



Project co-funded by the
CIVIL JUSTICE PROGRAMME
of the EUROPEAN UNION

iSupport

cross-border recovery
of maintenance obligations
*pour le recouvrement
transfrontière des
obligations alimentaires*

iSupport Functional Requirements Working Group (1) – Meeting (3) – 2 February 2015 Meeting

Draft Report of Meeting n°3

List of Participants

Experts	iSupport Team
Natasha BUTLER (France) Cameron COWPER (Canada) Daphne De WIT (The Netherland) Alisha GRIFFIN (United States of America) Arnaldo JOSÉ ALVES SILVEIRA (Brazil) Pietari KORTEKANGAS (Finland) Haldi KOIT (Estonia) Tanja NIEMI (Finland) Marketa NOVAKOVA (Czech Republic) - excused Inese PLONE (Latvia) Tobias PLUM (Germany) Siri RISNES (Norway) Hannah ROOTS (NCSEA) - excused	Philippe LORTIE Brigitte VOERMAN Juliane HIRSCH (Chair) Marie VAUTRAVERS

1. Introduction

1. Philippe Lortie, First Secretary, opened the meeting. He welcomed the participants to the Functional Requirements Working Group Meeting and confirmed the roll-call made by Videobutler.

2. Follow-up – Last Meeting

2. Juliane Hirsch, Legal Consultant to the iSupport Project, started the meeting by thanking all the experts who sent examples of template letters to the iSupport team. She then asked the Working Group experts whether there were, at this stage, any additional remarks concerning the topics dealt with at the last meeting.

3. An expert from the United States of America indicated that they had internal discussions on the definition of a case. She expressed concerns with regard to the opening of a separate case for each application and / or request concerning the same parties. She

indicated that this could overload the system overtime and might lead to confusion in the case handling. With regard to the iSupport case number, she suggested the case number to start with the name of the participants, then followed by the type of service action (*i.e.*, application name and request). She mentioned that this could provide more flexibility in the way to carry forward cases. She mentioned that she would send written comments on the matter. Philippe Lortie indicated that the iSupport team also had further discussed the matter following the last meeting and explained that it was envisaged to re-discuss the topic at a later meeting. Further to a question by Philippe Lortie with regard to the use of the term “participants”, the expert from the United States of America explained that the term “participants” could include both the States involved in this case and the “parties” *per se*. Philippe Lortie expressed some concerns about the parties’ names appearing in the case number (many States anonymised cases for protection of data purposes). The expert from the United States of America indicated that there could be ways to mask the parties name and to show only the case number where relevant.

3. Items for discussion /decision

Cross-references – connecting cases

4. Juliane Hirsch explained that iSupport will offer the option to connect cases. There will be a field called “cross-references” or “connected cases” where the connected cases will be displayed *e.g.*, when the same debtor is connected to two different cases. For all cases which have an iSupport number there could be a direct “link” to connected cases *i.e.*, when the caseworker clicks on this “link” the relevant other case will open in a separate window. In addition, there will be the possibility to insert a cross-reference to older cases, which will not have an iSupport number but only a national reference number. Here there will, however, be no “link-function”. She further explained that as to the choice of which cases could be connected a recommendation could be made (in the help text for example) but that it would be left to the discretion of the caseworker to connect or later disconnect the cases. The recommended connections would be based, for example, on the name of the parties (applicant, debtor, creditor) and on the names of the children (creditor).

5. This approach was endorsed by the Working Group.

Caseworker designation, sub-caseworker

6. Juliane Hirsch made reference to the fact-finding missions, which have shown that Central Authorities in some States have more than one person working on a case. She stated that it was important to assess the need of Central Authorities to assign more than one caseworker per case. She mentioned that in the current system in Germany, for example, there is a caseworker and an assistant caseworker. She further explained that should several caseworkers be assigned to a case it needs to be discussed whether they would have the same rights in handling the case. She noted that this question was closely linked to the “roles” question and the “workflow” discussion, both of which are going to be on the agenda of later meetings. Juliane Hirsch suggested that in iSupport a principal caseworker would be assigned for each case and that the system would offer the possibility to assign two further persons per case.

7. Juliane Hirsch invited States who need more than one person assigned to a case to speak-up and to explain their needs. An expert from Germany indicated that they would need at least three persons: the responsible caseworker, the sub-caseworker and the enforcement caseworker. He also mentioned that it was important for the manager to have access to the cases. He clarified that the three persons have full editing rights to up-date the case and that they have different deadlines to meet in relation to the case.

8. Several experts, including experts from Estonia, Finland and Latvia, noted that their Central Authorities only had a very limited number of caseworkers and that all of them

were generally able to work on all cases. An expert from Estonia asked whether it would be possible to temporary “assign” cases to other caseworkers for holiday reasons. Juliane Hirsch responded that it should not be a problem to allow a caseworker to work the case of a colleague during that colleague’s absence. The experts from Finland both indicated that the caseworkers of their respective authorities would need to have access to all cases but that there would be no problem if one of them would be designated as the principal caseworker. An expert from Brazil indicated that, like in Finland, in his country cases are not assigned to one specific person. Every caseworker works on every case. Therefore it would be useful not having to designate a specific caseworker per case. He, however, noted that should iSupport assign a principal caseworker it would be acceptable provided that it would not stop others from working on that case.

9. Juliane Hirsch noted that the designation of a principal caseworker for each case with the possibility to assign two further persons per case would be an acceptable suggestion. Seeing that many Central authorities currently do not assign cases to specific caseworkers, Philippe Lortie asked whether the experts considered that the designation of a specific caseworker to cases would be a necessary requirement. Experts from Canada, the Netherlands and the United States of America responded positively. Further to this point, Juliane Hirsch indicated that the iSupport team will try to accommodate Central Authorities’ needs of different types work organisation when developing iSupport (*i.e.*, designation of specific caseworkers to a case and open collaboration) with a view to making the system work for everyone. There was general agreement in the Working Group with this approach.

10. Juliane Hirsch mentioned that iSupport would offer tools to facilitate the co-operation between different caseworkers working the same case. She stated that iSupport could include a function that allows to track who last worked on the case. There would be a button “Info on last update” which once clicked would display, in a separate screen, the username of the last caseworker who edited the case and the date of the last modification. An expert from Finland indicated that they have this function in their system and that this is a very helpful tool. The Working Group agreed with the suggestion.

Data management approaches – “person based” and / or “case based” approach

11. Juliane Hirsch indicated that a number of systems currently provide a “client and case based” approach as opposed to a purely “case based” approach *i.e.*, the data on the persons and bodies involved is kept in a place independent from the case data. If a new case is opened, the client characteristics will be entered in a separate place and a link will be made between that client data and the case. The advantage of the “client based” collection of personal data is that any update on addresses can be done centrally. It would be possible to keep a comprehensive address history, which can be very helpful to track the debtor. She mentioned that, on the other hand, States would have to check their national data protection and privacy laws with regard to the question of whether client based data collected in one case, including all the data history, could be used in another case without any restrictions.

12. Juliane Hirsch stated that the iSupport team would suggest collecting case characteristics and client characteristics separately in iSupport. The Working Group supported the suggested approach.

Domestic violence cases – Identification of a case as domestic violence case by the caseworker / Making contact information inaccessible

13. Juliane Hirsch indicated that iSupport will be designed in a way to assist States in fulfilling their Regulation and Convention obligations not to disclose information that could jeopardize the health, safety or liberty of a person. With a view to making certain that the issue is addressed, there will be two tick boxes which will require the caseworker to identify whether the case is or is not a domestic violence case: YES and NO. If the caseworker has

ticked "YES", all contact information, including address and bank details will be under special protection. Juliane Hirsch remarked that the Regulation only refers to address details while the Convention goes further referring to contact data. The Convention forms indicate that bank account information is also under protection. Juliane Hirsch suggested taking the broadest protection approach possible by opting for the "Convention approach" in the whole system.

14. Juliane Hirsch explained that once a case is identified as a domestic violence case in the system, a filter will be applied when generating the Regulation or Convention forms to protect the sensitive information. She indicated that further details will be discussed in connection with the forms. She remarked that, as concerns the visibility of the sensitive data in the case management system, the need of States to restrict viewing access inside the Central Authority has to be assessed. She noted that the fact-finding missions have shown that in a number of States, all caseworkers can view all cases including domestic violence cases and they also have viewing access to the sensitive information. There are, however, Central Authorities (such as in Norway) where sensitive data in domestic violence cases is made inaccessible to the majority of the caseworkers; there, only a few caseworkers with special access rights can view and edit these cases.

15. Juliane Hirsch explained that should there be a need in iSupport to restrict the viewing access of domestic violence cases inside the Central Authority, this could be accommodated by introducing two different caseworker roles: one with and one without access to certain screens in cases that are identified as domestic violence cases.

16. Juliane Hirsch asked whether there would be opposition to the following three suggestions: 1) the YES / NO tick-boxes; 2) choosing the wider Convention approach to the protection of sensitive contact data; and, 3) that iSupport would allow Central Authorities to restricted viewing access of sensitive contact data. There was general agreement in the Working Group with the suggestions. An expert from Estonia wanted to verify whether it would be possible to modify the choice made with the YES / NO tick-boxes should the case later turn out to be a domestic violence case. Juliane Hirsch responded that it would be possible to go from NO to YES but not the reverse (to guarantee effective protection of domestic violence victims). An expert from the United States of America explained that also in their system the viewing of domestic violence cases is managed through roles. She explained that this would mean that caseworkers who are not assigned to the case would know that it exists but would not see the sensitive content.

17. An expert from the United States of America and an expert from Canada noted that in domestic violence cases where the contact information is not accessible to the requested Central Authority it would be important to find a solution or protocol between Central Authorities to make contact with the protected person should a court hearing in the requested State be required.

Restricted access cases

18. Juliane Hirsch explained that there will be a separate category of "restricted access" cases. These are cases that for certain reasons should have a particular protection, for example cases that relate to famous persons. iSupport will offer the possibility to identify a case as a "restricted access case" in a tick box. As a consequence only caseworkers with a special role or a caseworker specifically assigned to that case would be able to view and edit the case. Should another caseworker use the case search function he / she would, when entering the case number, receive a notice that the case exists but that it is a restricted access case.

19. Experts from the Netherlands, Estonia, Latvia and Germany indicated that their systems do not provide for such restricted access cases and that they would, at this stage, not need such a function. Experts from the United States of America and Canada indicated a necessity for such a function. Juliane Hirsch noted the different needs of Central Authorities and indicated that again the matter could be addressed in a flexible way in

iSupport through the roles definition. This way it would be up to each Central Authority to decide whether restricted access cases should be assigned to specific caseworkers. If not, all caseworkers would have access to these cases. She noted that Central Authorities that do not use the concept of “restricted access” in their current practice could simply ignore the tick-box option “restricted access”.

Identification of the case as Regulation / Convention or other international instrument case – Automation / Content of drop-down menu / Extent of guidance by the person

20. Juliane Hirsch noted as a first remark, that it was intended to offer three categories of cases under iSupport: Regulation cases, Convention cases and other international instruments cases. She noted that it would have to be discussed whether for the category “other cases”, a number of still commonly used other international instruments, such as the New York Convention, should be listed in a sub-menu.

21. Juliane Hirsch explained that iSupport when fed with all the necessary information would be able to identify whether a case falls within the scope of the Regulation or the Convention. She noted, however, knowing the complexities around the temporal scope of the Regulation and the reservations and declarations extending or limiting the Convention scope (information which may not always immediately be updatable in the system), that the system check might not in 100 % of the cases give the correct result.

22. Juliane Hirsch stated that the suggested approach for iSupport would be to allow the caseworker to choose the category of the case: “Regulation” / “Convention” / “Other instrument” from a drop down menu. A system check would be offered on demand. There could be a button labelled “check”. As stated, the system check would show the correct result in the vast majority of cases but not all. Therefore, should there be a discrepancy between the category identified by the caseworker and the one identified by the system, it will be for the caseworker to double-check that the category he / she has chosen is correct.

23. Juliane Hirsch explained that the proposed approach would be in line with the general policy suggested for iSupport as being a system that offers assistance but does not impose it.

24. Juliane Hirsch asked the expert whether they would support the approach suggested. There was general agreement in the Working Group with the suggested approach.

25. Some experts, including an expert from Estonia asked whether it would be possible for individual Central Authorities to list specific other instruments as a sub-category of the category “Other instruments”. It was noted that a list of sub-categories would also be helpful with a view to generate statistics from the system. Brigitte Voerman, iSupport Project Director, indicated that it would be difficult to provide Central Authorities with a tool to customise the drop-down menu for “Other instruments”. Philippe Lortie recalled that it was of major importance to identify the cases as Regulation or Convention cases so that the proper forms (*i.e.*, Regulation or Convention forms) could be provided by the system accordingly. As for other international maintenance cases, he indicated that apart from Convention forms iSupport would not offer other forms for these cases. On that point, it was recalled that it had been decided in the first Working Group meeting, that iSupport could be used to manage cases falling under other instruments. Juliane Hirsch noted the wish of certain Central Authorities to have a pre-set list of sub-categories of other instruments. It was agreed that as a minimum iSupport would offer a free text field to indicate which other instrument applies in the case.

Search of a case – List of search criteria / Functionality of the search

26. Juliane Hirsch explained that iSupport will offer a comprehensive search tool. She indicated that the search criteria could include the following items:

- Name debtor (iSupport allows a search by full name or by last name and only the first letters of the first name)
- Name creditor (iSupport allows a search by full name or by last name and only the first letters of the first name)
- Case number
- Date of birth of persons concerned
- ID numbers or social security numbers of persons concerned
- iSupport number
- National reference number.

27. Juliane Hirsch added that further search fields could include the applicant name, the name of a public body and the name of the child. She explained that the search will display the relevant case or, if there is more than one case with the same search criteria, it will list all cases that correspond to the search. The list will be a list of links the caseworker can click on to view the case (unless the case is a restricted access case, see above).

28. Juliane Hirsch asked the experts whether they would need other search criteria. An expert from Norway suggested that the bank account number be added. A long discussion followed with regard to different types of identification numbers and social security numbers and the fact that it is sometimes difficult to associate them with a country. An expert from Estonia suggested that all identification numbers concerning a person / case should be searchable at once to which an expert from the United States of America agreed. An expert from Brazil noted that a search by income tax or federal tax number would be helpful too. Juliane Hirsch noted that iSupport would have to provide separate fields for these numbers to make them searchable. Experts from Canada and Estonia both suggested to add aliases ("also known as") as search fields. An expert from the Netherlands indicated that it would be important to search by the birth name of the mother. Juliane Hirsch noted that as a result, both the "alias" and the "birth name of the mother" will have to be added as fields under the "client characteristics", which would have to be kept in mind when discussing the relevant screens.

29. An expert from the United States of America noted that it would be important to allow for combined searches, *i.e.* to enter three different search criteria and to get a combined result. An expert from Germany suggested that the system provide for the possibility to further refine search results, *i.e.* to allow for a search inside the search results.

Interfaces with national databases / registers

30. Juliane Hirsch explained that iSupport will not provide for interfaces with other existing national databases (*e.g.*, income tax) or registries (*e.g.*, population registries). However, iSupport will be equipped so that States could add their own interfaces. The necessary documentation will be provided with the system so that States can do their own mapping.

31. An expert from France asked whether it would be possible to have interfaces with other authorities in France. It was explained that iSupport would be equipped to allow interfaces to be put in place but that it would be the responsibility of each State to develop such interfaces. An expert from Estonia noted that they currently used the Internet to connect to their population registry. She queried whether in iSupport this will still be possible. Juliane Hirsch confirmed and stated that iSupport will not influence the ability of caseworkers to use the Internet from their office computer.

Address data and how it is updated

32. Juliane Hirsch addressed some general issues with regard to collection of address data. She noted that it was important to keep track of the source of the address information. She referred to the results of earlier discussions on the logging of changes and recalled the special status that address data would be given in iSupport with regard to making accessible the history of the address field for the caseworker. The caseworker would be able to see the full list of old address data as well as who changed it and when. Juliane Hirsch asked whether iSupport should provide for one or two active addresses. She noted that in the Convention forms there are two addresses: the residential address and a postal address, while the Regulation forms only have one address field.

33. An expert from Estonia indicated that maybe three active addresses would be needed in an individual case: place of living, contact address and place of work. She commented that there could be more than three addresses. Philippe Lortie remarked that other addresses connected to a specific case could be found in the contact details of other persons connected to the case such as the employer (for enforcement reasons), the bank (for enforcement reasons), an attorney (for representation purposes), etc. It was agreed to allow the entry of at least two active addresses. It was noted that if there is more than one active address, the system must allow the caseworker to choose which of these addresses would be used for the population of the forms. This will be discussed in further detail in the Working Group meetings discussing the forms.

Notes for caseworkers

34. Juliane Hirsch suggested that the iSupport system provides for the possibility to post notes on a case. The caseworker would have access to a free text field to enter notes on a case for him / herself and / or colleagues. When "saved" the note would be time stamped and would, together with the username of the caseworker, be displayed as the first item in a list (the "note board") below the free text field. This "note board" could be expanded to show all existing notes the most recent ones being on top. Once a note is saved and appears in the "note board", it would not be possible to edit or delete these notes.

35. There was general agreement in the Working Group concerning the introduction of a note board in iSupport. However, there was disagreement among the experts whether the notes should or should not remain editable.

36. An expert from Germany noted that in their current system notes would be editable and changeable, since they were purely internal notes. He wondered if iSupport could not offer this option too. Juliane Hirsch and Philippe Lortie explained that in many States any information appearing in a case would be subject to data protection and access to information legislation. It was indicated that this should also be looked at in the context of the e-files requirements of the different States. An expert from Finland asked whether it would be possible to make two different types of notes one for yourself and others for your colleagues. Another expert from Finland reported that in their system they have two different types of notes. One is a task specific note attached to a specific task where the other type of note is a client specific note. He indicated that task specific notes are also saved with client specific notes. He explained, however, that both types of notes are editable only until the moment you close the note window. Once closed, it is impossible to edit or delete them. It was explained that the reason for this is that the client has the right to see all these notes including personal notes left by the caseworker. An expert from the United States of America indicated that notes are editable for typos and grammar mistakes until the case is updated. She underlined that it was important for legal reasons to have a running records of all the notes and that they reflect exactly what happened in the handling of the case. Juliane Hirsch asked the experts of Central Authorities, which do not allow editing of notes once saved, whether iSupport offering two different sets of notes would be an option. An expert from the United States of America indicated that this would be problematic. Philippe Lortie suggested that Working Group experts consult their data protection officers to see whether these notes can be amended or destroyed directly by

the caseworker *post facto* without being in breach of the access to information legislation in force in their State. It was agreed that the topic would be revisited.

37. An expert from Estonia whilst supporting the “note board” feature asked whether it would be possible to leave notes on specific items in the case the same way we use “comments” when editing a text in Word. Brigitte Voerman indicated that this would be rather difficult. It was noted that this could be kept in mind as an additional feature of a future release of iSupport.

38. An expert from France asked in relation to the discussion around the “note board” whether it was intended that the content of iSupport would be public. It was explained that data contained in iSupport would not be public but that it would be subject to the data protection and access to information legislations in force in the given State.

4. Other items for discussion

39. No other items were suggested for discussion.

5. Next videoconference – 5 February 2015, 15h00 UTC (16h00 ETC)

40. Philippe Lortie reminded the experts that the next meeting will take place on 5 February at 15h00 UTC (16h00 ETC). He thanked all the experts for their contributions and closed the meeting.

