

Public Access Committee Meeting Minutes

Meeting Date: August 16, 2012 1:30 p.m.

Members Present: Justice Monica Marquez, Judge Robert Hyatt, Karen Salaz, Chris Yuhas, Lynette Collins, Tammy Herivel, and Sabra Millett

Non-voting members present: Carol Haller; Eileen Kinney; Dan Cordova; and Linda Bowers

Others Present: Desmonne Bennett, Bryan Cave HRO; Dennis Thompson, VitalChek; and Marc Milligan, John Nebel, and Kathy Oats, BIS

Approval of Minutes from April 12, 2012 meeting.

Minutes from April 12, 2012 meeting approved.

Old Business

Report on expanding Public Access Policy to include all Judicial Department records

Carol Haller, Deputy State Court Administrator and Legal Counsel

Carol Haller provided an update regarding progress on the Public Access Policy Expansion. She also advised the members to review a recent Court of Appeals Decision (2012COA76, Gleason vs Judicial Watch) because of the reference to Judicial Records and the Open Records Act. Chris Yuhas volunteered to help Carol gather and organize additional materials. An update will be provided at the October meeting.

Denver Probate Court Pilot Project Linda Bowers, Court Services Manager

Recent management changes in the Denver Probate Court have put this proposal on hold at this time. This project will be revisited once the new managers are in place and will be on the February agenda for an update.

Discussion Item

Subcommittee's Policy Change Recommendations – Linda Bowers

The subcommittee formed at the last meeting returned with two policy change recommendations. Both changes are related to Section 4.40 in the Public Access Policy regarding Compiled Data Requests.

Change Recommendation #1: Revise the policy to allow appropriate agencies access to compiled data that contains information not otherwise allowed by the policy. The concept of the change was desirable but the wording was problematic. Members of the Committee will meet to work out language concerns that were raised. These members are as follows: Carol Haller, Karen Salaz, Eileen Kinney, Daniel Cordova and Linda Bowers. Recommendations will be returned to the Committee.

Change Recommendation #2: Because of issues raised at previous committee meetings regarding access to judgment information, the subcommittee recommended creating an electronic monthly report that would contain additional identifying information than authorized in other composite releases.

The Committee unanimously approved the following language addition to the policy as Paragraph (f) in Section 4.40 (with the following paragraph designation modified as appropriate):

“A civil judgment report will be created on a monthly basis no later than the 5th of every calendar month. It will be available for release from the State Court Administrator’s Office on request (See Addendum A) and with the payment of any applicable fees. The report will be compiled listing all civil judgments entered in the previous calendar month and all civil judgments satisfied within the previous calendar month. The report will display the following information related to each judgment: case number, name of creditor(s), address of creditor (if entered in ICON/Eclipse or jPOD), name of debtor(s), address of debtor (if entered in ICON/Eclipse or jPOD), date of judgment, total amount of judgment and date satisfied (if applicable).”

An additional policy concern was raised related to defining some of the terms in Section 4.60 of the Policy. Specifically, courts have struggled with defining “Medical Information” and what that includes. A subcommittee was created to provide the Committee with recommended language for further defining the terms that are unclear. This subcommittee will be comprised of: Sabra Millet, Tammy Herivel, Lynette Collins, Terri Morrison and Linda Bowers.

New Business

SCA/Record Custodian update – Linda Bowers

- **XML Vendors:** Acxiom has informally notified judicial that they will no longer be providing a public access internet website. This portion of their business was acquired by a Lexis Nexis company, VitalChek.
- **Data Requests from last quarter:** No significant data requests were processed in the last quarter.

An update regarding the Report from the Task Force regarding Data Replication will be on the October agenda. This will include any updates from SCAO and the written response that BIS planned to provide.

Next Meeting Dates

- October 24, 2012 at 1:30
- February 8, 2013 at 1:30
- May 16, 2013 at 1:30