WASHINGTON COURTS	**JISC DATA DISSEMINATION COMMITTEE** **Friday December 2, 2016 (8:15 a.m. – 9:45 a.m.)** **Administrative Office of the Courts** **SeaTac Office Building** **18000 International Blvd. Suite 1106, Conf Rm #2** **SeaTac, WA 98188** **Call-in Number: 1-877-820-7831, Passcode 797974**

DRAFT - MEETING MINUTES

Members Present
Judge Thomas J. Wynne, Chair
Judge Jeannette Dalton
Judge J. Robert Leach
Judge G. Scott Marinella
Judge David A. Svaren
Ms. Barbara Miner
Ms. Brooke Powell
Ms. Aimee Vance

Guests Present (telephonically)
Dr. Peter Collins – Seattle University
Ms. Prachi Dave – ACLU

Guests Present (in person)
Ms. Denise Whitley – Pierce County Dept. of Assigned Counsel

Staff Present
Stephanie Happold, Data Dissemination Administrator
Kathy Bowman, MSD Administrative Secretary
Michael Keeling, ISD Operations Manager

DRAFT

1. Call to Order, Approval of Minutes

The December 2, 2016, JISC Data Dissemination Committee (DDC) Meeting was called to order by Judge Wynne. Judge Wynne announced that January 8 was his last day with the Snohomish Superior Court. He will then be a judge with Everett Municipal Court for one year.

Ms. Barb Miner moved to approve the Minutes for August 26, 2016, October 6. 2016, and October 28, 2016. Judge Leach seconded. The minutes were unanimously approved as written.

2. ACLU Financial Data Request

Ms. Prachi Dave presented the ACLU's request for names and codes of the Courts of Limited Jurisdiction (CLJ) collection agencies. The original ACLU request was much broader and resulted in DDA Happold, Data Reporting and Data Warehouse Staff meeting with Ms. Dave to discuss what the Administrative Office of the Courts (AOC) could provide. The request was amended to what is now before the DDC. Approval is being sought because the CLJ collection agency names and codes are considered financial information. Judge Wynne asked for a motion to provide the data. Judge Leach so moved and Judge Marinella seconded. The motion passed unanimously.

3. Seattle University Financial Data Request

Dr. Peter Collins from Seattle University presented his request for King County CLJ data that included financial information. AOC Staff have already met with Dr. Collins to discuss what data elements can be provided. Judge Wynne asked the Committee if anyone had concerns about the request. Judge Marinella noted that bonds are low and may not be meaningful information for the foreclosure research Dr. Collins is conducting. Dr. Collins confirmed they did want the bond information, even though they do not know yet how it would contribute to the study. Ms. Miner cautioned that the court records may not be clear; for example, records may not show where the money is coming from for the bond. Dr. Collins replied that the researchers are simply looking for patterns over time. Judge Wynne asked for motion to approve the request with the usual requirements associated with financial requests. Judge Marinella so moved and Judge Leach seconded. The motion passed unanimously.

4. JABS access to all JIS LINK Level 20 and Level 25 users and to non-court probation departments

DDA Happold updated the Committee on the AOC work to transition prosecutors and public defenders to AOC-maintained JABS access. AOC's goal is to move all users in JIS LINK 20 and 25 security levels to AOC-maintained JABS. This includes state agencies and other entities that were granted access to those security levels by the DDC. Currently, only prosecutors and public defenders are authorized to have JABS; therefore, AOC is requesting the DDC broaden the authorization to all users in level 20 and level 25, as well as non-court probation agencies that have JIS LINK level 22 access. These users would be provided the JABS access by AOC after the prosecutors and public defenders. Mr. Keeling stated that there are no technological issues to move these users over. DDA Happold also stated that the rest of level 22 users (law enforcement) will be transitioned over to AOC-maintained JABS once levels 20 and 25 are finished. Judge Wynne asked for a motion to allow all level 20 and 25 users plus non-court probation agencies access to JABS; Judge Dalton so moved and Ms. Miner seconded. The motion was passed unanimously.

5. Removal of address information from JIS LINK Level 20 public defender access once the Data Dissemination Policy is active

DDA Happold presented the public defense community's comments she received regarding the DDC's proposal to remove address information from the JIS LINK level 20 access. Ms. Denise Whitley with the Pierce County Department of Assigned Counsel explained the public defenders' need for this information. One example she provided is that public defenders use JIS LINK for contacting their clients who frequently change their address. The JIS address history allows them to check past addresses for that contact information. She also explained that public defenders must contact clients prior to court and smaller jurisdictions do not have the information available any other way. Judge Wynne agreed the need for address access was established by the comments that were received. One Committee member suggested that the issue may be resolved by courts generating a general order stating specific information cannot be secondarily disseminated. The Members discussed if anything should be done at the Committee level, or if it should be resolved in the individual counties. Judge Leach suggested that the DDC send a letter to court/county clerk associations explaining the DDC concerns about addresses in the case management systems and suggest that there should be a general rule, public order, or state court rule addressing secondary access and dissemination. Ms. Vance suggested changing the confidentiality agreement that prosecutors and public defenders

sign to include instructions about redactions and secondary access. DDA Happold was tasked with changing the confidentiality agreement to include this requirement once the Data Dissemination Policy was passed by the JISC. The DDC decided to withdraw the proposal of removing address information from JIS LINK level 20 access, and the Members thanked Ms. Whitley for addressing the Committee and for others providing comments.

6. Other Business

DDA Happold presented court user questions regarding the draft Data Dissemination Policy (Policy). One in particular was about the disclaimer language in Section VI.B: if it was required for all reports from JIS, what exactly was the definition of a report for this particular section, and if it included summary reports. Members looked to the definition of JIS reports in the first section of the Policy and concluded that the reports listed under JIS reports did fall under Section VI.B, including routine summary reports, DCHs, calendars and dockets. Therefore, the disclaimer was needed for those reports. The Committee discussed possibly modifying the definition of reports. Judge Dalton suggested making the disclaimer a footer on JIS reports, however DDA Happold did not know if AOC had the resources to make that type of JIS legacy change. Ms. Vance suggested attaching the disclaimer automatically with all the documents; for example, disclaimers could be included in the email with the report attached. Judge Dalton would like the disclaimer in the actual report. DDA Happold mentioned that AOC puts the disclaimer either in the report or in the email that goes with it as that satisfied the Policy requirement "the report must be accompanied by a suitable disclaimer…" Judge Leach suggested creating a process for a court clerk to apply for an exemption to the disclaimer for a category of documents. Applications would be sent to DDA Happold who would bring them to the Committee. Associations could apply for an exemption on behalf of all their courts so to avoid overwhelming the AOC and the Committee with numerous, perhaps repetitive, exemptions requests. Judge Leach suggested a letter from DDA Happold to the associations asking for a list of reports that are common to all their members. Judge Wynne asked for new language for Section VI.B. allowing this exemption process that DDA Happold would then circulate amongst the DDC members for approval.

DDA Happold was then instructed to draft language for Section VI.B. based on the Committee's discussions and send it within the next few weeks for the Members to approve. Once it was approved, she will draft a letter for Judge Wynne to send to the associations.

Meeting adjourned 9:05 am.