IT Governance Review of Superior Courts IT Requests
April 19, 2010 Meeting Summary

In February 2010, the SCJA initiated and endorsed a single request for an automated system supporting case management, calendaring and judicial decision-making. Consistent with the new JISC-approved IT Governance process, this request was sent to AOC for analysis. AOC staff completed their preliminary analysis of this request and identified three distinct problems. The problem statements were broken down into three requests, which were affirmed by the SCJA:

- ITG Request #10-03:001 – Gaps in the Current Applications, which addresses calendaring and case management functionality.
- ITG Request #10-03:002 – Challenges with interfacing to other applications, which addresses data integration across in-state court systems, in-state justice partner systems, and out-of-state and international justice systems.
- ITG Request #10-03:003 – User interface, and system usability, which addresses issues such as single sign-on and configurable personal screens for system access and information.

The interim Superior Court Level User Group met on April 19 to review and discuss the three requests. The following recommendations will be advanced for consideration to the JISC at their April 23 meeting.

ITG Request #10-03:001 – Gaps in Current Applications: Judicial "Bench-Focused" System

Superior Court Level User Group Recommendation to JISC

Recommend Feasibility Study for Request ID: 10-03:001 that should include an analysis of the alternatives and costs required to allow Superior Court Judges to have an integrated system that is bench focused with interdependencies between the following core elements:

- Calendaring (scheduling case events and recording outcomes)
- Caseflow Management (court management of case schedules and events)
- Case Management (post-judgment clerk activities)
- Outcome reporting (court calendars and summary caseflow management reports)
- Resource Management(coordinated scheduling of resources with case events, e.g,, courtrooms, interpreters, A/V)

Timing: Make clear movement forward in the development or acquisition of a new bench-focused case management system by July 2011.

Voting Results: Unanimous vote to move the request for a Feasibility Study forward for JISC consideration.

Background / Considerations

A new bench-focused case management system needs to:

1. Support interdependencies with existing court systems, Clerks' docketing and other processes/systems, accounting/financial systems, case management and calendaring systems.
2. Consider various funding and support models and inter-jurisdictional considerations.
3. Address risks:
    - Manage potential changes in scope (scope creep) – the scope of effort needs to be clearly defined (e.g., court levels and/or communities supported, existing systems replaced or affected).
    - Create common definitions (e.g., "calendaring," "caseflow management", "case management") – definitions vary by court jurisdiction and by vendor, so need to establish clear, common definitions.[i]
    - Elements of a case management system may be missed in the initial analysis, feasibility study or request. Adding them in later may be perceived as scope creep.
    - Ensure risks and costs are appropriately balanced.
4. Meet the following expectations:
    - Adhere to standards for new systems or significant changes to existing systems.
    - Meet judicial decision-making needs by providing easy access to data they do not have access to today, including others' calendars.
    - Judges expect the new solution to be COTS-based (with consideration of alternatives such as LINX not precluded).

A Feasibility Study will identify alternatives, including their costs, benefits and risks.

ITG Request #10-03:002 – Data Exchange/Interface with Other Applications

Superior Court Level User Group Recommendation to JISC

Recommend immediate action on ITG Request ID: 10-03:002 that should include an analysis of the alternatives and costs required to allow Superior Court Judges to:

- View all Superior Court case documents electronically.
- Access data from other systems, e.g. local jail systems.

Timing: Functionality required as soon as possible.

Voting Results: Not unanimous. Proceeds to JISC with Pros and Cons.

Pros	Cons
▪ Addresses legislative mandates ▪ Enables more informed decision-making ▪ Improved outcomes	▪ High cost ▪ Performance impacts to systems being accessed ▪ Increases complexity ▪ Access guidelines need to be established (e.g., who can access what, redaction policies, sealed cases)

Background / Considerations

The Washington Legislature has mandated that courts consider a variety of relevant court information to improve judicial decision-making and outcomes in areas such as domestic violence protection orders, release decisions, and family courts. Of the 39 Washington counties, 38 have installed imaging systems and scanned significant portions of their court records.

Analysis should address:

- Data exchange committee responsibilities and efforts-to-date
- Strategies to ensure scope is clearly defined and maintained
- Impacts on Superior Court systems
- Impacts on other agency data systems
- Ongoing maintenance of data interfaces
- Balancing functionality, risks and costs.

ITG Request #10-03:003 – User Interface and System Usability

Superior Court Level User Group Recommendation to JISC

Recommend moving ITG Request ID: 10-03:003 forward to the JISC, that the ISD's Enterprise Architecture initiative should include the development of standards that address single sign-on user security and user customization and personalization. The standards that are established should be applied to all future systems acquisition and major enhancements consistent with what is described in ISD's Transformation Roadmap.

> **Timing:** To be included with the review and approval of the Enterprise Architecture standards at the May 2010 JISC meeting.
>
> **Voting Results:** Unanimous vote to move the request forward for JISC consideration.

Background / Considerations

Many judicial officers do not use the full range of systems that are available to them due to the cumbersome nature of having to log on to multiple systems. Single sign-on (e.g., logon once and get access to all systems individual is authorized to access) and the ability to customize/personalize the user environment are ways to make systems more efficient and user-friendly.

The Superior Court Level User Group acknowledged that it would be difficult and cost prohibitive to retroactively apply this requirement to all legacy JIS applications. Thus, the recommendation focuses on having Enterprise Architecture include standards that apply to all new systems replacements or major enhancements.

Delays in implementing the ISD Transformation Roadmap may also delay implementation of these enhancements.

[1] Reference Definitions

One of the challenges that the Superior Court Level User Group faced in discussing the various aspects of the IT requests was having a common understanding of the terminology in use. Terms used to describe court systems need to be pre-defined and used consistently. The following industry descriptions are provided as a reference for future discussions.

Caseflow Management

"Caseflow management is the court supervision of the case progress of all cases filed in that court. It includes management of the time and events necessary to move a case from the point of initiation (filing, date of contest, or arrest) through disposition, regardless of the type of disposition. Caseflow management is an administrative process; therefore, it does not directly impact the adjudication of substantive legal or procedural issues."

"Caseflow management includes early court intervention, establishing meaningful events, establishing reasonable timeframes for events, establishing reasonable timeframes for disposition, and creating a judicial system that is predictable to all users of that system. In a predictable system, events occur on the first date scheduled by the court. This results in counsel being prepared, less need for adjournments, and enhanced ability to effectively allocate staff and judicial resources."

Caseflow Management Guide, Page 1, State Court Administrative Office of the Courts, Lansing, Michigan, Undated.

Case Management System

A case management system supports caseflow management through establishment and compliance monitoring and enforcement of case deadlines and events, whether those deadlines and events represent requests for hearings to be held, the conduct of hearings before the court, activities that occur outside the direct purview of the court (i.e., mediation, settlement offers or efforts), exchange of information between parties and the filing of certain documents.

A case management system generally provides reports or screen based information used to manage individual cases and groups of cases the caseload level by case type. A case management system generates reports, letters, forms, and other documents necessary to communicate approaching or missed deadlines (compliance and enforcement).

A case management system supports different sets of general case events by type of case, and sub-type of case.

Calendaring (resource scheduling) System

Calendaring is the activity of scheduling cases for hearings before the court and consists of the coordination of case actors (judges, attorneys, litigants, interpreters, etc.) and physical resources (court rooms, AV equipment, etc.) based on a set of conditions that include case type, hearing type, required actors, and required physical resources. For example, a request for a motion hearing in a domestic case before Judge A (conditions) would result in the hearing being set on the next future date that Judge A is scheduled to hear domestic case motions).

A calendaring system supports calendaring through automation of case hearing scheduling based on a set of rules (conditions). A calendaring system produces reports that details all cases scheduled for a particular date, time, and place and reports that detail all of the scheduled hearings for a particular case. A calendaring system generates notices to individuals regarding the scheduling of hearings in a particular case.

Calendaring is a sub-activity of case management. That is, you may have a calendaring system without having a case management system. A case management system presumes the existence of a calendaring system as either part of the case management system or through the exchange of data with a separate calendaring system.

Docketing Systems

Docketing is the creation and maintenance of the legal record of court actions taken and documents filed in a particular case. A docketing system is the creation and maintenance of that legal record in electronic form.

As a general rule and practical matter, calendaring and/or case management systems are highly dependent upon the data and information in a docketing system. For example, a summary judgment motion is filed and the official record of that document is created in the docket. The motion also serves as the request for court time to be **calendared**. The motion also serves as the date marker relative to a **case management** rule regarding the sequencing and timing of the request and scheduling of the hearing for purposes of compliance monitoring and enforcement.