NEW HAMPSHIRE SUPREME COURT
ADVISORY COMMITTEE ON RULES

Minutes of Public Meeting of September 16, 2011

Supreme Court Courtroom
Frank Rowe Kenison Supreme Court Building
One Charles Doe Drive
Concord, NH 03301

The meeting was called to order at 12:40 p.m. by Justice Robert J. Lynn, Committee Chair. The following Committee members were present: Karen M. Anderson; William F. Ardinger; Edda Cantor; Robert L. Chase; Hon. Laurence Cullen; Hon. Richard A. Hampe; Jeanne P. Herrick, Esq.; Martin P. Honigberg, Esq. (arriving late); Hon. Gary Lambert; Hon. William L. O'Brien; Jennifer L. Parent, Esq. (arriving late); Patrick Ryan, Esq.; Raymond W. Taylor, Esq.; and Hon. Robert J. Lynn.

Also present were Secretary to the Committee, Carolyn Koegler, Esq.; and Irene Dalbec, staff.

Justice Lynn welcomed Senator Lambert, a new member of the committee, to the meeting.

1. Approval of the Minutes

Upon motion made by Judge Cullen and seconded by Judge Hampe, the Committee unanimously voted to approve the minutes of the Committee's June 17, 2011 meeting. The Honorable William L. O'Brien abstained from voting, because he was not present at the meeting on June 17.

2. Action Taken Since Last Meeting

Carolyn Koegler reported that she had filed the annual report with the Supreme Court. The Court reviewed the annual report and agreed to put the rules proposed by the Advisory Committee on Rules out for public comment. Carolyn Koegler also reported that the format of the Advisory Committee on Rules website has been changed slightly, and noted that meeting minutes will be posted after they are approved by the Committee, and that agendas for each meeting will be posted the day before each meeting. She explained that due to the fact that the Committee often receives last-minute submissions, it is not possible to finalize the agenda until the day before the meeting.

3. Status of Pending Items

(a) District Court Rules of Civil Procedure and Probate Court Rules of Civil Procedure and Probate Administration

There was brief discussion regarding the fact that the staff of the Circuit Court is currently being cross-trained, and that to introduce new rules at this point would impose a burden on the staff.

Justice Lynn briefly updated the Committee on the status of the proposed Superior Court Rules of Civil Procedure and the Criminal Rules that would be applicable in all of the courts. He explained that the Supreme Court has reviewed them, and has approved them, but that they have not been put into effect for two reasons: (1) the need to assess how much time is needed to get training done; and (2) the Court is concerned that adopting the new rules now would make things more complicated for the parties involved in the e-court project.

Judge Hampe noted that the new Superior Court rules, if adopted, will do away with the writ system. Therefore, if the Superior Court rules are adopted, then the Superior Court will be using complaints, but the former district and probate courts (now part of the Circuit Court) will still be using writs. He suggests that a temporary rule might be needed to eliminate the writ system in the Circuit Court, as it does not make sense to have two different systems. He suggested that it might also make sense to ask Peter Caradonna about this, and how it might impact the e-court project. Justice Lynn stated that he would raise this issue with the Court.

(b) 2008-013, Judicial Conduct Committee Procedures

Attorney Honigberg, on behalf of a subcommittee comprised of attorney Honigberg, Judge McNamara and attorney Hilliard, spoke regarding his subcommittee's recommendation. He reminded the Committee that, at its June meeting, the Committee had reviewed and discussed two submissions made to the Committee by the JCC: (1) a proposed amendment to Supreme Court Rule 40(5)(c)(5) to allow for a warning to be issued in conjunction with the dismissal of a grievance after a review of the record, but providing that the judge complained against shall have the opportunity to either file a response, or at the discretion of the Committee, meet with the Committee prior to the issuance of any warning; and (2) a proposed amendment to Supreme Court Rules 40(12) and 40(13) which would insert a referee step in the judicial discipline process.

After concerns were raised at the June meeting regarding both of the proposed amendments, a subcommittee was formed and tasked with: (1) considering the propriety and/or manner of issuing warnings to judges not found to have violated the rules; and (2) amending proposed Supreme Court Rules 40(12) and 40(13) to accurately reflect the scope of review of the decision of the judicial referee by the Supreme Court.

Attorney Honigberg referred Committee members to his memorandum to the Committee dated September 16, 2011. Justice Lynn recused himself from discussion of, and voting on, the issues regarding Rule 40(5)(c)(5) and 40(12).

i. Supreme Court Rule 40(5)(c)

Attorney Honigberg explained that under the current rules, there is a range of actions the JCC can take or recommend: (1) discipline; (2) admonishment (if there was a violation of the Code, but not one so bad that it requires formal discipline); (3) warning (for behavior that "requires attention," but is not a clear violation of the rules); and (4) advice. The subcommittee's concern is that while "warning" is a defined term, "admonishment" and "advice" are not. Dictionary definitions of the three words are quite similar. However, their connotations are different, with "admonishment" and "warning" being roughly the same, and both of them considered more severe than "advice.

The subcommittee proposes modifying the JCC proposed amended Rule 40 by adding definitions of "admonishment" and "advice" and replacing the word "warning" with the word "caution," which has a less severe connotation, while keeping the definition the same. The specific changes would be: (1) in existing Rule 40(2), define "advice" to mean "non-disciplinary recommendation for future action or behavior"; (2) in existing rule 40(2), define "admonishment" to mean "formal reprimand;" (3) in existing Rule 40(2), replace the word "warning" with "caution," leaving the definition as it is currently written; (4) in JCC proposed Rule 40(5)(c)(5) and in existing Rule 40(8)(g), add the possibility of "advice" so that the Committee could end the matter at either step, "with or without written advice or caution; (5) in existing Rule 40(8)(f), add "caution" so an informal resolution under that rule could include "written advice, caution or admonishment, the requirement of [etc.]; (6) in existing Rule 40(8)(g), give the judge the ability to be heard in some way in the event the Committee believes that a dismissal with a "caution" is the right way to proceed. For example, "prior to the issuance of a caution, the judge shall be afforded the opportunity to appear before the committee."

ii. Supreme Court Rules 40(12) and 40(13)

Attorney Honigberg reminded the Committee that the second issue relates to the scope of review by the New Hampshire Supreme Court and the troublesome phrase, "heard on the facts and the law," which is used both in the current rule, and in the JCC's proposed amended rule.

Attorney Honigberg explained that the existing rule says that the judge appealing a JCC discipline recommendation to the Supreme Court has a right to be "heard on the facts and the law," which is ambiguous, and leaves open the possibility that the hearing in the Supreme Court could be a full evidentiary hearing "on the facts." The JCC's proposed amended rules do not change this standard. The proposed amended rule inserts a judicial referee as a possible step between the Committee and the Supreme Court. Under proposed Rule 40(13), the Supreme Court would receive matters either directly from the Committee or after having been heard by the referee. The court would "set the matter down" for a public hearing. The next sentence contains the scope of review and is the same as it is under the current rule. That is, it gives the judge or judge's counsel the right to be, "heard on the facts and the law." Attorney Honigberg stated that he does not believe that anyone contemplates that there should be an evidentiary hearing in the Supreme Court. Rather, he and his subcommittee believe that what is intended is that the judge be permitted argument on the facts and the law. Therefore, the subcommittee proposes adding the words "in argument" after the word "heard" in that sentence, so that it would read, "be heard in argument on the facts and the law." The subcommittee believes that this change should be made even if the JCC's proposal to add a judicial referee is not adopted by the Court.

iii. Referral Back to the JCC

Some discussion ensued regarding the subcommittee's proposals. One Committee member suggested that: (1) the matter be referred back to the JCC; (2) the JCC be provided with a copy of attorney Honigberg's memo; and (3) the JCC be asked to inform the Committee of whether it agrees with the subcommittee's proposed changes. It was noted that it had been the Committee's hope to put this item out for public hearing in December. Therefore, another Committee member suggested that the Committee vote on the proposals made in the memorandum, and that if the JCC then agrees with the proposed changes, that the proposed amendments (as amended by attorney Honigberg's memorandum) be put out for public

hearing. However, a concern was raised that the Committee would be voting to put an item out for public hearing without having had the opportunity to review the language of the final proposed rule. Therefore, the Committee directed Carolyn Koegler to forward to the JCC: (1) copies of the letters from the JCC to the Supreme Court proposing changes to Supreme Court Rules 40(5)(c), 40(12) and 40(13); and (2) a copy of attorney Honigberg's memo. The Committee further directed Carolyn Koegler to inform the JCC that the Committee had reviewed the JCC correspondence and requests that the JCC (1) consider the proposed amendments to the proposed amended rules made in attorney Honigberg's memo; and (2) if the JCC agrees with the subcommittee's proposed amendments, it incorporate them into final proposed rules and submit the final proposed rules to the Committee by December 8.

(c) 2007-001, Superior Court Rule 170, Pertaining to Alternative Dispute Resolution

Speaker O'Brien inquired whether the number "2007" suggests that this issue has been before the Committee since 2007. Justice Lynn acknowledged that this is very likely the case, but that the rule has been in effect on a temporary basis for quite some time. He noted that some thought had been given by the subcommittee chaired by Judge Nicolosi to taking a survey to determine how the users (attorneys, clerks, litigants, mediators) felt about the temporary rule, and, specifically, as to what, if anything, needed to be changed, and whether Rule 170 should be permanently adopted. Ultimately, the subcommittee decided, in part due to the amount of time the temporary rule has been in place and the overall expansions of the mediation programs court wide, that a survey was unnecessary, and that a public hearing would determine public and bar views on final adoption of the rule.

One Committee member noted that amendments have been made to the rule since the temporary rule was initially adopted and that, now that these changes have been made, it is time for people to comment to determine whether the rule should be adopted on a permanent basis. Justice Lynn noted that his sense is that this is ready to go to public hearing in December, and that the sentiment is that the system is working better, and that no one is strongly opposed to the rule.

Upon motion made by Judge Hampe and seconded by Judge Cullen, the Committee voted to put temporary Superior Court Rule 170 out for public hearing in December.

The Committee also directed Carolyn Koegler to notify the Office of Mediation and Arbitration that there will be a public hearing on this item in December.

(d) 2010-011 HB 1223 (Notice in class actions under Consumer Protection Act)

Attorney Ardinger reported that he had reviewed the legislation and that there is no need for additional rules. His recommendation is that the Committee take no action on this.

(e) 2010-015 Model Rules for Client Trust Account Records

Carolyn Koegler reported to the Committee that she had sent a letter dated July 5 to attorney Rolf Goodwin, informing him that the Committee had agreed with his proposal that the Ethics Committee and the Attorney Discipline Office work together to provide a joint recommendation regarding the ABA Model Rules for Client Trust Account Records, PCC Rule 1.15(a) and Supreme Court Rule 50. Attorney Goodwin anticipates that he will be able to provide a joint recommendation to the Committee by the Committee's December meeting.

(f) 2011-002 Supreme Court Request to Review the Provisions of Supreme Court Rule 42 Related to the Admission to the Bar of Foreign Law School Graduates

Carolyn Koegler reported that she continues to work with Eileen Fox and Sherry Hieber (Bar Admissions Coordinator) to draft a proposed amended rule.

(g) 2011-008 Supreme Court Rule 3. Definitions. "Mandatory Appeal"

Carolyn Koegler reported that she forwarded in July, at the Committee's direction, her memorandum and attachments regarding the question raised regarding the constitutionality of Supreme Court Rule 3 in the Supreme Court's opinion In the Matter of Miller and Todd to attorney Margaret R. Kerouac, Chair of the New Hampshire Bar Association Family Law Section. The Family Law Section appreciates the Committee's requesting its input, and will have a response for the Committee by the Committee's December meeting.

(h) 2011-011 Supreme Court Rule 54

At its June meeting, the Committee considered temporary Supreme Court Rule 54, which had been adopted by the Supreme Court on a temporary basis by order dated May 23, 2011. The Committee suggested to the Supreme Court in June that the temporary rule be amended to clarify that membership on the administrative council "shall consist of the Chief Justice of the Superior Court, the administrative judge, and the deputy administrative judge of the Circuit Court, and the director of the administrative office of the courts." There was a vote in June that the temporary rule be put out for public hearing, as amended, but following that, there was some discussion regarding whether the entire rule is technical.

There was some brief discussion regarding the fact that the rule is technical, and that, therefore, no public hearing is necessary. Upon motion by Judge Hampe and seconded by attorney Taylor, the Committee voted to recommend that the Supreme Court adopt temporary Supreme Court Rule 54, as amended, on a permanent basis.

(i) 2011-011 Supreme Court Request to Review Individual Superior Court Rules and Rules of Criminal Procedure In Light of Comments Received When New Superior Court Rules and New Rules of Criminal Procedure Were Put Out for Public Comment

The Committee next considered two outstanding issues raised in a May 24, 2011 letter from David Peck to Carolyn Koegler regarding public comments received when the proposed Superior Court rules and new Rules of Criminal Procedure were put out for public comment.

i. Motions Practice

At its June meeting, the Committee considered the following comment regarding the proposed Superior Court rules, received from the Superior Court Clerk's association:

> We ask the committee to consider requiring separate motions when multiple issues are being brought before the court for ruling. It is confusing and difficult to track rulings when one pleading contains a number of unrelated motions.

The Committee had voted in June to recommend that the Court decline to adopt this proposed change now, and continue to implement

the rules, but that this proposed change be put out for public hearing at some point in the future. The Committee will consider an appropriate time for public hearing on this issue sometime after the New Superior Court Rules are adopted.

ii. Juror Questionnaires

At its June meeting, the Committee considered the following comment, regarding proposed Superior Court Rule 33:

> Rule 33 There is no provision for return & destruction of questionnaires. This leaves the questionnaires available and disposition uncertain. Jurors are very comforted by the fact that the confidential questionnaires are destroyed and no copies remain.

Regarding this comment, and as set forth in David Peck's May 24, 2011 letter:

> The court requests that the Rules Committee review the relevant rules as well as the jury questionnaire form and Superior Court Administrative Order 30 with respect both to whether any provision regarding return and destruction of questionnaires should be added to the rules and whether the rules, form and/or administrative order should be amended to ensure consistency among them.

As is reflected in the June minutes, a subcommittee comprised of attorneys Herrick and Taylor will report back to the Committee, with its recommendation about this issue, in December.

Speaker O'Brien noted that there is a great deal of discomfort on the part of the public regarding the use of juror questionnaires.

4. New Items for Committee Consideration

(a) 2011-013. Circuit Court Rules

There was brief discussion regarding new Circuit Court Rules which were adopted on a temporary basis by the Supreme Court, by order dated June 21, 2011, and referred to the Committee for its recommendation as to whether they should be adopted on a permanent basis. After agreeing that because the changes are technical, they do not require a public hearing, and upon motion made by Judge Hampe and seconded by attorney Taylor, the Committee

voted unanimously to recommend that the Supreme Court adopt them on a permanent basis.

(b) 2011-007 Minimum Continuing Legal Education Rules

It was noted that the Committee had voted in June to put the temporary amendment to Supreme Court Rule 53.2(B)(4), regarding exemptions from continuing legal education requirements, out for public hearing in December.

(c) 2011-014 Counsel Fees and Guardian Ad Litem Fees Rules

There was discussion regarding amendments to Supreme Court Rule 48(2) and 48-A(2) which were adopted on a temporary basis by the Supreme Court, by order dated July 12, 2011, and referred back to the Committee for its recommendation as to whether they should be adopted on a permanent basis.

Attorney Honigberg noted that this amendment changes the manner in which someone may obtain approval to exceed the maximum counsel or guardian ad litem fees permitted in indigent cases. Justice Lynn stated that he believes the changes to be substantive, and recommends that the temporary rule be put out for public hearing.

Judge Hampe noted that this temporary rule will slow cases down because approval to exceed the maximum fee guidelines will now have to be approved in advance by the Administrative Judge of the Circuit Court or the Chief Justice of the Superior Court. He stated he believes that the rule is cumbersome and unworkable.

In response to attorney Parent's inquiry, Justice Lynn stated that judges Nadeau, Kelly and King will be tracking the impact of the temporary rule. He also noted that the rule change is designed to provide a central location through which to process these requests.

Speaker O'Brien inquired whether the impetus behind the rule change is that judges were being too generous in granting requests to exceed maximum fee guidelines. Justice Lynn responded that in the past, these kinds of requests were granted often, and that one of the concerns is to ensure that the system is not being overutilized. In the past, there was some sense that guardians ad litem and others understood that there was supposed to be a limit, but knew that if they needed to spend more time, they would be able to get approval. The rule change is designed, in part, to send the message that the

limit really is $1000, except in absolutely exceptional cases. The message is: "If it is not possible for you to handle the appointment for $1000, then don't take the appointment."

Judge Cullen noted that the issue before the Committee is whether this item should be put out for public hearing in December. In light of the fact that it will take some time to see what the effects of the temporary rule are, he believes that it would make sense to leave the rule as a temporary rule until June, and then have judges Kelly, King and Nadeau provide their input about the effects of the rule. Some discussion ensued about when this might be put out for public hearing, and it was generally agreed that it will likely be put out in June. It was also agreed that Justice Lynn would apprise Judges Kelly, King and Nadeau about the status of this item, and to ask them to provide their input at the Committee's meeting in March.

(d) 2011-015, E-Filing, Supreme Court Rule 7, Supreme Court Rule 3

The Committee next considered a letter from attorney Joshua Gordon to Carolyn Koegler dated August 3, 2011. In the letter, Mr. Gordon raises three issues: (1) whether it might be possible to implement some kind of system to allow attorneys to share pleadings and documents electronically, even before e-filing comes to New Hampshire; (2) whether Supreme Court Rule 7(1)(B) & (C), should be amended; and (3) the constitutionality of Supreme Court Rule 3.

Attorney Honigberg noted that the first issue Attorney Gordon raises is whether there might be a way to allow e-service of pleadings among lawyers in a case, so that emailing the pleading is sufficient to satisfy the service requirements, so that it is not necessary to send a pleading in the mail. Mr. Gordon's suggestion is that lawyers might opt-in to this, so that they agree to exchange documents by email during the course of the litigation. Speaker O'Brien noted that there would have to be some kind of acknowledgement of receipt process, and other members of the group raised concern that email is often fraught with problems. Jennifer Parent suggested that if lawyers wanted to do this, they could raise the issue at the structuring conference and an agreement could be made there that the attorneys will exchange pleadings by email.

Attorney Honigberg proposed that a subcommittee be formed to consider this proposal. It was noted that this is done in the federal courts, and that the PUC has implemented a system allowing pleadings to be exchanged by email. Following some further discussion, it was agreed that Justice Lynn would speak with Judge

Nadeau about this issue, and suggest that it be brought to the attention of the Superior Court Judges and clerks. Possibilities for allowing the exchange of pleadings by email include: (1) including an agreement between counsel in the structuring conference order; or (2) allowing the parties to file an assented-to motion or Notice agreeing to exchanges of pleadings by email. It was generally agreed that it would be incumbent upon the lawyers to reach an agreement which the superior court judges would approve, and that the lawyers would be responsible for sorting out any technological issues that might arise. A subcommittee comprised of attorneys Honigberg, Ardinger and Gordon was formed. The subcommittee will develop proposed rules and/or rule amendments to enable email service among attorneys in litigation.

The Committee then turned to the second issue raised in attorney Gordon's letter. According to Mr. Gordon, current Supreme Court rules provide that appeals must be filed within 30 days of the clerk's notice of decision, and that "[s]uccessive post-trial motions will not stay the running of the appeal period." Sup. Ct. R. 7(1)(B)&(C). According to Mr. Gordon,

> The current rule leaves an ambiguity, however, when a trial court *grants* a first motion to reconsider. Following a grant, trial courts sometimes simply issue an order, or sometimes hold another hearing and then issue an order. Regardless, one or more of the parties generally files a second round of reconsideration motions, which are generally denied. In this situation, it is unclear whether the appeal period begins from the first reconsideration which was granted (a technically correct but somewhat illogical reading of the rule) or whether it runs from the second "successive" reconsideration which was denied (a technically incorrect but more logical reading).
>
> I would suggest that the rules be changed so that the appeal period runs from the second (denied) reconsideration motion which follows the first (granted) motion.

After some discussion, it was generally agreed that it would be helpful to clarify the rule, and a subcommittee, comprised of attorneys Honigberg, Ardinger, and Gordon was formed. They agreed to work together to propose a change to the language of the rule, and to report back to the Committee at the December meeting.

It was noted that the third issue raised by attorney Gordon, relating to Supreme Court Rule 3, had been considered at the June meeting. The Committee is awaiting a report from the Family Law Section of the New Hampshire Bar Association.

(e) 2011-016. Circuit Court Judicial Certification Rule, Supreme Court Rule 61

The Committee next considered new Supreme Court Rule 61, regarding the Circuit Court Judicial Certification Rule, which was adopted on a temporary basis by the Supreme Court, by order dated September 13, 2011, and referred to the Committee for its recommendation as to whether it should be adopted on a permanent basis.

Justice Lynn explained that the Circuit Court legislation requires that there be a certification process for Circuit Court Judges to be authorized to sit and hear cases. The Supreme Court therefore adopted this rule, drafted by Judges Kelly and King. According to the rule, any judge appointed to the Circuit Court is appointed as a Circuit Court Judge, so it is only preexisting judges (that is, judges who were appointed to the district court, the probate court, and the family division, when those courts existed) that need to go through this certification process.

One Committee member inquired about the nature of the certification process. Another responded that if you are, for example, a probate court judge, you apply to the Supreme Court to be certified to hear other cases in the Circuit Court. If the Court approves, you have one week of training, and then may be appointed to sit on other cases in the Circuit Court.

Attorney Taylor noted that this is a technical issue, and that there is no need for a public hearing, unless it is to educate the public about this process. Judge Hampe noted that by the time of the public hearing, this could all be academic, as those who wished to be certified under the rule will already have been certified under the temporary rule.

Speaker O'Brien noted that the statute says that a judge may not sit on cases outside of his or her division unless he or she obtains certification, so there should be some rule as to how to get certified.

Karen Anderson inquired how many judges are waiting for certification to sit in a different division. A Committee member

responded that between six and seven judges are awaiting certification to sit in different divisions, and that not all judges from, for example, the probate court, will be certified to sit in other divisions. Judge Hampe stated that not many probate judges are applying to sit in other divisions. Pat Ryan noted that the process is voluntary. Justice Lynn stated that his sense is that for many district court judges, there is a sufficient amount of work, and that many of them do not have time to sit in other divisions.

Edda Cantor noted that under the previous system, there was a public hearing before a judge was appointed, and inquired whether judges who were appointed to, say, the district court, and who now wish to be certified in a different division would be subject to a public hearing, in light of the fact that they would now be certified in a different scope of work. Judge Hampe responded that there would be no public hearing in these circumstances, but also noted that the public hearing requirement is a relatively recent development so that there are judges who had been appointed under the previous system who continue to serve as judges who have never been subject to a public hearing. Speaker O'Brien noted that, in any event, the Supreme Court, in the exercise of its supervisory authority, always had the ability to appoint judges to sit in different courts, depending upon the need for judges in those courts. Judge Hampe added that when the Family Division was created, the Supreme Court had the ability to take district or probate court judges and reappoint them to the Family Division.

Attorney Honigberg noted that it may be that there is a need for a public hearing on the Circuit Court Judicial Certification Rule, if only to give the public some notice of the existence of the process. Justice Lynn agreed that a public hearing might be useful, particularly to address some of the concerns raised by Edda Cantor. Upon motion made and seconded, the Committee unanimously voted to put the judicial certification rule out for public hearing in December.

(f) E-Court Project Manager, Peter M. Caradonna

Mr. Caradonna distributed an eight page handout entitled, "NH eCourt Overview," to each member of the Committee, and discussed the mission and scope of the e-court project.

In response to a question by a Committee member, Mr. Caradonna noted that New Hampshire would not be using the system that is currently used by the federal courts, but that many of the concepts would be the same. In response to another question, Mr. Caradonna noted that some of the key issues to be addressed before

the system is implemented are: (1) whether New Hampshire will be a multi-vendor environment; (2) what is the status of the infrastructure in the state; (3) how to address the problem that some people using the court system will lack the ability to efile. A Committee member noted that the issue of encryption of private information is an important one. Mr. Caradonna agreed that it would be important that he be provided with a definition of " private information," and that this is a very important issue to be considered when selecting the system to be used.

Speaker O'Brien suggested to Mr. Caradonna that the state legislature should be involved in shaping the proposal about how to proceed with implementing an e-court system, because the legislature will ultimately decide issues regarding the financing of the project. Mr. Caradonna agreed that it would be important to involve the legislature early on in the process.

Speaker O'Brien also inquired how the system would address the issue of people, such as pro se litigants, who were unable to participate electronically, given that there is a constitutional right of access to the Courts. Mr. Caradonna noted that this is an issue to consider, and that most states try to avoid a parallel process, but offer people "points of entry," where, for example, documents can be scanned in.

Justice Lynn inquired about the time-frame of the e-court project. Mr. Caradonna stated that it is his hope to have a pilot program up and running by the end of 2012, and that the program would run for three months, at which point he anticipates showing that an investment in the e-court system will save money, and suggesting that the program be implemented state-wide.

6. Next Meeting

The next public meeting is scheduled for Friday, December 16, 2011, at 12:30 p.m.

7. Meeting Schedule for 2012

Friday, March 16, 2012
Friday, June 15, 2012
Friday, September 14, 2012
Friday, December 14, 2012

Upon motion made by attorney Honigberg, and seconded by attorney Ardinger, the meeting adjourned at 2:43 pm.