

**COCLJ AUTOMATION ADVISORY COMMITTEE
MEETING – May 19th, 2011
HELENA, MONTANA**

MEMBERS PRESENT

Chairperson Judge Larry Carver
Judge Linda Budeski
Lisa Mader, Montana Supreme Court Administrator's Office
Sharon Skaggs, Yellowstone County Justice Court
Barbara Pepos, Richland Co. Justice Court-Sidney City Court
Thelma Keys-Nicol, Kalispell Municipal Court
Sheri Bishop, Gallatin County Justice Court
Judge Gregory P. Mohr
Judge Audrey Barger

MEMBERS NOT PRESENT

Jennifer Boschee, President of MJC&MCCA was not in attendance

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

APPROVAL OF MARCH 31ST AND APRIL 1ST, 2011 MINUTES

Judge Budeski moved to accept the minutes as submitted, 2nd by Sharon Skaggs and the committee approved the minutes.

PUBLIC COMMENT

No one was at the meeting for public comment.

UPDATE – LARRY CARVER

Judge Carver said the MHP wanted to begin their in-car Virtual Cashier program. Judge Carver said no, as CitePay needed to be installed in all the courts first. He informed them this committee decided that CitePay was a priority. Judge Carver also said the courts need to get used to one system, before they implement another one.

Lisa commented some smaller courts have opted out of the MHP import. She did not know how this would affect the MHP overall. As an example, all of the courts in the 16th District are doing MHP imports, except for one, which is Garfield County and the main reason is the Judge is very new there. Therefore, in that particular county the MHP will need to recognize they should not accept the Virtual Cashier payment, since that County does not do MHP imports. In addition, Teton County opted out of the MHP import. Butte is a different situation where they have two databases and two courts. They cannot handle the MHP import right now, because they have a person who looks at the tickets and decides which court to put them into. Part of her decision is based on the bond amounts, so the courts have an even distribution of bond. Lisa said they cannot do that systematically with the MHP import. Right now, they are sending her the citations via the import, she is printing them out and then they are entered into the correct court database. This is an issue where an Officer would have to know that he could not accept a roadside payment in Butte. Again, these are issues that need to be worked out.

UPDATE – LISA MADER

Judge Carver advised the committee members that Lisa Mader is the new IT Director. The committee congratulated her on this new job. Lisa said she would be working with Lois to develop a branch wide priority roadmap. The two biggest initiatives are Enterprise and e-filing. Her position has been advertised and closes on May 31st, and it is hopeful to have someone on board late June or early July. They must be trained which Lisa will do, but she explains until then she is responsible for both jobs. Lisa will continue to serve on the committee in the same capacity that Karen Nelson did and all the items on the to-do list will eventually go to the person that is hired to take Lisa's position.

There are 3 courts remaining with the MHP import and they are, Daniels County, Fergus County and Lincoln County. Daniels County and Lincoln County have been scheduled. Fergus County is not on the statewide network; therefore, they cannot deliver the citations and the file as they do for all the other courts. Of the 59 courts, there is only one left that has not been scheduled.

There have been some intermittent problems with the DOJ, which at times leads to their receiving the -0- byte files. The MHP has advised them to wait until the next version of Smart Cop, which is in testing, but the delivery date is unknown at this time. In the meantime Marty is very diligent about getting those citations. This problem does not affect the import, but does affect the ability to attach those citations in a timely fashion. Her department will be doing systematic updates to the HP table, to avoid the problem of the system not finding the Officer. The MHP does experience frequent changes in their officers. Marty will be testing that portion next week.

On the DCD project (Distributed Court Document), 17 courts remain to be updated, due to local IP issues or connectivity issues. These are all City Courts with the exception of one Justice Court. Judge Carver asked what the issue was and Lisa explained they are not on the state network, which means they cannot make a connection to their PC. Marty must be able to make a connection before he can grab those DL SUSP or DL REINST forms. Instead, what they have done is trained those courts to run the process just the same as we do, but print your forms out and fax them to Driver Improvement. Greg Noose is aware of this process as well.

Marty now has the ability to check on whether a document was delivered and give a confirmation to any court that needs that information. The next step for this project would be to identify other documents that could be distributed in the same manner and ID the stakeholders.

Lisa noted some *electronic reporting* courts are having problems with certain UVC codes and she is working with Greg Noose on this. It appears at this point that the problems are errors in the DMV table that does the validation against those UVC codes. He has been sent information regarding these findings, but there has been no reply to date. It is anticipated this problem will be resolved very soon.

There are 22 installs of CitePay completed per this date. Tammy is doing all the technical contacts with the courts. When the court is ready, the trainers are contacted and even though, they are involved in several projects right now, they have been doing a great job of getting everyone trained. In the previous minutes, Judge Carver requested a link for CitePay on the Web site. Lisa asked if that would be the www.mt.gov site, or the www.courts.mt.gov site? Judge Carver meant the Judiciary Branch of the mt.gov web site. After looking at the court web site, it was decided that the link should be on the main page, as some defendants do not understand what Limited Jurisdiction Courts means. Lisa suggested a link on the front page, **how do I pay my citation on line?** Judge Carver also noted the minutes for this committee are posted under the Ltd. Jurisdiction Court title. He suggested these minutes be shown as the Automation Committee minutes. In fact the new title for this committee is the Automation and Accounting practices committee. Judge Carver also suggested a listing of the members that are on this committee. Right under the COLJ meeting minutes, there would be Automation and Accounting practices minutes listed. Another suggestion would be to have a title MINUTES and then a drop down of the COLJ minutes and Automation & Accounting committee minutes.

Sheri inquired who is responsible to look at the forms posted on the web site, for example the civil forms. In looking at those forms on line, they have not been updated in quite some time, as the filing fee is the incorrect amount. Judge Carver believed the Law Library and Judy Meadows are involved in this. Kevin is their IT person, therefore, Lisa would check into this. Judge Carver added that on our to-do list is to have a civil packet available or even go to the *avatar* concept which is currently used for the Order of Protection forms. These forms will need to be changed to reflect the new jurisdictional limits as well. That new law takes effect July 1st, 2011.

Judge Ortley had a conversation with Judge Carver in regards to how the District Courts use Full Court. He felt the calendar should work better than it does now. Judge Barger believed this would be a county by county issue, as the same thing could be said about our Courts. When Judge Barger took over in her court, they did not use Full Court at all, including not entering the bonds on the case. Lisa was surprised to hear that Flathead County did not use the calendaring, because they extract data off that calendar. This was a special project to allow them to publish the calendar on the county web site. Therefore, Lisa said she knows they are using it, but may not be using it in the manner that Judge Ortley is accustomed to.

Judge Carver suggested Lisa contact Judge Ortley. One of the things he wanted was access to it. He is limited right now. In his particular District Court there are 3 people who work on the calendaring: a judicial assistant, Court Administrator and the Clerk of the District Court. Lisa explained the data from the JCMS system is controlled by the Clerk of the District Court. Lisa would hope that a District Judge would be able to view anything entered into Full Court. In fact, a District Court Judge may have the jurisdiction to gain access by ordering it. Years ago in Missoula County, a Clerk of District Court refused to use the JCMS program, however, she was eventually ordered to use it by one of the Judges. Lisa commented there are still District Courts that refuse to use

calendaring. Currently, there are 2 District Courts in testing for notification to Crime Victims and updates to the Criminal History database. If courts do not use the calendaring, then those exchanges of information will not take place. Some of the courts work with their county IT personnel to get the calendar published on their web sites.

Judge Carver asked Lisa to contact Wanda Drusch and set her up with state e-mail, as well as Carol Anderson who is the Judge in Fromberg. Lisa agreed to check with these two judges.

Commenting about CitePay, Lisa said one of their major projects is to get the speed schedule and the DOT schedule updated. In fact, the issues have been dealt with and tested, but Lisa has not had a chance to look at it. However, she is hoping to see it deployed next week. Lisa has only heard from 1 County and that is Yellowstone County Justice Court that is having a problem with overdue processing. CitePay code does not reset the payment date after a payment has been received. Sharon said this leads to a manual procedure of resetting the payment date.

Lisa advised they are slated to get their next release of Full Court mid-June. That release includes the code to recognize when a payment has been received at CitePay and will reset the payment date. However, it will require a new JAVA code for CitePay and they will go through their usual procedure of full testing of the new update in their offices before it is deployed. It has been their past procedure to install a new program in the Yellowstone County Justice Court, because they utilize the program to its fullest. That means it will not be deployed to the other courts until August.

Past procedure has proved this works well. The more courts they have to deal with on an issue causes more work and confusion, rather than dealing with one specific court as the test site. If the new release has few issues, it should only be in the test court for one month, before it can be released to other courts. Again, this could depend upon how much training is needed in the new release. Lisa does not know all the specifics about the new release, other than it will correct the CitePay and Overdue processing issue.

Judge Carver asked if the committee member courts could be the first to get the release, after it comes out of the test court, in order for them to see all the changes and answer questions should other courts contact them. Lisa said it would not just stay in our courts, because of the significant amount of resources required to get a release out to all the courts in the State. When a new update is released, it includes a written explanation of what changes are being made to the program. Judge Carver asked Lisa to provide the committee members with a list of the changes in the latest release once that is known.

Lisa advised all of the courts running overdue have been updated, except for the Belgrade court. The Judge in Belgrade was getting ready to attend the semi-annual conference, therefore, wanted to wait until she got back. Claudia will work in getting this done and if the Belgrade court wants a change to the process, she will bring that request to the committee. Claudia should be able to wrap up overdue processing by the end of June. Then she will assign Claudia to the Butte City Court. When Butte City Court was first

installed, the Judge at that time did not want General Ledger. The bonds, fines and fees were collected in the same office as the parking people. Right now this court is run as a cash court and Claudia will be going in and teaching them to run the General Ledger. Some of her staff is working on District Court jury, but unfortunately they ran into a major issue recently consuming many hours of their time. That issue was finally resolved. They are also working on Limited Jurisdiction Courts getting the jury module. Lisa said she wanted her staff to contact those courts since they would be working with the District Courts in the same counties. Lisa said this program is the *opt in or opt out* process. There are 33 courts running the jury module right now, and that number includes the older version and installation of the latest version. The jury module does not have a scanning process and Lisa said it will never have that capability. JSI quoted a price of near \$60,000 to add scanning.

Lisa wanted to address the changes that she knows need to be made before the end of summer including the legislative changes. There are other priorities on the list that she would like to defer at least till the end of summer. She is the new IT Director and will be training a new hire for her old job as well. Lisa said her staff must make the changes for the Office of the Public Defender, the Order of Protection changes, complete the CitePay first phase, complete the Ltd. Jurisdiction court jury installation, work on the user's conference which is scheduled in June, and do the Full Court release testing and pilot court testing. She feels all these projects can be completed, as well as get the code changes done for Fish, Wildlife & Parks by October 1st.

The projects she would like to defer include changes to the MHP import, which is the VIN number change and the CitePay changes needed for the acceptance of bond posted at the jail. When Lisa talked to Ernie about CitePay, he believed it would be mid-summer before they begin their work on the CitePay change. He hoped to have delivery of that change by the end of summer. Another project is the Roadside Payment project for the Highway Patrol which she wants to hold off on. In addition, there are courts that would like to be installed with Overdue Processing, but she would like to defer that until the Court Administrator's offices are fully staffed again. Included in her request to defer projects is the ROA codes and events.

Judge Carver stated what he understood they would complete is the MHP import and the CitePay install. Lisa agreed with Judge Carver, plus they would complete the DL Susp and DL Reinst project, as well as take care of any repository issues. Judge Carver and the committee agreed these were the priority projects and they felt this was enough to throw at the staff and the courts, at least till the end of summer.

Judge Carver had requests from Judges that during the semi-annual training seminars Mondays be used as computer lab day and perhaps Friday as well, so they could work with Claudia or Cindy from the Court Administrators office. The Judges that run their own Full Court system miss out on the Clerk's Training once a year, plus their e-mails back and forth regarding Full Court. Lisa said this is possible and in fact they are doing two of those sessions during the upcoming Full Court user's conference in June in Helena. She said this will always depend on their resources, but believes it must be

coordinated with the projects they are working on and the person that will fill Karen Sedlock's position. The Court Administrator's office does have a portable computer lab and Judge Carver believes these sessions could be informal. Getting people together to discuss Full Court is a great learning tool.

LEGISLATIVE CHANGES

Yellowstone County Justice Court brought up an issue of the new law regarding **Aggravated DUI**, which is now in effect, but there is no statute for it. Lisa spoke to the Code Commissioner about this and she was advised they will not have numbers for these new laws until July 1st. In addition, these will not be available for anyone to find until the MCA books are published to the internet in September. His suggestion right now is to cite it under the Section and the Chapter and the laws of 2011. Lisa was not sure how this could be done. She also received a call from Mark Bosch with the Highway Patrol in Hill County and his Captain wanted to know how the Officers were supposed to be handling this as well. This new law was assigned Chapter 282 on April 28th which was its effective date. He said it should be referenced as Section 1, Chapter 282, 2011. But, Judge Carver said for right now if this charge is filed it will be under Senate Bill **SB15**, which is how they handled it in Yellowstone County. Judge Carver said it was filed as SB15; therefore, why not use that number until the proper code comes out.

Lisa said they could enter that law under SB15. Judge Herman did send her office the 1st, 2nd and 3rd offense, minimums and maximums from the bill. Lisa asked what will happen when the proper code comes out. Do they go in and change SB15 to the new code, or do they leave it under SB15. At issue is whether the data can be searchable and reportable under SB15. Lisa said she received a request from the DOT to provide updated DUI statistics and they just went through the process of pulling statistics for NICS. Lisa and Marty are working on a uniform statute program to make pulling these statistics easier. Therefore, her department will know that SB15 and 61-8-401s all deal with driving while under the influence for reporting purposes. Lisa also stated that in Full Court SB15 would be included in the DUI report.

Sharon Skaggs made a Motion that Full Court will be programmed to use SB15 and the permanent code be put in use upon the final codification of this bill. Judge Mohr seconded this Motion. Committee passed this Motion.

Judge Carver mentioned again the necessity of putting in the amount claimed when entering either a Civil Case or Small Claims case. Judge Mohr said this information would be helpful for statistics when they go before the Legislature and ask that our court filing fees be increased. Lisa said this item will be brought up at the June user's conference in Helena. She also felt that it would be good to have this recommendation coming from the automation committee. These statistics are important from the District Courts as well. Lisa believed the District Courts were entering that information, but Judge Carver talked to the District Court clerks in Judith Basin County, Fergus County and Red Lodge County and they did not even know where to enter that information in Full Court. Judge Carver believes the Clerk of District Courts should be contacted by the

Court Administrator's Office and they should be given the reason that information is needed for statistics, as well as Best Practices.

Lisa said she could provide a Best Practices guide, but would look towards the committee for guidance on it. Judge Carver also noted that jurisdictional limits on Ltd. Court's Civil will be \$12,000 and Small Claims will be \$7,000 effective July 1st, 2011. That information could also be included. Sharon recommended this information go out to all the Limited Jurisdiction Courts via e-mail, so that each and every clerk is aware of the change. Judge Carver would send the same information to all the judges in the courts. Lisa said the Clerk of District Courts has e-mail, or list serve and she would be willing to send that information to them. She will get her staff up to date on these changes as well.

Sharon Skaggs inquired further about SB15, in that it is not just the BAC that determines whether it is an aggravated DUI, there are other contingencies; therefore, she sent e-mail to the Captain of the HP in Billings, the Sheriff of Yellowstone County and her contact person in the County Attorney's office to figure out how these charges are going to be processed. She thought the County Attorney's office will be making the decision whether it is an aggravated DUI or not, due to the criteria that must be met. Judge Mohr said the bill explains how a DUI goes to an aggravated DUI. Sharon wondered how the Officer in the field is going to know this. Judge Carver believed it will be like any other charge in that they must have probable cause for the charge.

Judge Mohr said the policy adapted by Yellowstone County to handle these violations may not be the same policy used in another county. Judge Mohr also believes that the larger jurisdictions will address it before the smaller jurisdictions because of the volume of violations they receive. Judge Carver said there is a difference between probable cause and a Finding of Fact. He believes the courts only need to address if there is enough probable cause and it is up to the prosecutor's office to bring that burden of proof to the court. Question arose whether pending DUIs will appear on a defendant's driving record. Judge Mohr believed they cannot be on there, because if someone was denied a job because of a pending charge it would result in a lawsuit.

In Yellowstone County's case, a DUI was charged first, but later on the County Attorney's Office amended the charge to Aggravated DUI. Judge Barger replied the Judge in sentencing would have to determine the factual basis to accept the plea. Judge Mohr said Law Enforcement will need to be brought up to speed on this law and they won't even have a set of codes until September; even though, the law is in effect now. Judge Carver wants to talk to Greg Noose to see how the reporting process will go for SB15. The law does specify sentencing except for the mandatory sentencing under 61-8-714; therefore, Judge Herman supplied 1st offense, 2nd offense and 3rd or subsequent in his memo to Lisa.

Discussion on SB15 continued with Judge Mohr stating he believed the criteria in A,B,C must be all met before someone can be charged with Aggravated DUI. Sharon said Judge Herman was looking at it as violate A or violate B or violate C. Judge Mohr said this law needs to be dissected. Judge Carver believes A,B,C or D does not even apply if sub E

applies in SB15. Judge Carver stated further the interpretation of this law will all come down to the meaning of the semi-colon being used. Sharon said when their County Attorney charged aggravated DUI they listed the only reason as being over .16, not all the other subsections. For right now, Lisa will enter SB15 in Full Court and perhaps later on they will need 2nd offense or 3rd offense and subsequent entered.

SB187: Judge Carver said the bill is effective July 1st and only deals with fines and fees forward of July 1st. The question arose of where the fee goes, last under the fees or last under the fines, or very last to collect. Judge Mohr said that it is collected very last. Lisa said the change will be in Full Court by the effective date of July 1st, as long as they can do a mass push out to the databases and not have to touch each and everyone. Marty will have to do a query of every court and then he and Claudia will need to do a testing before it is pushed to the courts. This Public Defender fee will be an automatic distribution to the Treasurers. Judge Carver and Lisa will need to find out what number to use for the fund account. SB187 only deals with charges that are filed from July 1 forward.

Judge Carver brought up for discussion that some courts are still not complying with 46-18-251 MCA in that if a defendant is on time pay, all the money goes to Restitution first, instead of 50% to restitution and the remaining 50% to the fines and fees. Lisa said she will get with her staff and get this taken care of. They got started on that project, but had a turnover in staff and could not put a new person to work on it.

SB26: Temporary Order of Protection, must include conspicuously on the form that a violation may be charged under 46-5-626 and under 46-6-220. In e-mail sent to Lisa from Joan Eliel there was an error discovered in the language on the permanent order of protection. Lisa discussed the need to add the Petitioner/Attorney information on the top of the form. This does not affect the forms on Full Court but does affect the forms on the A2J hotdocs site, which includes the Petition and the Motion for Modification. Judge Carver said our forms and the DOJ forms should be the same. Next, was the Order Setting Hearing, Order to Appear, Notice to Modify and Order to modify which needs extra spacing due to the District Court clerk's stamp. Full Court does not contain any Petition forms.

On the Permanent Order of Protection the verbiage was incorrect; therefore, it needed to be changed as the request from the DOJ. The committee looked at the TOP order and they believe that their TOP does comply already with SB26, as both of those violations are listed already. Judge Carver noted the only thing this bill did was to put the verbiage in the statute, as the statute did not include it. Judge Mohr believes they brought the statute up to compliance with VAWA.

DUI COURT

Judge Carver had a question come up from Judge Wanda James, who has a DUI Court. She gets money from cases which are not filed in her court, but have been referred to the DUI court. These monies are for treatment court fees. Full Court is not set up to distribute those fees, without a case number. She wants a case # that would allow her to

accept these fees and distribute to the Treasurer. Judge Mohr said since Judge James does not have a case in her court because the defendants are referred to her, they could make their payments directly to the Treasurer. He felt auditors would have a problem with Full Court showing the money as accepted, but there was no case # attached to the funds. Judge Carver thought these defendants were court ordered to pay her for the fees. Judge Mohr said they could still do that through the Treasurer and bring the Judge a copy of the receipt.

There may be more and more DUI courts, so this could be a problem that needs to be addressed. Thelma was not aware of this type of distribution. She said they collect their own fees and post it to that case which is in their court. Thelma also added they don't take referral cases, but do take cases which are dismissed in another court and then filed in their DUI Court. Lisa said the issue with Judge James is they are referred to her court from Parole and Probation, or are out of county defendants and felons referred to her court.

Julie Balenger used to be the court clerk for Judge James and Julie is now the DUI court coordinator and is not a part of the court. Judge James has cut off her state e-mail and she is working as DUI court coordinator out of her home. But, it is Judge James DUI court that she is working for. They received money from a grant. These fees include cost of treatment fees, costs associated with the defendant for supervision or jail, and U.A. fees. Thelma wanted to know by what authority is Judge James ordered to take these monies.

Judge James was contacted by phone to explain her situation to the committee. Judge James explained that several of her DUI cases are felony cases, which were going to revocation and as a condition of not being revoked and going to the Montana State Prison they have been sentenced to complete her DUI court. Hence, they need to pay the \$25.00 per month participant fee. Her Full Court does not have cause # because they are not in their database. These defendants do not have a case, but they do need to pay the money and go to the fund set up for sustainability purposes and for the grant. There is separate software available which is not supported by the Court Administrator's office, plus it costs \$10,000 and they cannot pay for it at this time. They are asking for some sort of #, so they can put the fees in that fund and then distribute it. Judge James explained she gets her jurisdiction from a sentencing District Court.

Explaining further, the defendants go through her DUI court, show up once per week, have intense supervision, wear a scram bracelet for 60 days and basically they do everything else that a misdemeanor or juvenile would do; but as part of their sentence to not revoke and be in the Montana State Prison, they are sentenced to complete treatment court. Judge James believes they have 3 or 4 defendants right now who are in this category. Their treatment plan is based on the recommendations from a licensed addiction counselor as well. Judge Carver wondered why they could not just start a new case on these defendants. Judge James said they are not sure how to do this in Full Court and not show another felony charge for the defendant. She has thought about creating a case starting with TC for Treatment Court. Thelma wondered why they could not pay the

Treasurer directly. Judge James reiterated the funds are specifically kept in Mineral County and will be used to sustain the DUI Court, not distributed to the State.

Judge James added they need to report these funds every month to Lorell from the Montana Department of Transportation. Thelma said that does not have anything to do with Full Court. Judge James commented her other cases are in that report with the beginning balance and the ending balance and who has paid what. She said they could pay the fee directly to the Treasurer, but they need a way to account and track it. Judge James wanted the monies reported in the End of the Month Report, and they could check on the figures that way.

Judge James said that her statutory authority comes under 46-1-1104, Drug Treatment Court Structure. She has the authority to collect up to \$300 per month for each participant. As you go through this statute it explains the participant fees. Judge Mohr said Judge James has no jurisdiction over this particular person other than to report back to the District Court if they fail to comply with her DUI Treatment Court. Judge James agreed, but she still needs to collect the fees. In Thelma's court in Kalispell they have a case in their court and, therefore, they can track any fees paid to them. Lisa's question is whether it is appropriate to collect these fees in this instance through Full Court.

Judge Barger wondered if the District Court could collect the fees and Judge James said they will not collect them, nor would they distribute them to the fund set up. Part of their \$75,000 grant is that the court can achieve some sustainability and they have to do this with all her DUI cases. Most of her cases have originated in the Justice Court or the two town courts. Judge Mary Jane Knisely took fees for her Treatment Court from defendants who came to her from other city courts. Lisa commented she did not take those fees in Full Court. Judge James understands that Judge Knisely had the DCCM software to use. But, treatment court is part of Justice Court and if there are defendants that do not have cases with them, there still needs to be a way to collect and track their fees.

Judge Carver believes if Judge James must collect the fees, then there must be a way to do that in Full Court. Judge Mohr disagrees because the cases did not originate in her court. Judge Mohr further believes the District Court should collect the fees, since there is a bar code set up for them. That way, the defendant can bring a receipt to Judge James as proof of payment. He understands the Judge's position, especially in reporting back to the Federal Government on the Grant, as well as to Lorell at the DOT. However, this is a limited number of cases and Judge James does not have jurisdiction over these defendants, except to report back to the District Court when there is a violation in the DUI court.

Judge Barger wondered if the committee needs to address this, since there will be more and more courts going to DUI and Treatment courts. Perhaps they could come up with a simple standardized solution to this problem. Judge Mohr still believes that the collection of these fees should not be a Full Court issue. Thelma said the DCCM software is not an accounting system. Basically you add a fee and then take that fee away once it has been

paid, and you can get a total paid figure. Judge Budeski felt you should be able to do the accounting, even if the fees are run directly through the Treasurer's office. Thelma said those funds just sit in that revenue account and are carried over from year to year. Judge Mohr added that if the County Attorney's office decides to put a case in DUI or Treatment Court, they first must dismiss the case in his court and move it to the DUI or Treatment Court.

Lisa explained there are a few DUI or Treatment Courts which are supported by the State, but most of them are grant funded. These courts report to the Department of Transportation. Therefore, Lisa does not know all the DUI or Treatment courts in the State of Montana. There is a State Drug Court Program Manager, but there is no fund set up to manage these courts, nor is there a vision for that. They do have a central reporting function through the State SharePoint site. Judge Mohr said in the grant funded courts, they receive funding for 3 years and then it is up to that court to find their funding.

Judge Carver wanted to put this issue off until the next meeting and in the meantime contact the other DUI or Treatment courts to determine how this is handled. Lisa will contact Kathleen Brown, the Clerk of District Court in Judge James area and find out her side of the issue. Lisa noted that Beth McLaughlin just met with Jeff Kushner, who is the Drug Court Treatment Coordinator for the State Drug Courts.

ROA CODE WORK

The work on the civil codes done by Sheri, Sharon and Barb was then discussed and this working session was off the record.

Judge Carver suggested that the committee get a list of the ROA codes up to this point. Lisa said events are based on table settings. The committee will need to look at the events and see what codes are tied to them. Lisa will send out a current list of events for both criminal and civil. Sharon will send Judge Carver her latest revision of the Imaging Rules in their court. Document titles are tied to imaging and the committee will look at standardization at that time.

Discussion followed regarding 46-9-503 which is conditions of bond. Sheri from Gallatin County asked why it was not included in the latest statute revision. Judge Carver said the Warrant should be issued under the original charge leading up to the conditions of bond. A hearing is held to determine if the conditions of bond have been violated and if the defendant is found to have violated the conditions, he is then sent to the detention center.

NEXT MEETING DATE

Thursday, August 18th, 2011 in Helena, Montana starting at 9:00 A.M.

Meeting was adjourned.