

**Judicial Committee on Information Technology
December 6, 2019 – Supreme Court of Texas Courtroom**

Meeting Minutes

I. Call to Order

Justice Simmons called the meeting to order at 10:01AM.

Voting Members Present

Honorable Rebecca Simmons
Bob Wessels
David Escamilla
Honorable Woody Gossum Jr. (phone)
Dan Hinde
Honorable Brian Quinn (phone)
Honorable Missy Medary (phone)
Todd Smith
Dean Stanzione
Dennis VanMetre
Honorable John Warren
Ed Wells (phone)
Honorable Sheri Woodfin

Liaison Members Present

Honorable David Canales (phone)
Judy Crawford (phone)
Annie Elliott
Doug Gowin (phone)
Jess Griffith (phone)
Honorable Blake Hawthorne
Tracy Hopper
Gary Hutton
Roland Johnson (phone)
Karen Miller
Velva Price
Honorable Russ Ridgway
Sian Schilhab
Honorable Ralph Swearingin (phone)
Mark Unger (phone)
Honorable Kevin Yeary

Others Present

Jesus Acevedo, Fort Bend County

Kelsey Clark, FileAndServe
Greg Cole, Legal Bevy
Jacqueline Daumerie, Supreme Court
Terry Derrick, Tyler Technologies
Nanette Forbes, Texas Association of Counties
Monica Foster, Tarrant County
Jesse Guerrero, FileAndServe
Honorable Tom Gray, Chief Justice, Tenth Court of Appeals – Waco
Cathy Horvath, Guadalupe County
Jeanine Hudson, Department of Public Safety
Kevin Issitt, Tyler Technologies
George Knecht, Greenfiling
Curtis Kuykendall, Second Court of Appeals – Fort Worth
Troy Martin, Office of Attorney General
Chris Ricci, Tyler Technologies
Honorable Laura Richard, County Clerk, Fort Bend County
Hyun Rocco, Tarrant County
Steve Schenk, ProDoc
Mark Schwartz, OneLegal
Holly Taylor, Court of Criminal Appeals
Samantha Vargas, Tarrant County
Matt Veigl, Tyler Technologies
Brad Weems, Williamson County
Eric Williams, Tyler Technologies

OCA Staff

Casey Kennedy, Director, Information Services
Mena Ramon, General Counsel
Thomas Sullivan, Project Manager, Enterprise Planning Office

II. Approval of Meeting Minutes

Motion to approve the October 11, 2019 minutes as amended by Sian Schilhab. **Motion by Brian Quinn, seconded by David Escamilla. All in favor, motion carries.**

III. Committee Updates

A. Re:SearchTx Criminal Subcommittee

Mr. Kennedy reviewed the changes to the re:SearchTX criminal recommendations adopted by the subcommittee at its last meeting. Changes were made based on the discussions and direction of the previous JCIT meeting.

Sheri Woodfin raised an issue with document access and counties that elect to integrate with re:SearchTX. A concern arises when a county integrates but doesn't

provide correct document security in their local CMS. Re:SearchTX respects the security context provided by the CMS, but the assumption is that the local clerk will have used appropriate security in the CMS to protect cases and documents. In the case where a clerk's documents have never been online, this assumption may be false.

Justice Simmons asked that the combined re:SearchTX subcommittee, including civil, criminal and JP stakeholders, meet and discuss possible issues with integration. She also asked Tyler technologies to evaluate the ability to use the existing redaction module to screen documents as they are requested.

Motion to adopt the changes made by the subcommittee and forward the recommendations to the high courts. **Motion by Bob Wessels, seconded by John Warren. All in favor, motion carries.**

B. Document Access Free Requests Subcommittee

David Escamilla provided an update on the work of the subcommittee. At its first meeting, the committee had a consensus that in-state institutions and government entities should likely have free access to court documents.

Mr. Escamilla also noted that several counties were going to forward him the use agreements used in their counties. He would then construct a proposed user agreement for consideration at a future subcommittee meeting.

C. Technology Standards

Mr. Wessels raised an issue received by Blake Hawthorne regarding a conflict in the Texas Rules of Civil Procedure. The Texas Government Code and part of the Texas Rules of Civil procedure allow and encourage courts to use email to provide notices to the attorney's eService address registered with the State Bar. A place was found in the rules that still required notices to be sent via first-class mail.

Mr. Hawthorne reported that according to the rules attorney, this was an oversight on the court and that the court would be making the correction very soon. Justice Simmons proposed a letter from JCIT to the Supreme Court supporting the change to clarify the Texas Rules of Civil Procedure to allow email notices.

Motion to circulate letter to the executive committee and to send to the Supreme Court once reviewed by the executive committee. **Motion by Bob Wessels, seconded by Dan Hinde. All in favor, motion carries.**

IV. Program Updates

A. eFileTexas/re:SearchTX

Terry Derrick provided the committee an update on eFileTexas and re:SearchTX. Mr. Derrick indicated that system usage continues to increase at a rate of 5,000 users a month, with a filing volume increase of about 100,000 a month. He reported that this increase is expected to plateau once the final criminal eFiling mandate is in place on January 1.

Mr. Derrick reports that for the last group to go mandatory on criminal eFiling, all are already in a permissive state with the exception of one office. That office is configured and ready but is electing to go live on the mandatory date. He also noted that JP courts were eFiling, but only 112 precincts across 23 counties.

Mr. Derrick spoke about a new reporting tool that will allow clerks to retrieve jurisdiction specific reports promulgated by JCIT, including the time to disposition report as well as the return for correction report. The portal is ready and is awaiting OCA final clearance prior to going to production.

The group then spoke about redaction, which is currently used about 13,000 times per month.

In the re:SearchTX update, Mr. Derrick reported that user growth continues at the pace of about 400 users per week. Currently nine counties are integrated with re:SearchTX with another five in the pipe to integrate. He also spoke about additional features that users are excited to use.

Mr. Hawthorne asked the group if it was time to start thinking about the next technologies that would impact the courts. The group agreed it would be a good idea to start discussions. He cautioned that the group should advance, but not go to the bleeding edge of technology.

Justice Simmons asked for volunteers for this subcommittee. Blake Hawthorne will be the lead, with Todd Smith, John Warren, Velva Price, Tracy Hopper, Ed Wells, Sherri Woodfin and Mark Unger.

B. eFileTexas 2.0 Procurement

Thomas Sullivan, the project manager for the eFileTexas 2.0 procurement gave an update to the committee. The interviews with the subject matter experts have been completed. Gartner is working to deliver the components for the request for offer to OCA for internal review. The overall schedule is on-track with the procurement completed in late-September.

V. New Business

A. Update on JP eFiling

Judge Ridgway provided the committee and update on how eFiling is progressing in JP courts across the state. He talked about that where eFiling is allowed by the court, attorneys are eFiling. In debt claims, Judge Ridgway reports that those cases are almost

always eFiled. He reported that across all case types that the number being eFiled is continuing to grow.

Judge Ridgway underscored the need for better marketing of tools for ProSe litigants. The committee spoke about Guide and File being available and needing additional marketing. Mr. Derrick commented that once a ProSe makes it to Guide and File, they complete the form about 58% of the time.

Judge Swearingin spoke to his experience in Tarrant county with a soft mandate of eFiling in his court. He spoke about providing kiosks and assistance to ProSe litigants in operating eFiling. He reported that there has been very little pushback from the filing community.

VI. Adjournment

Justice Simmons adjourned the meeting at 12:20pm. The next meeting is on February 28, 2020.