WASHINGTON COURTS	**JISC DATA DISSEMINATION COMMITTEE** **Friday April 28, 2017 (9:00 – 11:30 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
Ms. Barbara Miner

Guests Present
Brian Roe – NW Justice Project

Members Present (telephonically)
Judge J. Robert Leach
Judge G. Scott Marinella
Judge David A. Svaren
Ms. Brooke Powell

Guests Present (telephonically)
Dot French – Pasco Municipal Court
Deborah Hunt – Port Orchard Municipal Court
Jody Marshall – Tacoma Municipal Court

Members Absent
Judge Jeannette Dalton
Ms. Aimee Vance

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

0. Call to Order

A quorum of members was reached and Judge Thomas Wynne called the meeting to order at 9:02 am.

1. February 24, 2017 Meeting Minutes

A motion was made and seconded to approve the minutes of the February 24, 2017 meeting. The motion passed unanimously.

2. Kitsap County Prosecutor's Office PCN entry request

Ms. Deborah Hunt from Port Orchard Municipal Court presented this request. For some years, the Kitsap County courts and several municipal courts within the county have relied on the Kitsap County Prosecutor's Office (PAO) to help enter PCN information directly into the Judicial Information System (JIS). Several courts have provided the PAO with court RACFIDs (username and password) to do these entries. There is no current Data Dissemination Committee exemption that allows this access. The provided RACFIDs give the prosecutor limited access in JIS; however, it is to more than just the PCN field. Ms. Hunt explained that each PAO individual who is given access must be assigned an individual RACFID, and that the individual must sign a confidentiality agreement as part of their contract with the prosecutor's office. However, there is no specific provision in that contract for just using the court RACFID to enter PCN numbers. Ms. Hunt stated that if the access is taken away, the additional burden to court staff and the clerk's office would be substantial.

DDA Happold was asked for a staff recommendation. She replied that AOC supports whatever the Committee decides, but the additional assistance in entering PCNs may be a good thing after the State Auditor's Office audit findings in 2015. ISD Operations Manager Mike Keeling also stated that because PCNs are associated with SIDs, improved data quality will be very important going forward.

Judge Wynne agreed to approve the continuation of this practice, but with the stipulation that the RACFIDs are to be individualized, and an agreement is drafted that restricts data entry only to PCNs. Judge Marinella noted each court would need an agreement with the PAO for any such employee to enter PCN data and nothing else. The Committee was in agreement and DDA Happold was tasked with drafting contract language for the various courts and the PAO that supports the Committee's decision.

Judge Svaren moved to approve the request to allow the Kitsap County Prosecutor's Office JIS access to enter PCNs into the case management system subject to the terms discussed. Judge Marinella seconded. A quorum vote was taken and the motion was approved. None were opposed. Ms. Miner abstained.

DDA Happold will be in touch with the various Kitsap County and municipal courts to provide the required language for future contract agreements with the PAO for PCN data entry.

3. Tacoma Municipal Prosecutor request for printing access

Ms. Jodi Marshall, the Office Administrator for the Tacoma's Office of the City Attorney (Tacoma) presented this request. Ms. Marshall explained that during the transition to AOC-provided JABS access, the office realized it no longer had access to various print domains in JIS for JIS reports. Using the JIS PCS screen and court-given RACFIDs, Tacoma routinely ordered and printed their own court calendars, as well as batch printed DCHs and ADRs. Tacoma requests that it be allowed the appropriate access to continue printing court calendars and batch DCHs and ADRs.

DDA Happold provided that in 2008, the DDC granted a general exemption to all prosecutors to be allowed court user access in order to print JIS calendars. However, Tacoma's current access and subsequent request goes beyond that exemption.

Ms. Miner stated she did not want DCH screens to be printed from JIS as the information was not complete. She stated that users should be using the JABS ICH screen. Judge Wynne agreed that they should no longer be using the old system for DCH access. Ms. Powell was concerned that they could be reporting DCH information that is inaccurate, even though there is a warning message in place on the DCH screen. Judge Marinella suggested a second notice be distributed to the prosecutors and public defender listservs to use JABS rather than rely on old incomplete JIS DCH screens. DDA Happold stated she would include a comment in the next JABS message that the JABS ICH screen may be more accurate and complete than the DCH or ICH screens in JIS.

The Committee stated that Tacoma should be using JABS screenshots instead of JIS batch prints, just like court users. Several Members commented that court users themselves would like to have batch printing in JABS. ISD Operations Manager Mike Keeling was tasked with providing an estimate of time and expense for creating the capability of batch printing ICHs in JABS.

An alternative was allowing JIS LINK RACFIDs the ability to print with a court user ID in JIS instead of giving prosecutors both a court RACFID and a court user ID. Mr. Keeling was tasked with providing an estimate of time and expense to allow a JIS LINK RACFID to print in JIS.

Judge Wynne stated that the Committee should wait for the estimates before deciding on Tacoma's request. The DDC agreed to table this request until the next meeting and to continue to allow the current process Tacoma is using until a resolution is found.

4. Pasco Municipal request to allow City of Pasco Finance Department JIS access.

Pasco Municipal Court Administrator Dot French presented this request. She described the court's current process of providing the city financial department staff individualized RACFIDs to balance the court's checkbook. The city has been reconciling the court's manual checkbook against the JIS database since 1995; with reconciliation of the checkbook since 1986. The State Auditor's Office has commended this separation of duties. The request is now before the DDC because there is no established exemption allowing this access by an executive branch financial employee. The Committee discussed what sort of access could be given: allowing the City's financial department access to only certain areas of JIS, restricting the access to one single finance person, and/or allowing access only to the bank reconciliation screen. It was noted that several other small courts currently provide this access, outside of DDC approval. Ms. French also stated that read-only JIS access would be inadequate, as the person must make entries about checks cleared and must be allowed to create reports.

Judge Wynne asked if a RACFID with a profile limiting access to certain screens would be sufficient. Judge Leach suggested this should be considered the future rule. It was agreed that limiting access would be key in allowing Pasco to continue the process of having an outside finance person do the accounting.

Judge Leach moved to approve the Pasco Municipal Court's request with the following conditions:

1. The access would be restricted to only one person in the City's financial department. If more access is needed, Ms. French is to notify DDA Happold.
2. Limit the access to just those screens that are needed to balance the checkbook
3. Ms. French was to provide AOC the list of those screens so JIS Security would document them for future requests.

Judge Svaren seconded. DDA Happold asked if the motion only covered Pasco's request or if it was statewide approval. Ms. Miner was not willing to expand the approval statewide without knowing more about individual circumstances, but agreed the process needs to be legitimized. DDA Happold was directed to have further discussion with both Ms. Miner and Ms. Vance about other courts' practices. It was agreed that today's motion would cover only Pasco, but it was anticipated that the Committee would make a statewide decision when more information was gathered. The motion was passed unanimously.

5. Data Dissemination Policy amendments and related matters

On behalf of the Supreme Court, Chief Justice Fairhurst wrote a letter to DDA Happold regarding the amended Data Dissemination Policy the JISC submitted for review. The Court raised several questions to the DDC. One concern was the addition of the Attorney General's

Office (AGO) in Section VIII and the need for equal access for opposing counsel. DDC members stated that the main intent of that addition was to give the AGO access to case type 7s. The Committee discussed that if the AGO was given this access, it should also be given to the Office of Public Defense (OPD) and the Office of Civil Legal Aid (OCLA). Judge Wynne provided proposed language changes to Section VIII that were approved by OPD and OCLA. Judge Wynne suggested that the DDC amend Section VIII to include OPD and OCLA. He will then draft a responding letter to the Supreme Court and ask Judge Leach to review it. Judge Leach made a motion to proceed as described by Judge Wynne. Ms. Miner seconded. The motion passed unanimously.

6. Other Business

ITG152 JABS DCH Public Tab and Including the Existence of Adult Sealed Cases

DDA Happold updated the Committee on the ITG 152 JABS DCH public tab that was being built by AOC. Prior to this meeting, she asked the Committee via email if the existence of sealed adult cases should be displayed in the JABS DCH public tab. The Committee voted to include the existence of sealed adult cases on the DCH Public tab, and DDA Happold wanted that decision reflected in the minutes. She also provided examples of what would display as dictated by GR 15(c)(4) and GR 15(d). She asked if vacated should be spelled out or if the notation of 'v' (currently used) would be enough. The Committee decided that vacated should be spelled out as the viewer may not understand what the 'v' meant. DDA Happold would take their decisions to the ITG 152 group.

Public Index Contracts, Language Updates, and Increase of Fees

DDA presented this subject to the Committee. Based on the Committee's decision to have the existence of sealed adult cases displayed in the JABS DCH public tab, she thought it was time for the Committee to review the public index contracts pursuant to GR 31(g)(1). A review has not been done since 2005. Section 9 of all the contracts currently require subscribers to remove cases that are sealed. She asked if this provision should change. Brian Roe with the NW Justice Project asked if this change was requested by index subscribers. AOC and the Committee have not received a request, but the DDC may decide that it is time for an update to the language. Mr. Roe stated he would be interested in providing input if that is the case. Judge Wynne suggested the DDC could decide to take no action at this time, until a change has been requested.

Next, DDA Happold stated that AOC would like to raise the public index subscription fees from $1800 to $3600 for the PSCI, CLJCRIM, and CLJCIV indexes, $1680 for the SINDEX, and $1200 for the Probate index. Reasons for these increases are in anticipation of providing the data on a weekly basis instead of quarterly or monthly, the amount of staff time used in managing and maintaining these indexes, and the rate amounts have not been reviewed since 2001 when they were first set.

Though the judicial branch does not adhere to the Fiscal Growth Factor (FGF), AOC still used it in assessing the proposed rates. The FGF is a quasi-inflation rate used by the Legislature to assess increases in fees. When applying the FGF to the amounts proposed, they all fall within the calculation. Judge Wynne asked to have this request, along with the possible amendments to Section 9, be formally added to the DDC's agenda prior to making a decision.

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The VAWA Workgroup

DDA Happold updated the Committee that the VAWA workgroup is formed except for a DMCJA representative. Judge Marinella stated that they are still looking for someone and will send something out to the Association members. Judge Leach asked DDA Happold to update Legal Voice on the status of the workgroup.

Address Confidentiality

DDA Happold noticed that the NCC screen (case file and inquiry screen) lists addresses that are viewable to JIS LINK level 1 users. Once the amended Data Dissemination Policy is active, this will need to be removed.

As there was no other business, Judge Wynn adjourned the April 28 DDC Meeting at 10:36 a.m. The next DDC meeting is scheduled for June 23, 2017.

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