

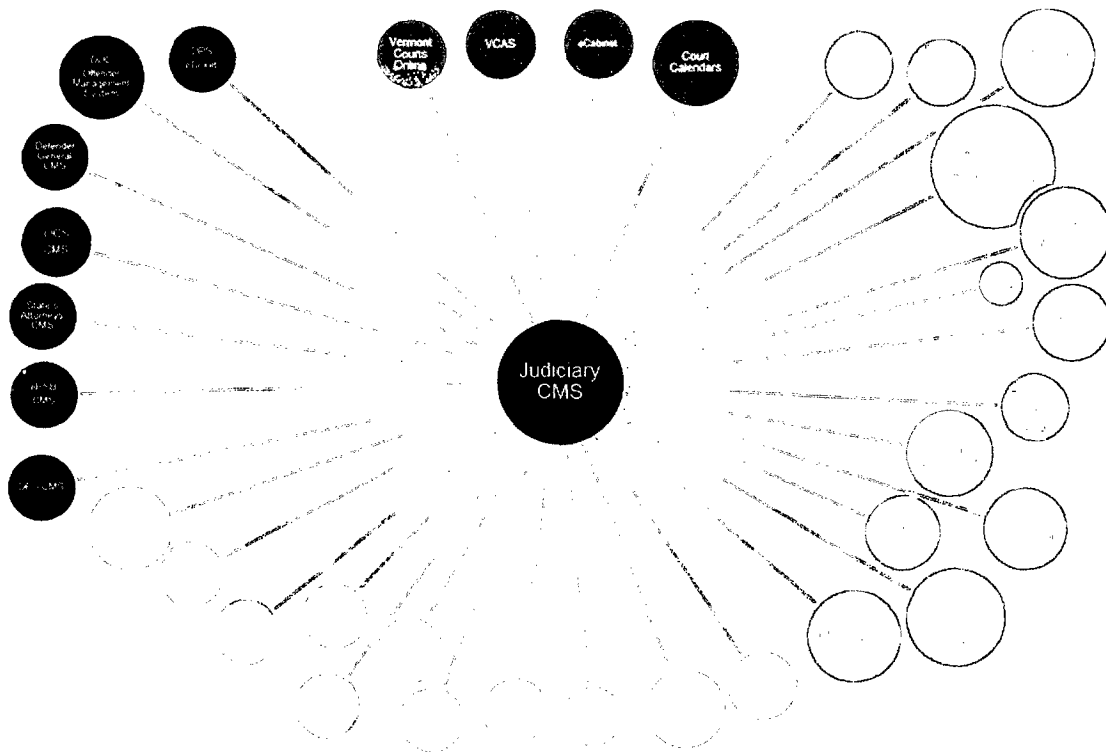


# Vermont Judiciary

Office of the Court Administrator  
Research and Information Services

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## Next Generation Case Management System Project Brief - Exploration Phase



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## Executive Summary

The Vermont Judiciary, recognizing that its legacy Case Management System is no longer able to support current and future organizational objectives and imperatives, is exploring available options for implementing a Next Generation Case Management System.

- The transformation of our case management process from a paper-driven to an electronic-focused business model will improve access to justice for our citizens and improve inter-agency communication. This will enhance the Judiciary's role as a hub of information for over 20 separate entities.
- We are being asked to do more with less as the Judiciary continues to be under great pressure to become more efficient and to live with fewer resources for its operation.
- Our legacy, aging core technology puts us at risk for failure of our main source of information by depending on a case management system that is more than 25 years old. Reliance on this outdated application, with no external support, as the backbone of our court operation poses increasing risks to courts and to the public due to the ongoing possibility of system failure from which the Judiciary may not recover.

Using data gathered from other state CMS projects, as well as discussions with the National Center for State Courts, we have developed the following high-level cost estimate for implementation. Final cost estimates will not be available until the procurement process is executed in the Planning Phase.

CMS Implementation Total	\$ 7,500,000
Additional Organizational and Business Process Transformation Components	\$ 2,500,000
Total (Over 3- 5 years)	\$7,500,000 - \$10,000,000

Typical quantifiable benefits of implementing modern case management systems include:

- **Faster court case initiation:** Up to 50% faster case initiation with automated, single-screen templates and up to 80% faster initiation from e-filing and direct transfer of citation information
- **More accurate electronic case files:** Data errors can be reduced up to 80% because clerks are entering much less data and initiating cases with fewer steps
- **Improved document availability:** Improves Staff and Judge efficiency and results in savings from eliminating paper file management:
  - Documents are available at any device in a courthouse without having to request a physical file.
  - Documents are available to authorized users anywhere an internet connection is available.
  - Expensive physical filing furniture and equipment is no longer needed.
  - File storage space can be converted to more productive use; expensive space for document storage is no longer needed.
  - No more lost files: File and document loss becomes a thing of the past.

## Introduction

The Vermont Judiciary, recognizing that its legacy Case Management System is no longer able to support current and future organizational objectives and imperatives, is exploring available options for implementing a Next Generation Case Management System. This document outlines the initial business case, next steps, and the high-level cost estimates for an initiative to transform the case management processes of the Judiciary from its current paper-based system to an electronic-focused model that will enable us to better serve the needs of the public through standardized and streamlined business processes and supporting systems.

### 1. Initial Business Case

#### *a. What is the background of case management systems at the Judiciary?*

The Vermont Judiciary's current case management systems are all based on the original text-based Vermont Automated Docketing System (VTADS). VTADS was built by Relational Semantics, and has been maintained and enhanced by the Judiciary's Research & Information Services Division (RIS) since 1990. VTADS has worked well but its decentralized configuration does not allow for viewing data on a statewide basis, does not easily provide court statistics and management reports, and does not fully meet data requests from state agencies and/or the public.

In 2000-2001, the Judiciary implemented a data warehouse to combine data specifically from the District, Family and Superior Courts to support statistic generation, data access, and sharing among the courts and state agencies. A web-based application called Vermont Case Access System (VCAS) allows end-users to search for court case information on a statewide basis. But while the data warehouse has provided improved functionality in some areas, the underlying case management system continues to limit the ability of the Judiciary to move ahead with the necessary flexibility inherent with today's technologies.

In 2009 – 2012, the Judiciary embarked on a project to replace VTADS and implement electronic filing. This project was halted by mutual consent with the vendor over serious concerns about whether project objectives could be achieved within original parameters.

#### *b. We need to drive the transformation of our case management process from a paper-driven to an electronic-focused business model...*

A Next Generation Case Management System will enable our users to more easily accomplish the work of the Judiciary with an architecture that encompasses web and mobile based user interfaces, flexible workflow, comprehensive definition of business rules, and robust security features. The system will feature tight integration with electronic filing and document management, and will specifically target the strategic goals of the Judiciary as follows:

- Improved access to justice for our citizens
  - Enabling electronic filing, electronic forms, and document management functionality will ease interaction with the Courts for all participants.
  - Greater support for the electronic interchange of information between the courts and external stakeholders will enable greater access to accurate and timely Judicial information.
- Improved inter-agency communication
  - The Judiciary, the State of Vermont, and the Federal government all share the goal of improving the timeliness and effectiveness of inter-agency communication through the increased use of standards. Our new CMS will enhance the Judiciary's role as a hub of information for over 20 separate entities, including tightly defined integrations of process and data, inbound and outbound interfaces of data, regular outputs to information consumers, and ad-hoc information portals. This strengthens the entire justice system through better, faster, accurate communication and tighter data integration.

***c. We are being asked to do more with less...***

The Judiciary continues to be under great pressure to become more efficient and to live with fewer resources for its operation. Our current case management system and the processes required to support its operation, including paper-based records, redundant data entry, and multiple disparate data sources, is a hindrance to business process improvement efforts. The 2010 Court Restructuring, with its promise to increase management flexibility and operational efficiency, has been hindered and its benefits have not been fully realized due to a lack of enabling technology. This transformation to an electronic-focused business model will allow us the flexibility to utilize available resources to accomplish needed work without the constraints of geography, place and courthouse. Leveraging these technologies with automated case data intake, processing and electronic records storage will free our resources from tedious clerical work by directing filing and initiation tasks appropriately into the hands of the filers.

***d. Our legacy, aging core technology puts us at risk...***

The Vermont Judiciary is at risk for failure of its main record keeping and source of information by continuing with its current case management system that is more than 25 years old. Our most significant risk related to the application would be to simply do nothing. Implementing a single, modern CMS is expected to yield improvements in the usability of the Judiciary systems in virtually every major functional area. Today we live with the legacy of separate case management systems for each and every court, which constantly creates issues for viewing data on a statewide basis and does not easily provide court statistics, management reports or fully meet data requests from state agencies. Reliance on an outdated application with no external support as the backbone of our court operation poses increasing risks to courts and to the public due to the ongoing possibility of system failure, from which the Judiciary may not recover.

While we experience the limitations of VTADS daily, we continue to make improvements to the system to meet legislative mandates and organizational requirements. We also have begun to establish the groundwork for our overall technology transformation with the implementation of JUDCloud, our partnership with DII that has established a virtual private cloud infrastructure. This has greatly improved the reliability and dependability of our overall IT environment and experience.

## 2. Next Steps

The success of the Judiciary's Next Generation Case Management project will depend on careful consideration and management of many factors, including the following:

- ***Focus on organizational and business process transformation:***
  - We have learned from prior efforts that establishing and enacting standard, consistent business processes across the Judiciary is a critical component in the success of our organizational and business process transformation. This transformation, as guided by our 2010 restructuring and by the diligent work of numerous committees, is impeded by our reliance on legacy systems and technology that are unable to adapt and evolve towards needed change.
  - Rather than embarking on the traditional software development process that focuses on building a system through analysis and documentation of as-is processes, to-be processes, and the resulting gap analysis, we need to select a solution and/or partner for our Next Generation Case Management project that arrives with a proven best-practice catalog of standard business processes and solutions. This best-practice-based buy versus traditional-build approach results not only in upgrading our software and systems functionality but in organizational and business process transformation driven by technology.
  - This redirects the focus of the project from rebuilding our current legacy processes to implementing a solution that drives the transformation of the way the Judiciary works. The Judiciary's legacy business processes have grown organically over many years, their complexity a result of decades and centuries of nuances and exceptions, each representing a need or priority at the time it was implemented by rule, statute or by local court custom. There will be, of course, configurations and customizations that need to be made with any delivered solution. However, this approach means we can concentrate our efforts on a limited set of functional gaps that address true strategic differences in the way the Vermont Judiciary works rather than the overwhelming set of functional customizations that would be traditionally addressed.
  - This methodology will inevitably drive instances where rules and/or statutes, having been crafted to support our legacy business model, will need to be changed as we evolve and transform. We will need the support of the Supreme Court and Legislature as we encounter these instances and draft new rules and/or statutes to support our future best-practice

business model and ultimately support the strategic goals of the Judiciary and the State of Vermont.

- ***Rigorous project planning and governance:***

We plan on following the methodology outlined by the Vermont Department of Information and Innovation Enterprise Project Management Office in their Project Process, which is based on Project Management Institute (PMI) definitions. This process is designed as a repeatable template that will drive well managed projects that are delivered on time, in scope and on budget. To assist in managing the Project Process, the Judiciary plans on engaging a full-time Project Manager dedicated to this effort.

Establishing a solid governance, process and planning structure is essential for successful project execution. This structure includes an identified project steering committee; plans for project communication and change management/risk management; stated commitment from the core and extended project teams; and a detailed project plan. Also included will be documentation of detailed requirements, final evaluation of the viability of buying a solution, and the execution of the procurement process, including a Request for Proposal (RFP) and independent expert review.

This independent expert review will utilize the services of a third-party intermediary to assess the project's acquisition cost, technology architecture, implementation plan, and cost analysis. The intermediary will also provide assistance with procurement negotiation.

### 3. High-level Cost Estimates

Using data gathered from other state CMS projects, as well as initial discussions with the National Center for State Courts, we have developed the following high-level cost estimate for implementing a Next-Generation Case Management System in the Vermont Judiciary. **Note that this model will be refined during the Exploration Phase of the Project Process and final cost estimates will not be available until the procurement process is executed in the Planning Phase.**

#### Vermont CMS Project Cost Estimates

Licensing:		
	350 X \$2750 =	\$962,500
Implementation costs estimated at three times licensing:		\$2,887,500
Maintenance at 20 percent of licensing per year for 3 years:		\$577,500
Hardware and database software:		\$180,000
Requirements Gathering:		\$200,000
Project Manager for the duration of the Project (estimated 4 yrs @ \$150,000/yr):		\$600,000
Database Software:		\$100,000
Total Estimated CMS Project Costs:		\$5,507,500
Rounded up in consideration of preliminary status:		\$6,000,000
Add 25% Contingency:		\$1,500,000
CMS Implementation Total		\$7,500,000
Additional Organizational and Business Process Transformation Components: reengineering, conversion, training, associated technology		\$2,500,000
<b>Total (Over 3-5 years)</b>		<b>\$7,500,000 - \$10,000,000</b>

#### **4. What is a CMS? Court Case Management System (Court CMS) Defined**

A simple working definition of a court CMS is that it operates as an accounting system designed to manage court cases and financials. This analogy is perhaps most apt because a significant portion of any modern CMS is necessarily devoted to financial management; in fact, a robust CMS can act as both a virtual cash register and a general accounting ledger for courts. In addition to case and financial management, a modern court CMS can also digitally manage all aspects of court calendars, docket tracking and case documents and can expedite electronic communications with state and federal justice agencies, citizens and the legal community. Last but not least, a modern CMS can provide robust statistical reports that can benefit court stakeholders, state agencies and citizens. In short, a full-featured court CMS is not just a single operational system; instead, it functions as several systems, and contains multiple independent but related modules that together can manage most of the functions and responsibilities of a court.

##### ***a. The Disadvantages of Manual Systems and Older Text-based Systems***

Electronically managing traditional court docketing functions is the most basic function of a court CMS. In courts such as Vermont's, without modern case management systems, court docketing is usually performed by manually entering court appearances, scheduled appearances and final dispositions into a primitive computer system with limited retrieval capability, or a large paper docket book designed specifically for manually docketing. VTADS is an example of such a text-based system. Actual case flow is typically managed by employees who manually circulate case files from physical file storage to courts and back again. These court document files contain scheduling information and sometimes contain basic bar code and color coding, which can be used by court staff to pull and push paper files to courts on days when the case file is scheduled for hearing. Inevitably, with manual filing systems, files are misplaced and lost. Searching for missing files and reconstructing lost files can consume significant resources in paper-based courts.

Manual docketing and document filing can sometimes take place days after an initiating court event, depending on how backed up the court might be. Fortunately, manual docketing is almost obsolete in this country, since it was always inefficient and required judges and court parties to maintain their own separate paper court calendars to manage their caseloads and reconstruct files when they were inevitably misplaced. In this day and age, such primitive case and file management is unacceptably costly, human resource intensive, inefficient, and error prone.



**b. Benefits to Court Stakeholders**

- Court Case E-filing – E-filing provides huge benefits to practicing attorneys and to courts. For attorneys, the weekly court document filing window can be extended from five eight-hour days to seven twenty-four hour days, and electronic filings are receipted automatically, either when accepted electronically by a clerk or when electronically received. Perhaps most importantly, attorneys and/or their hired messengers no longer have to visit a courthouse and stand in line to submit filings, and by eliminating paper filings, law firms with their own electronic document management systems can realize significant benefits through savings on paper, storage, printing and handling costs. For courts, e-filing significantly reduces the need to accept, stamp and receipt manual filings and manage paper documents. If a court uses e-filing in conjunction with an electronic document management system, paper file storage can be mostly eliminated, which will lead to significant floor space gains and actual savings.
- Criminal E-Charging – Sometimes called criminal e-filing, e-charging can automatically transfer cases from charging entities – law enforcement agencies and prosecutors – to courts, and court clerks can electronically accept the charging documents, initiate criminal cases, schedule hearings and send electronic notices to registered parties through simple acceptance of the prosecutor’s entire criminal filing. This can also eliminate redundant data entry of defendant information, criminal charges and law enforcement agency citations, not to mention reduce printing and physical delivery of charging documents to courts by prosecuting agencies. The e-charging process also ensures that manual data entry errors are kept to an absolute minimum.
- Caseflow Management – Caseflow or workflow management is a common court program that allows court staff to monitor the case progress of all cases or a subset of cases. While caseflow management can be applied in a low-volume manual environment, it is much more effectively applied in a court that has automated case and document management systems in place, since such systems can automatically notify judges and staff of missed target dates or milestones in the caseflow process so as to encourage expeditious movement of a case from the point of initiation to final disposition. Timely movement of cases through a court system benefits most parties to cases and lowers the overall cost of case processing for courts.
- E-documents – A CMS that includes integrated electronic document management can accept and send documents electronically and can also make documents electronically available to court users at kiosks or through the Internet. This allows judges, court staff and interested citizens to instantly access electronic documents in the courthouse or remotely, from anywhere there’s an Internet connection. With online public access, e-documents can be made available in the same way to justice partners, attorneys and members of the public.
- Automated Records Management - With a fully functioning e-document solution, automated CMS and a powerful business rules engine, Automated Records Management

(ARM) is attainable. Vertically aligned through all of the Judiciary strategic goals and including functions from storage to archiving to expunction, ARM empowers timely and continued access to records containing appropriate and accurate information to all stakeholders and the public while simultaneously protecting sensitive or confidential documents and data.

- Online Public Access – Online public access modules are now being bundled into certain vendors' court CMS products for the purposes of securely distributing court information and dockets to outside stakeholders. This feature makes access to court information and documents securely available through the Internet and eliminates trips to the courthouse and standing in line to request copies of documents.
- Financial Interfaces with State Finance and Budgeting Agencies – Many CMS vendors are now providing standard interface tools that can expedite the regular exchange of information between courts and state agencies. These interfaces have to be configured both by the court and the receiving agency; but, once configured, financial interfaces can speed transfers of funds between courts and agencies and can expedite disbursements to court stakeholders, citizens and jurors. Perhaps most importantly, CMS interfaces eliminate manually rekeying errors that are disruptive and wasteful for both send and receiving.
- Efficiencies and Savings for the Entire Justice Enterprise – Electronic notifications and electronically transmitted e-documents can speed the justice process by eliminating time lags for events and orders communicated with justice partners. Citizens will be better served when information posted to local, state and national criminal history repositories arrives instantaneously and is automatically entered into government data repositories used for criminal background and pre-employment checks. Of course, the bidirectional electronic transfer of information from a court to a justice agency mostly eliminates manual data entry errors and the resulting need for citizens to petition agencies and courts to have such errors corrected.

***c. Typical objectives and performance metrics for Case Management Systems***

The Judiciary envisions that a new case management system will be a Judiciary-wide application that can be implemented throughout our entire unified court system. This application will also provide the needed technologies to facilitate appropriate standards-based data exchanges between the courts and state and federal justice agencies. In addition, such a system will increase court productivity and efficiency while improving the information services that the Judiciary now provides to citizens of Vermont. Typical objectives of a case management system replacement project include, but are not limited to the following:

- Increase usage of a workflow management and automated work queues to all state courts
- Reduce current case management application data entry errors by 50%

- Standardize business rules and workflow processes to improve court staff productivity by up to 40%
- Track all financial collections and disbursements more efficiently and effectively and reduce data entry errors by 50%
- Ensure that all application interfaces comply with federal NIEM data sharing standards

## 5. What is the scope of a CMS at the Vermont Judiciary?

The Vermont Judiciary is a unified court system, operated by the Supreme Court in accordance with the Vermont Constitution, Ch. II, Section 4, which provides that “the judicial power of the State shall be vested in a unified judicial system...”

This system consists of the Supreme Court, the Superior Court, and the Judicial Bureau.

- The Supreme Court is the court of final appeal in Vermont. The court hears appeals from the Vermont Superior Court and from certain administrative agency proceedings. The five justices of the Supreme Court render decisions in approximately 450 cases per year.
- The Superior Court is the statewide trial court of general jurisdiction. There is a unit of the Superior Court in each county. The Superior Court has five divisions: criminal, family, civil, probate, and environmental. [The environmental division operates statewide and is not organized into county units.] Each unit of the Vermont Superior Court is managed by a Superior Court Clerk appointed by the Court Administrator and a Presiding Judge [chosen from among the Superior Judges] appointed by the Chief Superior Judge. Court Operations Managers in each unit, who report to the Superior Court Clerk, manage court staff. Approximately 45,000 cases are filed each year in the Superior Court.
- The Judicial Bureau has statewide jurisdiction over civil violations. Police and other government officials have authority to charge civil violations, such as traffic violations, municipal ordinance violations, fish and wildlife violations, and various other civil violations set forth in Vermont statutes. The Judicial Bureau processes approximately 80,000 civil violation complaints per year.

Vermont has a centralized Court Administrator’s office. This includes the Planning and Court Services division, Trial Court Operations division, Finance and Administration, and the Research and Information Services (RIS) division, which is responsible for the support of Technology at the Judiciary.

The Judiciary acts as a crucial hub of information for over 20 separate governmental and non-governmental entities, including tightly defined integrations of process and data, inbound and outbound interfaces of data, regular outputs to information consumers, and ad-hoc information portals.

## 6. What are the risks associated in implementing a next-generation case management system?

- **Business risks:**

- The most significant risk related to the Judiciary's case management application is to simply do nothing. The constraints of the existing system, which is well past its useful life and was built with antiquated technology, have motivated the Judiciary to research the options of either buying or building a replacement system. At this point, not replacing the current outdated and unsupported application poses increasing risks to courts due to the ongoing possibility of system failure and permanent loss of data from which the Judiciary may not recover. This could cause an adverse effect on our citizens not unlike that experienced as a result of natural disasters such as Tropical Storm Irene.

- **Project risks:**

- One possible risk associated with replacing the existing case management system is the potential shortage of technical, functional, and project management resources needed for the project. This risk will be mitigated by carefully allocating resources to the project and when possible, committing such resources to the project as close to full-time as possible without interrupting operational activities. Ensuring that adequate funding is available to augment these staff resources will enhance the success of the project.
- Additional project risk could result from end-user resistance to change. If the Judiciary chooses to purchase and implement an off-the-shelf solution, court users will inevitably experience changes in the look and feel of their case management system. The challenge will be to communicate effectively and often with end users, involve them actively in the project, and ensure that requested customization is made only for mandatory business needs. Effectively managing user expectations regarding any new system will greatly reduce the risk of increasing project scope through excessive customization.
- Risk may be incurred where rules and/or statutes will need change to support a best-practice business model and the necessary support for these changes is not gained.
- Other risks include those related to inadequate funding, risks associated with an aggressive implementation schedule, risks associated with system response time limitations in remote areas having only low bandwidth telecommunications, and the risks of integrating existing applications with the new court case management system.

- **Technical risks:**

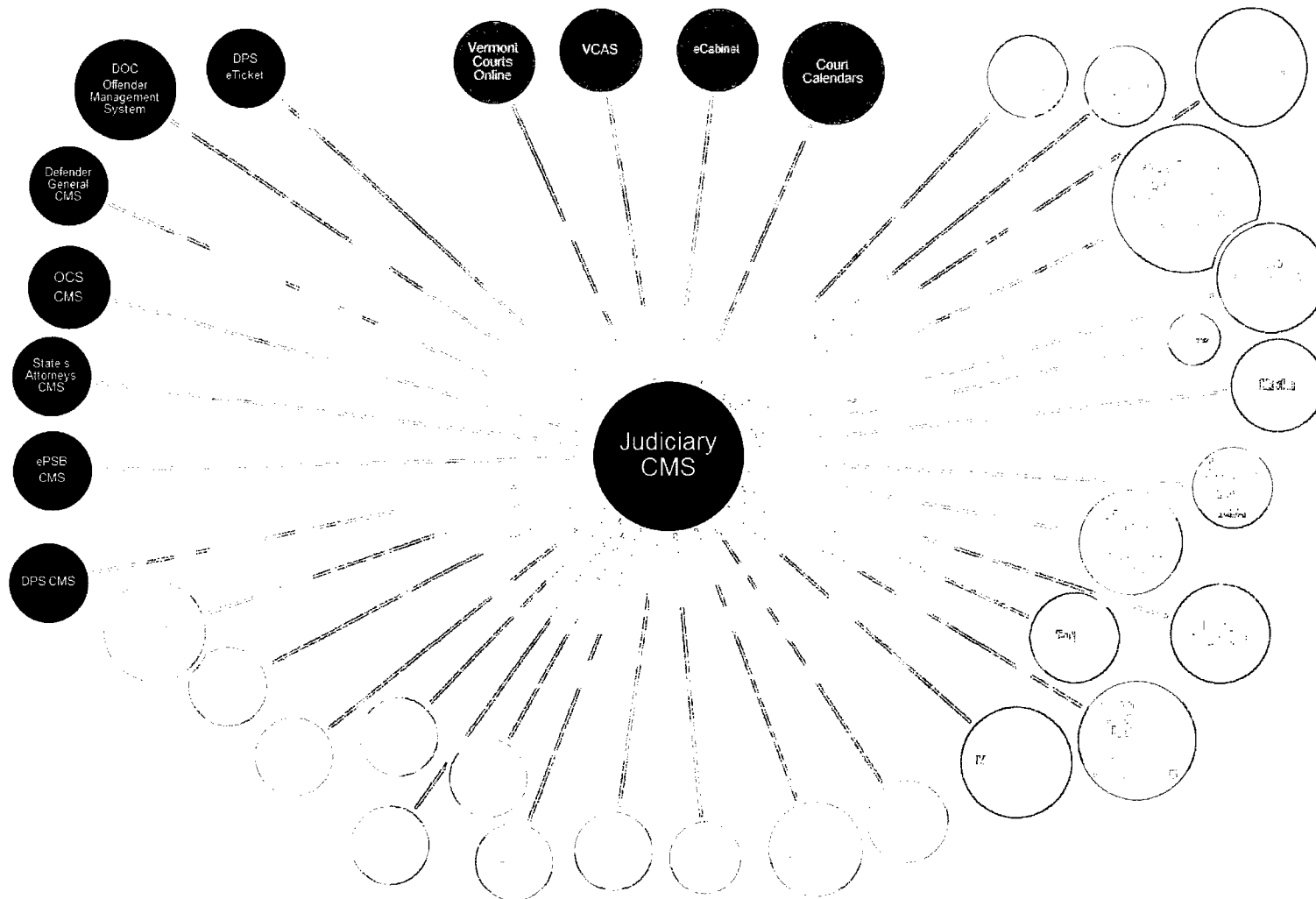
- At this initial stage, our major technical risks center on the continued use of our legacy case management application, VTADS. The Vermont Automated Docketing System (VTADS), was implemented 25 years ago and has been operational since 1990. The following list summarizes issues surrounding the need for replacement of this application:

- The current application is more than 25 years old and is based on cumbersome two-tier client-server technologies.
  - Court users are required by the application to navigate through multiple screens to process simple transactions that should be enabled on one screen.
  - There are few if any built-in application edits to ensure data entry integrity.
  - The application design (decentralized and client server based instead of web based) uses Wide Area Network (WAN) resources inefficiently.
  - Last but certainly not least, there is no source of reliable vendor support for the application, which means that the Judiciary is completely without external support in the event of a catastrophic failure.
- In summary, our current application is not externally supported and there's no realistic possibility that the system can be upgraded to meet the Judiciary's current or future business needs. Therefore, it is critical that a replacement system be obtained before an event occurs from which the Judiciary would have great difficulties recovering.

## **7. Conclusion**

The Vermont Judiciary's mission is to provide equal access to justice, protect individual rights, resolve legal disputes fairly and timely, and provide everyone their opportunity to have their day in court. In order to fulfill this mission for the citizens of Vermont, we are compelled to transform the case management processes of the Judiciary from our current paper-based system to an electronic-focused model that will enable the Judiciary to better serve the needs of the public through standardized and streamlined business processes and supporting systems. Our legacy Case Management System is no longer able to support this mission, the current, or the future organizational objectives and imperatives of the Judiciary. Status quo is not a viable option. The constraints of our existing system, well past its useful life and built with antiquated technology, pose increasing risks to courts due to the ongoing possibility of system failure and permanent loss of data from which the Judiciary may not easily recover. A careful and well managed initiative to drive both our continued organizational and business process transformation, as well as the implementation of a Next Generation Case Management System at the Judiciary, is critical to our ability to fulfill this mission to Vermont.

## Appendix 1: The Judiciary is a Central Hub for Information



## **Appendix 2: Quantifiable Benefits of Implementing Modern Case Management (Typical)**

### ***Faster court case initiation:***

- **Traffic:** Up to 50% faster case initiation with automated, single-screen case initiation that features traffic citation pick lists, and up to 80% faster with a modern CMS coupled with direct transfer of citation information from law enforcement agencies.
- **Civil and Family:** Up to 50% faster case initiation with automated, single-screen templates and up to 80% faster with e-filing, which directs filing attorneys and parties to enter issues and party information, thus relieving clerks of a time-consuming, redundant chore. Also, when e-filed documents are stored by the court in a compatible electronic document repository, paper file storage will be largely eliminated.
- **Criminal:** Up to 50% faster case initiation with automated, single-screen templates and misdemeanor charge pick lists, and up to 80% faster with e-charging, which allows courts to accept filings and documents electronically, and mostly eliminates data entry and paper file handling. These CMS enhancements are generally referred to as e-charging (sometimes called criminal e-filing).

### ***More accurate electronic case files:***

- **Criminal and Traffic with e-citations, e-charging and e-filing:** Data entry errors can be reduced up to 80% because clerks are entering much less data and initiating cases with fewer steps. This will result in fewer manual entry transcription errors, particularly those that result from text data entry associated with criminal charge codes and traffic citation codes.
- **Criminal and Traffic without e-citations, e-charging and e-filing:** With automated, single-screen templates and automated screen edits that reject those manual entries that do not match pre-approved patterns, data entry errors can be reduced up to 50%.

### ***Improved Document Availability Improves Staff and Judge Efficiency and Results in Savings from Eliminating Paper File Management:***

- **Document Availability:** Documents are available at any terminal in a courthouse without having to request a physical file.
- **Online Documents:** Documents are available to authorized users anywhere an Internet Connection is available.
- **File Storage Equipment Not Needed:** Expensive physical filing furniture and equipment is no longer needed.
- **File Storage Space Can Be Converted to More Productive Use:** Expensive space for document storage is no longer needed.
- **No More Lost Files:** File and document loss becomes a thing of the past



### Appendix 3: Features of a state-of-the-art CMS

#### *COTS (commercial off the shelf software)*

1. Built-in document management (EDMS)
2. Secure access anywhere there's an Internet connection
3. Digital or imaged signatures (Digital signature is a password based method for identifying the document sender/creator. Imaged signatures is a photo image of a person's ink signature)
4. E-Filing
5. E-Service
6. Proposed orders module
7. Digital redaction of sensitive information (personal identifiers, addresses, etc.)
8. Paper On Demand (sometimes optimistically referred to as "paperless")
9. Public Access via web portal
10. Attorney Access through Web Portal (never through the core CMS itself)
11. Document distribution based on predefined conditions for commercial and justice partners
12. Workflow document distribution through judge work and staff work queues
13. Global keyword searches
14. Ability to search text within documents for judges and staff
15. Technology that automatically transfers digital case files from trial to appellate courts.
16. E-bench interfaces that allow judges and courtroom clerks to quickly access needed data/documents and manage cases in the courtroom
17. Secure criminal background web portal for justice partners that displays case data and documents
18. Easier agency-to-agency push/pull with e-citations and criminal "e-charging"
19. Performance reporting (Courtools, dashboards)
20. Reports portal (drag and drop?) for operational management
21. GAAP compliant automated financials fully integrated with case manager
22. Ability to seamlessly interface with all features listed above in EDMS
23. Workflow enhancements
24. In-court processing to eliminate back-office processing
25. Mobile device compatibility
26. Standard library of statistical and management reports
27. Drag and drop report generators that enforce rigorous extract logic
28. Portals for pro se forms with document builders driven by guided questions
29. Interfaces with e-payment systems
30. Records retention policies
31. Audit tracking

## Appendix 4: Example Funding Scenarios

### I. Oregon

The Oregon Judiciary began to plan for a new statewide “e-court” system, which included CMS, e-filing, document management, jury management and public access modules in 2006. Oregon is a medium-size state with 610,000 annual case filings and a population of 3,930,000.

Oregon’s e-court budget over six years has amounted to approximately \$96 million dollars, \$31 million of which has gone to Tyler Technologies for software and services. The e-court program is perhaps the most ambitious and comprehensive court technology effort in the entire country. Most of the \$96 million dollars allocated to the project resulted from issuance of general obligation bonds. A small percentage of e-courts monies was funded by filing fee collections.

According to Bryant Baehr, the Oregon Judiciary Chief Information Officer, getting the funding was not easy: judges and staff spent significant time with their legislators, during, before and after legislative sessions, educating legislators about the importance of the need for a complete overhaul of judicial technology. According to Mr. Baehr, Oregon is already beginning to experience efficiencies, savings and enhanced collections that are attributed to technology improvements, which makes the many hours spent educating legislators worthwhile.

Oregon’s \$96 million in CMS-related appropriations took place over six years between FY2009 and FY2015. The \$31 million portion that was paid to Tyler Technologies was mostly for customization, project management and significant custom programming for modules that were previously not included in the Odyssey CMS package, including a jury management module and an appellate courts module (note: six state courts subsequently met in late 2014 and agreed to collaborate on sharing future development costs to build in even more appellate functionality into the core Odyssey CMS).

The high funding levels for the e-courts implementation had several key benefits including:

1. The e-court project involved much more end-user training than most courts are able to provide. This gave increased confidence to court workers and reduced the on-the-job learning curve.
2. Oregon was able to implement important programs during the rollout such as e-citations, e-filing, jury management, e-documents, e-payments and electronic transfer of the “record proper” to the Court of Appeals. In addition, Oregon implemented a CMS “hot site” to ensure that if the primary CMS hardware and software failed for any reason, the secondary site could be switched on and patched into the judicial network. Most states implementing a CMS tend to delay non-core IT projects until late in a rollout. For example, New Mexico implemented e-filing, e-documents and e-citations during its rollout but it delayed e-payments, electronic transfers to Court of Appeals, and jury management projects until all courts were up and running.
3. Oregon began seeing court performance improvements earlier than many states. For example, debt collection increases were attributed to implementation of the new CMS.

<b>Oregon CMS Funding Scenario</b> <b>(General Obligation Bonds and Filing Fee Appropriations)</b>			
<b>FY2007-2009</b> <b>(biennial budget)</b>	<b>\$14,000,000</b>	<b>Available FY2008</b>	<b>General Obligation Bonds</b>
<b>FY2009-2011</b> <b>(biennial budget)</b>	<b>\$12,445,000</b>	<b>Available FY2010</b>	<b>General Obligation Bonds</b>
<b>FY2011-2013</b> <b>(biennial budget)</b>	<b>\$36,124,318</b> <b>\$4,779,779</b>	<b>Available FY2012</b> <b>Available FY2012</b>	<b>General Obligation Bonds</b> <b>Court Automation Funds</b>
<b>FY2013-2015</b> <b>(biennial budget)</b>	<b>\$1,957,881</b> <b>\$6,419,673</b>	<b>Available FY2014</b>	<b>General Obligation Bonds</b> <b>Court Automation Funds</b>
<b>FY2015-2017</b> <b>(biennial budget)</b>	<b>\$26,282,563</b> <b>\$6,419,673</b>	<b>Available FY2016</b>	<b>General Obligation Bonds</b> <b>Court Automation Funds</b>
<b>Note: Debt service and bond issuance costs are not included in these figures.</b>			

## II. New Mexico

The New Mexico AOC's funding model is typical among states: the AOC began its work in acquiring a new case management system (CMS) in 2005 (FY2006) and immediately began to seek support for funding while also working to create a compelling business case for a new case management system. At the same time AOC staff conducted research available court case management vendor offerings.

The AOC received a \$750,000 general fund appropriation for a needs analysis in FY2006, and developed RFI and RFP during FY2006. After submission of a \$4,980,000 request for 2006 (FY2007) staff at the New Mexico Legislative Finance Committee (LFC) said that they would not support such a large request due to the extreme risks of a complete CMS replacement. LFC staff instead suggested that a request that might gain traction would be for \$750,000 to perform an analysis documenting the need for a new system and analysis of existing systems other states that might compare to New Mexico. The AOC then resubmitted to the legislature a request for analysis funding in the amount of \$750,000, which was made available in August of 2006 (FY2007).

As a result of intensive lobbying by judges, staff and justices, \$6,000,000 in general fund dollars were appropriated for FY2007, with a three-year life of funds. This enabled the AOC to pay for initial CMS licensing (approximately 3.3 million dollars) and professional services to implement the Odyssey CMS throughout the state.

During the FY2008 session, the AOC was appropriated \$2,000,000 in general fund monies earmarked for a separate Odyssey implementation for the Bernalillo County Metropolitan Court (BCMC). This project was not originally managed by the New Mexico AOC; instead, the Judicial Information Systems Council

(JIFFY), with agreement from the Supreme Court allowed the Metropolitan Court to run their own independent project. During FY2013, JIFFY rescinded that permission and with the Supreme Court's backing, ordered the AOC to take over and complete the project. The BCMC was implemented during FY2014, under the AOC's project management. Unfortunately, the original funding had been largely expended by the BCMC, so the AOC used monies from the Supreme Court Automation Fund (SCAF), a court filing fee fund, to complete the project.

After the AOC received CMS needs analysis funding in August of 2005, it immediately embarked on the analysis efforts as well as a proof-of concept project to test the feasibility of in-house development of a CMS. The analysis included the creation of four teams to conduct vendor and state court site visits.

An RFI was developed in 2006, which generated thirteen responses from CMS vendors as well as other companies who submitted responses in hopes of being selected as project managers or integrators for the New Mexico's CMS project. Those CMS vendors who were considered by the AOC to be suitable partners, subsequent to analysis of the RFI responses, were AMCAD (now out of business), Maximus (out of business but their CMS, Courtview, was purchased by Constellation Business Systems), ACS (since purchased by Xerox), LT Court (since purchased by Thomson Reuters and renamed C-Track) and Tyler Technologies.

Once all bids were received, the AOC selected two finalist vendors and requested that those vendors present their products to an audience of 150 judges, AOC staff and court clerks over two days in Albuquerque. The finalists, Justice Systems Inc. and Tyler Technologies had one day each to present their offerings before AOC staff, IT Governance participants and court attendees. The AOC developed a carefully weighted evaluation instrument to score the two vendor offerings. Once finalist vendors completed their presentations, AOC staff calculated the final points to be awarded to the two vendor, based on the RFP criteria, which included functionality, vendor financial stability and cost.

Tyler Technologies was chosen as the finalist and contract negotiations began in September, 2007, and continued until the initial Odyssey contract was executed in January of 2008. The contract was executed before the AOC had a legislative appropriation sufficient to begin the project, but AOC management was confident that funding would materialize so SCAF funds were used to initiate the project. Payments to Tyler Technologies were tied to acceptance milestones over two years. This enabled the AOC to start the project prior to receiving an appropriation.

While conducting analysis, issuing an RFI and issuing an RFP, the New Mexico AOC, aggressively pursued funding for the new CMS since key staff knew that lining up support for funding for the entire system would be a long term process. As a result of the AOC's efforts and significant lobbying support from judges and court staff, the AOC was awarded sufficient funds to implement a CMS, statewide, over several years.

The following table shows the history of the AOC's legislative appropriations for the CMS:

<b>New Mexico CMS Funding Scenario (General Fund and Filing Fee Appropriations)</b>			
<b>FY2006</b>	<b>750,000 for CMS needs analysis</b>	<b>Available FY2007</b>	<b>State General Fund</b>
<b>FY2007</b>	<b>\$6,000,000 for CMS licensing and professional services (note: funds were awarded after CMS contract was signed)</b>	<b>Available FY2008</b>	<b>State General Fund</b>
<b>FY2008</b>	<b>\$2,000,000 to include Bernalillo County Metropolitan Court (limited jurisdiction criminal, municipal ordinance criminal (including traffic), municipal parking, and small claims for NM's largest county.</b>	<b>Available FY2009</b>	<b>State General Fund</b>
<b>FY2009</b>	<b>\$895,000</b>	<b>Available FY2010</b>	<b>Appropriated expenditure to be paid with extra \$10.00 civil filing fee.</b>
<b>FY2010</b>	<b>\$895,000</b>	<b>Available FY2011</b>	<b>Appropriated expenditure to be paid with extra \$10.00 civil filing fee.</b>
<b>FY2011</b>	<b>\$895,000</b>	<b>Available FY2012</b>	<b>Appropriated expenditure to be paid with extra \$10.00 civil filing fee.</b>
<b>FY2012</b>	<b>\$895,000</b>	<b>Available FY2013</b>	<b>Appropriated expenditure to be paid with extra \$10.00 civil filing fee.</b>
<b>FY2013</b>	<b>\$895,000</b>	<b>Available FY2014</b>	<b>Appropriated expenditure to be paid with extra \$10.00 civil filing fee.</b>
<b>FY2014 – Note: The statewide trial court implementation, which was the</b>	<b>\$895,000</b>	<b>Available FY2015</b>	<b>Appropriated expenditure to be paid with extra \$10.00 civil filing fee.</b>

<b>project's original scope was completed during FY2013 (Dec. 12, 2012)</b>			
<b>FY2015 - Note: The Bernalillo Metropolitan Court which was added to project scope in FY2014, was completed on May 30, 2013</b>	<b>\$895,000</b>	<b>Available FY2016</b>	<b>Appropriated expenditure to be paid with extra \$10.00 civil filing fee.</b>

### III. Idaho

In October of 2013, the Idaho Judiciary, subsequent to reviewing vendor proposals that resulted from the issuance of an RFP, executed a contract with Tyler Technologies for a CMS that could be implemented in state courts of all levels. The contract includes “software licensing fees, professional services, electronic CMS interfaces with justice partners, and a multi-year maintenance agreement.”

The new CMS will replace a legacy system, FullCourt by Justice Systems, Inc., which has been in place for more than 25 years. Among the operational goals that the Idaho Judiciary intends to meet with the new system is implementation of e-documents, statewide electronic public access, electronic filing, jury management, digital interfaces with the Judiciary’s justice partners, and provision of e-bench technology to courtroom judges and clerks.

Idaho has 44 counties and a population of approximately 1.6 million. Idaho is the 39<sup>th</sup> most populous state and is the seventh least densely populated state in the United States.

<b>Idaho CMS Funding Scenario (General Fund Appropriations)</b>			
<b>FY2014</b>	<b>\$4,850,0000</b>	<b>Available FY2015</b>	<b>General Fund</b>
<b>FY2015</b>	<b>\$2,180,000</b>	<b>Available FY2016</b>	<b>General Fund</b>
<b>FY2015</b>	<b>\$5,466,000 *</b>	<b>FY2015</b>	<b>Court Technology Fund</b>
<p><b>* In FY2015, the Idaho Legislature created a non-reverting court technology fund, which is to be used by the Supreme Court for all technology expenditures, not just CMS-related expenditures. In addition to implementing a statewide Odyssey CMS, the Court wishes to implement e-payments, video hearings, electronic access to court documents and e-filing. In addition, the monies can be spent for technical infrastructure enhancements unrelated to the implementation of a new CMS. This appropriation is intended to be spent over multiple years.</b></p>			

### IV. Maine and Kentucky: Issuance of General Obligation Bonds to Fund New CMS Implementations

Maine and Kentucky have recently received legislative appropriations that resulted from issuance of state general obligation bonds. Maine’s appropriation of \$15 million was in 2014 and Kentucky’s for \$28.1 million was in 2013.

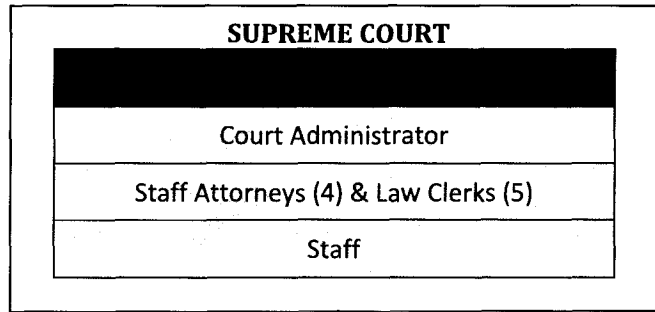
General obligation bonds appropriations have the advantage of spreading project costs over several years; however, since bonds are basically loans to states from bondholders, there are associated costs such as bond debt service costs and bond issuance costs.

According to Maine's Judiciary CIO, David Packard, his state's \$15 million appropriation isn't just for a CMS implementation, but rather is for a complete e-courts transformation, which includes a new CMS, e-filing, e-documents and more. Mr. Packard indicated that Maine has already issued an RFI and is scheduled to issue an RFP in May of 2015.

Kentucky's \$28.1 million will be used to replace the state's aging client-server case management system as well as implement other e-courts initiatives.



**Appendix 5: The Vermont Unified Court System**



- Appointed;  
Statutory Salary
- Elected;  
Statutory Salary
- State Employee; Hired by  
Supreme Court or Designee
- Elected;  
Paid by State when sitting alone  
Paid by County when sitting  
with judge

