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**MEMORANDUM**

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**TO:** CATHERINE BENHAM, CHIEF FISCAL OFFICER, JOINT FISCAL OFFICE  
SARAH CLARK, DEPUTY FISCAL OFFICER, JOINT FISCAL OFFICE

**FROM:** LISA M. GAUVIN, IT CONSULTANT FOR THE JOINT FISCAL OFFICE

**SUBJECT:** JUDICIARY NETWORK INDEPENDENT REVIEW AND RECOMMENDATIONS

**DATE:** APRIL 19, 2023

In January 2023, the Judiciary requested \$6,230,000 for a new network and other technology projects. The FY 2023 Budget Adjustment Act (2023 Acts and Resolves No. 3, Sections 45 and 93; see page 2 of this memo for the language) included \$1,550,000, which covered the other technology projects including internal network cabling upgrade, courthouses sound system replacement, and correctional facilities remote hearings improvement. These costs are NOT considered part of the network implementation project.

The decision to fund the \$4,680,000 for the Judiciary IT Network Replacement project in the FY 2024 budget was placed on hold pending an independent review from a third-party contractor.

This independent review was completed by BerryDunn. It recommends the project proceed and estimates the total implementation costs of the project to be \$6,956,363. This includes the \$4,680,000 requested funds in the FY 2024 budget and \$2,276,363 sourced from the Court Technology Fund in the Judiciary's operating budget.

I want to highlight the following points made in the review:

- A security assessment conducted by the National Center of State Courts noted that the Judiciary had no visibility or control over the network provided by the Executive branch. The assessment noted this lack of separation and control is counterintuitive to Judiciary's cybersecurity.
- Although a formal competitive bid process was not completed, two proposals were solicited from leading vendors and evaluated. The selected vendor has a strong track record with the Judiciary and produced a plan that aligns with industry best practices. In addition, this plan includes network hardware that staff is already certified to administer. The network expert assessing vendor proposals concluded the chosen bid was in line with projects of this scope.
- The independent review assessed the timeline and found it to be achievable.
- BerryDunn recommended mitigations to risks identified during the review. The Judiciary is incorporating these recommendations into the project. These recommendations include a more detailed breakdown of deliverables in the contract.
- BerryDunn confirmed the project would positively impact the Judiciary's net operating costs after the initial implementation period. The Judiciary will save an average of \$768,718 in operating costs annually during FY25-FY29, with a total anticipated savings of \$3,843,588. Due to the initial implementation costs, the Judiciary will not reach the total breakeven point until FY31.

After analyzing and discussing the review with BerryDunn and the team at Judiciary, **I recommend this project proceed to expedite relief to the network problems that have disrupted the Judiciary during the past year.**

Language from FY23 Budget Adjustment Act (2023 Acts and Resolves No. 3) regarding the Judiciary Independent Review

Sec. 45 2022 Acts and Resolves No. 185, Sec. B.1100 is amended to read:

Sec. B.1100 FISCAL YEAR 2023 ONE-TIME GENERAL FUND

APPROPRIATIONS

(a) In fiscal year 2023, funds are appropriated from the General Fund for new and ongoing initiatives as follows:

\* \* \*

(35) \$1,550,000 to the Judiciary as follows:

(A) \$750,000 for internal network cabling upgrade.

(B) \$500,000 for courthouses sound system replacement.

(C) \$300,000 for correctional facilities remote hearings improvement.

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Sec. 93. JUDICIARY NETWORK REPLACEMENT REVIEW

(a) On or before April 15, 2023, the Judiciary shall obtain an independent expert review for their proposed Network Replacement project. The review shall include:

(1) an acquisition cost assessment;

(2) a technology architecture and standards review;

(3) an implementation plan assessment, including a review of the staffing plan for the ongoing operation of the network;

(4) a cost analysis and a model for benefit analysis;

(5) an analysis of alternatives;

(6) an impact analysis on the Judiciary's net operating costs; and

(7) a security assessment.

(b) The Judiciary shall submit a copy of the review described in subsection (a) of this section to the House Committees on Appropriations and on Government Operations and Military Affairs and the Senate Committees on Appropriations and on Government Operations. No funds shall be appropriated for the Judiciary's Network Replacement project until the results of the review are assessed by the General Assembly.

(c) Any costs associated with the review described in subsection (a) of this section shall be paid for from the Judiciary's fiscal year 2023 operating budget.