

# Public Access Committee Meeting Minutes

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October 2, 2013 at 1:30 pm

**Members Present:** Justice Monica Marquez, Judge Robert Hyatt, Judge Kathy Delgado, Chad Cornelius, Sabra Millett, Lynette Collins, Fran Jamison, and Rob McCallum

**Non-voting members present:** Carol Haller, Steven Vasconcellos, Daniel Cordova, and Linda Bowers

**Guests:** Sherry Stwalley and Connie Lind from SCAO; Andi Truett from the 18<sup>th</sup> Judicial District; Bill Heaney from Denver County Court; Cathy Oatis, Steven Balcerovic, John Nebel, and Marc Milligan from BIS; and Manuel Martinez from Bryan Cave

**Committee membership changes:** Chief Judge Hyatt is retiring and will be replaced by Chief Judge Michael Martinez who will attend the January meeting. Linda Bowers is also retiring at the end of October. Her replacement has not been named so Steven Vasconcellos will temporarily cover her Committee responsibilities.

Minutes from May 22, 2013 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 reported that this project is moving forward. It has been divided into phases. Phase one will address access to Judicial's administrative records. The second phase will be court records. A draft should be ready by November and will be circulated for comment. This policy is expected to be incorporated into the Public Access Rule in Chapter 37 rather than CJD. Carol also asked the Committee to consider how the proposed Rule should be disseminated for public feedback. The report discussion will be on the January agenda.

### **Data Replication Report – Finalize the Reply to BIS Response to Data Replication Task Force Report --**

Chad Cornelius, CIO Colorado Judicial Department

Linda received no comments after the last meeting so the reply was posted. The Task Force report recommended against providing mirrored/replicated data. The Committee has not taken a vote on whether data replication should be permissible from a policy perspective due to on-going meetings between Judicial and BIS. The Committee agreed to table the vote so these conversations can continue. Marc Milligan concurred. This topic will remain on the agenda and it is the Committee's hope that a vote can take place during the January meeting.

### **Vendor Data Search Updates – meetings with BIS and Judicial Technical Staff - Chad Cornelius**

There are three aspects to this issue: potential policy issues, data transfer speed increases, and possible data inaccuracies that could be occurring on either Judicial's or the vendor's system. Judicial continues to work with BIS to explore options to improve an already expeditious system.

Improvements were made in May and Judicial plans to continue to work with BIS on a re-write to a newer technology in an effort to further enhance system performance. Judicial will continue to work with BIS and VitalChek (CoCourts) to test and implement. Judicial is also researching a

dedicated (Metro Optical Ethernet) circuit to eliminate multiple network hops. Judicial is waiting for an update from BIS regarding getting the new circuit installed and configured. Judicial will provide John Nebel with a new contact person and together Judicial we will continue to test and discuss further implementation strategies.

## **New Business/Updates**

### **Probate Pilot Project Proposal** – Linda Bowers, Court Services Manager

Karen Salaz will be point person for this project. A formal request is forthcoming and there may be a request to have a vote at January meeting regarding implementing the pilot. Continue to January agenda.

### **Courthouse News (CNS) Access Request** – Carol Haller

CNS requested statewide access to CV cases. That access has been provided in the Supreme Court Law Library. The access includes viewing pleadings and printing capability. Communication regarding these efforts will continue so that outstanding concerns can be addressed.

Manuel Martinez, counsel for CNS, informed the Committee that Judicial has been terrific to work with in addressing their concerns. Judicial has provided access to all civil cases in a single location which saves reporters considerable time driving to many different court locations.

CNS expressed concerns about the amount of time that it takes judicial staff to accept new cases after filing. Now that the ICCES rollout is completed, Judicial is working on accepting cases more quickly after filing. Courts are making improvements in same day data entry since the implementation of ICCES. This may become less of a committee concern and more of an internal process issue. This item will remain on the agenda for an update at the January meeting.

### **Lexis Nexis VitalChek Alert Request** – Chad Cornelius

Several vendors have asked for this functionality. Judicial understands that alerts are important to the vendors. It will take programming and resources to create a public access alert and notification system. The request has been added to the list of projects for Judicial's IT Department and will be included with the prioritization of the Department's IT projects. Chad will report back in January to identify where the project has been ranked.

### **Remote Access Request Consideration** – Chad Cornelius / Linda Bowers

Judicial has received requests to provide the same access on home computers as is available on public access terminals in the Courthouses' file rooms. Technology is available that would allow it, but Judicial will need more program assistance (development and analyst) to support such an endeavor. Chad and Steven will provide a more detailed plan to move forward with this project at the January meeting.

### **Miscellaneous Other Matters**

Justice Marquez updated the Committee about a Channel 7 and Ethics Watch report regarding criminal justice records. The news article suggests that the legislature may consider statutory changes related to access and open records. Rob McCallum will send the news article to Linda to distribute to the Committee.

Steven Balcerovic told the Committee that Representative Salazar is quite concerned about cost and that significant charges may be causing people to abandon CORA requests.

## SCA/Record Custodian update

**Report on Data Requests** from last quarter – Linda Bowers

Judicial has filled requests that fall under the new composite release policy. The policy changes seem to be sufficient to allow the release of data that was needed.

## Next Meeting Dates

- January 31, 2014 at 1:30
- May 9, 2014 at 1:30
- September 24, 2014 at 1:30

The meeting was adjourned at 2:30.