



Annual Reports of the Judicial Support Agencies, Boards and Committees State Fiscal Year 2004

Introduction to the Judicial Support Agencies, Boards, and Committees

The Office of Court Administration (OCA), created by the Texas Legislature in 1977, has as its mission the promotion of “the effective administration of justice by providing leadership and service to the Texas Judicial System.” In fulfilling its mission, OCA provides research support, as well as technical, legal, and administrative assistance, to the Texas Judicial Council, the Judicial Committee on Information Technology, the Task Force on Indigent Defense, the Court Reporters Certification Board, and other judicial boards and commissions, as well as all the courts in the Texas judicial system. Acting under the direction and supervision of the Supreme Court and the Chief Justice, and managed by an administrative director, OCA conducts research and studies and provides management and technical assistance for the uniform administration of the courts and effective administration of justice in Texas. On behalf of the Texas Judicial Council, OCA collects statistical data and other pertinent information on all courts in Texas. OCA also employs personnel needed to administer the adjudication of child support and child protection cases in accordance with the provisions of Chapter 201, Texas Family Code.

The Texas Judicial Council, created by the Texas Legislature in 1929, is the primary policy-making body responsible for studying and recommending changes to the current and future state of the judiciary. The Chief Justice of the Supreme Court and the Presiding Judge of the Court of Criminal Appeals serve as chair and vice-chair of the Council, respectively, and the administrative director of OCA serves as the executive director of the Council. The Chief Justice, the Governor of Texas, the Lieutenant Governor, and the Speaker of the House appoint the other members, who include ten judges, four legislators, and six citizen members from across the state. With advice from judges, legislators, public officials, members of the bar, and the public, the Council strives to improve the quality and efficiency of justice in Texas.

The Task Force on Indigent Defense is a standing committee of the Texas Judicial Council and is composed of eight ex officio members – including the Chief Justice of the Texas Supreme Court and the Presiding Judge of the Court of Criminal Appeals – and five appointive members. The Task Force is charged with directing and monitoring the distribution of funds to counties to provide indigent defense services, developing policies and standards for providing legal representation and other defense services to indigent defendants, providing technical support to counties relating to indigent defense, and establishing a statewide county reporting plan for indigent defense information. Through its work, the Task Force seeks to promote justice and fairness to all indigent persons accused of criminal conduct, including juvenile respondents, as provided by the laws and constitutions of the United States and Texas.

The Judicial Committee on Information Technology was created by the Texas Legislature in 1997 under provisions of the “Judicial Efficiency Act.” The committee’s mission is to establish standards and guidelines for the systematic implementation and integration of information technology into the state’s trial and appellate courts. Through its work the committee seeks to guide the development and delivery of cost-effective information technology solutions to meet the increasing judicial process requirements and data sharing requirements of the Texas courts. JCIT is supported by the Office of Court Administration staff for research and planning activities, project management, fiscal services, administrative support, and implementation of technical solutions. The 15 voting members of JCIT are appointed by the Chief Justice of the Supreme Court to represent all levels of the state judiciary. The committee’s membership includes, as well, members of the legislature, the private bar, and the general public.



Office of Court Administration

"To promote the effective administration of justice by providing leadership and service to the Texas judicial system."

- Mission of the Office of Court Administration

Divisions of the Office of Court Administration

The Research and Court Services Division serves as a resource for the courts in key areas of judicial administration. The division provides consultation on recommended best practices in administrative operations, works to establish innovative court programs, serves to increase public accessibility to the courts, and helps develop and implement programs designed to increase the collection of fines, fees, and court costs.

The Judicial Information Division collects, analyzes, and publishes information on court activities throughout the state. Statistics collected by the division focus on significant issues and accomplishments in the judicial arena and are used for identifying opportunities for improvement in the judicial system. The division also produces the Texas Judicial System Annual Report and the Texas Judicial System Directory.

The Judicial Planning Division provides staff support for the Texas Judicial Council in its on-going study of the organization and work of the state's courts and in its efforts to devise methods for the improvement of the administration of justice in the Texas judicial system.

The Information Services Division provides staff support for the Judicial Committee on Information Technology (JCIT) to research, plan, and implement the latest technological innovations that best meet the needs of the strategic direction of the JCIT. The division also provides technical support for a network infrastructure for the appellate courts and judicial agencies, as well as technical and training assistance to users of state judicial systems, and develops, implements, and promotes automated systems to facilitate improved court efficiencies and to advance the establishment of technology standards throughout the Texas courts.

The Indigent Defense Division supports the Task Force on Indigent Defense by: overseeing the distribution of funds to counties for indigent defense services; developing policies and standards for legal representation and other defense services for indigent defendants; providing technical support to counties with respect to indigent defense; and establishing a statewide county reporting plan for indigent defense information.

The Legal Division provides legal advice to agency management and judicial officers. It administers the child support courts and child protection courts programs by providing legal advice and administrative support to the presiding judges of the administrative judicial regions and to the associate judges and their staff. The division researches, writes, and publishes procedure manuals for district and county clerks, promulgates model forms, and facilitates other legal assistance to the judiciary. The human resources officer for the Office of Court Administration is part of the Legal Division and administers the human resources function for the agency.

The Finance and Operations Division manages the fiscal (i.e., accounting, purchasing, and budgeting) and operational support activities of the Office of Court Administration. The division also provides support to the clerks and chief justices of the appellate courts and the presiding judges of the administrative judicial regions regarding legislative and budgetary issues.

The Court Reporters Certification Division serves as staff to the Court Reporters Certification Board, a state Board charged with performing licensing and regulatory functions for the court reporting profession, including approving the content of continuing education courses required for certification renewal. The Board certifies to the Supreme Court individuals qualified to practice court reporting based on successful completion of the state exam and registers court reporting firms that provide court or shorthand reporting services to the public.

Accomplishments for Fiscal Year 2004

The reports in this volume on the Texas Judicial Council, the Task Force on Indigent Defense, and the Judicial Committee on Information Technology identify the achievements of the Office of Court Administration in providing staff resources and technical and research assistance to these boards and committees. In addition, the Office of Court Administration continued in FY 2004 to move strongly forward in fulfilling its mission of “providing leadership and service to the Texas judicial system.” Particular developments and accomplishments within the Office of Court Administration during FY 2004 are noted below.

Court Reporters Certification Division – Effective September 1, 2003, the Texas Legislature administratively attached the Court Reporters Certification Board (CRCB) to the Office of Court Administration. As a result, 3,068 court reporters were made part of the service population of the Office of Court Administration. The Court Reporters Certification Division was created in FY 2004 to serve the needs of the CRCB, including overseeing the examination of prospective court reporters, administering the licensing of court reporters, and processing complaints against licensed reporters and court reporting firms for possible disciplinary action by the CRCB.

Judicial Information Division – Formerly a component of the Research and Court Services division, Judicial Information was made a separate division within the Office of Court Administration in FY 2004. The Judicial Information Division has the primary responsibility for collecting, analyzing, and publishing court activity statistics and other judicial information received on a monthly basis from the approximately 2,600 courts in the state, from the Supreme Court and Court of Criminal Appeals to the intermediate Courts of Appeals and the trial level courts – district, county, municipal, and justice of the peace courts. In FY 2004, division staff continued to be the subject matter experts for the Judicial Data Management System Project. This project involved the conversion of the Office of Court Administration’s DOS system to a web-based system. The new data management system provides an improved judicial directory, a more efficient means for collecting information on the judicial system throughout the state, and a more streamlined process for preparing reports on court activity. A key component of the new system is the electronic submission of monthly activity reports from the trial courts. In FY 2004, online reporting for county and district court reports was implemented, thereby complementing the previously available online reporting capability for municipal and justice courts. During FY 2004, the Office of Court Administration continued to promote electronic reporting and to assist courts with the electronic submission of their case activity data, and, as a result of this effort, by the end of the fiscal year, 28 percent of all trial courts in Texas were reporting their activity electronically.

Research and Court Services Division - During FY 2004, the division’s activities included the development and continuation of programs and projects designed to increase the collection of fines, fees, and court costs and to improve the administrative operation of the courts. Highlights of these programs and projects are noted below.

Collections Improvement Project. In FY 2004, division staff implemented the Office of Court Administration’s model fine collections program in the county-level courts of Chambers, Grayson, Hood, Howard, Hutchinson, Liberty, Live Oak, Midland and Walker counties, and in the municipal courts of Amarillo, Kennedale, Kerrville, Pasadena and Texas City. The division also assisted in expanding the model fine collections program to the county-level courts in Bexar County, the juvenile courts in Montgomery County, the justice courts in Kerr County, and the district courts in Randall County. In addition, division staff provided technical assistance to the existing fine collections programs in Aransas, Bexar, Bowie, Brazoria, Brazos, Dallas, Galveston, Harris, Howard, Hunt, Montgomery, Nueces, Nolan, San Patricio and Wichita counties, as well as to the existing fine collections programs in the cities of College Station, Garland and Longview. Further, the division evaluated how collections are handled in the cities of Amarillo, Bellmead, Cedar Hill, Copperas Cove, Crowley, Kennedale, La Joya, Lavon, Pasadena, Round Rock, Sherman, and Whitehouse, and in the counties of Chambers, Gregg, Hardin, Newton, Smith, Somervell, Tarrant, Travis and Walker, and made collections improvement recommendations. By the end of FY 2004, 38 counties, 11 cities, and 206 courts (including district, county-level, justice, and municipal courts) in the state were using the Office of Court Administration’s model fine collections program.

Juvenile Law Referees. The division was awarded a \$198,358 Juvenile Justice Accountability Incentive Block Grant to continue this project for a fifth year. The purpose of the project is to hold juvenile offenders more accountable for their actions by providing additional judicial officers and support staff to efficiently and effectively process the large volume of juvenile cases in Hidalgo and Bexar counties. The participating counties agreed to provide a cash match of \$127,036, resulting in total project support of \$325,394 for the period of the grant, August 1, 2003 through July 31, 2004. Grants received by the Office of Court Administration from federal or state sources are – as is this grant - primarily pass-through grants which go to local participating governments or courts to cover the project costs under the grant. The local government or court also generally provides the preponderance of any local matching funds required as a condition of the grant. The Office of Court Administration’s participation under the grant project usually occurs on an “in-kind” basis and takes two forms: (1) Research and Court Services staff participate in the actual research, analysis, and report-writing phases of a grant project; and (2) Office of Court Administration staff serve as grant manager or fiscal agent in administering the grant by reviewing expenditures and filing necessary grant reports to the funding agency.

Judicial Data Workgroup. Acting on a mandate of the 78th Texas Legislature (under Office of Court Administration Rider 7, H.B. 1, 2003) and a request of the Texas Judicial Council’s Committee on Judicial Data Management, the division began a long-term process of working with judges and clerks in undertaking an extensive review of the data elements currently used by trial courts in reporting court activity in criminal, civil (including family law) and juvenile cases. In time, all levels of trial courts will be brought into the process, but because the number of data elements is so extensive, the division inaugurated the review in August 2004, by convening a sub-workgroup of judges and clerks to address data elements for criminal cases in the district courts. After an opportunity for inputs from other interested individuals and entities, the recommendations of the full workgroup will be forwarded to the Committee on Judicial Data Management for its consideration and possible adoption.

Legal Division - A major focus of the Legal Division’s work in FY 2004 continued to be assistance both to the state’s child support enforcement courts operating under Title IV-D of the federal Social Security Act and to the state’s child protection courts.

Child Support Courts Program. By an act of the 78th Legislature, effective September 1, 2003, Title IV-D “masters” were designated “associate judges.” The 78th Texas Legislature also approved the funding for six previously authorized FTEs (three associate judges and three assistants) for the establishment of three new courts within the child support courts program. During FY 2004, the Legal Division did an extensive analysis of the caseloads and dispositions of the existing child support courts to determine where new courts were most needed. As a result of this analysis, an additional court was created in Webb County. The appointment of the new associate judge will enable two judges working in Webb County and surrounding counties to assist with the high caseload in Bexar County. The analysis also revealed areas where the caseload of certain courts was significantly below the average caseload of associate judges in the child support courts program. Based on the analysis, the Office of Court Administration proposed a plan to redistribute county assignments so that Title IV-D associate judges’ caseloads are consistent within their regions.

Child Protection Courts Program. The child protection courts in Texas were created to assist trial courts in rural areas in managing their child abuse and neglect dockets and were originally funded by a federal grant made to the Court Improvement Project of the Supreme Court Task Force on Foster Care. In FY 2001, the state assumed funding for the courts. At the end of FY 2004 there were fifteen courts operating in 126 counties with ten associate judges, six assigned judges (two of them part-time), six court reporters, and eleven court coordinators.



Texas Judicial Council

In FY 2004, the Texas Judicial Council (Council) held two public hearings in Austin: one on December 1, 2003, and the other on August 27, 2004. Most of the Council's accomplishments during FY 2004 were achieved through the efforts of its various committees.

Committee on Public Access to Court Records. Because of technological advances such as the electronic filing of court documents, court records have become easier to access, with the potential of being "broadcast" through the Internet. To address this issue, the Council created the "Committee on Public Access to Court Records" (Committee) in November 2003. Given the constitutional underpinnings of both courts and privacy, the Committee was charged with the development of a comprehensive statewide policy that balances the important interests of public access, personal privacy, and public safety while maintaining the integrity of the judicial process. Over the course of FY 2004, the Committee held six public hearings, conducted extensive research, and analyzed relevant federal and state policies, rules, and statutes. In July 2004, after receiving contributions from the legislature, the judiciary, and the public, the Committee submitted its report with recommendations to the Council for consideration. In August 2004, after reviewing the work of the Committee, the Council issued its report *Public Access to Court Case Records in Texas* which contained the following edited recommendations:

Sensitive/Confidential Data Form. The Supreme Court should require that a Sensitive Data Form be completed for each case file whether in paper or electronic format. Implementation of the form will help to prevent identity theft by minimizing the distribution and publication of certain personal identifying information. The form should include all of the following: social security numbers; bank account, credit card or other financial account and associated PIN numbers; date of birth; driver's license, passport or similar government-issued identification numbers (excluding state bar numbers); the address and phone number of a person who is a crime victim as defined by Article 56.32, Code of Criminal Procedure, in the proceeding; and the name of a minor child.

Unless ordered by the court, any party filing a pleading or other document with the court should not include any sensitive data in such pleading or document, whether filed on paper or in electronic form, regardless of the person to whom the sensitive data relates. Also, unless ordered by a court, if reference to any sensitive data is necessary in a pleading or other case record filed with the court, the filing party should refer to that sensitive data as follows: if a social security number or financial account number of an individual must be included in a case record, only the last four digits should be used; if the involvement of a minor child must be mentioned in a case record, only that child's initials should be used; and if a date of birth must be included in a case record, only the month and year should be used. However, the Committee recommended further study regarding the reference to a date of birth or to the name of a minor child.

Responsibility for omitting or redacting sensitive data from documents filed with the court should rest solely with counsel and the filing party. The court or court clerk should have no obligation to review each pleading or other filed document for compliance. Also, unless otherwise ordered by the court, the form should not be accessible to the general public either remotely or at the courthouse. Moreover, unless otherwise ordered by the court, the parties should be required to copy one another with the form.

Remote Access Policy. Under this policy, remote public access and public access at the courthouse would be treated differently by placing the following limitations on remote access:

(1) Court-Created Records. Only court-created records (i.e., indexes, court calendars, dockets, register of actions, court minutes and notices, judgments and orders of the court) may be accessible to the general public by remote electronic means.¹

(2) Case Records other than Court-Created Records. Remote access by the general public to case records, other than court-created case records, may be granted through a subscriber-type system that requires users to register with the court and obtain a log-in and password.²

(3) Specific Types of Records. Regardless of whether a subscriber-type system is in place, the following case records are extremely sensitive and should be excluded from *remote access* by the general public: (a) medical, psychological or psychiatric records, including any expert reports based upon medical, psychological or psychiatric records; (b) pretrial bail or pre-sentence investigation reports; (c) statements of reasons or defendant stipulations, including any attachments thereto; and (d) income tax returns.

(4) Family Code Proceedings. Regardless of whether a subscriber-type system is in place, the case records filed as part of any family code proceeding, other than court-created case records, are extremely sensitive and should be excluded from remote access by the general public.³

Creation of study and oversight committees. The Council should appoint a committee to examine and make recommendations regarding case records or proceedings that should be closed to the public both at the courthouse and on the internet. While some Council members recommend that access to paper documents and electronic documents be the same, they acknowledge that there may be records (e.g., medical, psychological and psychiatric reports, tax returns, and defendant stipulations) or proceedings (e.g., child custody disputes, adoption or divorce proceedings) that are not appropriate for internet publication and should therefore be made confidential both at the courthouse and on the internet. The committee should examine and make recommendations to protect victims of sexual assault, domestic violence, stalking, or other such victims from being identified and located by use of the information contained in public court records. The Council should also appoint an oversight committee to review the electronic publication of Texas' state court records. The committee would monitor and track public access, public safety, and judicial accountability, and report back to the Council prior to the 80th Regular Legislative Session.

With the implementation of these recommendations, the Council is confident that the public's trust, confidence, and use of the court system will continue to thrive and that with the implementation of a confidential Sensitive Data Form, the public safety concerns associated with identify theft and other improper actions can be minimized while the integrity of the judicial system is preserved.

Committee on Prosecutors in the Justice of the Peace and Municipal Courts. In June 2001 the Council formed the Committee on Prosecutors in the Justice of the Peace and Municipal Courts (Committee) to identify, study, and make recommendations regarding those municipal and justice of the peace courts that do not have a prosecutor. The Committee met in February and April of 2004. Because a number of municipal courts do not have prosecutors, the Committee focused on a legislative proposal that would allow municipalities to hire and compensate a designated prosecutor or county attorney to represent the state in the municipality. In August 2004, the Council approved the concept but asked staff to solicit additional input.

¹ The Council acknowledges that some court orders are required by law to contain some of those personal identifiers deemed confidential by this Committee (e.g., divorce decrees must contain a social security number). However, the Council leaves the decision as to how to handle those situations to the Texas Supreme Court, local administrative judge, or individual judge.

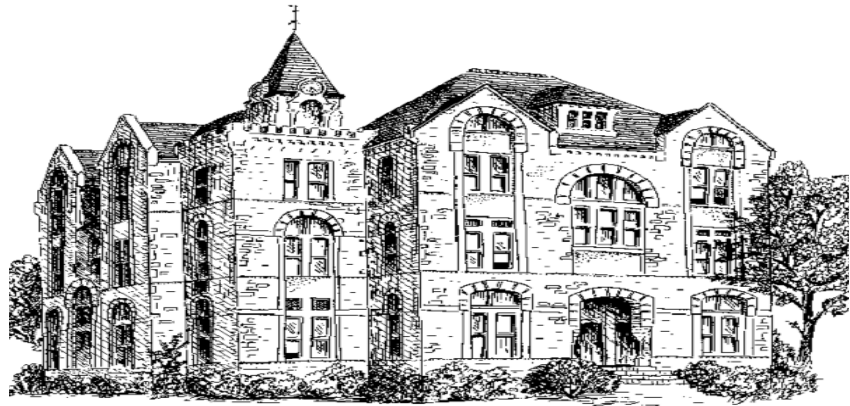
² The parameters of the system need to be defined. The Committee generally favored the subscriber-agreement system implemented in Tarrant County, but would not mandate that a user fee be charged.

³ This provision recognizes the personal nature of those disputes involving children, marriages, and parental rights and restricts remote access to such proceedings by the general public.

Committee on Juvenile Justice. In August 2004, the Council created the *Committee on Juvenile Justice*, chaired by Judge Allen Gilbert, to examine and make recommendations regarding the admissibility and verification of video magistrations made pursuant to Title 3 of the Texas Family Code. The Committee was also asked to study and make recommendations about juvenile justice as it relates to the public school system including failure to attend school and violations of standards of student conduct. The Committee will examine how such conduct may be related to criminal offenses and make appropriate recommendations. The Committee, which held its first public hearing on October 28, 2004, will solicit input from the judiciary, the legislature, and other entities working to improve juvenile conduct and justice.

Committee on Juries. In June 2001, the Council created the *Committee on Juries* (Committee) to study jury service, in compliance with a directive of the 77th Texas Legislature. The Committee conducted two public hearings and solicited input from the 254 counties, the Legislative Budget Board, the Legislature, and the Judiciary. In April 2003, the Council adopted the Committee's report *Jury Service: Participation and Pay in Texas*. At its August 2004 meeting, the Council adopted and launched the *Texas Judicial Council's Juror Information Web Site* which can be accessed at www.courts.state.tx.us/jcouncil. By providing jurors with useful information and links to individual court websites and other state resources, the website will help prospective jurors better understand the jury system.

*Fayette County
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Task Force on Indigent Defense

Survey on the Implementation of the Fair Defense Act. An FY 2004 online survey conducted by the Task Force on the implementation of provisions of the *Texas Fair Defense Act* (FDA) brought responses from 154 individuals representing a cross-section of counties and other Task Force stakeholders. The Task Force on Indigent Defense (Task Force) was established by the FDA, enacted by the 77th Legislature, for the following purposes: 1) provide technical support to assist counties in improving their indigent defense systems; 2) direct the comptroller to distribute funds, including grants, to counties to provide indigent defense services in the county; 3) monitor each county that receives a grant and enforce compliance by the county with the conditions of the grant; 4) develop policies and standards for providing legal representation and other defense services to indigent defendants at trial, on appeal, and in post-conviction proceedings; and 5) develop a plan that establishes statewide requirements for counties relating to reporting indigent defense information. Respondents to the survey noted improvements brought about by the FDA, including quicker appointment of counsel, greater countywide consistency in indigent defense practices, and decreased resetting of cases for unrepresented defendants. The main problem areas with the FDA identified by the survey related to the shorter time-frames for appointing counsel and the process of determining indigence. Many respondents indicated that these two areas were driving up costs because more people were being found indigent requiring counsel to be appointed.

Program Monitoring. Under provisions of the Texas Government Code (§71.062(a)(3)), the Task Force is required to monitor each county that receives a grant and enforce compliance by the county with the conditions of the grant. In FY 2004, the Office of Court Administration's Indigent Defense Division added to its staff a program monitor responsible for ensuring that grant funds are spent appropriately in accordance with the FDA.

Website: Data, plans, model forms and procedures, rules, online submission processes. All 254 counties' indigent defense plans and expenditure reporting data are available to the public on the Task Force website at www.courts.state.tx.us/tfid. Through a password protected portion of the website, county officials may complete the annual expenditure report and the plan submission/verification process and update their contact information. In FY 2004, the Task Force completed the development of the system for on-line reporting by county officials. This online system streamlines the process for counties and greatly reduces the paperwork required. The public website also includes all the model forms and procedures adopted by the Task Force.

Policies and Standards. In an effort to provide assistance in two areas of concern, the Task Force moved to adopt two model procedures at their meeting on August 16, 2004. The first is a model procedure that may be used by the regional presiding judges to handle attorney appeals of the fees awarded by trial courts. The procedure is based on the procedure used by Judge Dean Rucker in the Seventh Administrative Judicial Region. The second deals with removal of attorneys from the appointment list. It lists reasons for removal and a process for considering attorney removals that includes an opportunity for the attorney to be heard. Counties may consider adopting the procedure as part of their indigent defense plans. These models are available on the website at www.courts.state.tx.us/tfid.

Grants and other funding provided to counties for indigent defense services. In FY 2004, the Task Force awarded formula grants to 228 counties in the amount of \$10,700,000 – an increase of \$1.1 million over FY 2003 resulting from a surety bond fee adopted by the 78th Legislature. These funds support the overall indigent defense program in the counties and are the primary source of state assistance. The Task Force also sets aside money for direct disbursements to small counties that often do not have sufficient indigent defense expenses to spend the grant. If a county that does not apply for the formula grant does have indigent defense expenses above its baseline then it may apply for these funds on a reimbursement basis. If a county spent no formula grant funds in the prior year then the county is eligible to receive up to twice its formula grant allocation. In FY 2004 the Task Force paid out \$88,635 to 13 counties eligible for direct disbursement.

The Task Force also awarded discretionary (competitive) grants to six counties totaling \$1,121,303. These grants fund innovative programs in counties to improve the delivery of indigent defense services. Programs funded during FY 2004 included providing a mental health unit in the El Paso County Public Defender's office, as well as case management systems and two new indigent defense coordinators. Lastly, the Task Force paid out \$200,000 to four counties that had experienced extraordinary indigent defense expenditures. All involved expenses associated with representation in capital murder cases - unusual events in the counties.

Major Studies and Publications. The Task Force applied for, and was awarded a \$90,000 grant from the State Justice Institute. The study will evaluate the impact of direct electronic filing in criminal cases and will develop models of interest and relevance to local, state and national officials. The study is being conducted in collaboration with Public Policy Research Institute (PPRI) and will be complete by fall 2005. The Task Force also contracted with The Spangenberg Group, a nationally recognized experts in the study and improvement of indigent defense systems, to study the state's public defender offices. The study produced two technical assistance reviews of Dallas and Wichita Counties public defense systems and generated a publication entitled *Blueprint for Creating a Public Defender Office in Texas*. The *Blueprint* is intended to be a tool for Texas local and state officials who seek a deeper understanding of what a "public defender" is and whether creating one makes sense. The reviews and publication are available on the website at www.courts.state.tx.us/tfid.

Training and Outreach. In FY 2004, the Task Force and staff provided presentations across the state to at least 1,200 judges, county commissioners, defense attorneys, county employees, and other criminal justice stakeholders on their responsibilities and on the responsibilities of the Task Force.

FY04 Annual Report for the Task Force. The Task Force is statutorily required to submit an Annual Report, and the full report for FY 2004 may be viewed and downloaded at www.courts.state.tx.us/tfid.



Judicial Committee on Information Technology

Appellate Court and Judicial Agency Support. Carrying out strategies of the Judicial Committee on Information Technology (JCIT), the Office of Court Administration's Information Services Division implemented a new Windows-based case management and agenda system for the Supreme Court in FY 2004. In addition, division staff completed the conversion of both the Supreme Court and the Court of Criminal Appeals to the Texas Judiciary Online website early in the fiscal year. The Information Services Division continues to support the computer infrastructure for the 16 appellate courts and other judicial agencies.

Electronic Court Filing. In creating the JCIT, the 75th Texas Legislature charged the JCIT to "develop minimum standards for an electronically based document system to provide for the flow of information within the judicial system in electronic form and recommend rules relating to the electronic filing of documents with courts" (Government Code § 77.031(b)). To fulfill this mandate, JCIT has worked closely with the Department of Information Resources (DIR), the national judicial standards committees, district clerks, county clerks, commissioners' courts, and trial and appellate courts. Electronic court filing enables filers and courts to connect electronically through the state's e-Government portal, TexasOnline (www.texasonline.com) which was created by the 77th Texas Legislature to make government more accessible to Texas citizens through electronic means. The electronic filing architecture is designed to allow parties to file electronically in any participating court using a service provider of their choice. It also allows courts to accept filings from all commercial filing services without having to connect to each one individually.

In FY 2004, JCIT and TexasOnline concluded a successful pilot project in four counties to test statewide electronic court filing in Texas. The project entered the statewide implementation phase in April 2004. At the end of fiscal year 2004, six counties had implemented e-filing: Bexar, Dallas, El Paso, Fort Bend, Tarrant, and Upton. More than 40 others have expressed interest in e-filing and will be phased into the system. Based on lessons learned in the pilot, JCIT developed proposed standard rules for the implementation phase. The proposed rules were accepted by the Supreme Court in June 2004 and will remain in effect until rescinded by the Court or superseded by the Texas Rules of Civil Procedure. JCIT also provided the Supreme Court with proposed changes to the Texas Rules of Civil Procedure to incorporate electronic filing.

Telecommunications. In 2003, the Office of Court Administration contracted with the County Information Resource Agency (CIRA, part of the Texas Association of Counties (TAC)) to extend broadband Internet connectivity to courts and clerks that had no Internet access or only limited dial-up service. By the end of FY 2004, 64 courts and clerks in 19 counties had been provided broadband access to the Internet. In exchange for this improved Internet access, the recipient courts and clerks agreed to submit their monthly court activity reports to the Office of Court Administration electronically. JCIT's goal is to fund and install broadband hardware and initial connectivity in several additional rural counties. To achieve that goal, the Office of Court Administration received appropriations for FY 2004—FY 2005 to expand broadband connectivity during the biennium. In FY 2004, the Office of Court Administration again contracted with CIRA to extend broadband Internet connectivity to courts and clerks that have no Internet access or only limited dial-up service.

Trial Court Technology. In FY 2004, JCIT continued to develop innovative, low-cost solutions to meet several judicial requirements. For example, the Information Services Division coordinated the distribution of 448 surplus computers, most of which were from the 16 appellate courts, to trial courts, including 64 to support collections programs. In addition, JCIT and the Office of Court Administration assisted trial courts in obtaining surplus computer items from other state sources. Each month state agencies post surplus property item listings on the Comptroller's website. Eligible political subdivisions, including courts, can claim the items on a first come, first served basis. JCIT publicizes the availability of the items in its twice a year electronic newsletters and on its website (<http://www.courts.state.tx.us/jcit/tsp.htm>).

In January 2004, JCIT assisted the judicial training centers in planning and hosting the second Texas Court and Local Government Technology Conference in conjunction with the Government Technology Conference held in Austin. TAC served as sponsor, with the other three judicial training centers and JCIT providing co-sponsorship. The conference included seminars, technology demonstrations, online legal research training, and a wealth of vendor applications and products. A special addition for the 2004 conference was the demonstration of the National Center for State Courts' portable Courtroom 21.

JCIT and the Office of Court Administration also assisted the Department of Public Safety (DPS) in developing a federal grant application to provide fingerprint capture capabilities for district clerks and county clerks in selected pilot counties. This initiative is intended to improve the criminal history database by providing fingerprints for each criminal case disposition. The grant application was funded by the National Criminal History Improvement Program (NCHIP) in FY 2004, with funding being provided directly to DPS. The pilot program is expected to be implemented in five counties in 2005.

For several years, the Office of Court Administration contracted with CIRA to provide secure e-mail services to rural Texas counties. Through this initiative, CIRA has established secure e-mail accounts for over 1,100 officials in rural counties, including more than 350 judges, clerks, and court staff, and has also established and supports official county websites for 149 rural counties. Since FY 2001, JCIT and the Office of Court Administration have provided a portable wireless training network with 20 student laptop computers for use by the four judicial training centers. In fiscal year 2004, this system was used to support training around the state, including over 130 justices of the peace and court staff through the Justice Court Training Center.

Trial Court Case Management System. JCIT and the Office of Court Administration developed the requirements, standards, and specifications for case management systems to replace the Office of Court Administration's DOS-based software developed and distributed in the 1980's. In FY 2004, after evaluating 12 vendor applications, the Office of Court Administration selected five for placement on statewide contracts through the Department of Information Resources (DIR). Local governments can now purchase the DIR-approved case management software and services at the best available rates through DIR contracts (<http://www.dir.state.tx.us/store/busops/softwaresubjects.htm>). JCIT and the Office of Court Administration plan to continue this effort in early FY 2005 by selecting more vendors for DIR statewide contracts.

Judicial Information Technology Standards. JCIT's Standards Subcommittee is charged with researching, developing, and recommending judicial information technology standards for statewide use. In FY 2004, as part of the electronic court filing project, the Subcommittee adopted a standard affidavit of indigency for civil cases for use by clerks for all civil cases involving indigent parties (available at www.courts.state.tx.us/jcit/Efiling/IndigencyForm.doc).

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