

## E2SHB 1320 Technology Group Meeting Minutes

<b>Meeting Date</b>	<b>Page</b>
August 9, 2021	2
September 13, 2021	5
October 11, 2021	8
November 8, 2021	12
December 13, 2021	17
January 10, 2022	22
February 14, 2022	26
March 14, 2022	30
April 11, 2022	34
May 9, 2022	37
June 13, 2022	40



**Gender and Justice Commission (GJC)  
E2SHB 1320 – Technology Work Group meeting (Zoom)  
Monday, August 9, 2021  
2:00 PM – 3:00 PM**



**MEETING NOTES**

**Stakeholders Present**

Kevin Ammons  
Kacee Cohen  
Keith Curry  
Vonnie Diseth  
Natalie Dolci  
Lisa Espedal  
Tim Fitzgerald  
Elizabeth Hendren  
Charlotte Jensen

Colleen McIngalls  
Sandra Shanahan  
Judge Charles Short

**Staff**

Moriah Freed  
Laura Jones

**WELCOME & INTRODUCTIONS**

Reviewed Meeting Agenda:

1. Leads to review plan for the next couple of months
2. How you fit into the plan
3. Feedback
4. How to work together?

Introductions: Attendees introduced themselves, including the organization that they are representing in this work, and whether they were previously involved with HB 1320

**LOGISTICS**

- This day/time seems to work well for everyone present
  - Action Item: Laura Jones will send out reoccurring calendar invite for the 2<sup>nd</sup> Monday of the month at 2pm for the duration of the project

**WORK PLAN FOR TECHNOLOGY GROUP**

Action Item: Before next meeting, review HB 1320 if you haven't already. Focus should be on technology sections, but there are very likely technology-related solutions that will come out of the other groups (e.g. jurisdiction, evidence)

1<sup>st</sup> Step – Get a lay of the land: Need to understand the current systems in place in each county. E-filing? Is E-service allowed?

- Anticipate drafting letter to clerks to get a better idea of that
- What's the best way to make contact with district and municipal courts?
  - Court Administrators- through District & Municipal Court Management Association list serv
  - For presiding judges- District & Municipal Court Judges Association list serv
- At superior court level, if not just looking for information re: filing, should probably go through superior court administrators association as well
- Important to reach out to law enforcement as well—challenges/questions related to e-service:
  - What to do if LEIS doesn't include an e-mail address?
  - How to ensure someone received a text?
  - RDVFEU has developed guidelines, done some training for law enforcement—can share what they've learned
- If trying to obtain data about processes and what's available, contacting the associations the way to go. Should determine how we'd like the responses—to the presidents to compile, or directly to us?
- Can use SurveyMonkey to gather this information
- Action Item: Fona Sugg received survey questions from UW Law Gates Public Service Law Program Intern re: post-COVID court reopening that she will forward to Laura Jones. May be helpful in drafting survey questions to the associations.
- Action Item: Sandra Shanahan to share report on pilot re: e-service with Laura Jones to send to the group. Feel free to share liberally.

2<sup>nd</sup> Step- What is the user experience? What are barriers to access?

Once we have a better grip on what Washington is doing, look to other states to see how it aligns. Technology subcommittee on court recovery task force.

Big Picture: Our report is not due until June 2022. Try to get a good start, then be available at the end of 2021 to help support the other groups with deliverables due December 1, 2021.

#### **DISCUSSION OF HOW STAKEHOLDERS WOULD LIKE TO BE INVOLVED IN THIS WORK**

Writing/Editing: Vonnie Diseth, Natalie Dolci, Sandra Shanahan, Kevin Ammons

Research: Sandra Shanahan

Information about user (victim) experience: Colleen McInalls, Sandra Shanahan, Kacee Cohen

Feedback: Judge Short, Vonnie Diseth, Natalie Dolci, Kacee Cohen, Kevin Ammons

Data/Case Management Application Information: Charlotte Jensen

AOC Systems Coordination: Keith Curry, Mike Keeling, Kevin Ammons, Charlotte Jensen

Outreach to other stakeholders: Fona Sugg

Implementation, form creation: Lisa Espedal

Liaison with Litigant Rights & Access Group: Natalie Dolci

Whatever is needed: Fona Sugg

## **ADJOURNMENT**

Thank you, and see everyone next month (September 13, 2021 at 2 pm). Laura Jones and Moriah Freed to work on putting together association surveys.



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Melissa Beaton

Dr. Dana Cuomo

Keith Curry

Vonnie Diseth

Lisa Espedal

Laurie Garber

Elizabeth Hendren

Charlotte Jensen

Judy Lin

Collen McInalls

Linda Myhre Enlow

Sandra Shanahan

Judge Charles Short

Judge Aimee Sutton

**Staff:**

Moriah Freed

Laura Jones

**WELCOME & INTRODUCTIONS**

Introductions of committee members

Reviewed Meeting Agenda:

1. “Lay of the Land” survey discussion
2. Discussion of next survey focused on the user experience
3. Additional thoughts/questions about HB 1320 that haven’t been covered?

**“LAY OF THE LAND” SURVEY DISCUSSION**

Decision to combine Technology survey questions with Research & Information Sharing survey questions so as not to overwhelm courts with surveys

Summary provided of feedback received thus far on surveys, including: additional questions about digital evidence; defining/clarifying key terms; disclaimer that some questions may not be applicable based on how roles/duties assigned in different courts; use Likert scales or yes/no where possible

Discussion re: questions about e-service- want to make sure a question doesn’t discourage a practice. Proposed edit: 1320 Section 18 recently authorized and prioritized e-service. How is your court implementing this?

Discussion re: note on NCIC access and training. Include a link about what those entail so that it is not misleading. Input that requirements were more rigorous.

Once the leads approve of the final draft of the survey, it will be submitted to AOC's approval process and then sent out

### **DISCUSSION OF NEXT SURVEY FOCUSED ON THE USER EXPERIENCE**

Litigant Rights & Access sent out its survey to victim advocates/attorneys, including a few questions related to technology- those questions were reviewed with the group. Sent out via Washington Coalition of Sexual Assault Programs, Washington State Coalition Against Domestic Violence, Washington State Women's Commission. Consider also sending to:

- Office of Crime Victim Advocacy
- WAPA Victim Services Group

This survey was sent out due to December 1<sup>st</sup> deliverable deadline for that group.

Discussion of survey of court users (litigants):

- Where to post?
  - Court websites? (Laura Jones to follow up on this)
  - Washington Law Help
  - Division of Children, Youth and Families- people who overlap with dependency and DV
- How do we reach those who speak a language other than English? Possible to translate? (Laura Jones to follow up on this)
- Needs to be in plain language- Laurie Garber can assist with this
- Needs to include fewer questions
- Include questions about whether people have gone through the protection order process before COVID or during COVID
- Opportunity to understand how users are able to (or not) enter digital evidence into the record
- Assess digital divide issues- how hard to access courts through these technologies? E.g. need for kiosks, computers in libraries, other community organizations. Use someone else's computer? Ability to print?
- If we open it up, we will get perspectives and information of petitioners and respondents
- Next steps: Bring this idea to project leads, determine process. We have longer timeframe because our deliverable not due until June.

### **ADDITIONAL THOUGHTS/QUESTIONS ABOUT HB 1320 THAT HAVEN'T BEEN COVERED?**

1320 allows for technical corrections of orders, infrastructure to make that feasible- if we are creating technology to allow better access to the court, should include if law enforcement gets flawed order/conflicting language/no effective date- portal for them to address as quickly as possible

- In King County: Court order problem solver- position to deal with that
- Designated person from each court?
- Flaws stop pipeline of enforcement
- Survey question for court survey: Do you have a specific person to address problems with orders? Include this in the court survey.
- Look to other states that have had electronic petitions, service in place for longer periods of time—what is their process?

Memorialization of who appeared and how is lacking in remote environment. Actual notice because they participated. Are they considered served?

- Possible judicial training issue, collaborate with law enforcement so no downstream issues stemming from uncertainty about service

When to charge a fee, when not to--- technology connection. When filing online, at what point do you find out whether it's free or not?

What data and metrics should courts should be collecting around technology issues?

## **ADJOURNMENT**

Next meeting at 2pm on Monday, October 11<sup>th</sup>.



**Gender and Justice Commission (GJC)**  
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**Monday, October 11, 2021**  
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 Dr. Dana Cuomo  
 Vonnie Diseth  
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 Tim Fitzgerald  
 Laurie Garber  
 Elizabeth Hendren  
 Charlotte Jensen  
 Mike Keeling

Judy Lin  
 Colleen McIngalls  
 Dawn Marie Rubio  
 Sandra Shanahan  
 Judge Charles Short  
 Fona Sugg  
 Judge Aimee Sutton

**Staff:**

Moriah Freed  
 Laura Jones

**WELCOME**

Meeting Agenda:

1. Surveys
  - a. Victim Advocates/Attorneys
  - b. State Courts: Clerks; Superior Court Judges & Administrators; District & Municipal Court Clerks, Judges, Administrators
  - c. Tribal Courts- *Still in process*
2. Requirements for private vendors (HB 1320 Sec. 16(2)(b))
  - a. Presentation/Overview (Laurie Garber)
  - b. Discussion

**SURVEY DISCUSSION**

The surveys are saved in a “Survey” folder on Box—the link was shared in chat

We are hoping to have two volunteers to review and write a brief summary for each survey. Many of the questions were open response, so there’s a lot of information to sort through. What are the trends that we’ll have to focus on to comply with the legislation?

Suggestion to review the response summaries vs. individual responses



Impressions from initial review: People come at this with their own lens. We don't have a grasp on what the process looks like for anyone not sitting in our chair.

Due date: November 3, 2021 so that we can circulate in advance of our November meeting

Volunteers:

- Courts of limited jurisdiction: Dawn Marie Rubio
- Superior Courts: Fona Sugg
- Victim Advocate/Attorney: Judy Lin and Laurie Garber
- Clerks: Melissa Beaton

#### **REQUIREMENTS FOR PRIVATE VENDORS – LAWHELP INTERACTIVE OVERVIEW (LAURIE GARBER)**

- Available on the Washington LawHelp website
- 2018- Received state funding to make interactive system with Washington LawHelp. They have been working on it for the past three years, automating with Washington forms online.
- This webpage and system was intended for people without lawyers to use on their own
  - Plain language, 8<sup>th</sup> grade reading level
  - Test interviews done
- Step-by-step interview to complete legal forms for DV Protection Order
  - Connect with local DV advocate- local program contact information provided
  - Gathers peoples' information in a way that is easy to understand, gets at jurisdictional issues, helps them tell their story
  - Most difficult part of the interview is helping users figure out their statement—it breaks down into the different sections of the protection order to help them provide information that the court needs
  - When they complete the process, they can download their forms
    - Provided in editable format (rtf)
    - Can upload additional documents they would like to include
  - The program does not file the court forms, it creates the forms, and a person would have to print them out, sign them, and get them to the courthouse
    - This is a barrier that we hope to fix—if you cannot get your finished product to the courthouse and served, you won't get your protection order
  - Ability to toggle between English and Spanish- adheres to translation standards, does not use machine translation
  - Users have the ability to proceed anonymously- can start as a guest and not leave a digital trail online. There is also an option to create an account.
  - Takes data security very seriously- all personal information is encrypted, annual security audits

## QUESTIONS/DISCUSSION

How many users are hitting the website to use this?

- Family Law Interviews: Over 18,000
- DV Protection orders: 500 over the past year
  - People may not be finding this link—having links directly from AOC court forms page would make a difference
  - If they were able to complete the last step to allow users to file directly, that would increase usage
  - Those who contact DV agencies likely getting help with protection order packets from advocates

There is a fee required for anti-harassment orders, which adds a requirement to any auto-submission program.

- The fee waiver form is part of the interview

Forms committee working on the draft of the combined petition—anticipate that it will be shared with stakeholders soon (Sandra & Laurie on this committee)

Is the technology capable of customizing instructions generated to the location for filing?

- Yes, to the extent designers can figure out local instructions and given more resources
- They do customize with the local court contact information

What are the risks of not doing security audits?

- Want to make sure they are not working with a vendor that is selling user information or using the contact as a marketing opportunity to upsell or refer to certain attorneys
- Security also becomes a challenge with e-mail submissions because that introduces a layer of risk of your data being hacked out of someone's e-mail.
  - That's one of the reasons a lot of the clerk's offices don't want to accept filing by e-mail. Security and public disclosure. Or sent to spam or blocked. Once they get into the clerk's office, they need to get to the court.

Pierce County's Linx system has an interesting set-up with kiosks. One of the benefits is that if something filed through kiosk system, it's automatically in case management system.

Most people applying for protection orders not using desktop computer. Ideally, this is where the courts could help do that. Provide the printed copy for someone. In some counties that's possible. Printing is a huge barrier to people.

Difficulty of getting the forms completed to getting filed with all the different filing systems across the state?

- Challenge of so many different processes. E.g. Some counties require both LEIS and confidential information form, some only require LEIS. Some require case cover sheet, some do not.

- Court clerk websites vary with information they have about how to file.

For counties that have electronic filing, is it within the realm of possibility to connect to Law Help website?

- It is possible, haven't made the attempt because county by county. Too labor intensive with resources we currently have.
- One of the challenges with that is that e-filing has a vendor charge. That service fee stays with the company. Also fee for making payment.

LawHelp Interactive (LHI) connect essentially is a portal where you can send documents there when ready to submit. Requires court staff to go in and take the next step. Potential for a statewide portal that every county/court has access to pull the submitted petitions and take action on them.

- There are some challenges we have to address and look at, e.g. workflow variabilities by county
- Ideally, we'll have a system where once the survivor has submitted a petition that they get notified when a judge looks at it. When temporary order signed. When service happened. Reminder about hearing dates.
  - Great examples out of other states (Arizona or Nevada)

## **ADJOURNMENT**

These are the discussions we're going to have going into December and January to begin developing our recommendations.

Next meeting at 2pm on Monday, November 8th



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**Monday, November 8, 2021**  
**2:00 PM – 3:00 PM**



**MEETING NOTES**

**Stakeholders Present:**

Kevin Ammons  
 Melissa Beaton  
 Natalie Dolci  
 Lisa Espedal  
 Tim Fitzgerald  
 Laurie Garber  
 Elizabeth Hendren  
 Mike Keeling

Judy Lin  
 Colleen McInalls  
 Sandra Shanahan  
 Judge Charles Short  
 Fona Sugg

**Staff:**  
 Laura Jones

**WELCOME**

Meeting Agenda:

1. Survey summary synopses re: technology questions:
  - o Clerks
  - o Superior Court
  - o CLJs
  - o Victim advocacy/attorney surveys
2. BJA Court Recovery Task Force
3. Discussion: Are there any lingering issues we still need our own survey for, and if so what are those?

**SURVEY RESPONSE SYNOPSES**

Victim advocacy/attorney surveys (Judy Lin)

- Do courts allow e-filing? (59% yes / 41% no)
  - o Narrative: For attorneys, it’s much easier to navigate but there is a concern for people who do not have attorneys. Technological barriers to having access.
- Question re: notification to petitioners once received. Only 23% responded yes.
- 47% of responders said their courts allow e-service. Some don’t allow at all, others experiencing challenges—different verification methods (e.g. affirmatively acknowledge receipt), service through social media inconsistencies
- Are protection order hearings being conducted via remote processes? 97% yes
  - o Majority using Zoom, telephonic

- Less burdensome, but some drawbacks such as limited access to technology, insufficient minutes on phone if that's their primary way of accessing court, having a safe space to participate, more barriers if limited English proficiency
- Also found out how much advocates play a role in supporting survivors and bridging technology gaps—e.g. accessing technology through them, understanding how to e-file, appear remotely, etc.
- How it's glass half empty, glass half full with remote proceedings:
  - Less traumatic, safer, easier, good for immigrants who don't have to go to the courthouse
  - But also really serious problems, barriers
  - It's not a clean simple message

#### Clerks (Melissa Beaton)

- 22/39 responded to the survey
- E-service and e-filing need standard definition
- 11 have e-filing approval from the bench, 11 do not
- 13 have Zoom/faxing submission
- Upload evidence digitally- only 2/22 have capability to do that
- No standardized way to print out/upload digital evidence
- Standardized workflow from clerk to court to clerk AND secure portal
- E-service is not a function of the clerk's office, falls to law enforcement
- Databases: Access JIS/JABS, clerks use it
- Need a court order to seal protection orders or follow GR 15, having initials on the petitions will be a challenge
- Data- responsibility should fall to the court
- No capability to check for protection orders outside of WA state, no connections to military court nearby
- Evenly split on clarify of protection order process to pro se litigants.
  - New form 18-20 pages. If compiled into longer form, not going to be able to go through the form with them. Court facilitators, advocates would be a huge help.
- Court makes decision to transfer to a different court. Court order, transfer protection order case, then clerk opens new case in superior court and CLJ closes theirs

#### Superior Court (Fona Sugg)

- 13/14 conducting PO by remote processes- not any one system anyone is using
- Most do allow the parties to determine how they want to appear
- Litigants made aware: On website, or attached to paperwork/in court order
  - Under impression that 1320 requires it to be in the order
- How are audio and video recordings made available to the parties?
  - Digital format- cd or thumb drive
  - A few can e-mail, depending on the size of the file
  - Requests made through clerk's office more often than through administration
- Changes in response to operations with COVID-19:
  - Parties allow/encouraged to appear remotely

- Paperwork can now be submitted for filing and signature electronically (4 of the courts)
- Courtesy copies accepted electronically
- One court: parties can appear remotely or in person, but public required to be in the courtroom, cannot join remotely
- Three have ability to upload evidence digitally- something that needs to be improved if moving toward remote proceedings to make that part of their file
- Split: Procedure with intimate images (6-yes/7-no)
  - Many of the courts required a motion to seal- party would have to request
  - In one court, the clerk determines whether something is appropriate and send to the court for review before filing it
- Policies are e-service, able to provide copies? 12 said no, likely not written policies
- Questions regarding databases checked for conflicting orders and another question about what databases checked to locate court information
  - Not a lot checked for conflicting orders, but 11 checked for information re: litigants
- Pretty split on whether victim advocacy services in court – 5 yes, 6 no, 3 skipped
- Only one has connection with/works closely with military court
- Pretty evenly split on whether want NCIC access. No follow-up to find out why
- Specific contact person to address problems with court orders?
  - 4 yes/6 no/1 unknown/3 skipped

### CLJs

- A lot of different things happening in different courts
- Most e-filed via e-mail, some had portal
- 51% said operations had changed – when elaborated
  - Filing by e-mail
  - Zoom appearances
  - Payment over the phone
  - Adobe for e-signatures
- 38% said digital evidence process
  - Thumb drive
  - Cd
  - E-mail
  - Required to print & upload
  - O Court, DropBox, other similar services
- 53% have process to handle intimate images on the record, a few indicated part of public record
- Written policies around e-service? 10% yes, 10% no, 80% N/A
- Remote appearances – 63% yes, most using Zoom
- 33% have NCIC access, 60% want access
- Most survey respondents looking at JABS/JIS, systems didn't automatically access those systems
- Who checks for conflicting orders?

- Low percentage actively working with neighboring tribes

## **BJA COURT RECOVERY TASK FORCE**

GJC Co-Chair, Judge Paja mentioned BJA Court Recovery Task Force, overlapping work with ours

Looking at impact of COVID-19 for what is working and what is not working for the courts. They have a Technology Committee.

Also surveys, including of pro se litigants, which we had talked about doing previously. They are in the process of putting together a summary

## **DISCUSSION: SHOULD WE DO OUR OWN SURVEY?**

With BJA Survey, as well as our surveys, what are thoughts about putting out litigant survey as we discussed previously, or is this covered by our efforts surveying courts and victim advocates and the other efforts?

A lot of what was not covered in the advocate/attorney survey hinged on what technology litigants using to access, etc. which the CRTF is surveying about, as well as understanding of process, if feel treated respectfully, what device they use

Does this Group feel like we should do an additional survey? If so, what questions do we have that are outstanding and not currently addressed?

Question from the group: Can we amplify the reach of the CRTF survey? Advantage of not reinventing the wheel, but how do you get it into the hands of people? Ideas we can communicate back to CRTF?

- Put a link to each of our websites to this survey to make it more publicly known?
- Do advocates and other groups realize this will inform court processes? May be more enthusiasm.
- On remote hearing instructions (Pros and cons)

May be worthwhile to reach out to people who responded to our surveys. How can we be proactive to find out what courts need? E.g. systems analysis to build out existing systems? Practical so when law goes into effect in July can be proactive.

- Timing? Down the line?
- Logistics of following up with survey responders complicated
- Suggestion not to send out another survey, have a conversation. E.g. Superior court administrators roundtable every other month. That would be a better way to get input than another survey. Having a conversation about what we're looking at, what they need, will this work, will this not work?
- Listening session idea
- A lot of surveys going around, avoid adding to that

Action Item: Because not all group members present at today's meeting, propose sending out note to the group that people in attendance at the meeting in agreement that we do not need to do another survey. Let us know by Friday if objections.

Concern: HB 1320 trailer bill coming up- by the time we make recommendations, we won't have the ability to make recommendations for the trailer bill. Some of these technology issues could fall under that.

- If there are specific technology concerns, let the leads know
- Individual associations making recommendations that touch on technology

## **ADJOURNMENT**

Next meeting at 2pm on Monday, December 13<sup>th</sup>





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 Judy Lin  
 Linda Myhre Enlow  
 Sandra Shanahan  
 Judge Charles Short

**Staff:**

Kelley Amburgey-Richardson  
 Laura Jones

**WELCOME / AGENDA**

Minutes from 11/8/21 approved.

Meeting Agenda:

1. Trailer bill discussion
2. Ready to move on from “lay of the land”?
3. Discussion Question: What should e-submissions look like?

**TRAILER BILL DISCUSSION**

Trailer bill sent out in advance of the meeting. A few people did review.

Discussed returning to this bill at our January meeting, but wanted to reserve time at today’s meeting because session will already be underway.

Anything jump out? Problems? Technology requirements appear to be clearer. Nothing that increases our workload.

**LAY OF THE LAND**

Consensus from last meeting that we are done with surveys, close them out. Do we have the information that we need to proceed? (Yes)

## **DELIVERABLES TO THE COURT BY JUNE 30, 2022**

E2SHB 1320 Sec. 16(2)(b): develop (for the courts) requirements for private vendors who provide services related to filing systems for protection orders, as well as what data should be collected.

- Not selecting a vendor, coming up with requirements so that counties can look at them and see if vendors meet the requirements
- And, what data should be collected?
  - o Data that the courts will want to know? AOC collect that data
  - o What kind of data are we thinking about?
    - User data and privacy
    - Devices people using to access courts
    - Fee structure from these vendors, profit from data they acquire? Does that lead to marketing of particular products or services?
    - Ethical guidelines first
  - o Are protection orders filed through case management systems?
    - Yes, vendor collect information to input into the form. Questionnaire, then that will produce the petition, then filed with the court.
    - Counties may be looking at vendors to contract with
  - o How would AOC be in a position to collect data that is input into system to produce a form? Only once it's filed, does it come into case management system that AOC reports on.
- Meeting with Judge Levinson re: legislative intent tomorrow, writing down these questions
- In this new realm where vendors marketing products to courts—kind of like a Tax Act for protection order petitioners
- Need to be clear in separating forms from data.
- When petitioner filling out questionnaire, once the judge signs the order, is it the expectation that the vendor will also provide the framework for the order? Or is that produced in the court?
  - o One of important clarifications of trailer bill is e-submissions as opposed to e-filing. Simplifies our discussion a bit, because talking about creating a submission package that then goes to the court to process and enter into case management system
- This distinction about data is important; ethical standards and requirements and also what kind of data should courts expect to be able to receive from the vendor about people using the program
- Language is broad- privacy issue, what data do we want? E.g. disparate impacts on certain groups? How many continued due to lack of service? Time period to get order? What the court needs to improve the process in the future.
  - o E-notice to the petitioner, when is the hearing, some discussion about adding e-notice requirements to petitions, e.g. with firearms
  - o Standards, requirements that vendor would have capability of doing

- At initial submission level, not know what filed. Photos, etc. in addition to written completion of the form
- How do vendors handle when there is a motion to seal?
- Vendor provide notice to petitioner of service, status, when signed? Courts are going to have to figure out how to comply with these requirements. Important piece related to AOC- who will send the notice, and if outside vendor, how will they get that notice?

E2SHB 1320 Sec. 36(1)(a): consider and develop recommendations (for the courts) regarding uses of technology to reduce administrative burdens in protection order proceedings.

- Have the burdens been identified?
  - Remote access
  - Digital evidence- make it paper-based, ultimately digitized again- ability to upload attachments
  - Eliminate printing requirement while still keeping printing option. Barrier for some, but only point of access for those without digital tools or expertise.
- No clear charge for there to be a single system, uniform system, single point of entry. We don't have a uniform system, but identify burdens of not having uniform system. Different levels of access based on the courts people filing in. Have to address uniformity in our standards.
  - Standardized submission portal everyone can use. Local customization link that portal to various case management systems. Centralized, uniform experience for anyone seeking protection. Customization on the back-end
  - Help increase access to pro bono services in rural areas. Opportunity with technology for geographical disparities to be addressed. Different vendors and processes inhibits that.
  - Will influence what data is pulled out—difficult to compare across jurisdictions if everyone measuring different ways, collecting different data
- Identified in trailer bill – transfer, where transferred from district to superior, finding ways that that goes smoothly
- Is there a vision of an “all-in-one shop” where person submits petition is same vendor where get notified of tracking. Or is that a separate animal from a submission entirely?
  - They can be under one roof because there are vendors that offer that, but don't necessarily have to be.
  - Optimal would be to have them under one roof, realistically two because of the notice piece. A huge part of the case management application. Without case management applications, could that functionality be available rather than sending to another vendor? Concerned about setting up an expectation about that notice going out. Have to consider for superior courts, Odyssey, King County different application, courts of limited jurisdiction operating under their version of Odyssey, and consider JIS application. Also LINX in Pierce County. Many different options right there.
  - In a fair amount of counties, systems pretty well established already.

## DISCUSSION: WHAT SHOULD E-SUBMISSIONS LOOK LIKE?

- Quick, easy on petitioner
  - o Pro se litigants,
  - o Single order from forms committee that covers all civil orders
- Way to integrate connection with advocate
- [DRAFT form petition](#) for protection order available for comment until March
  - o Is there an expectation or requirement that vendor allows for the form to roll up and remove the paragraphs that are not applicable? Make it easier for reviewer. For example, program for legal forms- check boxes, if didn't check it rolled up. Couldn't change paragraphs, they were consistent. That could be a requirement for a vendor.
  - o Allow for different methods. If someone work offline but e-submit, others who want to work within e-submission program. Dynamism for how obtained.
    - Survivors with limited English proficiency will work with others to get paperwork completed accurately
    - Requirement that program have options for different languages
- As much control as possible is in the hands of the petitioner- save draft, not save a draft, not create an account, whether they get text messages or e-mails (safety concerns) and how it's labeled
- Mechanics of e-submission—need to be clear about e-submission and e-filing. E-submission like traffic control clearinghouse. Some way for people to say here's my package, I'm done. Uploaded and ready to submit. And then where does it go from there?
  - o Some counties done workarounds with e-mailing, own upload portal that is different from e-filing. Is there a clear idea of what that should look like?
  - o What is the distinction between e-submission and e-filing?
    - E-filing is e-submission, but e-submission is not e-filing. Because different e-filing systems in courts, don't want people to have to navigate both systems.
    - E-filing requires that the county have e-filing. E-submitting is that the person who wants the protection order giving it to someone in the court would will take action on it. Not instantly filed into case management system as a document. Steps that have to happen in clerk's office between submission of a package and filing. Case number, entry of peoples' names as well-identified person.
    - Odyssey- e-files, goes into clerk's queue to do those activities, they accept it, and then it goes right into e-filing
    - E-submission: Fax, e-mail attachments, broader capability of sending things in electronically
    - E-filing is a specific manner in how things are done.
- The vendor receiving information for forms would be conduit for sending the packet to the court. That's where requirements to vendors include x,y,z, metadata so courts can import into case management system. Format court can act on electronically.
- More clarity and narrowness would be very helpful.

## ADJOURNMENT

Next meeting at 2pm on Monday, January 10<sup>th</sup>

### Homework for next meeting:

- [Court Recovery Task Force Technology Committee: Guiding Principles for Identifying, Developing, Implementing, and Utilizing Court Technology \(April, 2021\)](#)
- [1320 trailer bill](#)
- [Review deliverables in Sec. 16 and Sec. 36](#) and think about what deliverable you'd like to work on (subcommittees)



**Gender and Justice Commission (GJC)  
E2SHB 1320 - Technology Work Group meeting  
(Zoom) Monday, January 10, 2022  
2:00 PM – 3:00 PM**



**MEETING NOTES**

**Stakeholders Present:**

Kevin Ammons  
Honorable Melissa Beaton  
Keith Curry  
Ailise Delaney  
Vonnie Diseth  
Natalie Dolci  
Lisa Espedal  
Tim Fitzgerald  
Laurie Garber  
James Hayes  
Elizabeth Hendren  
Charlotte Jensen

Mike Keeling  
Colleen McIngalls  
Erin Moody  
Riddhi Mukhopadhyay  
Linda Myhre Enlow  
Dawn Marie Rubio  
Sandra Shanahan  
Judge Charles Short  
Jamie Weimer

**Staff:**

Laura Jones  
Moriah Freed

**AGENDA**

1. Administrative Matters
  - o Any new members to introduce?
  - o Approve 12/13/21 minutes, available at:  
<https://courtswa.box.com/s/kwn2w9ps8u99m3y0b584folctasxwccd>
2. Update re: background, trailer bill
3. Discuss group issues and put in context with other groups’ deliverables
  - o Vendor requirements/privacy (Elizabeth Hendren)
  - o Access to the record (Tim Fitzgerald)
  - o E-submissions
4. Which issue would you like to work on, and how can you contribute?

**ADMINISTRATIVE MATTERS**

**New Members**

- The meeting was called to order at 2:02 PM.
- There are new members joining at this part of the project. Leads, staff, and members introduced themselves.

**12/13/21 Minutes** approved as presented

## PROJECT UPDATE – BACKGROUND AND TRAILER BILL, HB 1901

### Update RE: Background and Trailer Bill – Elizabeth Hendren and Tim Fitzgerald

- The tail end of 2021 was getting a lay of the land – evaluating surveys and developing new ones. These are available on Box.
- Tim Fitzgerald and Elizabeth Hendren met with Judge Levinson re: trailer bill. They are looking at requirements in place for private vendors going forward, as well as recommendations to the courts in making the protection order process more accessible to litigants. Tim summarized the discussion with Judge Levinson:
  - The Technology workgroup is going in a good direction, but it is up to the group to narrow the scope – Judge Levinson did not provide additional feedback in this area.
  - The trailer bill, HB 1901, will include the following:
    - Notifications
    - Clarified e-service concept and added criteria for law enforcement.
    - Anti-Harassment orders – still in legislation.
    - Extreme Risk Protection Orders – separate item
- January 1, 2023 deadline – Clerks must make documents electronically available to superior courts by this date.

## GROUP ISSUES AND OVERLAP BETWEEN WORKGROUPS

### Overlap between E2SHB 1320 Workgroups

- There are more areas of overlap recognized than initially expected between the E2SHB 1320 workgroups. The Research and Information sharing workgroup is working on tribal and military protection orders, which overlaps with the Technology work group.

### Vendor Requirements and Privacy – Elizabeth Hendren

- Vendor consistency – need to ensure Technology workgroup’s vendor recommendations align with Research and Information Sharing workgroup’s data collection.
- Privacy concerns and technology – are companies making money off data, etc.
  - An ad-hoc group has been meeting with data/privacy experts. If anyone is interested in joining, contact Elizabeth Hendren.
  - At the next Technology workgroup meeting in February, there will be a presentation on nuanced data privacy issues. The ad-hoc group will be working on recommendations to present to the full group.
  - Need to narrow down reasonable, practical set of requirements for private vendors who provide services for e-filing.
    - Group can review requirements from other technology contracts.
  - A vendor for e-filing could also provide services for notifications for courts that choose that direction.

- The Technology workgroup’s specific charge is for filing, and does not include notification. However, there is overlap due to how the vendors function and market their services to courts.
- The more that disaggregated data is stored, like social science researchers want, there is more risk of identifying information being released. The issue will need to be balanced moving forward, as well as having a central repository for data. This makes the data more susceptible to breaches.

### **Access to the Record – Tim Fitzgerald**

- Exploring options for record availability to other courts, including tribal and military. This area overlaps with the Research and Information Sharing workgroup.
- Digital archives is being explored as an option, managed by the Secretary of State’s office. The state archivist has been contacted to discuss the digital archives as an option for digital access.
  - Positives to this option include a statewide solution accessed by a single password and the system is already in place to handle confidential and sealed archives.
  - Not all clerks send documents to digital archives, but the system is in place.
    - Majority of clerks do not currently use system.
    - Counties of various sizes currently use the system. (e.g. Snohomish and Jefferson)
    - Skagit uses it. Easy to use, quick.
    - Some additional workload to clerks but not substantial
  - Still need to address feasibility and get fiscal note for potential use of digital archives.
  - Ideally would interface with current document system to upload to more than one place at once.
  - Unsure if CLJs use digital archives – likely they do not.
  - AOC has previously met with the State Archives and was told that their system is designed for archival and historical use and not living documents.
- This overlaps with Research & Information Sharing Group’s December deliverable. May be interest in working on this issue.
- Are there any other concepts available? What are people in this group using / other ideas?

**ACTION ITEM:** Tim Fitzgerald will follow up on whether or not judicial officers currently use digital archives to access documents. This could be a possible survey question if a survey tool is developed.

### **E-Submissions**

- Some overlap with Litigant Rights and Access workgroup.
  - Want to make recommendations that work for the courts but are also user friendly and increase accessibility.



## NEXT STEPS & FOLLOW-UP

### Which issue would you like to work on, and how can you contribute?

- Laura Jones has developed a timeline for the second phase of the project. The Technology workgroup will be breaking off into smaller groups of areas for the report.
  - Vendor requirements and privacy
    - Overlaps with Research and Information Sharing workgroup
  - Access to the record issues
  - E-submissions and technology to reduce administrative burdens
    - Overlaps with Litigant Rights and Access workgroup
- **ACTION ITEM:** Email Laura Jones ([Laura.Jones@courts.wa.gov](mailto:Laura.Jones@courts.wa.gov)) with preferred workgroups by 1/14/22.

### Announcements

- Jamie Weimer volunteered to present to workgroup members on overview of WASPC notifications systems (SAVIN and VINE).
- The next Technology workgroup meeting is 2:00 pm on February 14<sup>th</sup>.



**Gender and Justice Commission (GJC)**  
**E2SHB 1320 - Technology Work Group meeting (Zoom)**  
**Monday, February 14, 2022**  
**2:00 PM – 3:00 PM**



**MEETING NOTES**

**Stakeholders Present:**

Kevin Ammons  
 Melissa Beaton  
 Keith Curry  
 Ailise Delaney  
 Natalie Dolci  
 Tim Fitzgerald  
 Laurie Garber  
 James Hayes  
 Elizabeth Hendren  
 Mike Keeling  
 Judy Lin  
 Riddhi Mukhopadhyay

Dirk Marler  
 Colleen McInalls  
 Erin Moody  
 Linda Myhre Enlow  
 Sandra Shanahan  
 Judge Charles Short  
 Fona Sugg  
 Jamie Weimer

**Staff:**

Laura Jones  
 Moriah Freed

**AGENDA**

**Meeting Agenda**

1. Presentation about WA VINE and WA VINE Protective Order programs (Jamie Weimer)
2. Digital Archives Update (Tim Fitzgerald)
3. JABs Functions (Mike Keeling)

**PRESENTATION: WA VINE AND WA VINE PROTECTIVE ORDER PROGRAMS**

**Overview**

- The group was asked to consider during the presentation whether or not WA VINE can be used to meet the requirements in 1320.
- WASPC runs statewide projects and programs on behalf of the state. All of the programs are statutorily authorized and receive state funding, such as WA VINE.

**WA VINE**

- Formerly known as SAVIN.
- VINE is a national platform. Washington is a 100% implementation state, meaning all jails/prisons/counties are connected.
- VINE provides custody status notifications to individuals. Platform can be accessed via a toll-free number, website, or app to register for notifications.

- Notifications are available in multiple languages
- Upon custody change, notification is immediately sent to all registrants.
- There have been instances of agency outages where the data from jails, counties, etc. is not being received for VINE.
  - If an agency is offline for more than 8 hours, a notification is sent to everyone registered. Once the agency is back online, another notification is sent.
- Email notifications contain the most information for the registrant, but text notifications are the most popular.

### **Contract with Appriss Insights**

- WASPC contracts with Appriss Insights, an Equifax Company, for the VINE system.
- Appriss is responsible for platform, interface development and maintenance, customer service. WASPC is responsible for contract, facilitation, in-stake marketing
- Original contract in 2006 – state general fund allocation.
- Data used for the VINE systems is stored and maintained in JBRS. This is reflected in the contract and lowers the contract amount with Appriss.
- Questions were asked about who owns the data used with VINE – “raw” data is considered owned by WASPC. Output data is considered owned by Appriss.
- Washington has an open VINE system. Allows vendor to use non-confidential public facing data to do other projects.

### **WA VPO**

- Notification of service of protection order, and notification of expiration. Since 2017 and the passage of SHB 1501, the program also notifies registrants of denied firearms transactions.
  - An additional notification was added when there is a transfer or sale of a firearm, but the denial occurs after the sale took place.
- Contract with Appriss is the same as VINE. Original contract in 2006. WA VPO is now funded with general fund, but was not originally.
- To make the platform more user friendly, WA VPO website will hopefully be combined with WA VINE.
- Process for receiving data is different for WA VPO. The process is local agency entry into WACIC > WACIC data from WSP to Appriss > Appriss sends data to WA VPO
  - Service information is not always entered in real time into WSP database. Once the information is entered into WSP, notification goes out within an hour via WA VPO.
  - Registrant can “pre-register” for notifications before the order is in the VPO system.
- Notification includes all permanent and temporary protection orders.
- WA VPO has the ability to track tribal protective orders. If it is entered, it will be sent out.

### **VINE Courts Pilot Project – Thurston County**

- Thurston County Superior Court is currently participating in a pilot project for VINE Courts. The program would send court event and case disposition notifications to registered persons with cases progressing through Thurston County Superior Court.
- VINE Courts notifications, in combinations with existing VPO notifications, will address a number of the required notifications outlined in HB 1320.

### **Discussion - All**

- For what other projects does Appriss use the data?
  - WASPC allows the use of public-facing data for other projects. Contract with Appriss specifies instances in which data can and cannot be used.
  - **ACTION:** Jamie Weimer will share the contract with workgroup staff.
  - Anything on VINE link website is non confidential. Registrant's information is considered confidential.
- WASPC has multiple contracts with Appriss for different systems - VPO, VINE, firearms provisions
- VINECourts is already being used in other states. VINECourts program is rolled into VINElink website.
  - **ACTION:** Jamie Weimer will provide a list of other states using VINECourts.
- Return of firearms notification is not currently sent to registrants of WA VPO. There is currently not a mechanism to easily track firearm return. This information from local law enforcement is not input into VPO.
- VINE has been well supported through the state. Funding for VPO was solidified after firearms provision in 2017. If VINECourts goes statewide, it would be an entirely new interface.
  - Another consideration would be if VINECourts is an open system, like WA VINE.
- Electronic home monitoring notifications depend on how release information is input.
  - Tiffany Hill Act
- WA VINE covers all 1320 notifications, with exception of notification of when a petition is being processed; notification of when a judicial officer signs the order.

### **DIGITAL ARCHIVES**



- Workgroup leads have been in discussion with the state archivist. There is concern over filing POs from CLJs.
  - Have time to work with DMCJA and other stakeholders.
- Concern over reference to language in JIS or JABs.
- County Clerks are not mandated to add POs to archives. If the archives are a solution, will this become a mandate?
- Software question – how will information be input?
  - Will work with AOC on technology side. Can a link be added to JABS, etc.?
- The state archivist is talking to his team and will let the 1320 group know if this can proceed as an option. A fiscal note has also been requested.

## JABS FUNCTIONS

- Tim Fitzgerald shared that Judges LINK will not work as an option, and neither will Clerk Share. Individual passwords for judicial officers also is not efficient. These 3 options are moving off the table.
- Visual overview provided of a well identified person.
- All orders associated with a person are included in a separate tab.
- All charges associated with a person are listed.
- A complicating factor is that the viewer must have access to documents. These are either stored locally or accessible remotely to pull into the system.
- Currently have access to Odyssey documents. Access to 3<sup>rd</sup> party CMS systems would require additional coding.
  - Also does not currently interface with King County or CLJ systems. There has not be a legislative mandate to interface/link with these sources, but it is possible.
- A question was asked if there was a legislative mandate to link all of these systems to JABS, what would the estimated fiscal cost and time period be?
  - Two big options: AOC goes to courts to access data, or courts provide data to AOC. Cannot estimate cost, but assumes it is not insignificant and would be a complex project.

## NEXT STEPS AND ADJOURNMENT

- Stakeholders were asked to consider the two options for protection order access: JABS and State Archives.
- Next meeting is March 14<sup>th</sup>. Privacy and data will be the focus of the meeting.

 <p>WASHINGTON COURTS</p>	<p><b>Gender and Justice Commission (GJC)</b>  <b>E2SHB 1320 - Technology Work Group meeting (Zoom)</b>  <b>Monday, March 14, 2022</b>  <b>2:00 PM – 3:00 PM</b></p>	 <p>GENDER AND JUSTICE COMMISSION GENDER EQUALITY IN THE JUSTICE SYSTEM</p>
<p><b>MEETING NOTES</b></p>		

**Stakeholders Present:**

Kevin Ammons  
Melissa Beaton  
Dana Cuomo  
Keith Curry  
Ailise Delaney  
Vonnie Diseth  
Tim Fitzgerald  
Laurie Garber  
James Hayes  
Elizabeth Hendren  
Charlotte Jensen

Mike Keeling  
Judy Lin  
Colleen McInalls  
Erin Moody  
Sandra Shanahan  
Jamie Weimer

**Guest Speaker:**

Dylan Morris

**Staff:**

Laura Jones

**AGENDA**

**Meeting Agenda**

1. Brief report backs from subcommittee activities (Vendor Requirements & E-submissions)
2. Data privacy overview (Dylan Morris)

**SUBCOMMITTEE REPORTS**

E-Submissions (Tim Fitzgerald)

- Defining it is key
- Laid out some basic requirements
- Discussion of options available to put out to vendors
- Notifications- VINE

Access to the Record (Tim Fitzgerald)

- Digital Archives is not an option
- Now down to 2 options:
  - JABs
  - Judges Link

Vendor Requirements (Elizabeth Hendren)

- Introduced presenter

## CYBERSECURITY & PRIVACY CONSIDERATIONS FOR CONTRACTING (DYLAN MORRIS)

- Dylan Morris is guest speaker, Manager of IT cybersecurity risk for the City of Seattle
- Cybersecurity is the practice of protecting critical systems and sensitive information from digital attacks
  - CIA Triangle: confidentiality, integrity (correct), availability
- There's no single way to accomplish "security" and no way to be 100% protected
- You cannot rely on a firewall to "do cybersecurity"
- It's a long game
  - No single tool, a lot of consistent actions over period of time (most are people processes)
  - Security changes take time to implement
  - Security needs ongoing care and attention
  - Most controls come down to processes and people
- Vulnerabilities
  - Internal flaws that occur over time, often due to lack of maintenance
- Breach- depends on context
  - Washington State Law defines breach- reasonable belief that the data was acquired (taken out of environment/viewed)- RCW 42.56.590
  - Ransomware typically not considered a breach
- Malware
- You, meaning users, are the biggest risk
- Threat actors include service industry, entrepreneurs, Nation States
- Attribution (who is committing these actions) is hard
  - Internet architecture
  - Criminal groups are collaborative
- Zero day attack- you could have been compromised and not even know it
- Solar Winds attack – "supply chain" attack
  - Vendor compromise is fairly common- backdoor into organization
  - Hard for security to keep pace with that growth
- Data Breach Impacts on People
  - Put out hits on individuals, request information on certain individuals (harassment and cyberstalking)
  - Doxing
  - Internet of Things Technologies (IoT) Compromise- security cameras, home control systems
  - Exploitation- coercive control, internet crimes against children, trafficking
- Multi-factor authentication- more than one way to prove you're you
  - Should be used to protect confidential data, e-mail, file sharing
- "Least privilege"
  - Only access or permission to what people really need to be seeing
  - Permissions expire



- “Lateral Movement” within organization- firewalls, segmentation, clear processes about who can do what & why
- Documentation & Inventory
  - Know what you have in order to protect it
    - Critical for incident response
    - Understand contractual requirements, such as notification
- Question: Is there a best practices document for internet security practices that government/court agencies should be requiring in their contracts with vendors?
  - Yes, but
  - Also consult with own IT and legal departments
- Encryption & Hashing
  - Encryption in Transit
    - Think about it like World War II spies- codes to get messages across borders, even if intercepted, they wouldn’t be able to read them
    - When you do that on a technical level, hard to make that key unbreakable
  - Encryption at Rest
- Vendors and Contracting – not just for technology contracts
- Vendor Security Risks
  - Loss of control- don’t know who is working on your technology, if subcontracting with other companies
  - May not be informed if your data is impacted by a cyber event, e.g. if you just have data breach in your agreement
  - Compromise of your own system
  - Service availability, business continuity, disaster recovery
  - Reputational, compliance, legal, financial risks
- Vendor Privacy Risk
  - Want to let users know at the point of collection exactly how their data will be used so they can decide what to share, how they share it
  - Many third party applications will re-sell data, particularly for free applications
  - Compliance with any policies, external regulations or law (e.g. HIPAA)
- Managing Risks from Vendors
  - Minimize how much you need to think about this- require use of templates and standards
  - Before you acquire any technology
    - Be careful about free services
    - Make sure you have a contract
    - Require background checks for vendors
    - Include data destruction and retention requirements
    - Prohibit resale or use of your data
    - Notification requirements – should not be limited to “breach”



- Assess their security – require evidence of a mature program, e.g. SOC 2 Type II (audit followed by certification that technology companies in particular, but any company can get)
- Intentional, expiring access
- Centralize documentation, keep files organized related to vendors
- Question: Is there an insurance market for cyber security breaches, and if so, do you recommend a vendor have such insurance?
  - Yes
  - Difficult for entities to get coverage because of volume of payouts.
  - Don't recommend requirement that vendor have such insurance
- Question: There is an industry standard about how long it should take a vendor to recover from an attack or break, or is there too much variation? (E.g. ransomware, 16 day average to “recover”)

#### **NEXT STEPS AND ADJOURNMENT**

Next meeting is April 11<sup>th</sup> – agenda and details to follow

	<p><b>Gender and Justice Commission (GJC)</b>  <b>E2SHB 1320 - Technology Work Group meeting (Zoom)</b>  <b>Monday, April 11<sup>th</sup>, 2022</b>  <b>2:00 PM – 3:00 PM</b></p>	
<p><b>MEETING NOTES</b></p>		

**Stakeholders Present:**

Kevin Ammons  
Melissa Beaton  
Keith Curry  
Ailise Delaney  
Vonnie Diseth  
Natalie Dolci  
Tim Fitzgerald  
Laurie Garber

James Hayes  
Elizabeth Hendren  
Charlotte Jensen  
Mike Keeling  
Colleen McIngalls  
Jamie Weimer

**Staff:**  
Moriah Freed

**Meeting Agenda & Welcome**

**Meeting Agenda**

1. Brief overview of deliverable format for our recommendations to the courts
  - a. For reference, see:
    - <https://www.courts.wa.gov/?fa=home.sub&org=gjc&page=exploreStudy&layout=2&parent=study>
2. Subcommittee report outs
3. Feedback & discussion re: working *draft* outline for deliverable. Please review and come prepared to discuss:
  - <https://courtswa.box.com/s/xn0v7o4g38211zuu5pimo8jbh719imoh>

**Welcome**

- The meeting was called to order at 2:03 PM.
- The March 14<sup>th</sup> meeting minutes were approved as presented.

**Deliverable Format**

**Brief Overview of Adobe Spark – Moriah Freed**

- Moriah Freed provided a brief overview of Adobe Creative Cloud Express, formerly Adobe Spark. This is the format that the deliverable to the courts will adopt. The following benefits were highlighted to the group:
  - The format is a scrolling, responsive webpage. It is easy to navigate and mobile and tablet friendly, unlike the courts.wa.gov website.

- Creative Cloud Express is collaborative between adobe accounts, so multiple users can view and work on the webpage.
- The Creative Cloud Express webpages are hosted for free by adobe as long as you have a paying adobe account. These webpages can be direct linked or embedded, such as on the courts.wa.gov webpage.
- The deliverable will be easy to update and maintain. Static documents, such as pdfs, and other resources can be linked.
- Branding can be incorporated to customize the deliverable and make it more approachable and aesthetically pleasing.
- The [2021 Gender Justice Study webpage](#) was shared. Adobe Creative Cloud Express was utilized to build the landing page. It has been very well received by parties interested in the report.
- The workgroup did not express any concerns about using this format for the deliverable. Any questions can be directed to Laura Jones or Moriah Freed.

## Subcommittee Report Outs

### **E-Submissions Group – Tim Fitzgerald**

- Notification requirements from HB 1901 and HB 1320
  - HB 1901 added a new notification. VINE covers 3 of 5 notification requirements.
  - Are working with VINE to meet all requirements.
- E-filing and E-submissions group feels good about notification resolution. Small group is done on recommendations.

### **Judicial Officer Access Group – Tim Fitzgerald**

- Tied in requirement for tribal and military courts for judicial officer’s access.
- Intent in HB 1901 is not just for data, but for judicial officers to see the orders themselves, in addition to providing access for superior court judges and commissioners
  - Later on there will be access for CLJs. The deadline for this might need to be extended.
  - HB 1901 took out municipal courts
- State archivist said state archives would not work – not in the scope of the archives.
- Final options for judicial access are JABS or a brand new portal.
- Next meeting, presentation from Arizona, another non unified court system, on their AZ Point application.
- Group will be troubleshooting JABS and will report back later.

### **Data Privacy – Elizabeth Hendren**

- No new updates since last meeting.
- Review draft and provide feedback to incorporate changes, new language.
- Litigant Rights & Access Group has addressed this main issue, with the Technology group supporting.



## Feedback and Discussion Re: Working Draft Outline

- The outline was screen shared with the group so that it could be reviewed together.
- Tim Fitzgerald emphasized review of [RCW 7.105.105\(1\)\(b\)](#) in the e-submissions section.
- The following 6 items are being required by legislation for notifications:
  - The petition has been processed and is under review by a judicial officer;
  - the order has been signed;
  - the order has been transmitted to law enforcement for entry into the Washington crime information center system;
  - proof of service upon the respondent has been filed with the court or clerk;
  - a receipt for the surrender of firearms has been filed with the court or clerk; and
  - the respondent has filed a motion for the release of surrendered firearms.
- The final deliverable is due 6/30.
- Groups are on time for final deliverables. The scrollable, website will be a new format but will be more accessible.
- Think of feedback where things would be better as a pdf to download, or as bullets, etc. Gives more flexibility with formatting.

**ACTION:** The group leads asked for different stakeholders to review the outline for flow, taking into account their different perspectives and provide feedback. Feedback can be provided by downloading and adding track changes, then re-uploading to box. Comments can also be added directly to box.

## NEXT STEPS AND ADJOURNMENT

- The next Technology Group meeting is May 9. The report is due in June.
- **GROUP ACTION ITEMS:**
  - Read [RCW 7.105.105\(1\)\(b\)](#) cited in the e-submissions sections of the working draft.
  - Review 6 page draft for feedback.
  - Elizabeth Hendren and Tim Fitzgerald will provide a timeline to the group for the final steps.

 <p>WASHINGTON COURTS</p>	<p><b>Gender and Justice Commission (GJC)</b>  <b>E2SHB 1320 – Technology Work Group meeting (Zoom)</b>  <b>Monday, May 9<sup>th</sup>, 2022</b>  <b>2:00 PM – 3:00 PM</b></p>	 <p>GENDER AND JUSTICE COMMISSION GENDER EQUALITY IN THE JUSTICE SYSTEM</p>
<p><b>MEETING NOTES</b></p>		

**Stakeholders Present**

Kevin Ammons  
 Crissy Anderson  
 Melissa Beaton  
 Ailise Delaney  
 Vonnie Diseth  
 Natalie Dolci  
 Tim Fitzgerald  
 Laurie Garber  
 Michele Gillich  
 Ruth Gordon  
 James Hayes  
 Elizabeth Hendren  
 Mike Keeling

Judy Lin  
 Colleen McInalls  
 Barb Miner  
 Kay Radwanski  
 Iván Sandoval  
 Sandra Shanahan  
 Judge Charles Short  
 Fona Sugg  
 Jamie Weimer

**Staff**

Moriah Freed  
 Laura Jones

**AZPOINT PRESENTATION**

**AZPOINT Overview and Background** – Michele Gillich and Kay Radwanski, Arizona AOC

- AZPOINT – Arizona Protective Order Initiation and Notification Tool
- AZPOINT launched statewide in January 2020
  - Multi-agency project
  - Had 18 months to finish project after legislation passed, and minimal time for testing.
  - Launched right before COVID shut down in-person hearings. Ended up being very successful.
- Arizona Chief Justice issued an administrative order requiring all courts to use AZPOINT
  - Courts also had limited options to accomplish and comply with legislative mandates. AZPOINT was the only way to accomplish the filing requirements.
  - AZ courts use 10 different case management systems (160 courts on main system, 36 “non-agent” courts)
- Tribal Courts (22) currently do not participate in AZPOINT, they were given the option
- Electronic process has made orders available the same day they are served in NCIC.



- Petition portal is only accessible by the plaintiff. Defendant must be personally served. If defendant later requests a contested hearing, the defendant must file a written request on paper. In Arizona, there is a contented hearing only if the defendant requests one.
  - Courts can communicate by email with parties if they have provided one, but it is not a function of AZPOINT.

### **Arizona AOC identified seven goals to implement AZPOINT**

1. Develop a web application that allows a plaintiff to complete their petition through a guided interview.
  - AZPOINT software is similar to a tax preparation software, for example. Auto-populates as you enter information through guided questions.
  - Fills out 3 forms during interview that the plaintiff does not see until the end.
  - App is responsive design – as long as the person has internet, they can access the app.
  - Includes information like instructions to create safe login, email, and an escape button.
2. Centralizing the processes of protective order data management within the state of Arizona so agencies and courts in the various jurisdictions across the state have equal access to such orders on a consistent and timely basis.
  - Developed on central database repository (CPOR)
  - Developed the technical specifications for CPOR
  - AZ Courts transmit complete set of records to CPOR
3. Develop Web Service API and XML data exchange
4. Develop notification services for the plaintiff, court, and servicing agencies.
  - Notification system is a clear way to have communication back and forth.
  - Safe email address for plaintiffs – method for notification.
  - Gives more certainty of order service status – color coded by status.
5. Develop a method for an Arizona servicing agency (law enforcement, etc.) to be assigned to serve an Order of Protection, then electronically receive the servicing packet.
  - Developed web application AZPOINT Servicing Agency Portal. This allows the servicing agency access to the Order and Petition, and allows search for orders entered into the repository.
6. After order has been served, allow the servicing agency to enter service and allow the court to access the completed declaration of service.
  - Everything is electronic – AZPOINT servicing agency portal to capture service, AZPOINT Court Clerk Portal to allow courts to print a completed declaration of service.
7. Develop electronic process to submit to NCIC Protection Order File (POF) once service is completed.

## Discussion – All

- Landing page features information and resources without needing an account. Ex. Safety plan, access to advocates, considerations when getting a protection order.
- AZPOINT Court Clerk landing page allows clerk to print a protection order copy if the portal goes down.
- Open search system option – case search, name search, filter search
  - Completely open for certain agencies; limited for other entities to prevent misuse
- Arizona Supreme Court maintains the data repository
- Hired a vendor who built the custom system using DNN (Arizona already uses this platform.) Not a modified system.
- In Arizona, servicing agencies can print documents. Paper service is required in Arizona.
- Actual document is available in the system, not just data.
  - System is not a repository itself, but links back to original documents at local jurisdiction.
- Currently sends updates to NCIC twice a day and are working on real-time updates.
- Two different logins currently – Clerk and Servicing Agency. Working to combine them into one login so that users can see all available information. This will allow courts to see other courts orders.
  - Servicing agencies can assign permissions as needed within their agency.
  - Will not show related cases, like family law cases.
- Electronic process – what type of validation will be considered for data?
- AZPOINT “pulled back the curtain” on processes within different courts. Helped courts correct processes. Also did the same with law enforcement – legislation now requires law enforcement to attempt to serve an order for an entire year.
- Important to consider what types of resources different courts and counties need. Rural, urban, resourced, etc.
- After paperwork is completed in AZPOINT, petitioner must call their local jurisdiction with a confirmation number to file and get ex-parte hearing scheduled. Clerk can pull paperwork from AZPOINT.
- AZPOINT does not upload documents, like evidence. These would be presented if there is a contested hearing.
  - Protection order petition is only 2 pages in AZ.
- Orders in Arizona can add protected minors, but cannot have any provisions related to family law matters, like visitation, custody, etc.
- System was built to allow for future integration.
- State runs the entire system. Grant funding helped build the initial system. Legislature funds system and staff for maintenance currently.

	<b>Gender and Justice Commission (GJC)</b> <b>E2SHB 1320 – Research &amp; Information Sharing Work Group</b> <b>Meeting (Zoom)</b> <b>Monday, June 13<sup>th</sup>, 2022</b> <b>2:00 PM – 3:00 PM</b>	
<b>MEETING NOTES</b>		

**Stakeholders Present:**

Kelley Amburgey-Richardson  
Kevin Ammons  
Crissy Anderson  
Melissa Beaton  
Dr. Dana Cuomo  
Keith Curry  
Vonnie Diseth  
Natalie Dolci  
Laurie Garber  
James Hayes

Elizabeth Hendren  
Mike Keeling  
Judy Lin  
Dirk Marler  
Sandra Shanahan  
Judge Charles Short  
Jamie Weimer

**Staff:**  
Laura Jones

**MEETING AGENDA & WELCOME**

1. Demo the deliverable site
2. Provide an opportunity for feedback/questions

**DELIVERABLE DEMO**

Laura Jones walked the group through the deliverable site, sharing her screen and scrolling through each of the subgroups’ sections and highlighting recommendations and resources developed for this project.

Elizabeth Hendren discussed the Technology Section with a brief presentation from Vonnie Diseth re: AOC’s continued work on the issue of access to the record.

Drafts of all sections of the deliverable and attachments are available on Box. If you have suggested edits, please provide those ASAP. We are aiming to send these recommendations out to the courts by this Friday, June 17<sup>th</sup>

**FEEDBACK/QUESTIONS**

Participants asked whether this information will be publicly available (it will).

Jamie Weimer (WASPC) continuing to look into the notifications issue.



Question asked about notifications and discussion about the portal. Could the benefits be emphasized more?

- Additional inquiry/exploration needed. AOC has done some outreach re: Texas's system as well.
- There was consensus from the group to add some additional detail re: potential benefits of a portal to a paragraph in the deliverable re: ongoing exploration needed.

Overall feedback was positive, and that information presented in an organized, accessible way

#### **NEXT STEPS AND ADJOURNMENT**

Thank you to everyone for your participation throughout the course of this project.