

FILED

APR - 5 1994

Ed Smith
CLERK OF SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

IN THE MATTER OF ADOPTING INFORMATION)
TECHNOLOGY STANDARDS IN THE MONTANA)
JUDICIARY)

O R D E R

WHEREAS, the Montana Judiciary has adopted uniform automation standards for information management systems by order of this court dated March 8th 1990; and

WHEREAS, the successful development and support of software, hardware, and computer training for district and limited jurisdiction courts is only possible if court automation systems are coordinated and uniform; and

WHEREAS, the Supreme Court feels a strong responsibility to encourage the greatest possible uniformity and efficiency in the administration of justice; and

WHEREAS, the standards established in the prior order have been improved upon by technological developments in the information technology industry making some of the standards adopted by the March 8, 1990 order obsolete. It is essential that the Montana Judiciary adopt standards that incorporate new and available information technology; and

WHEREAS, Article VII, section 2 of the Montana Constitution vests the Supreme Court with general supervisory control of all courts in Montana and with authority to make rules governing procedure in courts in Montana.

NOW, THEREFORE IT IS ORDERED: Until further order, all courts in Montana that computerize judicial functions must adhere to the following Information Technology Standards:

STANDARD I: HARDWARE

The following hardware standards are adopted:

- 1) Novell Netware IBM Token Ring Topology certified 100% IBM PC compatible workstations and servers utilizing a 80386 CPUs and companion math coprocessor or newer processors that are 100% IBM PC compatible.

- 2) IEEE 802.5 Token Ring (or 100% IBM Token ring card compatible).
- 3) Hewlett Packard or 100% compatible laser printers.
- 4) IBM or 100% compatible dot matrix printers.
- 5) 100% Hayes Compatible modems.
- 6) Any additional adapter cards or other hardware must be approved by the Supreme Court Administrator's Office prior to purchase and installation.

STANDARD II: SOFTWARE

The following software standards are adopted:

- 1) Disk Operating System (PC, MS, Novell) 5.0 and upgrades.
- ~~2) WordPerfect 3.1 and upgrades.~~
- ~~3) WordPerfect 5.1 and upgrades.~~
- 4) Lotus 1-2-3 2.2 and upgrades.
- 5) Novell Netware 3.12 and upgrades.
- 6) Judicial Case Court Management System (JCMS) developed and supported by the Office of the Court Administrator for district courts, and Limited Jurisdiction Case Management System (LJCMS) for courts of limited jurisdiction.

Software used to generate court records or files, other than listed above, must be approved by the Court Administrator's Office prior to purchase and installation.

STANDARD III: SECURITY

The following security standards are adopted:

- 1) Uninterruptible power supply on any network servers.
- 2) Surge protectors on all workstations.

- 3) Tape backup system for any Local Area Network or standalone PC.
- 4) Backups of all files must be done on a daily basis using a tape backup unit.
- 5) The installation of any public domain software on judicial computers is prohibited without express approval of the Office of the Court Administrator.
- 6) Develop a contingency plan together with emergency response procedures and disaster recovery plans which provide for the restoration of critical applications and essential functions within an acceptable period of time following the occurrence of a disruption.
- 7) Develop and implement an Information Technology plan that includes the contingency plan, the security plan and the policies relating to the management and use of the Court's data and information technology resources.

STANDARD IV: STEWARDSHIP AND CONTROL OF JUDICIAL INFORMATION

The following standard of judicial information stewardship and control is adopted:

- 1) The Montana Judiciary has sole stewardship and control of all information processed and stored on any computer used by a court, subject to applicable Constitutional and statutory provisions.

STANDARD V: EXISTING SYSTEMS

The following standard for existing computerization within the Judicial Branch is adopted:

- 1) The Uniform Information Technology Standards do not apply to computer equipment or software in use prior to March 8, 1990. The Court specifically recognizes that several courts have existing systems that function well and are serving the purposes for which public money was expended.

- 2) Judicial officers with existing computer equipment that does not meet the standards of this Order are encouraged to work with the Commission on Appropriate Technology and the Office of the Supreme Court Administrator on upgrades to facilitate migration toward uniform standards herein established.
- 3) Court computerized systems in existence prior to March 8, 1990 must be capable of providing electronic information on judicial activities in a form prescribed by the Office of the Supreme Court Administrator.

STANDARD VI: ADMINISTRATION AND EXCEPTIONS

- 1) The Office of the Court Administrator is designated by this Court to administer these standards.

- 2) ~~Exceptions to the above standards may only be made on a case-by-case basis. The Office of the Court Administrator shall review all requests for exceptions and may approve requests only when the benefits clearly outweigh the disadvantages.~~

The Clerk is directed to mail a copy of this order to each District Court Clerk and District Court Judge.

The Clerk is further directed to mail a copy of this order to the State Bar, to be published in the MONTANA LAWYER.

The Supreme Court Administrator is directed to provide a copy to all Judges of Courts of Limited Jurisdiction.

The standards shall be made available to the bar, and general public in each Clerk of Court's office.

DATED this 5th day of April, 1994.

J. A. Turnage

Chief Justice

John Conway Harrison

Paul M. May

William E. Smith

James B. ...
... ..
_____ Justices