

JUDICIAL COMMITTEE ON INFORMATION TECHNOLOGY

MEETING MINUTES

10:00 AM – 2:00 PM – May 4, 2018

Office of Court Administration

I. Call to Order

Justice Simmons called the meeting to order at 10:05 AM.

JCIT Voting Members:

Chair, Justice Rebecca Simmons

Vice-Chair, Bob Wessels

David Escamilla

Honorable Woody Gossom Jr.

Honorable Dan Hinde

Roland Johnson (phone)

Cynthia Orr (phone)

Honorable Brian Quinn (phone)

Todd Smith

Carlos Soltero

Dean Stanzione (phone)

Dennis Van Metre

Honorable John Warren

Honorable Sheri Woodfin

JCIT Liaison Members:

Honorable Jeffrey Boyd

Miles Brissette (phone)

Honorable Judy Crawford

Honorable Annie Elliott

Doug Gowin (phone)

Honorable Blake Hawthorne

Honorable Velva Price (phone)

Honorable Nancy Rister

Mark Unger (phone)

Randy Chapman

Honorable Laura Hinojosa (phone)

Tracy Hopper (phone)

Michelle Spencer (phone)

Others in Attendance

Renda Abram, File & ServeXpress (phone)

Travis Banks, Bexar County (phone)

Kelsey Clark, File & ServeXpress (phone)
Dana DeBeauvoir, Travis County
Terry Derrick, Tyler Technologies
Raul Espinoza
Subatra Gopalakrishan, File & ServeXpress (phone)
Angel Hawks, File & ServeXpress (phone)
Patrick Heller
Adam Henderson, Tyler Technologies
Elaine Hosage, Travis County
Jeanine Hudson, DPS (phone)
Victor Jauregui, Travis County (phone)
Jess Krochtengel, Law360 (phone)
Curtis Kuykendall, (phone)
Laurelea Lindquist, Tyler Technologies
Dallas Osborn, Net Data Corp. (phone)
Jama Pantel, Travis County
Laura Richard, Fort Bend County (phone)
Mark Schwartz, One Legal (phone)
Todd Vincent, One Legal (phone)
Brad Weems, Williamson County

Office of Court Administration Staff:

Casey Kennedy, Director, Information Services
Becky Taylor, Project Manager, Information Services

II. Approval of Meeting Minutes

Motion to approve the 2018 meeting minutes by Sheri Woodfin, seconded by John Warren. *Motion carries.*

III. Committee/Workgroup Reports

A. eFileTexas Update

Laurelea Lindquist reported that over 230,000 eFileTexas accounts have been created to date.

Everything is on schedule for the next mandate of July 1, 2018 for Group 3.

Sheri Woodfin asked if there will be any communication that gets sent out to Criminal defense attorneys before Group 3 goes live. Ms. Lindquist stated that the responsibility to communicate that eFileTexas is coming lies with the Clerks.

David Escamilla suggested that Tyler Technologies consider having a booth at the State Bar of Texas annual meeting to inform attorneys about eFileTexas.

Ms. Lindquist is going to send Casey Kennedy some slides to display during breaks at the State Bar meeting.

B. Re:SearchTX Update

Adam Henderson reminded the Committee of upcoming target dates:

08/01/18 - opening up Re:SearchTX to attorneys not on the case

10/1/18 - Redaction Solution Implementation

11/1/18 - Proposed date to make Re:SearchTX available to the public

Mr. Henderson also reported there will be outreach to the clerk community during the Clerk's Association Semi-Annual meeting on 6/11/18 to drive awareness of broadened adoption and the Redaction Solution.

Casey Kennedy will work with Tyler Technologies to create a standard slide deck for Re:SearchTX. Slides will be sent to the entire JCIT committee so that this can be shared at other relevant conferences in the future.

Terry Derrick provided an update on the status of the Redaction Solution. Tyler Technologies is rolling in specific requirements from Rule 21C of the Texas Rules of Civil Procedure with the intention to test and engage pilots.

C. Re:SearchTX Committee

Justice Simmons reviewed the draft recommendations for further implementation of Re:SearchTX to the following groups:

- 1) licensed Texas attorneys that are not on the case
- 2) general public users

Recommendation 1 – Define a role for a licensed Texas attorney that is not an Attorney on the Case but desires access to public court records.

Discussion about how attorney status is verified and how the system will know that an attorney is admitted as pro hac vice.

Concerns voiced about integration issues with addresses being outdated

Motion to adopt Recommendation 1 for Licensed Attorneys by Carlos Soltero, seconded by Todd Smith. *Motion carries.*

Recommendation 2 – Adopt permissions for Texas Licensed Attorneys so they can access case index information and all publicly available electronically filed documents.

Motion to approve Recommendation 2 on Licensed Attorney Permissions by Bob Wessels, seconded by John Warren. *Motion carries.*

Recommendation 3 – Define a role to address public access for a Registered User.

Justice Simmons summarized recommended role and permissions given to a public registered user that does not fall into the role of Judge, Attorney on the Case, Clerk or Licensed attorney not on the case.

Recommendation 3 outlines online registration process and payment process in order to download documents.

Motion to adopt Recommendation 3 for public user access by Dennis Van Metre, seconded by John Warren. *Motion carries.*

Recommendation 4 – Adopt permissions for the Registered User role.

Justice Simmons reviewed the permissions matrix to discuss which case types can be viewed by the registered public user.

The following case types are currently not available to be viewed in Re:SearchTX by a public user:

1) Evictions – Residential; 2) Expunction; 3) Non-Disclosure; 4) Truancy;
5) Communicable Disease; 6) Transfer Structured Settlement Payment Rights;
7) Adoption; 8) Child Protection; 9) Gestational Parenting; 10) Parentage/ Paternity/
Voluntary Legitimation; 11) Termination of Parental Rights; 12) Guardianship – Adult;
13) Guardianship - Minor

Discussion on restyling the case name for Family cases involving children under the age of 18 and adding a delay of 30 days before case index information can be viewed through Re:SearchTX.

The state has imposed a statute on Harris County that no one except the attorney on the case can have access to any case that falls under the parent-child relationship for 30 days.

Decision to split out Name Change cases into Name Change – Adult and Name Change – Minor, so that Adult Name Change cases will be available to the public and Minor Name change cases will be marked as confidential data under Rule 21 C.

Committee agreed to add some language to the recommendations so that the matrix might change once a confirmed and validated redaction solution is in place.

Justice Jeffrey Boyd suggested adding a column to the permissions matrix to indicate which exclusions from public access are based on Statute/rule and which ones are excluded as a policy recommendation by the Judicial Committee on Information Technology.

Justice Simmons suggested that a vote on the recommendations for public access to registered users be postponed until the next JCIT meeting so that the Re:SearchTX work group can clean up the matrix with suggestions brought up by the JCIT Committee.

Recommendation 5 – Designate documents from Re:SearchTX with a watermark.

Motion by Chief Justice Brian Quinn for Recommendation 5, seconded by Carlos Soltero. *Motion carries.*

Recommendation 6 – Implement safeguards to protect Re:SearchTX from data miners.

Motion by Dennis Van Metre to adopt recommendation 6 as amended, seconded by Bob Wessels. *Motion carries.*

Recommendation 7 – Implement a PACER like fee for viewing and downloading documents, \$.10 per page up to \$6 maximum per document for downloading a document by Licensed Attorneys and Registered Users.

Further discussion needed on fees charged to other state agencies who might need access to certain case types.

Motion to adopt Recommendation 7 as amended by Bob Wessels, seconded by David Escamilla. *Motion carries.*

D. Standards Committee

Casey Kennedy reviewed draft recommendations for version 5.0 of the Technology Standards.

Further discussion needed on possibly adding new rejection reason codes.

Motion to adopt version 5.0 of the Technology Standards as amended made by Bob Wessels, seconded by Carlos Soltero. *Motion carries.*

E. Clerk Issues Committee

Sheri Woodfin summarized clerk issues discussed:

- 1) Attachments vs. lead documents – address through technology solution
- 2) Proposed Orders – educate the clerks that proposed orders must be accepted
- 3) Exhibits filed as separate attachments or all together in one pdf – discuss
- 4) Case Information Sheet – Rule change is being worked on to repeal the requirement
- 5) Citations – Amend TRCP to make returns of service required to be returned electronically with the checkbox to have it served back to the parties
- 6) Establish timeline of 5 days for resubmitting rejected/returned documents
- 7) Email/E-Service Addresses – Require E-Service addresses to be included in the signature block of the filed document. A template MOU has been sent to counties for access to the OCA eService file.

Casey Kennedy displayed reports for each county to show how quickly filings are accepted in eFileTX. Justice Simmons wants to see percentages of how many filings are returned in each county. Tyler Technologies will provide this data by May 18.

Justice Simmons adjourned at 1:07 PM.