



**Ralph Chamness**  
Chief Deputy  
Civil Division

**SIM GILL**  
DISTRICT ATTORNEY

**Jeffrey William Hall**  
Chief Deputy  
Justice Division

**Lisa Ashman**  
Administrative  
Operations

**Blake Nakamura**  
Chief Deputy  
Justice Division

**JUDICIARY INTERIM COMMITTEE  
AUGUST 19, 2015  
DISTRICT COURT ELECTRONIC FILINGS**

**BACKGROUND**

On May 1, 2014, the Utah Third District Court implemented E-Flex, the court’s criminal e-filing system. The system is administered through the Utah Administrative Office of the Courts (AOC).

Prior to the implementation of E-Flex, the Salt Lake County District Attorney’s Office (DA) was not consulted by the AOC or invited to participate in the design of the system despite being the largest prosecuting entity in the judicial district that is responsible for filing the most criminal cases. In discussing the system with other prosecutors around the state, the DA was unable to identify a single prosecuting entity, including the Utah Attorney General’s Office that was consulted by the AOC in their development of the E-Flex system.

The AOC provided training on the E-Flex system prior to implementation. During that training, it was apparent that the trainers were not familiar with criminal procedure or its process. The DA offered to help the AOC manage and improve the system. Despite having committees to address problems with the system, the DA was never invited to be part of those committees and instead were relegated to being a user who could only experience problems and report them as they occurred. (See Attachment 1)

The AOC made clear that the E-Flex system would eliminate all paper from the system and that it would be implemented in two phases. The first phase began on May 1, 2014, with the electronic filing of all documents except for the filing of Informations, the charging document that initiates a criminal prosecution. The second phase would start on January 1, 2015, with Informations being electronically filed.

**JUDGES COULD NOT USE THEIR OWN E-FLEX SYSTEM:**

Immediately after the May 1, 2014 implementation we began to experience a number of problems with the E-Flex system. Some of the problems, such as slow operation and occasional shut downs, were expected with a new electronic system.

Other problems were not expected. Although being directed by the AOC to eliminate our paper processes since the E-Flex system would be paperless, we quickly learned that judges could not

access the system. When we informed the AOC that judges were continuing to issue paper notices of hearings, the AOC responded by explaining that judges could not use the system and that the oversight would be fixed. (See Attachment 2) Despite the court's assurance that this would be fixed, judges still continue to send paper notices of court hearings and do so inconsistently, with some relying on traditional mail and others relying upon email outside of the E-Flex system. (See Attachment 3a and Attachment 3b)

#### **CRIMINAL JUSTICE AGENCIES COULD NOT ACCESS THE SYSTEM:**

At the same time we were informed that Judges could not access the system, we were also informed by the AOC that they overlooked developing an interface for entities other than attorneys. Consequently, criminal justice entities like Utah Adult Probation and Parole, Salt Lake County Criminal Justice Services and private treatment providers could not access the system. (See Attachment 2)

#### **THE SYSTEM COULD NOT KEEP SENSITIVE VICTIM INFORMATION PRIVATE:**

Sensitive victim information that includes addresses, names and contact information, usually for restitution purposes, could not be kept private in the E-Flex system. Even though that was a high priority for obvious safety reason in the old paper system, the new E-Flex system made all that sensitive information public and permitted anyone to access it. As a result, a bifurcated process of filing had to be instituted for Restitution motions, straining the DA's already limited resources. (Attachment 4)

#### **CRIMINAL CHARGES WERE NOT PROPERLY PROCESSED:**

Soon after prosecutors were required to electronically file charges on January 1, 2015, many problems with the system were experienced similar to those experienced in May 2014. The system began to experience extreme slowness and often shut down for significant periods of time. (Attachment 5a) The impact not only wasted significant staff resources, it made it difficult to file charges in a timely manner. Consequently, a number of defendants were released from jail because charges were not filed timely. (Attachment 5b) When charges were filed, it was not uncommon for subjects to still be released from jail because the AOC did not design an electronic process to notify the jail of the charges. (Attachment 5c)

#### **THE E-FLEX SYSTEM REQUIRED "WORK-AROUND" PAPER PROCESSES:**

Prior to the implementation of the E-Flex system, the court accepted the filing of Informations until 4:30 p.m. Despite the intent behind E-Flex to make the filing process more efficient, after its implementation the AOC required prosecutors to file charges by a 2:00 p.m. deadline. When we questioned that cut-off time, particularly in light of a new electronic system, the AOC explained that pushing the deadline up would allow court staff more time to process cases, particularly jail cases. What we learned is that the AOC did not design a system to accept the filing of charges that was sensitive to either the volume or priority of charges being filed, particularly with jail cases. (See Attachment 6) Court staff later explained that their electronic system was taking more time to process cases and in many instances they had to develop a paper process to accommodate the deficiencies in the E-Flex system.

### **THE E-FLEX SYSTEM COULD NOT ISSUE SUMMONSES:**

Approximately a month after the AOC required charges to be filed electronically, we discovered that court summonses were not being issued on charges filed that were appropriate for a summons versus a warrant. We informed the AOC of that discovery and they responded that they would check the system. (See Attachment 7) Two months passed and the AOC advised us that summonses were not being issued by the court. The then presiding judge requested an email address from us that could be used to send summonses. (See Attachment 8) We provided that email address only to be told by court staff that they would not send summonses to that email address. They explained that their system could not distinguish summonses from other documents and they would send all return documents to our central email address and it would be up to us to sift through all the documents and pull summonses out of the other documents being sent to us. (See Attachment 9)

We later learned that to clear the backlog of summonses, the court placed all cases with a summons on a court docket with a date for the subject to appear. Because summonses were not issued, defendants were not made aware of the court date. (Attachment 10) When the defendant did not appear, the court issued warrants for their arrest. These arrests created potentially dangerous situations for officers and burdened the system far greater than a summons. In short, the court issued warrants because the E-Flex system was not properly designed to issue summonses.

### **ISSUANCE OF WARRANTS AND THE AOC'S LACK OF FAMILIARITY WITH THE SYSTEM:**

Despite the routine nature of issuing arrest warrants upon the filing of criminal charges, the E-Flex system was seemingly not designed to process warrants, and certainly was not designed to process the warrants electronically.

Soon after we were required to file Informations electronically, we discovered warrants were not being issued. The discovery was made because defendants who were in custody were being released even though charges were filed with warrants to maintain their custody status. (See Attachments 5b & 5c) When we brought this to the attention of the AOC and specifically referenced our concern for officer safety, the AOC was seemingly unaware of that problem and acknowledged that they would review the system. (See Attachment 11) However, in proposing a solution, the AOC revealed they were not familiar with the process for warrants, that the system was not even designed to electronically process the warrants, and perhaps most concerning, they were not familiar with their own system.

The remedy the AOC first proposed was that they would only list the warrants on a statewide database and would not directly inform the jail of the warrants; a practice that was always done in the past to ensure subjects in custody with recently issued warrants remain in custody.

When we prevailed in convincing them that they need to have a process to inform the jail of warrants, there was no automated electronic process to do so. They relied on email when the system should have been designed to automatically send the warrants to the jail upon issuance.

When we brought the importance of making sure the jail received the warrants on subjects who were in their custody in order to maintain their custody status for public safety reasons, we were told to put the subject's custody status in the "notes" section on the system. You can imagine our frustration when we tried to do so only to learn that a "notes" section did not exist in the E-Flex system. (See Attachment 12)

**THE E-FLEX SYSTEM GETS CONFUSED WHEN CHARGES ARE FILED ON A SUBJECT WHOSE LAST NAME INCLUDES THE LETTERS "ON":**

The most recent experience with the E-Flex system has been with charges filed against individuals whose last name contains the letters "on". We were filing charges against an individual whose last name was "Mondragon." When we filed, the system produced an error. We were informed by the court that the system gets confused when the last name has "on." (See Attachment 13) It was not clear why, but may have something to do with the fact that "on" is a word unto itself that the system cannot distinguish from a last name. However, prior cases filed with similar last names, were accepted routinely by the system. Perhaps it was due to the fact that "Mondragon" has two "on"s whereas other last names that were accepted only had one "on," such as "Anderson." The AOC has not yet clarified what occurred nor has provided any assurance that this will not happen again.

**CONCLUSION:**

New electronic systems always contain bugs that need to be worked out before the system runs smoothly. That is understandable. When fundamental features a system has to have based upon its application are missing, that is more difficult to understand. When parties who are the users of the system are available to consult on the design, but are not included, that is even more difficult to understand. When those same parties are not consulted and the system is seemingly designed by those without a fundamental understanding of the application, core problems with the system are predictable. That is what has occurred with the AOC and the E-Flex system. Problems with the system have been systemic. Fixes have been approached in isolation without concern for the broader impact on the system and *users* have been burdened with being required to use a system that is constantly revealing its design flaws as well as assume work processes that were previously the purview of the court.

It is hoped that with the problems with the E-Flex system out in the open, a comprehensive review of the system can be taken with an eye toward addressing its deficiencies by including its users as part of the solution. The DA's Office is committed to an electronic system that benefits all and is not simply operated at the convenience of one to the burden of the rest.

# Attachment 1

**Lisa Ashman**

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**From:** Debra Moore <debram@utcourts.gov>  
**Sent:** Thursday, April 17, 2014 12:39 PM  
**To:** Blake Nakamura  
**Cc:** Paul Barron; Lisa Ashman; Sim Gill; Jeffrey William Hall; Ralph Chamness; Dan Becker; Kathy Locher; Peyton Smith; Christine Davies; Craig Ludwig; Marlene Bills; Julie Rigby; Lee Ann Heim Mueller  
**Subject:** Re: FW: E-File (Assigned Prosecutor)

Blake, at this point, the Third District management team and Efiling Specialists need to be involved in the issues you're raising. I've notified them of your concerns and have copied them on this message. They will investigate and work directly with your office to resolve the issues. If there's anything AOC staff can assist with once that has occurred, we'd be happy to follow up.

Debra

On Thu, Apr 17, 2014 at 12:10 PM, Blake Nakamura <[BNakamura@slco.org](mailto:BNakamura@slco.org)> wrote:

Paul/Debra:

I'd like to meet with you folks to discuss the efforts being taken to address deviations from the efilng protocols and how to remedy those deviations when they occur.

Our staff has worked hard to learn and comply with the protocols and exercised patience to overcome the frustrations that naturally occur with any new system. But their patience is understandably starting to wear thin and the expressions of frustration are becoming a chorus. As I mentioned in my last email, It is becoming very difficult to address those frustrations when the deviations from the protocols occur by court staff. That has now been compounded because when those deviations are noted by our staff they are being told by court staff that our staff is responsible for fixing the issues.

As I previously expressed, the latest issue is court clerks began associating *all* cases in their court to the vertically assigned prosecutors despite the initial associations your staff provided for pending cases and the appearances of counsel we provided on the specialty cases. A quick glimpse of a docket illustrates the problem. That caused all notification to go to certain staff even though they were not handling all the cases. When our staff contact the court staff, they were told they would have to submit withdrawals of counsel for those cases wrongly associated.

We candidly do not have the resources to remedy those issues. Most importantly, however, is that notifications of filed pleadings are not going to the right case and prosecutor thereby creating a risk that judicial actions could occur on a very serious case without the district attorney's office having received the pleading that caused the judicial action. Indeed, we have the "catchall" email, but the risk is still there.

We would like to address these issues so that we can assure our staff that consist adherence to the efilng protocols is a priority for all involved and we can discuss with them equitable ways that will be used to rectify deviations.

I look forward to meeting with you to discuss these issues.

**From:** Paul Barron [mailto:[paulb@utcourts.gov](mailto:paulb@utcourts.gov)]

**Sent:** Tuesday, April 15, 2014 8:53 AM

**To:** Blake Nakamura

**Cc:** Maurie Montague; Lisa Ashman

**Subject:** Re: FW: E-File (Assigned Prosecutor)

Debra was going to speak with 3rd District staff about their practices.

At our Consistency Committee meeting yesterday, the Victim Information Statement for judgments was discussed. Those will come in as 'private' when efiled, and the court staff are being trained to enter the information into CORIS as needed, and then change the classification of the document to 'Sealed'. Our criminal subcommittee will be reviewing these and other processes.

Paul B

On Mon, Apr 14, 2014 at 11:15 AM, Blake Nakamura <[BNakamura@slco.org](mailto:BNakamura@slco.org)> wrote:

It appears that courtroom clerks are assigning cases to prosecutors whom are vertically assigned to their judge and not relying on appearances of counsel for that information. I suspect courtroom personnel, like us, are still learning and getting used to new efilng protocols. Can you folks please remind the clerks....and judges. We are also noting that some judges are not sticking to certain efilng protocols.

We having the same issues on different topics, but things are starting to smooth out, thanks for checking.

Please let us know when processes have been developed to keep victim information protected when filed particularly with restitution memos. The same with drug court HIPPA covered information; both of which I understand you folks are working on.

Thanks again for all the support and please advise of any issues you are noticing on our side.

**From:** Jeffrey William Hall  
**Sent:** Monday, April 14, 2014 9:20 AM  
**To:** Blake Nakamura  
**Subject:** FW: E-File (Assigned Prosecutor)

Any thoughts on this issue and how we address it if we can?

JWH

Jeffrey William Hall  
Chief Deputy District Attorney  
Salt Lake County District Attorney's Office  
Sim Gill, District Attorney

Direct: (385) 468-7615

Office Main (385) 4680-7600

[jhall@slco.org](mailto:jhall@slco.org)

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If you are not the intended recipient, please immediately reply to the sender and so advise, and immediately destroy and delete the communication.

Thank you.

**From:** Sabrina Ogden  
**Sent:** Monday, April 14, 2014 9:18 AM  
**To:** Craig Stanger; Jeffrey William Hall  
**Cc:** Joseph Hill  
**Subject:** RE: E-File (Assigned Prosecutor)

The same thing is happening with Hrubby-Mills for Katie Peters and Jared Rasband. I just spoke to Kathy Locher about it. She suggested I bring you a copy of the court calendar when it comes back today.

*Sabrina E. Ogden*

Legal Secretary / Non-Violent Felony Team

Office of the District Attorney

385-468-7659

*"Hear the meaning within the word" - William Shakespeare*

**From:** Craig Stanger  
**Sent:** Monday, April 14, 2014 9:16 AM  
**To:** Jeffrey William Hall  
**Cc:** Joseph Hill; Sabrina Ogden  
**Subject:** E-File (Assigned Prosecutor)

Jeff,

Joe and I have noticed that on every case in KBG her clerks are just adding both of our names as the assigned prosecutor to every filed case. As a result, we are getting notices for the special victims/gang cases while those attorneys are not being served. I have been forwarding these on to the assigned prosecutor, but just last week I had a special victims case where a stipulated motion had been filed and it looked as though I was the stipulating party. Again this morning, I got a motion response for Fred.

I think some of the other teams have also been experiencing this as well.

**Craig N. Stanger**

**Deputy District Attorney**

**NVF Unit**

Salt Lake County District Attorney's Office

Office: 385.468.7684

Cell: 

Fax: 801.531.4110

cstanger@slco.org

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--  
Debra J. Moore, District Court Administrator  
Utah Administrative Office of the Courts  
P. O. Box 140241  
Salt Lake City, UT 84114-0241  
801-578-3971

# Attachment 2

**Lisa Ashman**

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**From:** Debra Moore <debram@utcourts.gov>  
**Sent:** Thursday, May 01, 2014 2:44 PM  
**To:** Blake Nakamura  
**Cc:** Peyton Smith; Sim Gill; Ralph Chamness; Jeffrey William Hall; Lisa Ashman; Paul Barron; Ron Bowmaster  
**Subject:** Re: Received paper and no electronic notice of hearing

I'm sorry to jump into this conversation late -- I've been away from the office on business the better part of over a week and am just now catching up on emails. Blake, the information you've been provided is correct. Currently, the court is not able to send notices through the efilng system. This is a known issue and our programmers are working on enabling such notices. Until then, notices from the court may be sent to the attorneys' email address on file with the Utah State Bar under URCivP 5(g) or by mail.

On Thu, May 1, 2014 at 12:47 PM, Blake Nakamura <[BNakamura@slco.org](mailto:BNakamura@slco.org)> wrote:

Peyton:

Maybe I'm missing something, but I have to believe that the efile system would enable a court to send an electronic notice of a hearing to parties upon the scheduling and issuance of a notice of a hearing.

Hearings are often scheduled sua sponte by the court for a variety of reasons and if the court has no way to send an electronic message of the hearing, then the efilng system would seem to need that development. Otherwise, the efilng system is limited in use to the parties in an action with paper filings still being used by the court. That would seem to be a very odd efilng system.

As part of that response, it also raises another issue: were agencies, like criminal justice service, informed of the efilng system considering that they file a fair amount of documents that are judicial acted upon by courts and parties alike?

If there is a clarification to Nicole's explanation, please let me know as soon as possible. In the meantime, I understand what the explanation is and will inform all that the efilng system will not allow courts to send electronic messages and that we can continue to expect notices of hearing set by court in paper.

Thanks for addressing.

**From:** Peyton Smith [mailto:[peytons@utcourts.gov](mailto:peytons@utcourts.gov)]  
**Sent:** Thursday, May 01, 2014 10:59 AM  
**To:** Blake Nakamura  
**Cc:** Debra Moore  
**Subject:** Fwd: Received paper and no electronic notice of hearing

Blake, I checked with the clerks regarding your below email. Let me know if we are missing something. Thanks.

----- Forwarded message -----

**From:** **Nicole Bizek** <[nicolelb@utcourts.gov](mailto:nicolelb@utcourts.gov)>  
**Date:** Thu, May 1, 2014 at 10:32 AM  
**Subject:** Re: Received paper and no electronic notice of hearing  
**To:** Amy Baughman <[amyb@utcourts.gov](mailto:amyb@utcourts.gov)>  
**Cc:** Peyton Smith <[peytons@utcourts.gov](mailto:peytons@utcourts.gov)>, Kristin Ferguson <[kristinff@utcourts.gov](mailto:kristinff@utcourts.gov)>

This hearing was not scheduled based on an efiled document. Salt Lake County sends their Stay Reports on paper and Judge Lindberg directed the clerks to schedule a hearing. Notice could not have been sent through efilng if that is the "electronic notice" they are looking for.

Thu, May 1, 2014 at 10:24 AM, Peyton Smith <[peytons@utcourts.gov](mailto:peytons@utcourts.gov)> wrote:

Please see below. Can you give me an idea of what happened? Thanks.

----- Forwarded message -----

**From:** **Blake Nakamura** <[BNakamura@slco.org](mailto:BNakamura@slco.org)>  
**Date:** Wed, Apr 30, 2014 at 12:18 PM  
**Subject:** Received paper and no electronic notice of hearing  
**To:** Debra Moore <[debram@utcourts.gov](mailto:debram@utcourts.gov)>  
**Cc:** Peyton Smith <[peytons@utcourts.gov](mailto:peytons@utcourts.gov)>, Dan Becker <[danb@utcourts.gov](mailto:danb@utcourts.gov)>

Debra:

We recently received the attached paper notice of a review hearing from Judge Lindberg. The concerning issue is that we did not receive an electronic notice. Because we are relying upon electronic notices of hearings, this matter did not get calendared. But for a last minute phone call from the court we would have missed the hearing.

Fortunately, the substance of the case did not involve a victim and the hearing did not appear to raise a contested issue. Nevertheless, it underscores the importance of making sure that all involved follow efilng processes. Thanks for your consideration of this and addressing as appropriate.

**From:** [noreply@slco.com](mailto:noreply@slco.com) [mailto:[noreply@slco.com](mailto:noreply@slco.com)]

**Sent:** Wednesday, April 30, 2014 10:17 AM

**To:** Blake Nakamura

**Subject:** Attached Image

-  
**Nicole Bizek**

**Case Manager**

Judge Faust

[801-238-7197](tel:801-238-7197)

Judge Lindberg

[801-238-7105](tel:801-238-7105)

Judge Bernards-Goodman

[801-238-7525](tel:801-238-7525)

--

**Peyton Smith**

**Court Executive**

**Third Judicial District**

[801-238-7315](tel:801-238-7315)

--

**Debra J. Moore, District Court Administrator**

**Utah Administrative Office of the Courts**

**P. O. Box 140241**

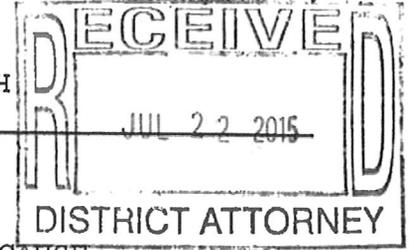
**Salt Lake City, UT 84114-0241**

**801-578-3971**

Attachment 3a

DA's

3RD DISTRICT COURT - SALT LAKE  
SALT LAKE COUNTY, STATE OF UTAH



STATE OF UTAH : NOTICE OF  
 Plaintiff, : ORDER TO SHOW CAUSE  
 :  
 VS. : Case No: 131911672 FS  
 ALMA JOSIE SOTO : Judge: RANDALL SKANCHY  
 Defendant. : Date: July 15, 2015

ORDER TO SHOW CAUSE is scheduled.

Date: 08/17/2015

Time: 08:30 a.m.

Location: FOURTH FLOOR-N42

THIRD DISTRICT COURT

450 SOUTH STATE STREET

SALT LAKE CITY, UT 84114-1860

Before Judge: RANDALL SKANCHY

Date: 07/15/2015

/s/ SARA MOFFITT  
Clerk/Clerk of Court

The court will provide an interpreter upon request. If you need an interpreter, please notify the court at (801)238-7300 five days before the hearing.

Individuals needing special accommodations (including auxiliary communicative aids and services) should call the court at (801)238-7500 three days prior to the hearing. For TTY service, call Utah Relay at 800-346-4128.

Case No: 131911672 Date: July 15, 2015

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CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 131911672 by the method and on the date specified.

MAIL: ALMA JOSIE SOTO [REDACTED]

MAIL: ETHAN P RAMPTON [REDACTED]  
[REDACTED]

Date: 07/15/2015

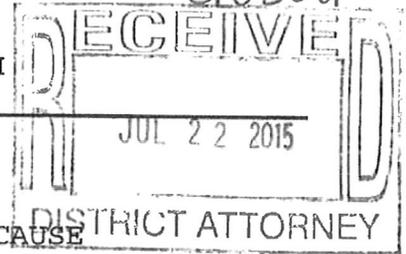
/s/ SARA MOFFITT

Clerk/Clerk of Court

DA's

13026060  
RP closed

3RD DISTRICT COURT - SALT LAKE  
SALT LAKE COUNTY, STATE OF UTAH




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STATE OF UTAH : NOTICE OF  
 Plaintiff, : ORDER TO SHOW CAUSE  
 :  
 VS. : Case No: 131911573 FS  
 MICHAEL ALLEN GARRETT : Judge: RANDALL SKANCHY  
 Defendant. : Date: July 20, 2015

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ORDER TO SHOW CAUSE is scheduled.

Date: 08/24/2015

Time: 08:30 a.m.

Location: FOURTH FLOOR-N42

THIRD DISTRICT COURT

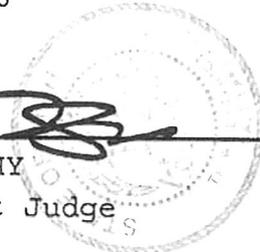
450 SOUTH STATE STREET

SALT LAKE CITY, UT 84114-1860

Before Judge: RANDALL SKANCHY

Date: 07/20/2015

  
 RANDALL SKANCHY  
 District Court Judge



The court will provide an interpreter upon request. If you need an interpreter, please notify the court at (801)238-7300 five days before the hearing.

Individuals needing special accommodations (including auxiliary communicative aids and services) should call the court at (801)238-7500 three days prior to the hearing. For TTY service, call Utah Relay at 800-346-4128.

Case No: 131911573 Date: July 20, 2015

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CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 131911573 by the method and on the date specified.

MAIL: STATE OF UTAH UT

MAIL: SHERRY A VALDEZ [REDACTED]  
[REDACTED]

Date: 07/20/2015

/s/ SARA MOFFITT

Clerk/Clerk of Court

# Attachment 3b

**Lisa Ashman**

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**From:** Pamela Keil  
**Sent:** Thursday, August 13, 2015 6:52 AM  
**To:** Lisa Ashman  
**Subject:** FW: Notice for Case 141902264 ID 16703726

I found an old one. Apparently, I deleted my most recent ones. Hope this helps. Have a Great Thursday. PJ

*P.J. Keil  
Legal Secretary  
Salt Lake County District Attorney's Office  
111 E. Broadway, Suite 400  
Salt Lake City, Utah 84111  
Phone: 385-468-7634*

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**From:** Cyndia Bishop [mailto:cyndiab@utcourts.gov]  
**Sent:** Thursday, May 28, 2015 3:29 PM  
**To:** Pamela Keil  
**Subject:** Re: Notice for Case 141902264 ID 16703726

You're welcome!

On Thu, May 28, 2015 at 2:45 PM, Pamela Keil <PKeil@slco.org> wrote:

Thanks for the update. PJ

**From:** Cyndia Bishop [mailto:cyndiab@utcourts.gov]  
**Sent:** Thursday, May 28, 2015 1:54 PM  
**To:** Andrea Martinez; Tawni Hanseen  
**Cc:** Pamela Keil  
**Subject:** Fwd: Notice for Case 141902264 ID 16703726

Hi ladies,

Please see the attached notice. He is apparently in Davis Co Jail, so we're not going to transport him for a separate b/w hearing. He is set for an OSC hearing on 6/5/15.

Thanks!

----- Forwarded message -----

From: [courts@utcourts.gov](mailto:courts@utcourts.gov) <[courts@utcourts.gov](mailto:courts@utcourts.gov)>

Date: Thu, May 28, 2015 at 1:52 PM

Subject: Notice for Case 141902264 ID 16703726

To: "[cyndiab@utcourts.gov](mailto:cyndiab@utcourts.gov)" <[cyndiab@utcourts.gov](mailto:cyndiab@utcourts.gov)>

Utah State Court's New Improved Automated Email. Please do not reply.

--

**Cyndia Bishop**

Judicial Assistant

Judge Blanch

ph: [801-238-7357](tel:801-238-7357)

\*\*[cyndiab@utcourts.gov](mailto:cyndiab@utcourts.gov)\*\*

please note the new email address

--

**Cyndia Bishop**

Judicial Assistant

Judge Blanch

ph: 801-238-7357

**\*\*[cyndiab@utcourts.gov](mailto:cyndiab@utcourts.gov)\*\***

please note the new email address

# Attachment 4

**Lisa Ashman**

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**From:** Blake Nakamura  
**Sent:** Tuesday, April 01, 2014 11:54 AM  
**To:** Maurie Montague; Blake Nakamura  
**Cc:** Lisa Ashman  
**Subject:** RE: Exemption for restitution motions

Ok. Thanks for direction.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Maurie Montague  
Date: 04/01/2014 10:41 AM (GMT-08:00)  
To: Blake Nakamura  
Cc: Lisa Ashman  
Subject: Re: Exemption for restitution motions

Blake,

This is the one we spoke about on Thursday when we were there. The Motion and Order should be eFiled and the Victim Information Sheet should be filed by paper with the case number on it. The information will go directly to the accounting department to set the trust information. We are working on getting that document type so that it can be eFiled with the security that it needs.

Thanks  
Maurie

***Maurie Montague***  
*Information Technology*  
*eFiling Administrator*  
*Phone: (801) 578-3851*  
*Fax: (801) 578-3968*  
[maurim@utcourts.gov](mailto:maurim@utcourts.gov)

On Tue, Apr 1, 2014 at 11:36 AM, Blake Nakamura <[BNakamura@slco.org](mailto:BNakamura@slco.org)> wrote:

Maurie:

Do you know if restitution motions have been exempted from e filing until form developed to keep victim information private is available?

Thanks again for all your help with efilng!

# Attachment 5a

**Lisa Ashman**

---

**From:** Pam Stam  
**Sent:** Wednesday, February 18, 2015 6:02 PM  
**To:** Blake Nakamura; Michael Postma; Josh Player; Lisa Ashman; Cindy Westover  
**Cc:** Sim Gill  
**Subject:** RE: Draft of letter to judge Hansen re efilng

Blake,

I believe that it is necessary to include language about the inordinate and unpredictable time that it takes to process cases in the afternoon, when the system is seemingly "up". The fact that it takes 30-90 minutes on average for a case to be accepted through the system in the afternoon must be addressed for us to be able to ever move forward with jail case e-filings. My concern is that they will address the instability issue with the system crashing sporadically throughout the day, but that they will not address the more paramount issue of ensuring that cases can get through their electronic system quickly and not just be stuck in the "pipe" behind other filings.

**From:** Blake Nakamura  
**Sent:** Wednesday, February 18, 2015 5:45 PM  
**To:** Michael Postma; Pam Stam; Josh Player; Lisa Ashman; Cindy Westover  
**Cc:** Sim Gill  
**Subject:** Draft of letter to judge Hansen re efilng

All:

Sorry for delay in getting this to you, but here it is. Please give all thoughts. I plan to send tomorrow.

Blake A. Nakamura  
Chief Deputy, Justice Division  
Salt Lake County District Attorney's Office  
111 E. Broadway, Suite 400  
Salt Lake City, Utah 84111  
Office 385.468.7600  
Direct 385.468.7653  
Cell [REDACTED]

***PLEASE NOTE NEW OFFICE NUMBERS***

## Lisa Ashman

---

**From:** Debra Moore <debram@utcourts.gov>  
**Sent:** Wednesday, February 25, 2015 10:20 AM  
**To:** Blake Nakamura  
**Cc:** Sim Gill; Peyton Smith; Daniel Larsen; Lisa Ashman; Judge Royal Hansen; Ron Bowmaster; Marlene Bills; Julie Rigby; Pam Stam; Christine Davies  
**Subject:** Mandatory electronic filing

Dear Blake,

Your letter dated February 18 to Judge Royal Hansen has been referred to me. I will respond in more detail separately, but briefly, we have not experienced a shutdown of the Eflex system. Although a temporary slowdown occurred on February 10 and 11, appropriate remedial measures were taken to timely process custody cases and the slowdown itself was quickly addressed. We have no reason to believe that there is a systemic problem with either the Eflex system or the processing of custody cases by the Third District Court.

Accordingly, we cannot agree to waive the mandatory e-filing requirement for custody cases as of March 1st as you propose and will not accept those filings in paper. Of course, we will consider making limited exceptions for extenuating circumstances (such we did with the flood), but those do not currently exist. If you disagree, you may wish to request an exemption from the Judicial Council. See CJA 6-403.

If you experience problems with filings that you have submitted electronically before the Third District's 2 p.m. cut-off for same day processing, you may contact me with specifics after first investigating the incident and, if necessary, contacting either our HelpDesk or the Third District criminal team. To clarify the policy, you may submit filings after 2 p.m. but we cannot assure that they will be processed that day. In the unusual event that you are unable to meet the 2 p.m. cut-off in a case you are particularly concerned about, you may email Ms. Julie Rigby and Ms. Marlene Bills who will prioritize it, but again we cannot assure same day processing. Because we have been receiving a significant number of such emails, they should be screened and sent only through a person you designate. Routine use of the email option will lead to the same issues the 2 p.m. policy is intended to address.

Again, I will provide more detail about my investigation of the concerns you raised in your letter.

Debra

--

Debra J. Moore, District Court Administrator  
Utah Administrative Office of the Courts  
P. O. Box 140241  
Salt Lake City, UT 84114-0241  
801-578-3971

## Lisa Ashman

---

**From:** Pam Stam  
**Sent:** Thursday, February 26, 2015 11:30 AM  
**To:** Blake Nakamura; Lisa Ashman; Michael Postma  
**Subject:** EFlex Slow Down on Wednesday Afternoon

Just to keep everyone "in the know" – we were experiencing our usual afternoon slow down with the EFlex system yesterday afternoon. Starting at 3:40 p.m. the slowdown time increased to the point that ALL cases that were put in from that point forward had not been accepted by the end of the day at 5:00 p.m. Amy Nisar contacted the court's HelpDesk and spoke with an IT employee, whose name she said started with a "J". This employee told Amy that the slowdown of cases going through the pipe was going to last a minimum of 1 hour and 15 minutes. She went on to tell Amy that they knew there was a problem with the system and that they were working to get it fixed. She said that they take work home with them at night to watch the system from home to verify that it is working.

Given Debra's email yesterday, I thought it was important to point out that at least one of the IT employees with the HelpDesk acknowledged that there was an ongoing problem with the system that they are actively aware of.

*Pam Stam*

Office Manager - Justice Division  
Salt Lake County District Attorney's Office  
(385) 468-7600  
FAX (385) 468-7737

*"Hear the meaning within the word" - William Shakespeare*

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# Attachment 5b

**Lisa Ashman**

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**From:** Blake Nakamura  
**Sent:** Tuesday, January 27, 2015 2:19 PM  
**To:** 'Debra Moore'  
**Cc:** Peyton Smith; Sim Gill; Lisa Ashman  
**Subject:** Subjects released from jail despite filing

Debra,

Here are the cases from yesterday where subjects were erroneously released from custody despite the filing of charges and some additional information on those cases.

Hopefully, the information will help you focus on identifying the problem.

**From:** Cindy Westover  
**Sent:** Tuesday, January 27, 2015 2:12 PM  
**To:** Blake Nakamura; Pam Stam; Lisa Ashman  
**Cc:** Michael Postma; Josh Player  
**Subject:** FW:

Listed below are the cases I was referring to. Please let me know if you have any questions. Thanks, Cindy

**From:** Dan Troester  
**Sent:** Tuesday, January 27, 2015 1:56 PM  
**To:** Cindy Westover  
**Subject:** RE:

Alradaee, Yahia Ali DOA#15001780 Court 151901005; Jackman, Taddy DAO#15001750 Court 15901003; Uribe, Israel Flores DAO#15001920 Court 151901024; Felsman, Coby DAO#14022502 Court 151901031; Jones, Christopher DAO#15001351 Court 151901021; Andreason, Lewis DAO#15001890 Court 151901023; Lucero, Toni Ranae DAO#15001444 Court 151900808. Some are still in jail on other charges, however they all show the case is with the court and warrant is marked PROPOSAL. If they had not had other charges, all would have been released.

**From:** Cindy Westover  
**Sent:** Tuesday, January 27, 2015 1:01 PM  
**To:** Dan Troester  
**Subject:**

Hey Friend, Doug said you are putting packets together on the cases that failed to file yesterday. If you have time would you please shoot me the names of those individuals. If not, no worries. Thanks much, Cindy

Cindy Westover  
Office Supervisor  
111 East Broadway, Ste 400  
Salt Lake City, Utah 84111

385-468-7698

[cwestover@slco.org](mailto:cwestover@slco.org)

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# Attachment 5c

**Lisa Ashman**

---

**From:** Blake Nakamura  
**Sent:** Wednesday, January 28, 2015 10:32 AM  
**To:** 'Debra Moore'  
**Cc:** 'Judge Royal Hansen'; Peyton Smith; Sim Gill; Lisa Ashman  
**Subject:** FW: Warrants on in custody subjects

Debra,

I'm forwarding information from the jail that may be helpful to you in addressing the filing of jail cases. They describe how they are notified of warrants when charges are filed on a subject they have in custody.

I understand that until the issue with jail cases is fixed in the electronic system, that we'll be permitted to file jail cases in paper.

I also understand that the court is considering moving the cut-off time to file jail cases from 4:30 to 2:00 P.M. We urge further consideration before making that decision. That will have a significant impact on law enforcement's ability to investigate cases, present them to us for consideration of filing charges and the ability to hold subjects in custody when we decide to file charges. Although only a 2.5 hour difference, these cases are probable cause arrests and that amount of time often *is* what law enforcement needs to put the case together and present to us for review. The court's decision on this issue will not be isolated in its effect on the electronic system, but will significantly impact other operations that are interdependent upon on the process we follow. That point made, should you decide to move forward on that issue, please remember to make sure that the process for getting extensions on jail holds is working properly. Those motions will surely increase and will become the only means we have to maintain custody of a subject we intend to file charges on.

Finally, as a reminder, when you are reviewing the process for jail cases, you will want to address the drop down menu box that permits users to identify the jail where the subject is in custody. Probably not the best approach to use the menu to flag jail cases since there are cases where we do not know that information at the point the case is filed. That's a function that should have its own box to check to avoid any mistakes on flagging the case as a jail case. Also, the menu should include juvenile facilities. In my last email on this issue, I noted a case we recently had involving an adult who was in a juvenile facility. There was no way to note that location during the filing and it would likely lead to confusion on the location of the subject.

Thanks again for addressing these issues and we look forward to hearing about the fixes being implemented to remedy the problems.

**From:** Mindy Gleason  
**Sent:** Tuesday, January 27, 2015 11:26 PM  
**To:** Blake Nakamura  
**Cc:** Lisa Ashman; Marcie Atkinson; Vicki Jensen  
**Subject:** RE: Warrants on in custody subjects

Blake,

We do not receive notifications when warrants are filed electronically.

The only way our staff knows there has been a warrant filed on charges is when we receive the hard copy warrant either faxed or e-mailed in to us.

Are these warrants being sent to our office via e-mail?

Otherwise we would not know when charges are filed.

I am now a graveyard shift supervisor so if you need assistance during business hours Marcie Atkinson or Vicki Jensen can assist you.

I was not aware of an issue and I am sure that the other shifts were not aware as well.

Please let us know how these notifications are being sent so that we may look into the issue further.

Thank you

**From:** Blake Nakamura  
**Sent:** Tuesday, January 27, 2015 2:13 PM  
**To:** Mindy Gleason  
**Cc:** Lisa Ashman  
**Subject:** Warrants on in custody subjects

Mindy,

A problem is occurring with the court's electronic filing of jail cases. Warrants on those cases are apparently not getting to you folks resulting in the erroneous release of subjects. Last week and again yesterday, we had several subjects released for fail to file after charges were electronically filed that reflected the subject's custody status.

Can you describe the process that in custody cases follow on your end and how the jail is notified of the filing and warrant? Also, are you aware of any issues that are impacting your operations, particularly related to the electronic filing of charges with the court?

Any other information you have on the court's new e-filing system and its impact on your operations would also be helpful. We are addressing a number of issues with the court related to their e-filing system and we want to be mindful of any information on the system you folks are experiencing problems with as well.

Any information you can provide would be appreciated.

Thanks for your help.

Blake A. Nakamura  
Chief Deputy, Justice Division  
Salt Lake County District Attorney's Office  
111 E. Broadway, Suite 400  
Salt Lake City, Utah 84111  
Office 385.468.7600  
Direct 385.468.7653  
Cell [REDACTED]

**PLEASE NOTE NEW OFFICE NUMBERS**

# Attachment 6

**Lisa Ashman**

---

**From:** Blake Nakamura  
**Sent:** Tuesday, February 10, 2015 3:56 PM  
**To:** 'Debra Moore'; Judge Royal Hansen  
**Cc:** Sim Gill; Lisa Ashman; Pam Stam; Michael Postma  
**Subject:** Efiling Informations

Dear Debra and Judge Hansen:

You'll recall at the meeting last Friday, we all agreed to try to file custody cases before 2:00, but if we filed a custody case after 2:00 that we would put the release date in the "notes" section. That would allow the clerks to identify those cases they need to work on that day to maintain the custody status of the subject.

When I came back to the office on Monday and advised our staff of the agreement we reached, I was told shortly thereafter that there is no "notes" section in which to put the subject's release date. I then emailed the court staff to inquire about the location of the "notes" section. I have not received any response. However, I was just told by our staff that they were in contact with court staff and were informed that no "notes" section exist and that it would have to be designed.

I am certain that upon learning of this that both of you have to be as frustrated as we are. We all put the time and effort to meet to resolve the issues only to be informed that the solution recommended by the court and agreed by the parties is not possible; the court's electronic system does not have that feature. It is disheartening and very concerning when we agree upon a solution recommended by the court staff that is not viable.

Forgive me for being a little short, but the court has to be more informed about its system. None of us have spare time to meet for an unproductive, and dare I say counter-productive, meeting.

There is another problem happening with the system – it is backed up. We can't efile anything right now, let alone send an email. Whatever the issue is, it is seemingly causing all electronic communication with the court to freeze. According to the help desk, the back-up is likely to last an hour! That issue begs the question, if there were a filing deadline, how would that be calculated? When we *try* to efile the information? Keep in mind that it is common for the system to starting slowing around noon and freeze altogether before 2.

Pursuant to our agreement last week, we will put the release date in the "notes" section when that is built. If we need to consider another solution, please let us know when we can meet to discuss an alternative. A meaningful solution to the issues plaguing custody cases and the back-up of cases in the system has to be a priority. In our experience, it will only be a matter of time before a release of a subject occurs that should not have and somebody is victimized because of the erroneous release.

Thank you for reviewing these issues and working toward a system that works for all.

Blake A. Nakamura  
Chief Deputy, Justice Division  
Salt Lake County District Attorney's Office  
111 E. Broadway, Suite 400  
Salt Lake City, Utah 84111  
Office 385.468.7600  
Direct 385.468.7653  
Cell [REDACTED]

***PLEASE NOTE NEW OFFICE NUMBERS***

# Attachment 7

**Lisa Ashman**

---

**From:** Blake Nakamura  
**Sent:** Friday, January 30, 2015 2:48 PM  
**To:** 'Debra Moore'  
**Cc:** 'Judge Royal Hansen'; Peyton Smith; Sim Gill; Lisa Ashman; Pam Stam  
**Subject:** Warrants not being listed on NCIC

**Importance:** High

Debra,

We have encountered another issue with e-filing of Informations on jail cases. Apparently, not only were the warrants not faxed or emailed to the jail, they also were not listed on UCJIS or NCIC. Without being listed on those systems, the subjects will not be arrested despite police contact and an outstanding warrant.

This issue may seem fairly benign. It is not. When police make contact, their safety is severely compromised if they are unaware that the person they are engaging has an outstanding warrant. You can imagine a subject's state of mind who thinks he has warrant when he's engaged by the police. Officers who are not aware of that state of mind are at a distinct disadvantage in that situation.

Also, summons are apparently not being processed. We received a call today on a case for which a summons was supposed to issue. For unknown reasons, it did not. Subject's counsel apparently saw that charges were filed and summons issued, but it was never served and counsel was attempting to surrender subject.

We are prepared to continue to file jail cases in paper form due to the current issue with jail cases until we hear differently. Please advise immediately if that is not the case.

Thanks.

**From:** Pam Stam  
**Sent:** Thursday, January 29, 2015 7:16 AM  
**To:** Lisa Ashman; Blake Nakamura; Sim Gill  
**Subject:** FW: re: E-File  
**Importance:** High

Just as a heads up for all of you. Below is the information on 2 jail cases that we e-filed prior to Judge Hansen's direction to return to paper filings on jail cases.

**From:** Dan Troester  
**Sent:** Thursday, January 29, 2015 6:29 AM  
**To:** Pam Stam  
**Cc:** Cindy Westover  
**Subject:** re: E-File

Richard Byrne DAO# 15002016 Court: 151901085 The case was filed in time and the warrant issued on the PFR date. However, the court never sent the warrant to the jail and he was released. I checked the statewide warrant system on UCJIS and the warrant was not listed. By not placing the warrant on the statewide system the Jail had no way of knowing the warrant existed. No warrant shows on UCJIS so he will not be arrested if he is stopped by a Police Officer.

Shilone Jackson DAO# 14029872 Court: 151901072 The case was filed and the warrant issued. He is in jail on several charges which held him. The court never sent the new warrant to the jail and the warrant is not on the state system. I had to go into the court system and print out a copy of the warrant and serve it at the jail. Had I not checked this one the prisoner would have never been held on the charge. If he had been released as Richard Byrne was, no warrant would have been listed so he would not be arrested on the charge.

**Sergeant Dan Troester**

Investigations Division  
Warrants/Fugitives Unit  
Unified Police Department  
385-468-9794

Email: [dtroester@updsl.org](mailto:dtroester@updsl.org)



# Attachment 8

**Lisa Ashman**

---

**From:** Michael Postma  
**Sent:** Friday, August 14, 2015 4:15 PM  
**To:** Lisa Ashman  
**Subject:** FW: Summonses

Michael Postma  
Division Administrator  
Salt Lake County District Attorney's Office  
Direct: (385) 468-7669  
Office Main: (385) 468-7600

**From:** Judge Royal Hansen [mailto:rhansen@utcourts.gov]  
**Sent:** Friday, June 12, 2015 1:25 PM  
**To:** Michael Postma  
**Cc:** Peyton Smith; Blake Nakamura; Rob Neill; Pam Stam  
**Subject:** Re: Summonses

Mike, that seems like a workable suggestion. We will review it with our administration and get back to you. We appreciate your assistance and suggestions in working through this issue. Nice to enjoy that kind of a partnership. rih

On Fri, Jun 12, 2015 at 11:07 AM, Michael Postma <MPostma@slco.org> wrote:

Judge Hansen and Peyton,

I wanted to follow-up with both of you on the issue of summonses. I appreciated the time you took to talk with me the other week and your willingness to work with us in resolving this issue. I understand that since the court has instituted e-filing that the court does not want to create additional paperwork. Accordingly, we previously discussed sending Notice that the summons has been issued by the court to a designated email box. We certainly are willing to proceed in that manner. We have worked with the Unified Police Department in creating a designated email box. That email address is [UPD-CivilUnit@updsl.org](mailto:UPD-CivilUnit@updsl.org). If we could have the court simply send the Notice of the issuance of a summons to that email address, the summons will then be properly served. UPD will then provide proof of the service of the summons to the court. I believe that this is in keeping with the discussion we previously had on this matter. Again, I thank you for your help and cooperation on this important issue. If you have any questions please do not hesitate to contact me.

Thanks,

Mike

Michael Postma

Division Administrator

Salt Lake County District Attorney's Office

Direct: (385) 468-7669

Office Main: (385) 468-7600

## Lisa Ashman

---

**From:** Michael Postma  
**Sent:** Friday, August 14, 2015 4:18 PM  
**To:** Lisa Ashman  
**Subject:** FW: Court Notices and court summons

Michael Postma  
Division Administrator  
Salt Lake County District Attorney's Office  
Direct: (385) 468-7669  
Office Main: (385) 468-7600

**From:** Debra Moore [mailto:debram@utcourts.gov]  
**Sent:** Friday, July 17, 2015 8:40 AM  
**To:** Blake Nakamura  
**Cc:** Judge Randall Skanchy; Judge Royal Hansen; Michael Postma; Peyton Smith  
**Subject:** Re: Court Notices and court summons

Blake,

On your first concern regarding court-generated notices, I'm not sure I understand the question. It might be helpful for you to send me an example.

On your request regarding summonses, I understand that Mike Postma and Peyton Smith recently met and discussed whether Notices of Electronic Filing for summonses could be electronically routed through e-filing to a different or secondary email address. Unfortunately, e-filing does not identify particular types of NEFs and route those separately. We do not plan to program e-filing to add that function. However, your office may be able to accomplish essentially the same thing by using the forwarding, filtering, rules or similar function of your email system.

Debra

On Fri, Jul 10, 2015 at 10:45 AM, Daniel Larsen <danielbl@utcourts.gov> wrote:

Blake,

Email notice is currently not sent to parties when certain court activity occurs. A system enhancement that will begin sending these notices has been in development for some time, and testing with external vendors is underway. I cannot provide a timeline for when that feature will become available due to the extensive testing required, but I hope it will be available soon.

I was only tangentially involved in the discussions concerning service of summonses, and was not aware of the agreement. Unfortunately, I will not be able to assist you with this issue as this is my last day with the AOC and I must complete several other pressing tasks. However, I have copied Debra on this reply and she can follow up if Third District staff are not able to respond to your concerns.

Thank you,

On Fri, Jul 10, 2015 at 10:30 AM, Blake Nakamura <[BNakamura@slco.org](mailto:BNakamura@slco.org)> wrote:

Daniel,

We have discovered that when a court sends notices through the efilings system regarding particular cases, the notices are not being addressed/sent to the prosecutor of record and only being sent to the team/judge email addresses. We trust this is a simple oversight and not the result of any protocol changes since all mailings on a case should go to all email addresses of record. For clarity, only notices generated by the court seem to be missing the email addresses. Efilings by parties are being mailed to all email addresses of record on a case.

I'm also writing to follow up on the processing of summons. As you recall, we had an issue arise earlier this year over the processing of summons. The court would only process an electronic version of the summon and would not print a paper copy for service. After a meeting on the subject with a group of clerks and Judge Hansen, Judge Hansen requested that we provide the court with an email address through which electronic versions of the summons would be sent after processed by the court. We provided that email address several weeks ago and still have not heard back from the court on whether it will begin to send processed summons to that email address. Our concern, of course, is while this process is pending summons are backing up or not being used in cases where a summons would be appropriate. Both consequences are beginning to tax the system unnecessarily.

Please look into both issues and advise on any support we can provide to expedite the resolution of both issues.

Thank you.

Blake A. Nakamura

Chief Deputy, Justice Division

Salt Lake County District Attorney's Office

111 E. Broadway, Suite 400

Salt Lake City, Utah 84111

Office [385.468.7600](tel:385.468.7600)

Direct [385.468.7653](tel:385.468.7653)

Cell 

***PLEASE NOTE NEW OFFICE NUMBERS***

--

Daniel B. Larsen  
District Court Program Administrator  
Utah Administrative Office of the Courts  
(801) 578-3938

--

Debra J. Moore, District Court Administrator  
Utah Administrative Office of the Courts  
P. O. Box 140241  
Salt Lake City, UT 84114-0241  
801-578-3971

# Attachment 9

**Lisa Ashman**

---

**From:** Michael Postma  
**Sent:** Friday, August 14, 2015 4:18 PM  
**To:** Lisa Ashman  
**Subject:** FW: Court Notices and court summons

Michael Postma  
Division Administrator  
Salt Lake County District Attorney's Office  
Direct: (385) 468-7669  
Office Main: (385) 468-7600

**From:** Debra Moore [mailto:debram@utcourts.gov]  
**Sent:** Friday, July 17, 2015 8:40 AM  
**To:** Blake Nakamura  
**Cc:** Judge Randall Skanchy; Judge Royal Hansen; Michael Postma; Peyton Smith  
**Subject:** Re: Court Notices and court summons

Blake,

On your first concern regarding court-generated notices, I'm not sure I understand the question. It might be helpful for you to send me an example.

On your request regarding summonses, I understand that Mike Postma and Peyton Smith recently met and discussed whether Notices of Electronic Filing for summonses could be electronically routed through e-filing to a different or secondary email address. Unfortunately, e-filing does not identify particular types of NEFs and route those separately. We do not plan to program e-filing to add that function. However, your office may be able to accomplish essentially the same thing by using the forwarding, filtering, rules or similar function of your email system.

Debra

On Fri, Jul 10, 2015 at 10:45 AM, Daniel Larsen <danielbl@utcourts.gov> wrote:

Blake,

Email notice is currently not sent to parties when certain court activity occurs. A system enhancement that will begin sending these notices has been in development for some time, and testing with external vendors is underway. I cannot provide a timeline for when that feature will become available due to the extensive testing required, but I hope it will be available soon.

I was only tangentially involved in the discussions concerning service of summonses, and was not aware of the agreement. Unfortunately, I will not be able to assist you with this issue as this is my last day with the AOC and I must complete several other pressing tasks. However, I have copied Debra on this reply and she can follow up if Third District staff are not able to respond to your concerns.

Thank you,

On Fri, Jul 10, 2015 at 10:30 AM, Blake Nakamura <[BNakamura@slco.org](mailto:BNakamura@slco.org)> wrote:

Daniel,

We have discovered that when a court sends notices through the efilings system regarding particular cases, the notices are not being addressed/sent to the prosecutor of record and only being sent to the team/judge email addresses. We trust this is a simple oversight and not the result of any protocol changes since all mailings on a case should go to all email addresses of record. For clarity, only notices generated by the court seem to be missing the email addresses. Efilings by parties are being mailed to all email addresses of record on a case.

I'm also writing to follow up on the processing of summons. As you recall, we had an issue arise earlier this year over the processing of summons. The court would only process an electronic version of the summon and would not print a paper copy for service. After a meeting on the subject with a group of clerks and Judge Hansen, Judge Hansen requested that we provide the court with an email address through which electronic versions of the summons would be sent after processed by the court. We provided that email address several weeks ago and still have not heard back from the court on whether it will begin to send processed summons to that email address. Our concern, of course, is while this process is pending summons are backing up or not being used in cases where a summons would be appropriate. Both consequences are beginning to tax the system unnecessarily.

Please look into both issues and advise on any support we can provide to expedite the resolution of both issues.

Thank you.

Blake A. Nakamura

Chief Deputy, Justice Division

Salt Lake County District Attorney's Office

111 E. Broadway, Suite 400

Salt Lake City, Utah 84111

Office [385.468.7600](tel:385.468.7600)

Direct [385.468.7653](tel:385.468.7653)

Cell [REDACTED]

***PLEASE NOTE NEW OFFICE NUMBERS***

--

Daniel B. Larsen  
District Court Program Administrator  
Utah Administrative Office of the Courts  
(801) 578-3938

--

Debra J. Moore, District Court Administrator  
Utah Administrative Office of the Courts  
P. O. Box 140241  
Salt Lake City, UT 84114-0241  
801-578-3971

# Attachment 10

.tam

**From:** Pam Stam  
**Sent:** Friday, May 22, 2015 8:50 PM  
**To:** 'Marlene Bills'  
**Cc:** Christine Davies; Julie Rigby; Michael Postma; Lisa Ashman; Cindy Westover; Rob Neill; Blake Nakamura  
**Subject:** RE: Unserved summons

Hi Marlene,

I've efiled documents as I've listed below.

Please note the highlighted cases. These are cases that either do not belong to the District Attorney's Office, or have issues related to them that the Court first needs to address before subsequent filings can occur, or a lack of clarity exists for the request.

Let me know if you have any questions. Thanks so much!

- ~~151901408, Mohamed Ali, DA #14030524 – Efiled Second Proposed Summons~~ *Adjudicated - Δ arrested. Court sent to ADC.*
- ~~151901704, David Allen – NOT A DISTRICT ATTORNEY'S OFFICE CASE~~
- ~~151904378, Shanna Allred, DA #15008602 – Efiled Second Proposed Summons~~ *Set IA - Δ PTA'd - warrant issued*
- ~~151900668, Arthur Anderson, DA #15000791 – Efiled Second Proposed Summons~~ *Set IA - Δ PTA'd - warrant issued.*
- ~~151902174, Lee Archuletta, DA #15001816, - Efiled Proposed Warrant~~ *→ warrant issued on 5/26*
- ~~151902182, Chase Barron, DA #15002166 – Efiled Second Proposed Summons~~ *Δ arrested - Court sent to ADC*
- ~~151901263, Andrew Bills, DA #15000953 – Efiled Second Proposed Summons~~ *Set IA - Δ PTA'd - warrant issued.*
- ~~151900598, Brent Brewer, DA #14028975 – Efiled Second Proposed Summons~~ *Set for IA 6/30 - docketed Δ PTA'd warrant issued on 6/2*
- ~~151904764, Michael Byrd, DA #15008402 – Efiled Proposed Warrant~~ *→ warrant issued on 5/26*
- ~~151901426, Brandy Clawson, DA #14029686 – Efiled Second Proposed Summons~~ *Set IA - Δ PTA'd - warrant issued.*
- ~~151901749, David Dyer, DA #15002839 – Efiled Second Proposed Summons~~ *Δ arrested - Court sent to ADC*
- ~~151900694, Sean Ghavidel, DA #14029220 – Efiled Second Proposed Summons~~ *Set IA - Δ PTA'd - warrant issued*
- ~~151903877, Anastasia Greuber, DA #15005824 – Efiled Second Proposed Summons~~ *Δ arrested - Court sent to ADC*
- ~~151900666, Samantha Holladay, DA #14030703 – Efiled Second Proposed Summons~~ *Set IA - PTA'd - warrant issued*
- ~~151904199, Nevada Jacobsen, DA #15008047 – Efiled Proposed Warrant~~ *→ warrant issued on 5/26*
- ~~151900672, Nicole Jensen, DA #14023827 – Efiled Second Proposed Summons~~ *Set IA - PTA'd - warrant issued*

- 151900604, Jaren Johnson, DA #14024732 – Efiled Second Proposed Summons *Set IA - APTAd warrant issued*
- 151902972, Taylor Jordet, DA #14024865 – Efiled Second Proposed Summons *Set IA - APTAd warrant issued*
- 151901392, Nathan Kelso, DA #14030368 – Efiled Second Proposed Summons *Arrested - Court sent to ADC*
- 151900105, Alonzo Kindred, DA #15006129 – Efiled Motion and Proposed Order to Dismiss to refile through the Salt Lake County Justice Court *Dismissal order signed on 6/1/15 by PBM*
- 151901448, Leon Lashlee, DA #15002061 – Efiled Second Proposed Summons *Set IA - APTAd - warrant issued*
- 151901653, Jason Madrigal, DA #15002909 – Efiled Second Proposed Summons *Set IA - APTAd - warrant issued*
- 151901253, Martin Maestas, DA #15001396 – Efiled Second Proposed Summons *Set IA - APTAd - warrant issued*
- 151901600, Jerry Marks, DA #15002898 – Efiled Second Proposed Summons *Set IA - APTAd - warrant issued*
- 151901247, Nathan Medrano, DA #14029655 – Efiled Second Proposed Summons *Set IA - APTAd - warrant issued.*
- 151901509, Chelsea Nicholes, DA #15002248 – Efiled Second Proposed Summons *Arrested. Court sent to ADC*
- 151901642, Brian Ortega, DA #15002535 – Efiled Second Proposed Summons *Arrested on IA warrant*
- 151900658, Frank Parker, DA #14028991 – Efiled Second Proposed Summons *Arrested - Court sent to ADC*
- 151905520, Debra Parking, DA #15009738 – District Attorney's Office can't efile a second proposed Summons, until the Court moves the case to West Jordan. Otherwise, the second Summons will simply go into the Salt Lake Court queue and be declined
- 151900951, Rhit Pulley, DA #14030182 – Efiled Second Proposed Summons *Set IA - APTAd - warrant issued*
- 151905491, Lerry Ramirez, DA #15008061 – District Attorney's Office can't efile a second proposed Summons, until the Court moves the case to West Jordan. Otherwise, the second Summons will simply go into the Salt Lake Court queue and be declined
- 151900749, Anthony Roland, DA #14009293 – Efiled Second Proposed Summons *Arrested on IA warrant*
- 151903534, Michael Spidle, DA #15006021 – Efiled Motion and Proposed Order to Dismiss to refile through the Salt Lake County Justice Court *Dismissal order signed on 5/26/15 by JLB*
- 151901540, Chase Thompson – NOT A DISTRICT ATTORNEY'S OFFICE CASE
- \* 151904106, Tuck Landscaping, DA #15003684, Docket reflects that a second proposed Summons was issued by Judge Shaughnessy 2 days ago on May 19<sup>th</sup>. It is unclear what further action is required. *ARR 6/30 - still going through.*
- 151903224, Marcelo Veizaga – NOT A DISTRICT ATTORNEY'S OFFICE CASE
- 151900054, April Walton, DA #14027844 – Efiled Second Proposed Summons *Set for IA 6/30 - docketed  
A PTA'd - warrant issued 6/2*
- 151901734, Kevin Western – NOT A DISTRICT ATTORNEY'S OFFICE CASE
- 151914536, Ashley Williams, DA #14022528 – Efiled Second Proposed Summons *Set for IA 6/29 - docketed on 6/1  
APTAd - warrant issued*

Set IA - Affid - warrant issued.

**From:** Marlene Bills [mailto:marleneb@utcourts.gov]  
**Sent:** Friday, May 22, 2015 1:22 PM  
**To:** Pam Stam; Michael Postma  
**Cc:** Christine Davies; Julie Rigby  
**Subject:** Unserved summons

As I have been going through the report of cases with summons' I thought I should bring to your attention cases that the summons was not signed and returned to your office for various reasons. I am guessing that you will want to resubmit the summons or warrant so we can get these cases on track.

151901408, 151901704, 151904378, 151900668, 151902174, 151902182, 151901263, 151900598, 151904764, 151901426, 151901749, 151900694, 151903877, 151900666, 151904199, 151900672, 151900604, 151902972, 151901392, 155900105, 151901448, 151901653, 151901253, 151901600, 151901247, 151901509, 151901642, 151900658, 151905520, 151900951, 151905491, 151900749, 151903534, 151901540, 151904106, 151903224, 151900054, 151901734, 141914536, 151901391.

Please feel free to contact me if you have any question or concerns.

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*Marlene Bills*  
*Criminal Case Manager*

# Attachment 11

**Lisa Ashman**

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**From:** Blake Nakamura  
**Sent:** Friday, January 30, 2015 2:48 PM  
**To:** 'Debra Moore'  
**Cc:** 'Judge Royal Hansen'; Peyton Smith; Sim Gill; Lisa Ashman; Pam Stam  
**Subject:** Warrants not being listed on NCIC

**Importance:** High

Debra,

We have encountered another issue with e-filing of Informations on jail cases. Apparently, not only were the warrants not faxed or emailed to the jail, they also were not listed on UCJIS or NCIC. Without being listed on those systems, the subjects will not be arrested despite police contact and an outstanding warrant.

This issue may seem fairly benign. It is not. When police make contact, their safety is severely compromised if they are unaware that the person they are engaging has an outstanding warrant. You can imagine a subject's state of mind who thinks he has warrant when he's engaged by the police. Officers who are not aware of that state of mind are at a distinct disadvantage in that situation.

Also, summons are apparently not being processed. We received a call today on a case for which a summons was supposed to issue. For unknown reasons, it did not. Subject's counsel apparently saw that charges were filed and summons issued, but it was never served and counsel was attempting to surrender subject.

We are prepared to continue to file jail cases in paper form due to the current issue with jail cases until we hear differently. Please advise immediately if that is not the case.

Thanks.

**From:** Pam Stam  
**Sent:** Thursday, January 29, 2015 7:16 AM  
**To:** Lisa Ashman; Blake Nakamura; Sim Gill  
**Subject:** FW: re: E-File  
**Importance:** High

Just as a heads up for all of you. Below is the information on 2 jail cases that we e-filed prior to Judge Hansen's direction to return to paper filings on jail cases.

**From:** Dan Troester  
**Sent:** Thursday, January 29, 2015 6:29 AM  
**To:** Pam Stam  
**Cc:** Cindy Westover  
**Subject:** re: E-File

Richard Byrne DAO# 15002016 Court: 151901085 The case was filed in time and the warrant issued on the PFR date. However, the court never sent the warrant to the jail and he was released. I checked the statewide warrant system on UCJIS and the warrant was not listed. By not placing the warrant on the statewide system the Jail had no way of knowing the warrant existed. No warrant shows on UCJIS so he will not be arrested if he is stopped by a Police Officer.

Shilone Jackson DAO# 14029872 Court: 151901072 The case was filed and the warrant issued. He is in jail on several charges which held him. The court never sent the new warrant to the jail and the warrant is not on the state system. I had to go into the court system and print out a copy of the warrant and serve it at the jail. Had I not checked this one the prisoner would have never been held on the charge. If he had been released as Richard Byrne was, no warrant would have been listed so he would not be arrested on the charge.

**Sergeant Dan Troester**

Investigations Division  
Warrants/Fugitives Unit  
Unified Police Department  
385-468-9794

Email: [dtroester@updsl.org](mailto:dtroester@updsl.org)



# Attachment 12

**Lisa Ashman**

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**From:** Blake Nakamura  
**Sent:** Tuesday, February 10, 2015 3:56 PM  
**To:** 'Debra Moore'; Judge Royal Hansen  
**Cc:** Sim Gill; Lisa Ashman; Pam Stam; Michael Postma  
**Subject:** Efiling Informations

Dear Debra and Judge Hansen:

You'll recall at the meeting last Friday, we all agreed to try to file custody cases before 2:00, but if we filed a custody case after 2:00 that we would put the release date in the "notes" section. That would allow the clerks to identify those cases they need to work on that day to maintain the custody status of the subject.

When I came back to the office on Monday and advised our staff of the agreement we reached, I was told shortly thereafter that there is no "notes" section in which to put the subject's release date. I then emailed the court staff to inquire about the location of the "notes" section. I have not received any response. However, I was just told by our staff that they were in contact with court staff and were informed that no "notes" section exist and that it would have to be designed.

I am certain that upon learning of this that both of you have to be as frustrated as we are. We all put the time and effort to meet to resolve the issues only to be informed that the solution recommended by the court and agreed by the parties is not possible; the court's electronic system does not have that feature. It is disheartening and very concerning when we agree upon a solution recommended by the court staff that is not viable.

Forgive me for being a little short, but the court has to be more informed about its system. None of us have spare time to meet for an unproductive, and dare I say counter-productive, meeting.

There is another problem happening with the system – it is backed up. We can't efile anything right now, let alone send an email. Whatever the issue is, it is seemingly causing all electronic communication with the court to freeze. According to the help desk, the back-up is likely to last an hour! That issue begs the question, if there were a filing deadline, how would that be calculated? When we *try* to efile the information? Keep in mind that it is common for the system to starting slowing around noon and freeze altogether before 2.

Pursuant to our agreement last week, we will put the release date in the "notes" section when that is built. If we need to consider another solution, please let us know when we can meet to discuss an alternative. A meaningful solution to the issues plaguing custody cases and the back-up of cases in the system has to be a priority. In our experience, it will only be a matter of time before a release of a subject occurs that should not have and somebody is victimized because of the erroneous release.

Thank you for reviewing these issues and working toward a system that works for all.

# Attachment 13

**Lisa Ashman**

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**From:** Pam Stam  
**Sent:** Wednesday, August 05, 2015 10:15 AM  
**To:** Marlene Bills; Julie Rigby (julier@utcourts.gov); Susan Purdy  
**Cc:** Cindy Westover; Lisa Ashman; Michael Postma; Blake Nakamura; Shannon Mattson; Amy S. Nisar  
**Subject:** Paper filing?  
**Importance:** High

Marlene/Julie/Susan,

We have a Sexual Abuse of a Child case that we need to get filed. The defendant's last name is "Mondragon" and we have been unable to enter it into EFlex because according to Maurie, any last name that has an **ON** it will glitch in the system. Consequently, we receive an input error every time we attempt to enter the case. Maurie has stated that they are working to correct the problem. However, we have attempted for 2 days to get this case entered into the EFlex system and have been unable to do it.

We need to get this case filed ASAP. Can you accept a paper filing on it and enter it in on your end?

Please let me know as we can longer wait for a fix on this one.  
Thank you so very much.

*Pam Stam*

Office Manager - Justice Division  
Salt Lake County District Attorney's Office  
(385) 468-7600  
FAX (385) 468-7737

*"Hear the meaning within the word" - William Shakespeare*

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