and then send a notice of forfeiture to bondsman. He has 90 days to present the Defendant. Judge Seiffert said that the bondsman should pay the \$ right away. Judge Carver said that it is bond forfeiture and he wants the guy to appear, therefore, the bond will be forfeited and then the court will issue a Warrant or suspend his DL.

Judge Carver wants a rule to address "*Failure to Appear*", no matter what the charge was. The other issue is the judges that do not want to suspend driver licenses on 45 codes, Fish, Wildlife & Parks citations and local ordinances. That is an interpretation issue which most judges have discussed repeatedly. There are courts that do want to suspend DL in those situations. Judge Carver asked the committee if they want to keep all the rules, or try to narrow them down. Judge Mohr advised he would like to keep it simple. Judge Carver recommended that the Committee look at Type #1, Failure to Appear. Some discussion was made regarding forfeitures of bond.

TYPE #1

FAILURE TO APPEAR – No Bond Posted – No Appearance Required – All Violations

Step 1 – OD processes 3 days after the appearance date, the defendant receives the Pyette warning letter granting them 15 additional days to appear before the court and/or post their bond, or their driver’s license will be suspended.

Step 2 – If no appearance or payment is made, on the 16th day a Bench Warrant is generated

Step 3 – Simultaneously on the 16th day, License Suspended

Step 4 – License Reinstated

Judge Carver asked the committee members if the above steps are the ones to be used. Members replied by saying yes.

TYPE #2

FAILURE TO APPEAR – Posted cash bond – No Appearance Required – All Violations

Step 1 – Apply the bond to the fines and fees and close case.

The Court can choose to generate the Notice of Bond Forfeiture, and this can be done in the initial setup procedure.

Judge Carver believes most of the courts are now applying the bond to the fines and fees and using the option of reopening the case, should the defendant come in at a later date. Judge Mohr stated the statute is clear on the bond forfeiture notice, but it is not practical to send a notice of forfeiture on simple traffic violations. Judge Snowberger wanted to clarify that this is the step for all violations. Judge Snowberger asked Steppen if Full Court could identify a Fish, Wildlife & Parks violation, and if bond was posted on a particular charge, then that would be immediately forfeited. Judge Carver said the committee would address Fish, Wildlife & Parks later on.

Judge Carver did say that on Fish, Wildlife & Parks violations, if privileges are forfeited, that is done manually. Not all Fish, Wildlife & Parks violations require suspension of privileges, and Full Court would not be able to distinguish which violations involve loss of privileges.

Judge Carver asked if the committee members agreed with Type 2 so far. Committee members responded in agreement.

TYPE #3

FAILURE TO APPEAR – All Bond types – APPEARANCE REQUIRED – All Violations

Step 1 – OD processes 3 days after the appearance date, the Pyette warning letter gets mailed to the Defendant granting them 15 additional days to appear before the Court or their driver’s license will be suspended. Simultaneously, the Bond Forfeiture letter gets mailed to the Defendant and the person posting bond and/or the Bail Bond Company

Step 2 – If no appearance, on the 16th day a Bench Warrant is generated

Step 3 – Simultaneously on the 16th day, License Suspended
Step 4 – License Reinstated

Discussion was had on the procedure of Bail Bond forfeitures, with some courts strictly sending Notice of Bond Forfeiture within 10 days from original appearance date. Judge Mohr stated that some bonding companies will argue when the 10 days begins. Judge Seiffert wanted to know if the letter could go out immediately when they failed to appear. This would take into account the Pyette notice and the Order of Bond Forfeiture.

Thelma Keys-Nicol wanted to know how the court will know when the 90 days is up on these bond forfeitures. Judge Snowberger wanted to know if the system could generate a letter to the court, advising when the 90 days was up for forfeiture. Steppen advised that the courts currently use **reminders** on the case to notify them when the 90 days is up.

Judge Seiffert stated that there are certain situations where he is not going to wait 3 days to notify the Defendant of his bond forfeiture. Therefore, he wants to be able to override the current procedure under Type 3 and the committee agrees this could be done. Judge Carver stated that any of these rules could be overridden, if the court needed to do it differently.

The committee was then asked individually if they were in agreement with Type 3 and all members agreed.

TYPE 3 (A)

OPTIONAL FAILURE TO APPEAR – APPEARANCE REQUIRED – Criminal + Fish, Wildlife & Parks + Local Ordinances - **All Bond Types**

Step 1 – OD processes 3 days after the appearance date, the warning letter gets mailed to the Defendant, granting them 15 additional days to appear before the Court.

Simultaneously, the Bond Forfeiture Letter gets mailed to the Defendant and the person posting bond and/or the Bail Bond Company.

Step 2 – If no appearance, on the 16th day a Bench Warrant is generated.

Judge Snowberger reiterated that *overdue processing* is an amazing program and has made life easier in her Court. She said, although, the system generates the paper, it still needs to be double checked, to make sure no data entry error was made or something overlooked. Judge Carver asked the committee if he was correct that Type 3 (A) would be a duplicate of Type 3 – **minus the license suspended**. All committee members agreed with that statement. Judge Carver went on further and asked each committee member if they agreed with that statement and all did.

TYPE 4

OPTIONAL FAILURE TO APPEAR – Ordinance and Seat Belt – NO APPEARANCE REQUIRED – No Bond

Step 1 – OD processes 3 days after the appearance date, the defendant receives a letter granting them 15 additional days to appear before the court or post their bond.

Step 2 – If no appearance or payment is made, on the 16th day a Bench Warrant is generated.

Judge Carver asked the committee to look at Type 4 as presented and if there was a need to change those options. All committee members agreed Type 4 was proper. Judge Carver asked each committee member if there was a need to change anything and all answered **No**.

Judge Snowberger asked a question to Judge Carver about the Bond Types and Judge Carver answered this rule addressed No Bond only.

FAILURE TO PAY ISSUES

Failure to Pay – Appearance Required and No Appearance Required – **All Overdue** Types

Judge Carver advised that the Court is only obligated to give 2 notices, not 2 notices following the signing of a Time Pay Agreement. Judge Mohr is asking about the additional 15 days being granted in the current overdue processing. He believes that that is too much additional time. Judge Mohr stated that in his Court the information from the Pyette decision is incorporated in the Time Pay Agreement. Sharon Skaggs stated that Judge Snowberger could include the Pyette decision in the letter granting them an additional 15 days.

Judge Seiffert asked if *Failure to Pay* should be changed that once a payment is missed, 3 days after that a Bench Warrant is issued and the DL's are suspended. Judge Snowberger believes the Pyette decision requires a notice each time a time pay is missed, which may be 4, 5 or 9 months after they have signed the time pay agreement. In other words, she does not believe the Time Pay agreement satisfies the Pyette decision. Judge Mohr believes that if a defendant has entered into a Time Pay agreement, that is a contract with the Court. Sheri Bishop stated that they do not get a notice in the Gallatin County Justice Court, but go to the Warrant. Karen Nelson asked if the courts send the Defendant a letter stating a Bench Warrant has been issued and their license is suspended. Judge Carver advised that Driver Improvement in Helena sends the Defendant a letter.

Sharon Skaggs believes that the defendant should receive a letter that they are overdue on their payment and they need to get into court, or the consequences will follow. Sharon Skaggs said Yellowstone County Law Enforcement does not serve their past due Time Pay warrants; they are only served if they are arrested on something else. Barb Pepos stated that a court could certainly send the Defendant a copy of their Warrant first; to see if that would bring them in, before it is formally released to Law Enforcement. Sheri Bishop advised the committee that once someone is turned over to Collections on a past due time pay agreement in their court, the 2nd time they are in court on a new violation and are overdue on their time pays, a Warrant is issued. They do not turn them over to collections a second time. Judge Seiffert asked if courts can turn them over to collection and issue a Warrant as well and it was decided that No, you could only do one or the other.

Thelma Keys-Nicol believed that a letter needed to be generated in overdue processing on time pays advising them of the consequences and giving them an additional 15 days. Judge Seiffert believed that whether the courts want to send a Warning letter or not on Time Pays is purely a decision to be made by the Judge running the court and how he/she wants to handle it - as far as holding their defendants responsible. Judge Mohr stated that this is a very good point, plus the fact that in some jurisdictions warrants are served diligently and in other jurisdictions they are not.

Therefore, a Motion was made by Judge Seiffert that it be optional whether a judge sends a Failure to Pay letter in **FAILURE TO PAY** overdue processing. Sharon Skaggs seconded that motion. Judge Carver asked for discussion. Question by Sharon Skaggs was to ask Steppen if this was possible. Steppen advised that it is possible and is not a difficult setup. Judge Carver advised question had been called for and asked the committee for a vote. Voice vote was held with all committee members agreeing with the Motion and none opposing.

A draft of these rule changes will be made and mailed out to all committee members, to make sure that the rules reflect what was agreed upon. Judge Snowberger said she would hold off on her change requests to see what comes out of the final draft.

FAILURE TO PAY – Appearance Required and No Appearance Required – All Types
Step 1 – OD processes 3 days after the money due date and Bench Warrant is generated immediately
Step 2 – Simultaneously on the 3rd day, License Suspension (If original fine is greater than \$100.00)
Step 3 – License Reinstated

OPTIONAL FAILURE TO PAY – Appearance Required and No Appearance Required
Step 1 – OD processes 3 days after the money due date, the defendant receives a Failure to Pay letter granting them 15 more days to make their payment, or their driver's license will be suspended.
Step 2 – If no appearance or payment is made, on the 16th day a Bench Warrant is generated
Step 3 – Simultaneously on the 16th day, License Suspension (if original fine is greater than \$100.00)
Step 4 – License Reinstated

Judge Snowberger was inquiring about the process in the *Collections Module*. She does not have the collections module in her court as her city will not pay for the install of it. Judge Snowberger would like to have a modification of her “*overdue processing*”. Judge Seiffert stated that his court would have to use “*overdue processing*” as well, as he is currently trying to set up the use of collections in his court. Judge Carver agreed with him. Judge Carver wanted these drafted, so that everyone could look at them first. Sharon and Thelma both use the *collections module*. Thelma said that their court does not issue bench warrants on defendants on *Failure to Pay*. Karen Nelson said that it

should say the courts that are currently using the **Collections Process**, not Module. Judge Seiffert agreed with that as well. Judge Mohr said that the Bench Warrant would be eliminated on the Collections Process, but the license suspension would stay. Sharon, Thelma and Sheri said yes that stays in the process. Sharon Skaggs said that her court has had a good record using collections, instead of using warrants. Thelma agreed with that statement as well.

FAILURE TO PAY - COLLECTIONS PROCESS

Step 1 – OD processes 3 days after the money due date, the defendant receives a Failure to Pay letter granting them 15 more days to make their payment.

Step 2 – Collections is processed 45 days from the date to appear on the Warning letter generated in Step 1.

Step 3 – License Suspension (If original fine amount is greater than \$100.00)

Step 4 – License Reinstatement

Judge Snowberger says that her perspective is that the 45 days is OK before defendants are turned over to collections. She advised that right now, her court is set up to give them 90 days before they are turned over to collections.

Judge Snowberger asked if the committee could look at *Failure to Comply*. Judge Snowberger tracks everything that she orders her defendants to do. She tracks the ACT program, community service and jail days. Judge Snowberger advised that she does issue warrants when they have failed to appear on the Order to Show Cause date. Judge Carver asked the committee if Full Court needs to track these issues. Judge Seiffert says that when he sends a defendant to the ACT class, that ACT Program will notify him if they are in non-compliance. Sharon Skaggs states that then the paperwork gets delivered to their prosecutor. Judge Mohr stated that at the last school they talked about what to do in these situations. They can send the paperwork to the prosecutor, or the Court can itself try to get the Defendant's attention to the matter. Judge Snowberger advised that she sets out a 5 month completion date for her defendants on the ACT class. Judge Snowberger does the 5 month deadline, so she has one month left on jurisdiction. Judge Mohr believed that there is one year jurisdiction on this matter. Judge Snowberger tracks community service as well as court ordered jail service. She said they also track the domestic violence classes.

Sharon Skaggs asked Judge Snowberger if she received non-compliance affidavits from the places her defendants have been referred to. Judge Snowberger answered that it would be great if everyone did their job, but that is not always the case. She went on to state that in most cases with the ACT program and MIP classes, they are not always consistent on giving notification of non-compliance.

Judge Carver suggests that the committee work on what was done at this meeting and think about Failure to Comply issues. Judge Mohr puts the deadlines on the Defendant in those issues. Steppen advised that “*overdue processing*” could generate a list of who has not completed by completion date. Judge Carver advised that a list only would work well for most courts. Steppen advised there is a complete by date in the system. Judge

Seiffert asked Judge Snowberger if that would cover her request to the committee on this issue. Judge Snowberger said that she wants her system to generate the notice and in 15 days a Warrant is issued. Also if by statute she can suspend their DL, her notice now advises according to the Pyette decision, and if they still do not comply on the 16th day, their license is suspended and a warrant is issued. Judge Snowberger prefers the paper coming out of the computer on these issues. Judge Carver prefers the list only, as he may not want to do the same thing every time someone is not in compliance.

Thelma spoke to the committee about the **Supervision Option**, regarding the report for complete and incomplete, rather than running this through overdue processing. Thelma felt that the list would be more beneficial than *overdue processing* automatically generating paperwork. She said that the court would need to look at each individual case anyway. Sheri Bishop stated that her clerks enter this information in “other sentencing” most of the time.

Judge Carver asked if the committee wanted to develop a *Failure to Comply*, or does the committee want to look at the option that Thelma is talking about. Thelma said to ignore this until the committee is clear on what is being done with “*overdue processing*” now. Sharon Skaggs seconded that Motion. Judge Mohr stated that possibly the latest **Enterprise program** would take care of this as well. Judge Carver put the motion on the table that we hold off on this matter, until the approval of the current rules worked on, and the motion has been seconded. Judge Carver asked for discussion. Judge Mohr called for Question. Voice vote on the motion was held with all members voting in approval of the motion. There were no opposing votes.

Judge Carver said that Judge Snowberger would get a draft of these new rules, so she can look at her change requests again.

Karen Nelson – OOP Grant

Karen Nelson addressed the **Discussion Paper** that she had brought the committee members. She stated there had been 3 different meetings on the Protection Order grant that they received. Karen asked for an extension on this grant until July 1st as Orders of Protection have many angles to them. The discussion paper summarizes some of the things that were talked about in the sub-committee established to work on these Protection Orders. It starts out with the background for the grant and there is a Table on page 3, which lists all the different forms discussed.

Karen Nelson advised that they had received a \$40,000 grant from VAWA to make improvements in Full Court for Protection Order processing. The \$40,000 grant is \$30,000 in cash and \$10,000 cost match. Some of the changes talked about were to make the expiration date on the civil window be more flexible, improving some of the reports through Full Court, and possibly making improvements to the cover sheet and adding a Brady indicator. It was a charge of the sub-committee to identify what changes needed to be made. Karen went on to indicate that other agencies were involved in this process as well. Right now she feels they are at a stalemate as the Attorney General has the responsibility to produce sample forms, but those forms are not used. At the same time

you have Montana Legal Services and Pro Bono Net working on trying to make the forms more readable, and the DOJ has partnered with them on that issue. There are issues with the forms and issues regarding the entrance of the Orders into NCIC. Montana has one of the highest rates of errors in setting the Brady indicator. There are problems when the Order of Protection is removed from the Justice Court to the District Court and becomes a Restraining Order. This discussion paper tries to identify all the issues that have surfaced.

Judge Carver commented to Thelma that he was like her when he thought all the States in the nation were using the same forms. Judge Carver said the only state they could find using the same form as Montana is Maryland. Karen Nelson said the form is the one page cover sheet, which they tried to standardize, so that no matter where the Petitioner was he/she had Full Faith and Credit. Many of these issues are outside of the grant that they obtained. There are errors with the Brady indicator, problems with transfer of the Orders of Protection and it may be that No Contact Orders should be entered into NCIC.

Karen Nelson explained further the statistics on page 9. Judge Seiffert wondered what “permanent order” meant, for the purpose of these statistics. In other words, were they counted when they went past the Temporary Order? Karen Nelson said that the statistics are orders that followed the Temporary Order of Protection Hearing and were extended. The Temporary Order statistics deal with the ex parte orders. The cover sheet attempts to address both Temporary and Permanent orders, however, in Temporary Orders the Brady indicator never applies. Karen Nelson said that the grant was to make modifications to the Full Court program to make processing easier for judges and staff. But, Karen Nelson said that the bigger issue is listed on page 4, which are 8 different documents that probably are not needed.

Karen Nelson listed on the last page of her discussion paper some recommendations that came out of her involvement in this issue. There are some short term issues that the committee might consider for the VAWA grant and then 3 further recommendations. Judge Carver commented that Sheri Bishop, Judge Mohr, Judge Seiffert and he spent 2 ½ days making changes to the forms, with a representative from the Attorney General’s office in attendance. They submitted their changes to the Justice Department and none of the recommendations were adopted.

Karen Nelson said that in the short term, there are some improvements in Full Court which have been identified on Page 12. Karen Nelson stated there are some courts that are issuing No Contact Orders and the statute speaks to what that format should be, but there needs to be a discussion on No Contact Orders. She believes these orders could be entered into NCIC. Judge Snowberger wondered if the No Contact Order was when someone comes into Court on a PFMA and she enters the order to have no contact with the victim. Karen Nelson believed this would be something that should be entered into NCIC. Judge Carver wondered where the sub-committee sat in regards to this process. Karen Nelson wanted the committee to look at the recommendations on Page 12 and then look at the future recommendations. She believes that the forms published should be interactive forms, which can be put together based on questions. Pro Bono Net has done

some of this with HotDocs. Forms generated this way would be more readable and this has been an issue noted in the past. Karen Nelson believes that the cover sheet currently used on *Orders of Protection* needs to be revamped.

When District Court comes on board and reports to the repository, Karen said they would have a way at looking at overlapping cases and orders. At some time in the future, perhaps NCIC would get the information on *Orders of Protection* from the Full Court program. The deadline on the VAWA grant is July 1st. Judge Johnny Seiffert asked if it would be possible to have a program for Full Court where when you click on Restraining Order, you would come up with the cover sheet and you could then just fill in the blanks. This would be available whether it was a temporary or permanent order. Full Court right now has a Civil Order window where you can enter temporary or permanent order. Karen stated this would be a location where we could add the direct link to the forms. Judge Seiffert believes that if it was entered in Full Court in that manner, it would be used more by the Limited Court Judges. Possibly down the line if the forms were in Full Court and were easy to use, the information could just get “zapped” onto NCIC.

Karen Nelson believes that the *Petition for a Restraining Order* would also need to come out in the Full Court program. Judge Mohr believes it should be made as simple as possible, instead of having to jump from this form to this form. Judge Seiffert also said that it was decided all applications for restraining orders would receive a Civil Docket #. He said that perhaps the names could be entered immediately, the forms printed out and brought back after having been filled out by the Petitioner. Judge Carver said the statute states that when an order is issued, it should then be docketed. Sharon Skaggs said that in regards to issuing the Order, it is either an order granting it or denying it. Judge Mohr said it must be entered, because if it was denied and they wanted to appeal it, there must be a case in place.

Judge Carver asked if just the sub-committee members should meet on this issue, or the entire committee? Karen Nelson said she would like the committee to focus on the needs to the Full Court Program, so the changes can be requested from JSI. Judge Carver suggested scheduling a work meeting date. Judge Seiffert suggested that this should be a project for the entire automation committee, rather than just the 4 appointed on the sub-committee.

A question arose regarding how the victim would get a copy of the Application. Judge Snowberger interjected that if she was a victim talking to the victim advocate and they tell her that she must go to court, get the application and then come back to the advocate to get help in filling it out, this would be very hard on the victim. Judge Seiffert said that we would print out stacks of applications for the Victim Advocates to have on hand. Pro se victims would be able to come into court if they wished and obtain the forms from the court. Judge Mohr agreed that the entire committee should be present at the work meeting. Judge Seiffert asked if a work meeting should take place on Friday, or should it be later on after the committee has had some time to look at all the forms that Judge Carver had e-mailed. Judge Carver would like the Full Court program available at the meeting for everyone to see.

The next Automation Committee Meeting has been scheduled for **Thursday, February 21st at 10:00 AM** and it will continue on **Friday, February 22nd, 2008**. The work meeting will take place as soon as the regular Automation Committee meeting is finished.

The committee then moved on to discussion regarding Olness and Associates and the report they want Full Court to generate. This would be printed from the Time Pays, listing a beginning balance each month, all the additions and subtractions for the month, with a balance at the end of the month. Olness & Associates advised Judge Seiffert that they believe this is a vulnerable portion of the accounting system, as embezzlement has often occurred in this area. Judge Mohr believed they need to attend the next meeting, so the committee can be in a better position to review the request. Judge Carver stated he would extend a formal invitation to Olness and Associates.

Judge Snowberger wanted to advise everyone that the comment period on the New Privacy Rules was still open and she recommended that they be looked at. Karen Nelson gave a little history on how the Privacy Rules came about.

Motion to adjourn was made and seconded, with all members voting in favor of adjournment. Meeting was adjourned at 12:50 P.M.

Minutes submitted by member, Barbara J. Pepos