

**APPROVED MINUTES
JUDICIAL INFORMATION SYSTEM COMMITTEE MEETING
Seattle, WA
November 21, 2003**

Members Present:

Justice Bobbe Bridge, Chair
Judge C. Kenneth Grosse, Vice Chair
Ms. Cathleen M. Grindle
Judge Glenna Hall
Mr. William Holmes
Mr. N.F. Jackson
Chief Pat Lee
Ms. Mary McQueen (via teleconference)
Judge Clifford L. Stilz
Ms. Nancy Talner
Judge Michael Trickey, Ex-Officio
Ms. Yolande Williams
Ms. Siri Woods
Judge Thomas J. Wynne

Staff Present:

Dr. Tom Clarke
Mr. Ramsey Radwan
Ms. Kathie Smalley

Guests Present:

Mr. Donald Horowitz, Access to Justice Board
Ms. Diana Kramer, WNPA
Ms. Barb Miner, King County Superior Court Clerk's Office

Members Absent:

Mr. Greg Banks
Ms. Patricia Crandall
Judge James R. Heller

CALL TO ORDER

Justice Bridge called the meeting to order at 10:30 a.m. Introductions were made.

Motion: The September 26, 2003 minutes were approved as written.

DECISIONS

E-filing Technical Standards – Siri Woods

Siri Woods reminded the committee that GR 30 requires the JISC to adopt electronic filing technical standards. The draft has been reviewed and revised by the three superior courts (Chelan, King, and Pierce) with e-filing pilot projects. Adoption is requested. Siri Woods noted that electronic filing is really a separate issue from the means used to identify and authenticate filers.

MOTION: A motion to adopt the Electronic Filing Technical Standards passed.

Computer Trespass Statute for JIS – Mary McQueen

Mary McQueen introduced draft statutory language that would create penalties for inappropriate access to JIS records. The Technology Committee of the Senate is willing to consider this bill. The plan is to request JISC approval and then take the draft to the BJA for approval. Barb Miner noted the support of the county clerks for the new language. A discussion about drafting language led to general agreement on a revision suggested by Yolande Williams.

MOTION: A motion was approved to add the following language to RCW 2.68:

- 1) No employee of a court, county clerk's office, government agency, the administrative office of the courts, or any other person or entity, shall access, use, or disclose confidential court records, unless specifically authorized.
- 2) A court record is confidential if access to that record is restricted by statute, court order, or court rules.
- 3) Authorized shall mean access for a use specifically permitted by employment status for the purpose of conducting official court business, by court order, court rule, statute, or by contractual provision contained in an agreement between the official custodian of the court record and another person or entity.
- 4) Violation of this statute is a gross misdemeanor.

Finalize 2004 Proposed JISC Meeting Dates – Justice Bridge

Kathie Smalley introduced the proposed meeting dates and two possible retreat dates for 2004. Tom Clarke recommended holding the retreat on the May meeting date.

MOTION: A motion to approve the meeting dates with a May retreat passed.

UPDATES

Budget Revenue Update – Ramsey Radwan

Ramsey Radwan reported that recent JIS and PSEA revenues are down because traffic filings are down 9% and charges are down almost 10%. Dismissals are up and deferrals are up. This will impact our ability to receive the requested supplemental spending authority in the 2004 legislative session. Right now, because of the million dollar fund balance proviso, the JIS revenue falls short of the proposed biennial budget, with supplemental budget approval, by about \$750,000. The JISC may need to prioritize the three supplemental decision packages if there is insufficient revenue to fund all of them.

Ramsey Radwan also reported that the November PSEA forecast is \$1.8 million in the hole. That means across-the-board cuts are possible. Yolande Williams noted several actions by the City of Seattle that may affect future JIS and PSEA revenue. Tom Clarke reminded the committee that a staff analysis was done for the JISC Retreat a year and a half ago. It concluded that two of the three statutory options for increasing JIS fund revenue were not practical to implement.

Action Item: Tom Clarke will make a budget and project recommendation at the next meeting.

JIS Project Update – Tom Clarke

Tom Clarke noted that the report format has been changed slightly to convey the iteration schedule for each project. Ramsey Radwan will also be using this project format to report to the legislative analysts on our decision packages.

Work Group for GR 15/22 Revision – Judge Wynne

Judge Wynne reported on the first meeting. The biggest concern is vacated convictions. One proposal for GR 15 is that the court system would treat the vacated cases in the same manner as the legislature has directed law enforcement to treat

them. Other issues include the treatment of guardianship cases in GR 22, how to deal with declarations in family law cases, and whether or not to automatically seal SSOSA and SODA evaluations. The next meeting is scheduled for December 12, 2003.

JIS Access by Contracted and/or Part-time Prosecutors – Tom Clarke

In Brian's absence, Tom offered an update. The AOC is close to signing an agreement with DOL on this issue. They will change their business rule to support our decision.

Enterprise Framework Recommendation – Cathy Grindle

Cathy Grindle reported that the JIS Advisory meeting will not be held until December, so she cannot report on the enterprise framework recommendation yet.

Pre-SCOMIS Index Upload Cost Benefit Analysis – Tom Clarke

On behalf of Brian Backus, Tom Clarke reported that the AOC is working with the county clerks to gather the necessary data for a cost benefit analysis.

Access to Justice Technology Principles Court Rule – Mary McQueen

Don Horowitz reported on the proposed language for a court rule in support of the Access To Justice Technology Principles. After some discussion, Justice Bridge agreed to put the proposed court rule on the next agenda for a decision to support, or not.

COMMITTEE/SUBCOMMITTEE REPORTS

Data Dissemination Subcommittee

There was no meeting and no report.

RMAC

No report was made.

JIS Advisory Committee

No report was made.

OTHER BUSINESS

Justice Bridge reminded the committee that there would be a voluntary meeting with the ATJ Committee starting at 12:30 up in the conference room on Floor 55. Ron Staudt will facilitate a session on coordination between the ATJ Committee and the JIS Committee.

There being no further business, the meeting adjourned at 11:50 a.m.

FUTURE MEETINGS

The next JIS Committee meeting will be on January 30, 2004, 10:30 a.m. to 12:00 p.m. at Two Union Square, Room 1606, Seattle, WA.

The next JIS Data Dissemination Subcommittee meeting will be on January 30, 2004, 9:00 a.m. to 10:30 a.m., at Two Union Square, Room 1606, Seattle, WA.