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**Vermont Judiciary
Next Generation Case Management System
(NG-CMS)
Legislative Update**

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Table of Contents

EXECUTIVE SUMMARY	1
SECTION 1: PROJECT BACKGROUND AND OVERVIEW	2
1.1 LEGISLATIVE REPORT ORGANIZATION	2
1.2 BACKGROUND	3
1.3 OVERVIEW	5
1.4 PROJECT OBJECTIVES	9
1.5 PROJECT SCOPE	11
1.6 PROJECT ASSUMPTIONS AND CONSTRAINTS	17
SECTION 2: PROJECT APPROACH, ESTIMATED COST AND SCHEDULE	18
SECTION 3: PROJECT RISKS AND ISSUES	23
APPENDIX A – JUDICIAL TOOLS MATURITY MODEL	26

Executive Summary

Consistent with Act No. 26 (H.492) and the Report of the Special Committee on the Utilization of Information Technology in Government, this report is intended to update the House Committee on Corrections and Institutions, the Senate Committee on Institutions, and the Joint Legislative Criminal Justice Oversight Committee, as to the status of the Vermont Judiciary's Next Generation Case Management System (NG-CMS) project prior to finalizing vendor selection.

The Judiciary is nearing the completion of the third of five project phases for the selection and implementation of the NG-CMS. During these first three phases, which have spanned a two-year period, the Judiciary researched the court case management system market and requested information from case management system vendors to understand how modern, commercial off-the-shelf technology could best support the continuing transformation of the Judiciary's business processes.

These activities were used to inform the development of a series of requirements and a Request for Proposals (RFP) that was published in July 2016 for case management system vendors to respond to. Three vendors submitted proposals and a rigorous, disciplined proposal evaluation process was undertaken over approximately four months. Through this process two of the proposing vendors were invited to demonstrate their systems to the project's evaluation team. The scoring of this exercise, along with consideration of cost proposals, led the NG-CMS Project Steering Board to recommend that the Project Sponsor approve the selection of the leading candidate vendor for implementation as the Judiciary's NG-CMS.

Following contract negotiations, the fourth phase of the NG-CMS project, Project Execution, will be conducted over an approximate three year period. It is during this phase that significant change will occur in the Judiciary. The NG-CMS will be installed and configured to meet the needs of the Vermont courts; business processes will be scrutinized and redesigned; staff will be trained; and the public will interact with the court in a much more efficient and effective manner through the use of electronic filing and availability of electronic documents and court records. Enhanced interactions with the Judiciary's justice partners will be implemented to increase the efficiency and timeliness with which information is exchanged with them, with the goal of continued reduction of manual intervention and redundancies, and increased quality of data. A preliminary stakeholder analysis has been conducted, and 18 data exchanges with justice partners identified, including but not limited to the Department of State's Attorneys and Sheriffs and the Office of the Defender General.

The NG-CMS project supports the Judiciary's goal to continually increase the maturity of the Judiciary's business processes. Leveraging commonly-used industry metrics, along with a proven maturity model, will enable the Judiciary to quantify the effectiveness of business processes across multiple elements, develop a baseline of maturity, and measure how the NG-CMS has contributed to the increased efficiency and quality of these business processes over time.

The NG-CMS will act as the cornerstone project for the Vermont Judiciary's portfolio of business process improvement initiatives that are intended to achieve a technology transformation that will enable us to better serve the public well into this century.

Section 1: Project Background and Overview

1.1 Legislative Report Organization

This report includes a description of the structured process taken throughout the project from conception to present, and a high-level timeline of events past, present, and future. The report also includes elements of the project charter, which defines the model by which the project will be governed, including an approach for making decisions throughout the project, definitions of project roles, a communication plan, which defines the method used to present and share pertinent information with both internal and external stakeholders and the public, and the process by which the NG-CMS Request for Proposal (RFP) was drafted and evaluated. The report illustrates the efforts made to integrate the case management system with the systems implemented by justice partners, including but not limited to the Department of State's Attorneys and Sheriffs and the Office of the Defender General.

This report is organized into the following sections and subsections:

Executive Summary – This section includes a brief description of the technology transformation that the Vermont Judiciary plans to undergo.

Section 1: Project Background and Overview – This section describes the background of the NG-CMS project and the VT Judiciary's vision for its impact. This section also includes the expected outcomes of the project, including a list of key performance measures to be identified and baselined prior to system implementation. These measures will be captured at multiple points following implementation to assist in gauging project success. It also describes the scope of the NG-CMS project, including elements that are intended to be impacted by the NG-CMS implementation ("In Scope") and those that are not intended to be impacted ("Out of Scope"). This section provides a list of internal and external stakeholder groups that are likely to be impacted in some manner by the implementation of the NG-CMS. It also describes a set of assumptions and constraints that may impact the NG-CMS project. The project is based on the assumptions listed in this section; if any are proven to be false, the project may require adjustments. Identified constraints should be managed with a goal of minimizing their impact on the project.

Section 2: Project Approach and Estimated Cost and Schedule – This section describes the approach that was taken to plan for and execute the NG-CMS project. It includes an estimate of costs, a summary of a Build vs. Buy analysis report, and a high-level schedule of activities. This section also includes the detailed and structured approach taken to draft and submit the RFP, as well as the process taken to review responses and the selection of a vendor for the NG-CMS.

Section 3: Project Risks and Issues – As with the Project Assumptions and Constraints sub-section, a list of preliminary project risks and issues are defined and listed in this section, along with initial mitigation strategies for each to minimize their impact on the project. Project risks and issues will be actively identified and managed throughout the lifecycle of the project.

1.2 Background

The Vermont Judiciary currently operates using independent docket management systems in each county. These docket management systems are based on the Vermont Automated Docketing System (VTADS) and were implemented in 1990. Since then, VTADS has been maintained and enhanced by the Judiciary's Research & Information Services Division (RIS). VTADS has worked well for 25 years, but the inherent limitations of this legacy system mean that the Vermont Judiciary is unable to utilize the features and functionality that a modern, next-generation case management system could provide. Some of the limitations of the VTADS system include:

- Inability to view data statewide
- Inability to easily and conveniently produce statistics and create reports
- Inability to thoroughly integrate with and make use of the Judiciary's data warehouse.

In addition, the current case management process is paper-based. Moving from a paper-based system to a digital business model will increase efficiency, improve access to justice for Vermonters, enhance communication with other agencies, and decrease the amount of storage space needed for physical files.

In 2000 – 2001, the Judiciary implemented a data warehouse to combine data from its varied systems in order to support statistic generation, data access, and sharing among the courts and state agencies. Currently, the data warehouse aggregates data from six of the seven VTADS servers housing 16 of the 18 VTADS databases. Two web-based applications called Vermont Case Access System (VCAS) and VT Courts Online allow end-users to search for court case information on a statewide basis. Additionally, a web server houses and publishes the report-based online calendars. 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 flexibility inherent with today's technologies.

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

By continuing with its current 25-year-old case management system, the Judiciary is at risk of failure regarding its primary record-keeping source of information. The least desirable option related to the application would be to simply do nothing. Implementing a single, modern, NG-CMS is expected to yield improvements in the usability of the Judiciary systems in virtually every major functional area. Reliance on an outdated application with no external support as the backbone of court operation poses increasing risks to courts and to the public. System failure would be a catastrophe from which the Judiciary would not easily recover.

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. The transformation to an electronic-focused business model will give the

Judiciary 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 Judiciary resources from tedious clerical work by directing many filing and initiation tasks appropriately into the hands of the filers and automated workflows.

An NG-CMS will enable users to more easily accomplish the work of the Judiciary with an architecture that encompasses Web and mobile-based user interfaces, flexible workflow, comprehensive definitions of business rules, and robust security features. The system will feature tight integration with electronic filing, and data and document management. The system will specifically target the Judiciary's strategic goals as follows:

- Increased access to judicial process for citizens by:
 - Standardizing practices and procedures
 - Ensuring that all files, documents, and other case materials are visible unless prohibited by policy or statute
 - Enabling the Judiciary to be open and accessible to Justice Partners, the Media, and the Public, in both policy and practice
- Improved justice for citizens. Enabling electronic filing, electronic forms, and data and document management functionality will enhance interaction with the courts for all stakeholders and allow for:
 - Faster justice
 - Efficient justice
 - Effective and informed justice
 - Greater access to accurate and timely judicial information and improved interagency communication
- Automation and integration of Judiciary business processes will lead to:
 - Reduced clerical work performed by staff
 - Increased time to complete value-add work performed by staff
 - Diminished data entry by staff with no duplicative data entry
 - Maximization of data import
 - Maximization of automated decision making
 - Improved functionality, accuracy, and reporting for financial systems
- Data transition from a paper-based system to an electronic system will mean:
 - Geography is irrelevant to court administration
 - The barriers of the case file and the courthouse will be removed
 - The system will be data-driven, not document-driven
 - Extensive reporting will be possible
 - Users will have the ability to better conduct impact analysis for decision makers and other branches of government
- Enhanced technology:
 - Flexible/expandable to accommodate all future growth and business process reengineering without reliance on external resource (vendor) for reprogramming

- Device independent

1.3 Overview

Recognizing the goals of the Vermont Judiciary, the Legislature approved Act 26 (H.492), signed by the Governor on May 18, 2015. This act appropriated \$550,000 for FY2016 and \$4,000,000 in FY2017 to the Vermont Judiciary. With the strategic goals in mind, the Vermont Judiciary took the first steps in the transformation process and developed and executed a Request for Information (RFI) into the marketplace. This sought to gather knowledge and guidance from providers of commercial-off-the-shelf (COTS) best-practice-based court case management systems (CMS). Responses from the RFI were reviewed and used to validate assumptions of costs and timeframes, start conversations with vendors, and gather information required for drafting the NG-CMS RFP.

In anticipation of building the NG-CMS RFP, the Vermont Judiciary issued an RFP to select and secure a dedicated Project Manager (PM) for the NG-CMS initiative. The PM will guide the Vermont Judiciary through the RFP and procurement process, as well as manage the implementation of the selected NG-CMS. BerryDunn was selected to provide Project Management support for the entire NG-CMS initiative.

With the assistance of BerryDunn, and after reaching out to the National Center for State Courts (NCSC) regarding governance best practices, the Vermont Judiciary developed a Governance Committee Charge and Designation. This is a three-level governance structure developed to support the initiative with clear and concise roles and responsibilities. Pat Gabel, State Court Administrator, was identified as the project sponsor and the single point of ultimate accountability for the project's success. The Vermont Judiciary assigned resources to governance roles and developed a "Charge and Designation" that was approved by the Supreme Court on January 12, 2016. The approved NG-CMS Initiative Governance Committees Charge and Designation document can be found [here](#).

The governance structure is comprised of Project Leadership, a Project Steering Board, a Project Working Board, and a set of Project Technical Committees. These are defined in detail within the NG-CMS Initiative Governance Committees Charge and Designation document and are summarized in the figure and table on the following page:

Figure 1: NG-CMS Governance Structure

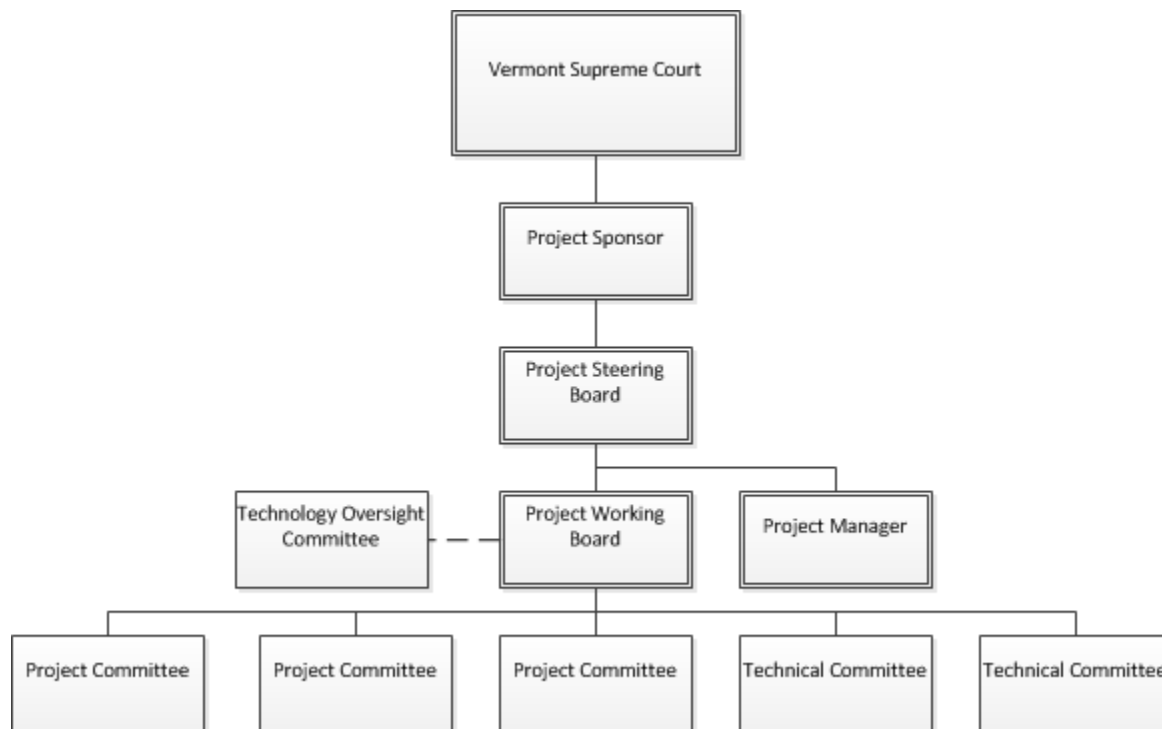


Table 1: Project Roles

Role	Current Membership
Project Leadership	
Project Sponsor	State Court Administrator
RIS Management	Judiciary Chief Information Officer Manager of Applications
Project Manager	BerryDunn
Project Steering Board	
Patricia Gabel, Esq.	Project Sponsor; State Court Administrator
Jeff Loewer	Chief Information Officer
Matt Riven	Chief of Finance and Administration
Tari Scott	Chief of Trial Court Operations
Honorable Brian Grearson	Chief Superior Judge
Honorable Kate Hayes	Superior Judge
Honorable John A. Dooley	Supreme Court Associate Justice
Honorable Beth Robinson	Supreme Court Associate Justice
Project Working Board	

Scott Carbee	RIS
Honorable Thomas Durkin	Superior Court Judge
Honorable Thomas Carlson	Superior Court Judge
Joanne Charbonneau	Statewide Court Clerk
Christine Brock	Superior Court Clerk
Andrew Stone	Court Operations Manager
Kelly Carbo	Manager of Finance
Chasity Stoots-Fonberg	Trial Court Operations Program Manager
Project Technical Committees	
Membership to be determined based on project necessity	

The Project Steering Board, shown above, was compiled and together, the members developed a Project Charter. The Project Charter is a formal mechanism used to define the objectives of the NG-CMS project, including project scope, initial assumptions, preliminary risks and issues, and high-level costs for the project. The Charter commits resources, both human and funding, to the NG-CMS project. The Charter also defines the model by which the project will be governed, including an approach for making decisions throughout the project and definitions of project roles. The Charter was approved by the Project Sponsor on March 31, 2016.

The next step in the process was to assemble a project management plan and schedule that dictates how the NG-CMS project will be managed, executed, and controlled. The project management plan can be used as a tool to help the project team achieve a successful outcome. The roles and responsibilities of each of the member of the project team are clearly defined and the plan includes sections on Scope and Change Management, Resource Managements, Communications Management, Risk, Issue and Quality Management, and Cost Management. The project schedule was also developed and includes the following high-level timeline:

- **Functional and Technical Requirements:** 12/15/2015 – 5/16/2016
- **Develop and Issue RFP:** 12/15/2015 – 6/3/2016
- **Procurement Support:** 6/6/2016 – 12/13/2016
- **Contract Negotiation:** 12/13/2016 – 3/15/2017
- **Implementation:** 3/15/2017 – 12/12/2019

After review of the current systems and documentation, a survey was developed and issued to all Judiciary staff in order to help the project team evaluate the current software solutions, identifying areas for improvement in existing processes, and gather desired future capabilities of the NG-CMS. This helped to ensure that all Branch personnel had the opportunity to contribute and broadly signaled the initiation of the project. The BerryDunn team conducted fact-finding and business process work sessions including Judiciary staff and stakeholders that regularly

participate in the key business processes most affected by the current VTADS system. The purpose of these eight meetings was to review, evaluate, and document the barriers and constraints imposed by existing systems functionality and processes, so that these could be considered in inclusion in the requirements list for the NG-CMS. Key themes emerged, including:

- Lack of integration of systems between courts creates barriers to collaboration and distribution of cases
- Lack of true linkage between cases (or persons to multiple cases) causes rework and additional work
- Location of the physical case file location has historically driven business processes
- Inability to copy or repeat characteristics or actions (e.g. events) among cases or parties results in redundancy and inefficiencies
- Lack of integration with external partners is a barrier in the courtroom for collaboration between the Judge, Clerk, Prosecutor, and Defense
- Lack of integrated calendar results in significant effort by multiple staff in multiple locations
- Onerous communications methods result in inefficiencies, rework, rescheduling and potential non-appearance by Law Enforcement

Based on the results of the survey, internal document review, fact-finding meetings, and a comprehensive review of court case management market research, an initial set of functional and technical requirements was generated and used as a starting point for facilitated joint requirement planning (JRP) work sessions to refine and prioritize each of the requirements. A final list of requirements was determined that focused primarily on unique requirements of the Vermont Judiciary.

Before taking the next step in formally drafting the RFP, a Build vs. Buy analysis and report was completed. This report included a list of advantages and disadvantages of developing a NG-CMS compared to purchasing a COTS NG-CMS or selecting a hybrid of the two by purchasing a product by a platform vendor and configuring a NG-CMS to meet the specific needs of the Vermont Judiciary. An analysis of high-level costs was conducted and the results were presented to the Judiciary.

The report set forth which options provided the highest value and the lowest risk. The Vermont Judiciary was able to use this report to make an informed decision regarding the contents and messaging that should be included in the NG-CMS RFP.

The table on the following page depicts the strengths and weaknesses to each option.

Table 2: NG-CMS Options – Strengths and Weaknesses

Option Strengths and Weaknesses			
Characteristic	Option 1: Upgrade the Existing VTADS	Option 2: Replace the Existing VTADS with a COTS	Option 3: Replace the Existing VTADS with a Hybrid Platform System
Estimated implementation period	5 years	5 years	5 years
Proven industry solution	No	Yes	No
Potential for useful functionality being included that is not planned for	Low	High	Low
Potential to leverage the experience and knowledge of other state users	Low	High	Medium-High
Potential for continuous development of leading edge technologies	Low	Medium	High
Potential for project success	Low	High	Medium
Software procurement and maintenance contract that keeps a vendor accountable	Low	High	High

1.4 Project Objectives

Selection and implementation of an NG-CMS is expected to meet the following objectives for the Vermont Judiciary:

- Improved access to the judicial process through implementation of electronic filing, electronic forms, a data and document management system, electronic case file management, and the digital exchange of information between the courts and external stakeholders
- Improved interagency communication enabled through a single CMS with a single database used by all the courts (rather than a separate CMS at each court location)
- Improved communication with external stakeholders through the use of NIEM-compliant data exchanges
- Conformance to the following “Ten CourTools Measures” for Trial Courts as defined by the National Center for State Courts (NCSC)¹:
 - **Access and Fairness:** Ratings of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, and respect.
 - **Clearance Rates:** The number of outgoing cases as a percentage of the number of incoming cases.
 - **Time to Disposition:** The percentage of cases disposed or otherwise resolved within established time frames.

¹ <http://www.courtools.org/~/-/media/Microsites/Files/CourTools/CourToolsOnline-Final.ashx>

- **Age of Active Pending Caseload:** The age of the active cases pending before the court, measured as the number of days from filing until the time of measurement.
- **Trial Date Certainty:** The number of times cases disposed by trial are scheduled for trial.
- **Reliability and Integrity of Case Files:** The percentage of files that can be retrieved within established time standards and that meet established standards for completeness and accuracy of contents (e.g. *Reduction of case management application data entry errors by xx%; improved data quality by xx% through a reduction of duplicate data entry; a reduction of data entry errors; increased data completeness; a reduction in submission of incomplete forms; conformance with national data requirements*).
- **Collection of Monetary Penalties:** Payments collected and distributed within established timelines, expressed as a percentage of total monetary penalties ordered in specific cases (e.g. *Improved tracking of all financial collections and disbursements through the reduction of data entry errors by xx%; reduction in clerk time entering financial transaction data by xx%*).
- **Effective Use of Jurors:** Juror Yield is the number of citizens selected for jury duty who are qualified and report to serve, expressed as a percentage of the total number of prospective jurors available. Juror Utilization is the rate at which prospective jurors are used at least once in trial or voir dire.
- **Court Employee Satisfaction:** Ratings of court employees assessing the quality of the work environment and relations between staff and management.
- **Cost Per Case:** The average cost of processing a single case, by case type as determined by the application of total court expenditures, case dispositions (or filings) by major case type, and inventory of all judicial officers and court staff

In addition to the objectives described above, the Vermont Judiciary expects that the NG-CMS project will be managed on time and within budget. The Judiciary further anticipates standardization of business processes and business rules and practices through business process workflow that will simultaneously leverage the efficiency of automation and ensure adherence to best practices. Increased use of standard practices should result in a decrease in the percentage of cases that are resolved outside disposition guidelines.

Increased self-sufficiency is a key goal of the NG-CMS project, for both internal and external stakeholders. This capability includes receiving and processing files electronically from all parties, thereby significantly reducing the Judiciary's reliance on the RIS department to develop and produce reports.

As a mechanism for determining progress made against these objectives, the Judiciary will conduct an exercise to develop baseline metrics for each of these areas prior to the implementation of the selected NG-CMS. A maturity model will be developed that defines "levels of operational maturity" as internal and external stakeholders utilize the operational NG-CMS. (See Appendix A – Judicial Tools Maturity Model for a representation of this model.)

Mechanisms for developing baseline metrics may include, but not be limited to:

- Vermont Weighted Caseload Study of Judicial Officers and Court State (January, 2016)
- Vermont Judiciary Annual Statistical Report for FY 2015
- Vermont Judicial Branch Overview – 2014 Legislative Session – Courts, Judiciary Programs, and Performance Measures (Spring, 2014)
 - Timeliness of Case Processing
 - Access and Fairness Survey of Court Users
 - Employee Satisfaction Survey Results

1.5 Project Scope

The scope of this project includes and excludes the following items:

In Scope

- Electronic filing (e-filing), electronic forms, case management, and data and document management for the Vermont Judiciary, which includes the Supreme Court, the Superior Court, the Judicial Bureau, and the Court Administrator’s Office
- Automation of business processes
- Control and recording of all business processes of the Judiciary
- Digital interfaces/data exchanges within the court system and between the court system and external stakeholders (to be determined during the NG-CMS project)
- Robust reporting and data retrieval functions for the Judiciary, including:
 - The capability for data extraction
 - The ability to perform ad-hoc reporting
- Training for all users
- Jury Management System (integration with Jury+ or replacement as a core component of the NG-CMS)
- Electronic records management, including:
 - Storage
 - Schedules
 - Archiving
 - Disposal
 - Expungement/sealing
- A Judicial Workbench, including:
 - The ability to control content through external/extended screens, rather than duplication of the main judge’s bench screen
- Management of Financial Systems, including:
 - Accounting
 - Reporting
 - Vendor Payments (jury and bail)
 - Billing
 - Payment Methods
 - e-Payments
 - Point of Sale
- Migration / Conversion of legacy data (to be determined during the NG-CMS project)

- Board of Bar Examiners (BBE)
 - Bar Exam Facilitation and Tracking
- Attorney Licensing (Atty Lic)
 - Fees
 - Correspondence
 - Continued Education Credits (CLEs)
- Professional Responsibility Board (PRB)
 - This is the Board in Vermont that handles allegations of attorney misconduct

Table 3 depicts the Functional Areas and Business Processes that are within the scope of this project.

Table 3: Functional Areas and Related Business Processes

	Functional Area
1	<p><i>Case Management</i></p> <ul style="list-style-type: none"> • Judge Assignments • Case Initiation/Intake <ul style="list-style-type: none"> ○ Criminal (“e-Charging,” “e-Citations”) ○ “e-Filing” ○ Proposed Orders • Hearings Management • Scheduling including calendar conflict checking • Disposition Management • Case Closure • Jury Management
2	<p><i>e-Bench (“Judicial Workbench”)</i></p> <ul style="list-style-type: none"> • Include Sentence Calculation
3	<p><i>Financials</i></p> <ul style="list-style-type: none"> • Financial Accounting, Receivables, General Ledger • Payment Methods <ul style="list-style-type: none"> ○ e-Payments ○ Point of Sale • Financial Reporting • GAAP Compliance • Interface to Vermont Finance System (VISION)
4	<p><i>Courtroom Management</i></p> <ul style="list-style-type: none"> • Management, access and display of in-court record • Evidence, File Display • In-Court Data and Docket Entry

5	<i>Docketing, Scheduling, and Calendaring</i>
6	<i>Reporting</i> <ul style="list-style-type: none"> • Standard Reports • Ad-hoc Reports • Management and Statistical Reporting • NCSC “Courtools” Capabilities
7	<i>Case File Features (“Non-Functional”)</i> <ul style="list-style-type: none"> • Data and Document Management <ul style="list-style-type: none"> ○ Document Template Management ○ Document Management ○ Redaction ○ Batch Processing (Letters) • Electronic Media Management • Records Management (retention and archiving) • Electronic signature • Workflow • Bar Code Scanning
8	<i>Data, Usability, and Interoperability (“Non-Functional”)</i> <ul style="list-style-type: none"> • Grouped Data Processing (multi-case case data, e.g. Juvenile/family) • User Interface (e.g. “Web”) • Mobility • Expunge / Seal Capabilities • Security • Integration of Cases across courts • Electronic Data Exchanges <ul style="list-style-type: none"> ○ Electronic notifications ○ Policy automation ○ Public Access Portals and other means of self-service ○ NIEM-compliant Exchanges with Internal and External Systems Partners (need to provide a list at some point: Current; Required, Optional) • Standards Compliance <ul style="list-style-type: none"> ○ COSCA ○ NACM ○ NCSC

Out of Scope

- The redesign of business processes for external judicial partners, accommodating the exchange of data between the external agencies and the Judiciary
- An information website
- Physical plant adjustments

Stakeholders Affected or Impacted

The impact of this project on all project stakeholders was determined to ensure that the right people and functional areas are involved and communication is directed appropriately. A detailed stakeholder analysis was conducted during the development of the Project Work Plan and Communication Plan. The purpose of the stakeholder analysis was to ensure that all stakeholders' needs are considered, and that appropriate engagement of the stakeholders is undertaken during the execution of the project.

A list of project stakeholders is provided below in alphabetical sequence:

- Advocates
 - General and Special Interest
 - Victim Advocates (Department of Corrections)
 - Center for Crime Victim Services (CCVS)
 - Victim Advocates (Attorney General's Office)
 - Victim Advocate (State's Attorney's Offices)
 - Domestic Violence/Sexual Assault
- Alternative Justice Programs
 - Community Justice Centers Community Justice Boards
 - Diversion Programs
 - Pretrial Services
- Assistant Judges
- Collections Agencies
- Community, State, and National Justice Research Organizations
 - National Center for State Courts (NCSC)
 - Vermont Crime Research Group (CRG)
- Congressional Delegation
- Court Administrator's Offices
 - Finance and Administration
 - Operations
 - Planning and Court Services
 - RIS
- Federal Agencies and systems, including but not limited to:
 - Federal Bureau of Investigation (FBI)
 - National Crime Information Center (NCIC)
 - National Law Enforcement Telecommunications System (NLETS) Interstate Compact Offender Tracking System (ICOTS)

- Governor and Governor's Office
- Grant Agencies
- Judiciary and State Programs and Task Forces
 - Guardians ad Litem
 - Judicial Conduct Board
 - Justice for Children Task Force
 - Juvenile Justice Programs
 - Professional Responsibility Board
- Justice Partners
- Licensing and Transportation Boards
- Litigants
 - Attorneys/Members of the Bar
 - Self-represented Litigants (SRLs)
- Local Government and Law Enforcement Entities
 - County Systems/Officials/Local Clerks
 - Police Departments
 - Municipalities
- Media
- Other States
- Probate Court Judges and Clerks
- Secretary of State
- Sheriffs
- Staff and Clerks of the Court
- Supreme Court
- Tax Payers
- Trial Judges
- Unions
 - Vermont State Employees Association (VSEA)
- U.S. Senators/Member of Congress
- Vermont Agency for Human Services, including but not limited to:
 - Department for Children and Families (DCF)
 - Office of Child Support
 - Department of Corrections (DOC)
 - Pretrial Services (including pre-charge services)
 - Probation and Parole
 - Department of Health
- Vermont Agency of Administration
 - Department of Finance and Management
 - Department of Information and Innovation
- Vermont Agency of Natural Resources
 - Natural Resources Board
- Vermont Agency of Transportation
 - Governor's Highway Safety Program

- Vermont Association of Court Diversion Programs (VACDP)
- Vermont Bar Association
- Vermont Bar Foundation
- Vermont Center for Crime Victim Services
 - State of Vermont Restitution Unit
 - Victims Compensation Program
- Vermont Department of Education
 - Schools/Educators
- Vermont Department of Labor
- Vermont Department of Motor Vehicles
- Vermont Department of Public Safety, including but not limited to:
 - Criminal Justice Services
 - Emergency Management and Homeland Security
 - State Police
 - Vermont Crime Information Center
- Vermont Department of Taxes
- Vermont Legislature
- Vermont Office of the Attorney General
 - Attorneys
- Vermont Office of the Defender General
- Vermont Public (including all people in Vermont, regardless of taxation or citizenship status)
- Vermont Public Service Board
- Vermont Public Service Department
- Vermont State Auditor
- Vermont State's Attorneys
- Victims of Crime

As part of the communication plan, a presentation and informational session was held with some of the identified external stakeholders on August 11, 2016. This was a collaborative meeting that provided an overview of the Vermont Judiciary's NG-CMS project and technology transformation to attendees. Following the meeting, the attendees were asked to select any additional parties they wished future updates and communications to be directed to. Throughout the project, the Vermont Judiciary intends to include the involvement of its external stakeholders. It will be especially important when configuring any interfaces of the selected system.

1.6 Project Assumptions and Constraints

Project Assumptions

Certain assumptions and premises were made to identify and estimate the required tasks and timing for the project. The project assumptions are listed below. If an assumption is invalidated at a later date, then the activities and estimates in the project plan should be adjusted accordingly.

- Commitment to funding from Legislature will continue to be sufficient, including an initial \$4.5 million appropriation
- Vermont Department of Information and Innovation (DII) infrastructure is available and has sufficient capacity to support the NG-CMS
- A private cloud option will be available for the NG-CMS (The NG-CMS will successfully integrate JUDCloud, the private cloud infrastructure established by the Vermont Judiciary in partnership with DII.)
- The NG-CMS will include replication, backup, and recovery
- The current, fully unified Court System in Vermont will not be eroded or reverted to the previous system
- External stakeholders will be able to interface with, and successfully utilize, the Judiciary's NG-CMS
- The Vermont Judiciary has decision autonomy and is self-governing
- Adoption of technology will continue to advance in society and resources will become more receptive to technology
- The Vermont Judiciary has sufficient internal staffing capacity including sufficient resources to backfill personnel committed to project
- Judicial funding will not be reduced (this is separate from project-specific funding)
- The vendor community will be able to support the NG-CMS needs
- The Supreme Court will continue to support the project
- The implementation of the NG-CMS will be completed within five years

Project Constraints

Constraints are limitations placed upon the project that the project manager and team must work within.

- Limited availability of Judicial resources
- Competing projects and priorities
 - Impact on staff, timeline, and money
- Regional labor pool and salary structure
- The Vermont Judiciary is inclined toward “decision by committee”
- Limited funding and resources available for expertise in the field of “best practice” process re-engineering.
- The Judiciary is inclined to be risk-averse
- Abilities and capabilities of Justice Partners
- Abilities and capabilities of current Judiciary resources and systems

Section 2: Project Approach, Estimated Cost and Schedule

There are five discrete phases planned for the NG-CMS project:

- Exploration
- Initiation
- Planning/Procurement
- Execution
- Close

These are further elaborated in the following sub-sections.

2.1 Summary Project Schedule

The NG-CMS project began in December 2014 with exploration of the solution landscape, including research into current court case management systems and discussions with other states who have recently adopted a court case management system. Upon completing the Exploration phase, the Vermont Judiciary sought an independent consulting firm to help it define case management requirements, develop an RFP for a case management system, assist with procurement, and provide project management support for the implementation. This phase (Initiation) began in October 2015 and is considered complete once a formal NG-CMS project charter (this document) has been developed and approved by the NG-CMS project sponsor.

The Planning phase succeeds the Initiation phase. Within it, the project team will define system requirements, develop the RFP, and manage the procurement process through selection of a vendor and contract negotiation. This process is expected to be completed in spring 2017. As part of the larger initiative, and in parallel with the NG-CMS project, the Judiciary may review and revise current business processes in anticipation of the implementation of the replacement system.

In the Execution phase, the system is installed and configured by the selected vendor. Customization of (or coding within) the system is kept to a minimum. However, configuration of workflows arising from business process redesign efforts during the vendor's analysis and design phase are incorporated here. These are not customizations but, rather, are creations and configurations within existing workflow capabilities. The resulting system will be tested, staff will be trained, and the system is anticipated to become operational by mid-to-late 2020.

The project's formal completion arises in the Close phase where the NG-CMS is transitioned from "project" status to "operational" status. The specifics regarding the implementation strategy for the NG-CMS will be developed collaboratively between the Vermont Judiciary and the selected NG-CMS vendor. As such, interim (or "phased") deployment of operational functionality is not known at the time of the ratification of the project charter.

Table 4, on the following page, provides a summary of the high-level activities planned for each phase, their estimated duration, phase status, and approximate cost. The costs provided in this table do not include the cost of internal (Vermont Judiciary) resources participating in the project.

Table 4: Summary NG-CMS Project Phases

Project Phase	Planned High-level Activities	Start	End	Status(*)	Estimated Cost
Exploration	<ul style="list-style-type: none"> Market research RFI development and issuance Site visits to view two systems in use 	December 2014	September 2015	Complete	\$25,000
Initiation	<ul style="list-style-type: none"> Development of a Project Charter 	October 2015	November 2015	Completed	\$20,682
Planning	<ul style="list-style-type: none"> Identification of NG-CMS Requirements Development of a NG-CMS RFP Selection and contract negotiation for an NG-CMS 	December 2015	December 2016	In progress	\$323,642
Execution	<ul style="list-style-type: none"> Installation of selected NG-CMS Gap Analysis Configuration and customization of the selected NG-CMS Testing Training Deployment 	March 2017	June 2020	Not started	\$7,500,000 – \$10,000,000 (includes \$441,299 of Project Management Consulting)
Close	<ul style="list-style-type: none"> Complete Final Deliverable Sign-offs Document existing solution deficiencies Conduct an After Action Review Transition to operational mode for the NG-CMS Conduct project closeout presentation 	June 2020	June 2020	Not started	\$3,000

(*) As of December 31, 2015

Note: In the above table, total project cost does not include the following:

- Life-Cycle maintenance and refresh
- Business process re-engineering efforts that may run in parallel with the NG-CMS acquisition and implementation project
- Cost for physical plant changes, etc.

2.2 Detailed Approach of the Procurement Process

The procurement Process takes place in the planning phase of the project. The Steering Board and Working Board members relied on all of the initial research and analysis and drafted the NG-CMS RFP. The format of the RFP included the following:

- Information on the history of the Judiciary NG-CMS replacement project
- Standard terms and conditions
- Procurement and implementation timeline
- Project management deliverables
- Payment milestones
- High-level description of the Judiciary's current environment
- List of detailed functional and technical requirements

The RFP was submitted to the marketplace on July 1, 2016, with a subsequent amended version submitted on August 2, 2016. On July 18, 2016, a bidder's conference was conducted where interested bidders attended a virtual conference and asked any questions they had specific to the RFP. Additional questions were submitted in writing, and written responses to all questions, both those submitted in writing and those asked at the bidder's conference, were posted on the NG-CMS public website. On September 12, 2016, three bidders submitted proposals. The following three bidders responded to the RFP:

- CourtView Justice Solutions
- Thomson Reuters
- Tyler Technologies, LLC.

Over the next few months, the proposals were reviewed, summarized, analyzed, and scored following a previously determined and prescribed method for evaluation.

The first step of the review process is to ensure that each proposal meets the minimum requirements set forth in the RFP. All three proposals were reviewed and each met the minimum requirements. A proposal review summary was compiled for each of the three responses. This summary presents the information provided by each bidder relative to the predetermined scoring areas; executive summary and solution overview, corporate background, experience, qualifications and references, financial requirements, professional services requirements, functional and technical requirements and also includes a section with any bidder exceptions and omissions. A side-by-side comparison of the three summaries was also compiled in a fourth document.

Part of the summary document included a level of fit analysis. The level of fit analysis compiles the bidder's responses to each of the functional and technical requirements set forth in the Requirements Matrix of the RFP. Each bidder was asked to respond to each of the

requirements with one of five response indicators. The response options were as follows: Standard (S), Future (F), Custom (C), Third-Party (T), and No (N). The responses were further organized based on whether the requirement had been labeled mandatory, essential, conditional, or optional. The responses were presented in multiple ways to depict the level of fit for each of the ten functional areas.

The next step was for each of the steering board and working board members to review the three proposals and take notes, specific to the scoring areas mentioned above. The strengths and weaknesses were noted, as well as any questions or issues that stood out. These notes were brought to Round 1 of scoring.

Round 1 of Scoring was a two-day review session, which included a review session pertaining to each of the scoring areas for each of the three bidders. The evaluation criteria that was reviewed and scored for each proposal is as follows:

- Executive Summary and Solution Overview (maximum of 100 points)
- Corporate Background (maximum of 50 points)
- Experience, Qualifications, and References (maximum of 150 points)
- Financial Requirements (maximum of 50 points)
- Functional and Technical Requirements (maximum of 150 points)
- Professional Services Requirements (maximum of 300 points)

At the conclusion of Round 1 Scoring, the Vermont Judiciary narrowed down the list of potential bidders from three to two, and invited the two remaining bidders to attend Oral Presentations and Product Demonstrations. These were held in Burlington. Prior to the bidder demonstrations, the Vermont Judiciary selected a number of scenarios they wished to have the bidders demonstrate to illustrate the features of the NG-CMS solution proposed. Each bidder had two days allotted with a prescribed agenda in which they could demonstrate how their proposed solution met the needs of the Vermont Judiciary.

Following the product demonstrations, Round 2 Scoring took place. During Round 2 Scoring, the evaluation team members adjusted their previously applied points for each evaluation criteria to reflect what was seen during the oral presentations and product demonstrations. At the conclusion of Round 2 Scoring, Round 3 Scoring took place. The cost proposals, which had been sealed up until this point, were opened and a previously set algorithm was applied to the cost proposals as set forth in the RFP. The additional points were added to the adjusted Round 2 scores and a final score was determined for each bidder.

There were a serious of key clarifying questions that required answers before the NG-CMS Steering Board (i.e., the Evaluation Committee) could recommend a primary and secondary vendor to the Project Sponsor. A formal email was sent to the short-list vendors and a best and

final offer (BAFO) was requested. The short-list vendors provided responses to the clarifying questions and a BAFO. The responses were reviewed and discussed during a meeting, and by a majority of votes, the Steering Board made a recommendation to the Project Sponsor of primary and secondary vendor. This recommendation was accepted by the Project Sponsor.

Section 3: Project Risks and Issues

Project risks are characteristics, circumstances, or features of the project environment that may have an adverse effect on the project or the quality of its deliverables. Known risks identified with this project have been included below. A plan will be put into place to minimize or eliminate the impact of each risk to the project.

Table 5: Risks and Issues

Risk and Issue Description	High-level Risk and Issue Mitigation Strategy
Project Risks	
1. Key external stakeholders may not be able to interface with the NG-CMS due to older legacy systems	Include a requirement in the resulting NG-CMS RFP for all interfaces to be NIEM compliant. Conduct a stakeholder analysis to determine the needs of internal and external stakeholders. Develop and implement a detailed Communication Plan to ensure that all project stakeholders clearly understand project progress and expectations.
2. Potential shortage of Judicial resources (technical, functional, and project management)	Develop and implement a detailed Resource Plan that describes the resource allocation methodology and, when possible, commits Judicial resources to the project as close to full-time as possible without interrupting operational activities. The Resource Plan will include estimates and projections for Judicial resources required during the project, including backfilling resources as needed.
3. End-user resistance to change	Develop and implement a detailed Change Management Plan to ensure that all project stakeholders clearly understand project progress and expectations.
4. Inadequate funding	Ensure the NG-CMS project sponsor has appropriate authority to commit needed funds for the project, including additional back-fill staff. Ensure that funding sources and Legislative appropriations continue at adequate levels.
5. Staff Attrition	To be addressed during the execution of the NG-CMS project.
6. Independence of Trial Judges (may not be in compliance with NG-CMS implementation)	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Change Management Plan.

Risk and Issue Description	High-level Risk and Issue Mitigation Strategy
Project Risks	
7. Political opposition and possible fear	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Change Management Plan.
8. Possible bias to a specific solution	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Change Management Plan.
9. Project manager and/or vendor failure	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Change Management Plan.
10. Failure to follow approved governance model	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Change Management Plan.
11. Reversion to “decision by committee” in the Judiciary	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Change Management Plan.
12. Loss of Joint Fiscal Office (JFO) support and confidence	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Communication Management Plan.
13. State procurement process is a risk to the NG-CMS schedule	To be addressed during the execution of the NG-CMS project.
14. Business Process Reengineering activities may not be adequately planned or executed.	Ensure that new and ongoing business process reengineering efforts prepare Judiciary for NG-CMS as opposed to causing redundancy of effort.
15. A limited number of qualified responses to the RFP were received.	Conduct a level of fit analysis to ensure the bidders meet the requirements set forth in the RFP. Indicate to the primary and secondary vendors selected that the Judiciary reserves the right to stop negotiations with the primary vendor and initiate negotiations with the secondary vendor should negotiations stall.
16. Current virtual desktop and server environment may not be sufficient to support the NG-CMS system selected.	Explore alternatives to virtual desktop environment and work with the vendor to discover the requirements needed of the Judiciary. Alternatively explore options for replacing the current virtual desktop environment with a more traditional PC based infrastructure.

Risk and Issue Description	High-level Risk and Issue Mitigation Strategy
Project Issues	
1. Resistance to centralization and standardization	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Communication Management Plan.
2. Differing Judiciary “stovepipe” competing agendas	To be addressed during the execution of the NG-CMS project. Develop and implement a detailed Communication Management Plan.
3. Current Customized Business Processes and Local Practices do not currently support best practices and are barriers to the advancement of VT Judiciary vision and goals. The Judiciary has little knowledge of industry best practices in use at other judiciaries.	To be addressed during the execution of the NG-CMS project.

Appendix A – Judicial Tools Maturity Model

Judicial Tools Maturity Model						
Version 1.1 (September 2015)						
Stage	Case Information	Case Management Information	Documents	Chambers Work	Calendar and Court Events	Communication
Advanced	<ul style="list-style-type: none"> • Access to related cases • Case workflow and integrated scheduling • Remote capabilities • Configurable 	<ul style="list-style-type: none"> • Ticklers and alerts for cases outside established standards • Trend analysis 	<ul style="list-style-type: none"> • Annotations • eSignature • Document rights management • Remote capabilities • Document routing 	<ul style="list-style-type: none"> • Document grouping, citation linking, and cross-referencing • Automated sentencing and jury instruction tools • Pending workflow queue 	<ul style="list-style-type: none"> • Automated scheduling • Access to real time updates on case docket • Video transcript with playback capabilities 	<ul style="list-style-type: none"> • Automated reminders and ticklers based on case workflow
Intermediate	<ul style="list-style-type: none"> • Advanced search • Complete case information, including judge notes and research • Document integration • Future court calendar • External data sources 	<ul style="list-style-type: none"> • Real time access to case mgmt. information relative to standards • Graphical view • Drill down capability to specific case data 	<ul style="list-style-type: none"> • Document viewing integrated with case information • Document notes • Text searchable • Document creation with case data integration 	<ul style="list-style-type: none"> • Templates and macros for jury instructions, orders and judgments • Review of upcoming docket • Remote capabilities 	<ul style="list-style-type: none"> • Video conferencing • View electronic documents • Audio transcript with playback capabilities • Reserve future court dates • Access to real time transcript 	<ul style="list-style-type: none"> • Integrated case notes • Text messaging • Instant Messaging capabilities between judge and support staff
Basic	<ul style="list-style-type: none"> • Basic search capability • Case summary information 	<ul style="list-style-type: none"> • Links to static reports, benchmarks, and time standards 	<ul style="list-style-type: none"> • Ability to search/filter documents • Multiple document viewing 	<ul style="list-style-type: none"> • Online research tools • Sentencing guidelines • Jury instructions 	<ul style="list-style-type: none"> • Electronic calendar • Electronic case details • Telephonic appearance 	<ul style="list-style-type: none"> • Email • Tentative rulings • Electronic judge/clerk notes • Real time transcripts
Paper	<ul style="list-style-type: none"> • Case file folder • Post-it notes • Paper minutes 	<ul style="list-style-type: none"> • Monthly/quarterly paper statistical reports 	<ul style="list-style-type: none"> • Case file folder • Marked-up working documents 	<ul style="list-style-type: none"> • Documents viewed in paper case file • Paper notes • Law books • Basic word processing 	<ul style="list-style-type: none"> • In person • Paper court calendar and minutes • Paper case file for relevant case information 	<ul style="list-style-type: none"> • Post-it Notes • Phone • Paper notices
Supporting Technology	<ul style="list-style-type: none"> • CMS, DMS, calendar, remote access, mobile 	<ul style="list-style-type: none"> • Reporting system, CMS, Business Intelligence, Work queue business process management 	<ul style="list-style-type: none"> • DMS, CMS, remote access 	<ul style="list-style-type: none"> • CMS, DMS, file tracking, legal research tools, remote access 	<ul style="list-style-type: none"> • CMS, video conferencing, phone 	<ul style="list-style-type: none"> • CMS, email, SMS

