# DISH User Group

December 11, 2007

## DISH Update

So, what has been going on with DISH since we last left each other in August 2, 2007? The management team worked very hard in compiling the results and doing an analysis of the User Group meetings. We drafted a joint document including those results entitled, "Business Analysis Results Document" or affectionately referred to as the BARD. This document is on the DISH website www.coloradocourts.state.co.us .

In addition, the management team has been meeting with the technical folks to discuss the feasibility of what we proposed in the BART. The biggest change to the proposal that we discussed at the User Group meetings is the idea to have a few of the forms that we use in APA cases that we are looking at converting to an "e-form" thereby eliminating the need to also file a paper version. Rather, the data that is needed to fill in a template is exchanged from CSE to Judicial, and if needed, Judicial can populate a template and reproduce the form on demand, thus the Paper on Demand (POD). The forms that we are exploring this option with are included in the legal workgroup notes *(cont'd on page 2)*

## Legal Workgroup Update

At the last joint User Group meeting held on August 2, 2007 we went through a list of business issues. As you may recall, some of those issues we decided needed additional legal feedback. So we formed a Legal Workgroup and held a meeting on November 19, 2007. We had participation by Lara Delka and Linda Nichols, IV-D Attorneys from Denver County, Richard Moore, IV-D Attorney from Jefferson County, Magistrate KJ Moore from Jefferson County, Mary Clair, Robert Kurtz, Dan Welch, and Chris Kain from the State Child Support Office, Maureen Leif, Diana Coffey, and Tracy Harbo from State Judicial. The group met and discussed several legal issues. We also received input from several other magistrates in writing.

The first legal issue that was discussed was the issue of supporting documentation and what exactly needs to be filed with an Administrative Process case. The group decided to break the discussion into three sections, what needs to be filed in with an Order of Financial Responsibility, Temporary Order of Financial Responsibility, or Default Order.

However, with all three, the discussion from the magistrates seemed to revolve around wanting the information about where the CSE Office came up with the figures used on the child support guidelines, but did not want the Court file full of every supporting piece of documentation. In an Order of Financial Responsibility the Obligor has agreed to the figures used, in addition, a financial affidavit should be obtained and filed in every case possible. This does not mean, however that CSE should attach every pay-stub, tax return, etc. that was gathered as long as the information about where the figures came from is included on the guideline. This information will mostly be used if the case should ever have a modification at issue.

The management team is asking that you review the recommendations and discuss the issues with appropriate people in your office, i.e. IV-D Attorneys, Magistrates etc. and provide any feedback to Tracy Harbo at tracy.harbo@judicial.state.co.us by January 14, 2008.

## New DISH Analyst

State Judicial hired a new DISH analyst, Tracy Harbo.  Tracy is an original member of the DISH Steering Committee.  Tracy worked as a Division Clerk for Magistrate Norton in Jefferson County for seven years.  Prior to that, she worked for eleven years in the first Judicial District Clerk's office in various areas, including Probate, Juvenile & Civil.  Tracy is married with 2 children.  She enjoys doing activities with her children.    Tracy can be reached at (720) 878-0889 or tracy.harbo@judicial.state.co.us

## Judicial Changes Being Implemented

Three changes are being in the process of being implemented on the Judicial side.  The first change is the AV/AP/AD case type descriptions as follows:

AV- Administrative Support Order    = AV- IV-D Support Order

AP- Administrative Paternity Order   = AP- IV-D Paternity Order

Current DR Case Type Recommended Change"

AD- Administrative Support Order = AD IV-D Support Order

The second change is that all Administrative Process Action (APA) cases should be coded as AV, AP, or AD case types.  In some locations, cases are coded as straight Support (SU) or Paternity (PT) types because a hearing is requested (the temporary order cases)

The third change is that all APA cases should have an SUP1 event entered when a child support order is made and is part of the Order of Financial Responsibility.

## DISH Update *Con't.*

This movement comes with the understanding that Judicial will have to create a version of the template for possible changes to the forms, and thereby ensuring the same information in contained on the form.  In addition, there will be a system checklist that ensures that the mandatory information that is needed to re-create the form is sent over from CSE before Judicial can accept the case.  This e-form process will expedite the assignment of a docket number and save time, money and resources.  The e-form process also fits in with the long term strategic plan of the Colorado Judicial Branch in moving towards a paperless system through a combination of e-forms and document storage.   There is much more to come on this exciting development, so stay tuned!

We gained some national exposure on our DISH project at the 2007 National Center for State Courts- Court Technology Conference in Tampa, Florida in October, when Chad Cornelius from State Judicial co-presented with Moira Rowley, NCSC, Richard Ordowich, OCSE, and Aaron Gorrell on a presentation entitled, "Hello?? Can You Hear Me Now? State and Local Child Support Electronic Information Exchange - It Can Happen" The session was designed for Court Administrators to explain in plain language how electronic information exchange between the Courts and Child Support agencies works, and what a difference it will make to you and your constituents.

On the CSE side, we gained National exposure in a Dear Colleague Letter (DCL 07-29) in September when the Federal Office of Child Support did a publication summarizing OCSE Grants Involving Child Support and Judicial Collaboration.  http://www.acf.hhs.gov/programs/cse/pol/DCL/2007/dcl-07-29.htm

# Legal Workgroup Update Continued

## Group recommendation regarding forms that are no longer needed:

Forms that no longer need to be filed with the court:

CSE133 Notice of Negotiation Conference: group felt that the information is included in the Notice of Financial Responsibility

CSE106 Notice of Continuance of Negotiation Conference: Information about the Cont'd Negotiation Conference would be included in the Affidavit of Non Appearance if the Obligor failed to appear.

CSE114 Letter to AP RE: Conference to Establish Support

CSE114P Letter to AP RE: Conference to Establish Paternity

CSE119 APA Certification for Hearing

CSE109 CSE 109M Order for Genetic Testing:

CSE101 A, B, C, D, R, Subpoenas to Produce

CSE116 Request for Court Hearing: ideally not be needed if DISH could accommodate the request by electronic means.  Once the Request came over in an electronic message, the Court could submit back to DHS the Court date, which they would fill in on the Notice of Hearing and mail that to the parties.  If CSE sets their own docket, they would submit the date to the Court electronically.

CSE 120 C & D, CSE 114 114P,   Correspondence


**Forms required in a Order of Financial Responsibility:**

(1)      Notice of Financial Responsibility(CSE100/CSE100P)-POD

(2)      Order of Financial Responsibility(CSE 110 & CSE105)-POD

(3)      Income and Expense Affidavit (CSE 102)
         *Note:  Supporting Financial Documentation (Pay Stubs, Tax Returns, Department of Labor, etc.)  is not required in these cases.*

(4)      Child Support Worksheet(CSE819A/CSE819B)-POD

(5)      Genetic Test Results

(6)      Service of Process/Waiver of Process

(7)      Foster Care Calculation (when FC Judgment is requested) (CSE 132)

(8)      TANF and FC expenditures affidavit (only when Judgment requested) (CSE113) POD

(9)      Father's Paternity Advisement & Admission(CSE107)

(10)    Mother's Parentage Advisement & Admission(CSE108)


**Forms required for a Default Order**

(1)      Notice of Financial Responsibility(CSE100/CSE100P)-POD

(2)      Default Order(CSE115/115P)-POD

(3)      Income and Expense Affidavit (CSE 102)

(4)      Supporting Financial Documentation (Pay Stubs, Tax Returns, Department of Labor, etc.) (CSE111/CSE111P)

(5)      Genetic Test Results

(6)      Foster Care Calculation (when FC Judgment is requested) (CSE 132)

(7)      TANF and Foster Care Expenditures Affidavit (when judgment is requested) (CSE 113) POD

(8)      Service of Process/Waiver of Process

(9)      Affidavit of Paternity/Father's (CSE107)

(10)    Mother's Parentage Advisement & Admission(CSE108)

(11)    Affidavit of Non-Appearance(CSE112)-POD

(12)    Child support Worksheets(CSE819A/CSE819B)-POD

# Legal Workgroup Update Cont'd.

**Forms required for a Temporary Hearing**
(1)     Notice of Financial Responsibility(CSE100/CSE100P)-POD
(2)     Temporary Order of Support(CSE105A)-POD
(3)     Income and Expense Affidavit (CSE 102)
(4)     Supporting Financial Documentation (Pay Stubs, Tax Returns, Department of Labor, etc.) (CSE111/CSE111P)
(5)     Foster Care Calculation (when judgment is requested) (CSE 132)
(6)     TANF and Foster expenditures affidavit (only when a judgment is requested (CSE 113) POD
(7)     Father's Paternity Advisement & Admission(CSE107)
(8)     Mother's Parentage Advisement & Admission(CSE108)
(9)     Notice of Hearing(CSE117)-POD
(10)    Service of Process/Waiver of Process
(11)    Genetic Test Results
(12)    Child Support Worksheets(CSE819A/CSE819B)-POD

(POD= Paper on Demand)

The second legal issue the group discussed was modifications and what needs to be filed by CSE.  The group left with some homework prior to making a final recommendation on what needs to be filed with an APA Modification.  The group made a recommendation on what needs filed with a judicial modification:

(1)  Motion to Modify (2) Certificate of Mailing (3) Financial Affidavit (if available) (4) Supporting Financial documentation

The judicial officers indicated that they would like the DocGen forms to be revised to include a more specific reason for the modification.

The third legal issue the group discussed was filing case types and when are APA cases filed as a DR versus a JV case class.  Denver JV Courts has developed a policy of classifying a UIFSA case that has paternity at issue as a JV.  If paternity is not at issue, the UIFSA case can be a DR case class. This is handled differently around the State.  There are public access implications for filing a JV versus as a DR case but those implications were lessened by a new Chief Justice Directive (CJD 05-01) http://www.courts.state.co.us/supct/directives/05-01_%2B_attchmt_7-1-07.pdf

The fourth legal issue was if a case is closed on the CSE side, should future attempts to modify the case for parenting time, etc. Result in a new case being filed?  There was an unanimous, "No new case" by the audience because of the authority for courts to hear Allocation of Parental Responsibility (APR) cases in child support cases.

## Additional Information:

The DISH management team met with staff from the Center for Policy Research to discuss queries/time studies to measure current case process time frames to post DISH install time frames. Beginning January 2008, DHS will run statewide queries to show the time between a negotiation conference to Order date.  Judicial will run statewide queries to measure: 1) the time between the Case file dateand the date in which the hearing ORDR event date (for Default cases); and 3) the time between the Case file date and CLAD event date (for Orders of Financial Responsibility).  We are also considering conducting time studies to measure 1) time between cases delivered to court and when actually processed; 2) amount of time spent on case preparation; 3) amount of time spent on data entry; and 4) number of documents filed with each case.  The method of these measurements has not yet been determined.

Interesting article about XML: "What's XML and Why Do I Care?"
http://www.ncsconline.org/D_Tech/ctc/showarticle.asp?id=8