

[As approved at meeting on December 20, 2019]

**VERMONT SUPREME COURT  
ADVISORY COMMITTEE ON RULES OF  
PUBLIC ACCESS TO COURT RECORDS (PACR)  
Minutes of Meeting  
December 10, 2018**

The meeting of the Public Access to Court Records (PACR) Committee commenced at approximately 1:37 p.m. at the Supreme Court in Montpelier. Present were Chair Judge Tim Tomasi; members Justice John Dooley (Ret.), Marty Frank, Judge Mary Morrissey, Teri Corsones, Jeff Loewer, Gaye Paquette, State Archivist Tanya Marshall, James Duff-Lyall, and Tari Scott. Supreme Court liaison Justice Marilyn Skoglund, Committee Reporter Judge Walt Morris and Judge Kate Hayes, who serves as Chair of the Next Generation Case Management Services (NG-CMS) Configuration Architecture Task Force, were also present. Member Sarah London was absent.

1. Chair Tomasi opened the Committee meeting. The minutes of the October 5, 2018 meeting were unanimously approved on motion of Marty Frank, seconded by Gaye Paquette, with revisions on pp. 5 and 7.

**2. Next Generation Case Management System (NG-CMS): Status Report by Judge Kate Hayes.**

Judge Hayes provided an update as to the status of efforts of the Project Management Team in working with the system vendor (Tyler Technologies) in the design and implementation of the new electronic case management and filing system. The project team, comprised of CAO staff and trial judges, continues to meet monthly, with intervening meetings of CAO and vendor staff to advance the system design and functions. At the time of the meeting, the team had set a target date of April, 2019 for establishment and first operation of the case management system in the Judicial Bureau. Judge Hayes emphasized the need for amended Rules for Electronic Filing to accompany the roll out of the case management system and its electronic filing component, which would require “re-activation” of the existing Advisory Committee on Rules for Electronic Filing.<sup>1</sup> Judge Hayes reported that apart from this need, progress was on target for development and implementation of the Case Management System.

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<sup>1</sup> The committee-proponent of the Rules for Electronic Filing had the status of a Special Advisory Committee, originally limited by time and task in an amended charge and designation dated February 24, 2010. Per entry of October 20, 2010, both PACR and the Special Advisory committee were jointly directed “to report to the Court on a continuing basis concerning any changes to these rules (i.e., the Rules for Electronic Filing) and amendments made necessary by experience in practice under them.” The Special Committee has not actively engaged in consideration of the proposed public access amendments. It apparently last met to consider any of the Rules for Electronic Filing on September 30, 2015.

### **3. Jurisdiction of PACR Committee to Serve as Proponent of Proposed Rules Addressed to Electronic Filing and Dissemination of Electronic Case Records.**

At the Committee meeting on October 5, 2018 Chair Tomasi had again raised the issue of whether the PACR Committee was vested with jurisdiction to address rules associated with electronic filing and dissemination of electronic case records (in contrast to rules strictly associated with public *access* to court records, whether in paper or electronic form). The issue is presented insofar as certain of the proposed Public Access amendments (such as those in the proposed Rule 7) touch upon procedures and treatment of court records that are both filed electronically and retained in electronic status. At the December 10<sup>th</sup> meeting, Justice Skoglund indicated that it was her understanding that the Court considered the PACR Committee to necessarily have jurisdiction to consider and propose the rules in issue, and that the PACR Committee was expected to address electronic filing and dissemination of electronic case records as part of its plenary work in revision of the Rules of Public Access for that new electronic case management and filing system. Upon these representations, the consensus of the Committee was to accept that proper jurisdiction was accorded, and to proceed accordingly with proposals of amendment that would be subject to the Court's review in any event.

### **4. Substantive Consideration of Remaining Provisions of the Proposed Rules Not Yet Approved by the Committee (Proposed Rules 7 and 3).**

The Committee then returned to consideration of sections of the proposed rules that had not been subject to final review and Committee approval.<sup>2</sup> These were proposed Rules 7(a)(1) and (3) (Filing of Case Records; Filer and Staff Responsibilities) and Rule 3(b) (Access to Judiciary Records Generally). The draft of proposed rules is based upon the existing V.R.E.F. Rules 4(e) (Procedures for Electronic Filing; Court Staff Review); and the Vermont Rules for Dissemination of Electronic Case Records, Rule 3(b) (Access to Electronic Case Records)(Public does not have access to specific electronic case records; Court Administrator shall assure that non-public information is not disclosed).

Final consideration of draft Rule 3 had been deferred pending final approval of draft Rule 7, because Rule 3(b) makes general reference to allocation of responsibilities between filer and court staff to assure protection of privacy and confidentiality where public access to certain records is restricted, and Committee consensus was to resolve the final language of Rule 7 before revisiting the more general language of Rule 3(b).

The principal item of business of the meeting was then to consider text of a final draft of Rule 7 as to allocation of responsibilities for screening of non-public information in court filings between filers, and court staff.<sup>3</sup>

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<sup>2</sup> At the Committee's October 5<sup>th</sup> meeting, on a series of motions, the Committee had unanimously approved of final draft versions of the following proposed rules: Rules 1, 2, 4, 5, 6 and 8 through 13. See, Minutes of October 5, 2018 pp. 7-8. These approved draft sections were incorporated into a comprehensive draft document provided to the Committee in advance of the December 10<sup>th</sup> meeting.

<sup>3</sup> The Committee had last engaged in substantive discussion of competing proposals for Rule 7 language and allocation of screening responsibilities at its meeting on April 27, 2018. See approved meeting

Two different proposals were presented for consideration, the draft of Rule 7 set forth in the original proposal, and an alternative draft containing suggestions presented by Committee Chair Tomasi. The original draft proposal adopted language from Rule 3(c)(1) and (3) of the existing Rules Governing Dissemination of Electronic Case Records, (adopted by reference in existing PACR Rule 4(b)), which assign initial responsibility for redaction to the electronic filer, and specify court staff review and action upon discovery of non-public information in an e-filing. The existing rules provide that court staff have no obligation to review exhibits. Both proposals contained similar language placing initial responsibility for identification of non-public information, and redaction or segregation of such information for confidential filing, upon the filer, following which the filing is subject to review by court staff. In both proposals, the filer would be required to provide a certification, or acknowledgment, as part of the registration and/or filing process of obligation to protect non-public information from public disclosure in connection with the filing. The alternative draft would provide in addition that it is the primary responsibility of the filer of a case record or information to determine whether all or part of the record or information being filed is non-public.

Both drafts contain virtually identical language as to actions to be taken by court staff or a judicial officer upon discovery that a non-compliant filing has been made (either publicly accessible information filed as not accessible; or information excepted from public access has been filed in public status), measures that may be taken for correction of the status of the filing or redaction, and consequences for a filer's failure to do so.

The key difference between the proposals for Rule 7 was in the specific language assigning responsibility to court staff for review of electronically filed documents:

In the original draft:

--The Court Administrator establishes procedures to be implemented by staff to discharge the record and information custodian's responsibility to provide public and special access to records and information, while implementing the exceptions from public disclosure provided by rules and statutes.

--Court staff has no obligation to review exhibits or attachments to determine whether a filer has failed to redact or omit personal identifiers that are made non-public solely by PACR Rule 6(b).

In the alternative draft:

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minutes, pp. 3-6. At that time, after extensive discussion of the issues, the Committee did not reach consensus and deferred consideration until a later meeting. Intervening meetings were taken up with consideration of other proposed sections of the rules, including but not limited to revision, scope and articulation of the Rule 6(b) exceptions to public access, and the procedures for sealing records, and granting access to sealed records, in proposed Rule 9 (the existing PACR Rule 7).

--Court staff “provide a basic review of each filing to determine whether the filing has been filed in an appropriate public or nonpublic category of case. Staff shall also ensure that the filing meets the other basic filing requirements of the rules , e.g., that the filing is signed and accompanied by a fee, if required.”

--Court staff would expressly have no obligation to review each page of a filing to determine whether the filer has complied with obligation to redact, omit or separately file non-public information to assure confidential filing of such information.

--A party, or non party aggrieved by an alleged violation of the rule (requiring redaction, omission, or separate confidential filing) would be expressly authorized to file a motion seeking relief (under proposed rule 7(e)(Actions When Violation is Found).

--Potential sanctions for a filer’s violation of responsibilities is broadened, to encompass “other remedial action appropriate to the circumstances”.

Justice Dooley and Judge Tomasi engaged in an opening discussion of the features of each proposal, and the specific purposes of each. Consistent with earlier discussions of the “gatekeeping” function and responsibilities, Judge Tomasi stated his concerns that the filer, and not court staff, should have primary obligation with respect to redaction and separate filing to assure that non-public information is not publicly disclosed. As he articulated it, the rules should also contain meaningful enforcement measures to assure that non-public information is either redacted or separated to maintain confidentiality in the first instance, and that burden should be on the filer, not court staff.

Other Committee members joined in the discussion, which turned to the question of why the judiciary should have obligation for gatekeeping to assure against unauthorized disclosure of non-public information. Justice Dooley indicated that the obligation exists in that the judiciary is *requiring* litigants and other participants to provide documents that may contain non-public information, as a function of access to the court system. Further, there are statutes that expressly impose an obligation upon the judiciary to preserve confidentiality and non-public status of certain information. As examples, he cited statutes governing confidentiality of social security numbers and other personal identifiers, disclosure of which exposes significant numbers of people to identity theft and financial fraud.<sup>4</sup> Tanya Marshall indicated that the tension between presumptive public disclosure and the obligation to preserve lawful privacy interests in certain publicly held records is not unique to the judiciary.<sup>5</sup> Jeff Loewer inquired as to what the current practice has been with regard to screenings of, and redactions in paper filings. Tari Scott indicated that the clerk staff performs this function by physically reviewing filings, in some cases “whiteing-out” non-public personal identifiers found in an otherwise publicly-accessible document, and physically segregating documents which in their entirety are excepted from disclosure in a separate folder placed in the case file. Ms. Scott indicated that court staff were familiar with the obligation to redact and/or segregate information and documents that are excepted from public disclosure. Clerk file

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<sup>4</sup> See, e.g., 9 V.S.A. § 2480m.

<sup>5</sup> See, e.g., the Public Records Act statement of policy, 1 V.S.A. § 315(a), recognizing a right to privacy “...which ought to be protected unless specific information is needed to review the action of a governmental officer.”; also 1 V.S.A. § 318(e) (Agency is required to redact exempt information prior to providing public disclosure, with explanation of basis for denial of the redacted information).

review and redaction especially features prior to sending closed case files to Public Records' custody. Justice Dooley envisioned that while screening of electronic filings under Rule 7 *could* be a function of unit-based court staff, it was far more likely that electronic filings review would occur at a central location, with staff specially trained to provide this function. Judge Hayes indicated that a precursor to that function now exists in the Information Center which consolidates certain communications between litigants and interested parties and the units.

The issue of liability for wrongful disclosure was discussed. The Committee readily concluded that it would not be appropriate to make provision waiving liability in a proposed rule. Justice Dooley indicated that to his knowledge, the only instance in which liability was assigned to court staff was in the State of Ohio, prior to Ohio's adoption of statewide procedural rules, when numerous records containing personal identifiers which could be used to facilitate identity theft were "dumped" and rendered publicly accessible. Tanya Marshall stated that from a custodian of public records perspective, in her experience, statutes addressing the issue at all establish a threshold of "willful" disclosure of excepted information for any liability. Judge Hayes stated that in her opinion, it was not unreasonable to conclude that any provisions of law addressed to liability for disclosures should be addressed by the legislative branch, not the judiciary.

In the course of the "gatekeeping" discussion, the question of whether redaction software could serve to screen filings in lieu of court staff was again considered, and rejected. Justice Dooley and Jeff Loewer repeated their previously stated observations that, apart from expense of such a function, which is prohibitive for most governmental agencies, beyond "numeric" personal identifiers, such as those in the first 4 categories in the draft Rule 6(b)(14) exceptions<sup>6</sup>, development and implementation of gatekeeping software was theoretically possible, but practically unavailable for the Vermont judiciary's purposes at this time. Related to "gatekeeping", there was also brief, general discussion of the mechanics of review, staff workload, and the average amount of staff time that would likely be required for each filing review. It was contemplated that during the initial roll-out phase, staff filings review would still occur at the unit level (not centralized). The amount of time for each review would be highly variable, depending upon the size of the filing and specific content reviewed. Jeff Loewer indicated that the State of Oregon was engaged in a time study, using a "spot check" methodology. He did not indicate any other details of the study or date for its completion.

On broader sanctions to assure compliance, which were an added feature of Chair Tomasi's proposal, the Committee agreed to adopt a broader statement of ultimate potential sanctions for a filer's noncompliance with the redaction/separate filing requirements of Rule 7(a)(1) ("Other remedial measures appropriate to the circumstances"). James Lyall questioned whether this would have unfair impact upon self-representing litigants, who would not be as attuned as attorneys to ethically-based obligations to the court. The Committee agreed that this concern could be addressed, at least in part, by adoption of the "checklist" approach to display and understanding of the

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<sup>6</sup> Social security number; passport number; taxpayer identification number; financial account numbers, including debit or credit card numbers.

Rule 6(b) exceptions, and by addition of authorization for correction of non-compliant filing by another party or aggrieved person to pursue correction upon motion.

Ultimately, the discussion returned to whether there was consensus on either of the “gatekeeping” proposals for Rule 7, or a combination thereof. The Committee consensus and agreement was to adopt a compromise blend of the original draft and aspects of the amendment proposals by Judge Tomasi. As to allocation of “gatekeeping” responsibilities, the provisions of the original draft were adopted. But in the context of considering the original language limiting staff review obligation as to review of “exhibits or attachments”, Judge Hayes observed that there may be some exhibits or attachments that should be subject to staff review for compliance, even if most are not, and consistent with the Court Administrator’s obligation to establish procedures for review, this determination should be made by the Court administrator. The Committee consensus was to remove the language limiting scope of staff review of exhibits and attachments, with understanding that CAO procedures would more specifically address this. As to Judge Tomasi’s suggestion that a particular certification process be required of filers as to redaction or separation of information not publicly accessible, the Committee consensus was that since the existing VREF 3(b) prescribes the registration process in detail for efilg, it would be best if any new certification requirement were addressed in the Electronic Filing rules, rather than in the Public Access Rules. Justice Dooley indicated that a recommendation would be promptly made to the Court to convene a special advisory committee to revise the current Rules for Electronic Filing, on a timeline consistent with the implementation of the start of Odyssey efilg in any of the trial courts, and any remaining work of the PACR committee.<sup>7</sup> The requirement of a particular certification of compliance with PACR rule 7 would be carried forward to the efforts of that committee, with recommendation that such a provision would be included in the VREF. The Committee did agree to add a more affirmative statement of the filer’s obligation to screen, redact or separate non-public information, employing the word “shall” in the second line of subparagraph 7(a)(1). The Committee added a provision expressly authorizing a motion for correction of filings erroneously made in publicly accessible status by either a party or a non-party aggrieved by an alleged violation.

With these changes to the Rule 7 draft, the Committee unanimously approved of the redraft, to be included in the proposed amendments sent to the Court for publication and comment.<sup>8</sup>

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<sup>7</sup> The Court issued its Charge and Designation for a Special Advisory Committee on Rules for Electronic Filing to revise the electronic filing rules on January 7, 2019.

<sup>8</sup> The text of Rule 7 as revised at the meeting on December 10<sup>th</sup>, redrafted, reformatted, and ultimately approved by the Committee is as follows:

**RULE 7. FILING OF CASE RECORDS OR INFORMATION; FILER AND JUDICIARY RESPONSIBILITY**

**(a) Filer and Staff Responsibility.**

*(1) Filer Responsibility.*

(A) In General. It is the responsibility of the filer of a case record, whether in physical or electronic form, to determine whether all or part of the record being filed is not publicly accessible.

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(B) **Certifying Compliance.** The filer must certify that the filer has reviewed the case record, and that the filing specifies the nonpublic records and protects those records from disclosure to the public consistent with these rules. The certificate must detail any actions taken to comply with these rules and the reasons for the actions.

(C) **Separating Nonpublic Records in Public Files.** If the record is not filed in a type of case that is closed to the public by statute, the filer must separate the part of the record that is subject to public access from the part that is not subject to public access by redaction or other similar method. The filer may separately file the omitted or redacted part of the record or may additionally file a separate complete record.

(D) **Identifying Nonpublic Records.** The filer of a record that is not publicly accessible under these rules or under statute must identify the record as not publicly accessible at the time of filing. After acceptance of the filing, court staff will place that document, or any other document not publicly accessible, in the section of the electronic or physical file of the case that is not publicly accessible.

(2) *Nonpublic Record Filed in Error.* A filer who becomes aware that a record that is not publicly accessible has been filed in error by that filer in publicly accessible status must promptly act to correct the error and move the record into not publicly accessible status. If the error is discovered by another person, including one who is a party, a lawyer for a party or a person who is making filings on behalf of a party, the person must promptly notify the other filer, and judiciary staff, so that corrective action may be taken. Any other person may notify judiciary staff of the error.

(3) *Responsibility of Court Staff When Document is Filed.* The Court Administrator will establish the procedures for staff to discharge the record custodian's responsibility to provide public and special access to records as provided in these rules and to implement exceptions to public access established by these rules and by statute. If staff determine that a filing does not fully comply with these rules, including with respect to one or more personal identifiers, staff must take an action specified in paragraph (4). If a court staff person or judicial officer discovers that a case record that is publicly accessible may be in that status in violation of these rules, the staff or officer must act to temporarily restrict public access to the record and notify the Court Administrator. If the Court Administrator determines that public access to the record is not authorized under these rules, the Court Administrator will direct that the record be removed from public access. The Court Administrator may direct that the record be redacted or otherwise modified to allow public access to parts that are publicly accessible under these rules. If the record was filed by or on behalf of a party or another person who is not court staff or a judicial officer, the Court Administrator may direct that the filer make the record compliant with these rules within a specified time. If the filer provides a compliant filing on or before the specified time limit, the filing date will be the date of the original filing. Otherwise, the filing date will be the date of the compliant filing. The Court Administrator may appoint a designee to discharge the Court Administrator's responsibility under this rule.

(4) *Actions When a Filing is Noncompliant with Rules.*

(A) The staff person who reviews the filing may:

- (i) Change the public-access status or redact the filing to comply with these rules; or
- (ii) Reject the filing until it is made compliant with these rules and specify the time limit to do so.

(B) In addition, the staff person may refer the matter to an assigned judge who, after notice and hearing, may:

- (i) Impose any sanction authorized by V.R.C.P. 11(c), regardless of whether that rule is otherwise applicable to the proceeding involved;
- (ii) Reference the matter to the Professional Responsibility Program if the court finds that there is probable cause to conclude that a lawyer has violated Rule 3.4(c) of the Rules of Professional Conduct; and/or

### Rule 3 (Access to Judiciary Records Generally; Records Custodian).

In consideration of the discussion of staff review obligations and the amendments made to proposed Rule 7, and the Court Administrator's responsibility to prescribe staff procedures for screening of filings for redaction/separation compliance, the Committee agreed to include the following sentence at the end of draft subparagraph 3(b) (Access): "The Judiciary will take reasonable steps to comply with these rules." The intent of this language was to further clarify the preceding reference in the rule to the responsibility of both filers and the Judiciary to protect confidentiality and privacy where public access is restricted by law, and the measures to be undertaken by the Judiciary to do so. (12/10 discussion draft, p. 3)

### Other Amendments/Edits of the Proposed Rules Draft

The Committee moved on to reconsider various other provisions of the entire draft proposal. These were as follows, with actions if any as noted:

--Rule 2-Definitions. A Definition of the term "remote access" was added.<sup>9</sup> The definitions will be reorganized in alphabetical order.

--Rule 5 (Specific Rights of Access):

--The Reporter's Note to Rule 5(b) (p. 10). A different example of a reason to restrict a right of specific access of a party will be provided. Reference to access by a defendant in a mental health commitment case will be removed.<sup>10</sup>

--Rule 5(c) makes the lawyer's right of access track the party's right of access with respect to a party for only *part* of a proceeding, such as where a limited appearance is entered. The limitation on the ability of the lawyer to share non-publicly accessible

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(iii) If the court finds a violation of these rules occurred and excusable neglect is not present, order that the date of the corrected filing is the date of filing for all purposes; or remedial action appropriate to the circumstances.

(b) **Court Generated Records.** Court staff must identify any court-generated record that is not accessible by the public and must place that record in the section of the electronic case file of the case that is not publicly accessible. Court staff must omit or redact information that is not publicly accessible from any court-generated record that is otherwise accessible to the public as is required by these rules before placing that record in the publicly-accessible section of the electronic case file of the case.

(c) **Motion by a Party.** A party or nonparty who is aggrieved by a filing made in noncompliance these rules, may move under applicable procedural rules and seek relief as authorized in paragraph (a)(4) of this rule.

<sup>9</sup>"Remote Access". Access over the internet by a computer or other electronic device that is outside the judiciary network.

<sup>10</sup> The example substituted refers to access by a parent in a delinquency case as a party to determination of the issue of temporary care, but not for purposes of the adjudication of delinquency itself.

information with others now will have an exception for when the sharing occurs in the course of the representation of the party (p. 8). The Reporter's Note adds references to two additional rules in the Rules of Professional Conduct (1.6; 3.6), and clarifies that this subparagraph of the rule does not prevent the lawyer from revealing information consistent with those rules of professional conduct (p. 11).

--Rule 6 (Case Records; Exceptions to Access):

--Rule 6(b)(13) (p. 13)(records created by health or mental health professional-derivative use) was amended to strike the two last sentences that dealt with derivative use. The Reporter's Note (p. 21) continues to say that the rule language does not prohibit derivative use.<sup>11</sup>

--Rule 6(c) (Records and Information Introduced into Evidence): In the course of discussion of treatment of derivative use of certain records, and the Rule 6(b) exceptions generally, the Committee returned to consideration of the practical application of provision of 6(c), which provides that "The exceptions to public access contained in Rule 6(b)(2), (4), (5), (8), (10) or (13) no longer apply if the record of information covered by the exception is *formally admitted into evidence*."<sup>12</sup> After discussion, the Committee determined to remain with its decision to include the "formally admitted into evidence" terminology in this subparagraph.

--Terminology change to reference "public access" : In its discussions of the Rule 6(b) "exceptions" to access, the Committee determined that there should be consistent references in the body of the rules to non public records or information as "excepted from public access" or "records or information not publicly accessible." The final draft will be reformatted to make such consistent references.

--Formatting of Appendices to Rules 5 and 6: The content of the appendices references will be set forth in "chart" format for ease of comprehension.

--Repeal of V.R.P.P. 77(e) is an "outlying" rule provision addressing public access to certain records in probate proceedings.<sup>13</sup> Repeal of this subsection of the probate rule will be added in the draft promulgation order. This subsection of the probate rules will be duplicative as its content is now addressed in the Rule 6(b) exceptions and Appendix (Justice Dooley noted as well that in his assessment, the existing probate rule is also not consistent with existing law). The committee unanimously agreed to add its repeal in connection with the approval of the Rule 6 draft.

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<sup>11</sup> The issue of derivative use of records disclosed as exceptions to public access was discussed at length by the Committee at its October 5, 2018, pp. 2-6.

<sup>12</sup> These exceptions respectively deal with search warrants; competency evaluations; information and affidavit where probable cause is not found; income tax returns; analysis of DNA testing in Family Division; and certain records created by health or mental health professionals.

<sup>13</sup> This rule, and inclusion of its content in the PACR Rule 6(b) exceptions, was previously discussed by the Committee at its meeting on October 5, 2018. See, 10/5/18 minutes, p. 5.

There were also a number of minor, and primarily non-substantive, edits to terminology and formatting in the body of the proposed rules agreed to by the Committee, as will be reflected in the final draft sent to the Court for publication and comment.

Upon completion of the Committee discussions, and decisions as to the referenced revisions, on motion of Tari Scott, seconded by Gaye Paquette, the Committee unanimously agreed to adopt a final draft of the proposed rules, to be revised by Justice Dooley and Reporter Morris consistent with the decisions of the Committee. The final draft, incorporating revisions were to be circulated to the Committee the following day (December 11<sup>th</sup>), with any last comments on the part of Committee members as to the draft to be sent no later than Friday, December 14, 2018.<sup>14</sup> The final redraft will then be sent to the Court with a request that the proposed rules be published for comment, barring any significant or unforeseen objections or concerns raised by Committee members in the interim.

#### **Action Steps Going Forward:**

Following publication of the comprehensive proposals of amendment of the Rules for Public Access to Court Records for comment, and prior to the comment closing date, a public hearing on the proposed amendments will be publicized and held, pursuant to A.O. 11, § 8. Arrangements for conduct of the hearing will be discussed at the next Committee meeting. The Committee will request that members of the Supreme Court be in attendance. Target date for the public hearing would be in February or March.

Justice Dooley noted as a point of information that he planned to meet with Judge Hayes and Reporter Morris tomorrow (December 12<sup>th</sup>) to begin work on a proposed Charge and Designation order for a re-comprised Advisory Committee on Rules for Electronic Filing, to consider amendments to the 2010 Rules for Electronic Filing to comport with the proposed PACR amendments and implementation of the NG-Case Management and Electronic Filing systems.

**Next Meeting Date:** The next Committee meeting was scheduled for Friday, January 11, 2019 at 1:30 p.m. at the Supreme Court building.

**Adjournment:** The meeting was adjourned at approximately 4:17 p.m.

Respectfully submitted,

Walter M. Morris, Jr.  
Superior Court Judge (Ret.)

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<sup>14</sup> The final draft, with an accompanying explanatory memorandum, was sent via email to Committee members on Wednesday December 12, 2018 and upon closure of the final Committee comment period, was submitted to the Court for its consideration.

Committee Reporter  
[Draft: 11/19/19]