

12/04/2001

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 06-0216

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

WHEREAS, the Montana Judiciary has adopted uniform automation standards for information management systems by order of this court dated March 8, 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 7, 1990 order obsolete; and

WHEREAS, 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 authority to make rules governing court procedures in Montana.

NOW, THEREFORE IT IS ORDERED that 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. Servers, workstations and laptops, as determined best suitable by the Supreme Court.
2. IEEE 802.5 MadgeToken Ring and Intel Ethernet network cards.
3. Hewlett Packard laser printers.
4. Okidata dot matrix printers.

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5. 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 (DOS) 6.22, Windows 98 (laptops only), Windows NT 4.0 and Windows 2000. The Court Administrator's Office will continue to support Windows NT 4.0 until the District Court Case Management Software is converted to run under Windows 2000.
2. Word 2000 and upgrades.
3. Excel 2000 and upgrades.
4. Research Software: MCA, State Reporter, Westlaw, Lexis.
5. Novell Netware 3.12 and upgrades, Windows NT Server 4.0, Windows 2000 Server.
6. Judicial Case Court Management System (JCMS)/Open Insight developed and supported by the Office of the Court Administrator for District Courts, and Limited Jurisdiction Case Management System (LJCMS)/ Full Court for courts of limited jurisdiction.
7. Since the standardized case management programs that are and will be installed in the Courts of Limited Jurisdiction, District Courts, and the Supreme Court only interface with Microsoft Word and not WordPerfect, and Microsoft Word is the standard word processing program for the State of Montana, WordPerfect 5.1 DOS, WordPerfect 6.0 a,b,c DOS, WordPerfect 6.1 DOS, WordPerfect 6.1 Windows, WordPerfect 7.0 Windows, WordPerfect 8.0 Windows, WordPerfect 9.0 Windows, Office 3.1 Calendaring, and Windows 3.11 and components will no longer be supported after June 30, 2002. Prior to June 30, 2002, the Court Administrator's Office will work with the courts to support the WordPerfect programs now installed and to transition from those programs to Microsoft Word, so that all courts are using the Microsoft Word program by June 30, 2002.

Personal email products are not provided or supported by the Supreme Court Administrator's Office.

Software used to generate court records or files, other than listed above, will not be approved or supported by the Court Administrator's Office. Charges will be imposed if software, other than the standard, is installed/downloaded resulting in PC problems/failures.

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 computers is prohibited without express approval of the Supreme Court Administrator's Office.
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, security plan, and 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 Supreme Court Administrator's Office 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 Supreme Court Administrator's Office.

STANDARD VI: ADMINISTRATION AND EXCEPTIONS

1. The Supreme 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 Supreme Court Administrator must review all requests for exceptions and may approve requests only when the benefits clearly outweigh the disadvantages.

STANDARD VII: CONTINUED COLLABORATION

The Montana Judiciary will continue to work with the Information Technology Board (ITB) to encourage and promote collaboration, cooperation, and coordination between the Judicial Branch and Executive Branch in the advancement of standard information technology processes and procedures for the State of Montana.

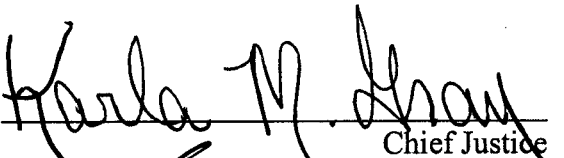
The Supreme Court Clerk is directed to mail a copy of this order to each District Court Clerk and District Court Judge.

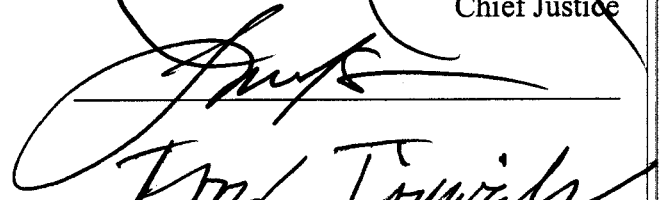
The Supreme Court Clerk is further directed to mail a copy of this order to the State Bar, to be published in the MONTANA LAWYER.

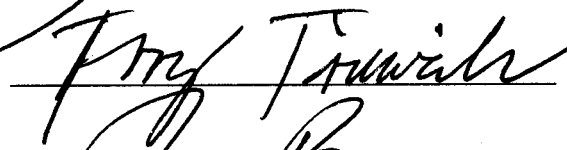
The Supreme Court Administrator is directed to provide a copy to all the Judges of Courts of Limited Jurisdiction.

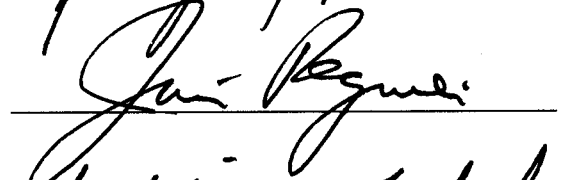
The standards shall be made available to the bar, and general public in each Clerk of Court's office.

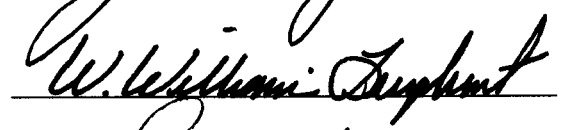
DATED this 4th day of December, 2001.

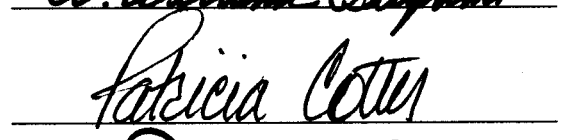

Chief Justice

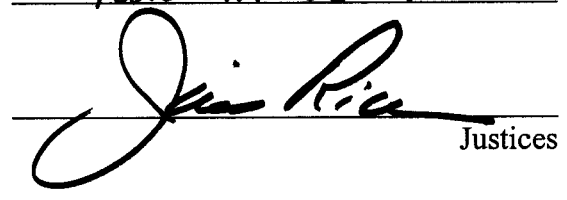











Justices