ITG Requests 013 – Identify Juveniles as Respondents in SCOMIS

Presented to the JISC as initiator of the request after Superior Court Level User Group decision to not recommend this request

IT GOVERNANCE REQUEST DECISION

Recommend Decision (4th step)
From Superior Court Level User Group (SCLUG)

Court Level User Group	**Superior Court Level User Group**
Chair of Group	Judge Jeanette Dalton (Kitsap Co.)

IT Request - #013 – Identify Juveniles as Respondents in SCOMIS								
Endorser - JISC Workgroup								
Date of Decision – January 12th, 2011								
Decision to Recommend for Approval	☐ **Approve** *(unanimously)* X **Decline** *(unanimously)* ☐ **Split Vote:** *moves forward to JISC with pros & cons*							
Prioritization of Request	**Declined request**							
Scoring of Request	**Business Value** (1-10)	**Relative Priority** (1-10)	**Cost** (1-5)	**Complexity/ Level of Effort** (1-10)	**Risk** (1-5)	**Benefit /Impact** (1-5)	**Impact of Doing Nothing** (1-5)	**Request Total Score** (0-50)
Pros & Cons *(if vote is not unanimous)*								
Additional Statements *(attachments from other groups in support or additional information that should go to the JISC for consideration)*	X **No =** additional statements/attachments ☐ **Yes =** additional statements/attachments							
Additional Notes	***The group wishes the JISC to know that this request is too costly and carries too many risks at this time. If done, the request could take away resources from Superior Court Data Exchange and the group wasn't willing to let this request potential impact Superior Court Data Exchange resources .**							

Analysis of IT Governance Request #013
Identify Juveniles as Respondents in SCOMIS

Summary of Proposed Solution:
The solution that the Administrative Office of the Courts (AOC) proposes would change juveniles in SCOMIS Case Type 8s from Defendant (DEF) to Respondent (RSP). When implemented, there will be a onetime update to the system changing juveniles on cases from DEF to RSP. This request entails an extremely large amount of work effort because changing how juveniles are labeled in SCOMIS will require changes in most of the applications supported by AOC. The AOC has implemented a change to the public case search to address this issue for users of the website. When a juvenile case is shown on the website, the juvenile is identified as the respondent even though the data in SCOMIS shows them as the defendant.

Sizing:
The following estimate is based upon the best available information and does not include cost or effort estimates for on-going maintenance of the enhancement. This analysis was approved by AOC's Operations Control Board on December 16th, 2010.

This enhancement would be accomplished by AOC's internal resources. The systems affected by the change would be: SCOMIS, JIS, JCS, ACORDS and Data Warehouse.

AOC estimates that this project would take 22 - 28 months to complete. This is an estimate of the duration of the project from the date work would begin on the project until final implementation.

Group	Hours	Tasks
Court Education	110	Update documentation and manuals.
Research	25	Update current projects, algorithms, and statistics manual.
Business Analysis	300	Research/analysis, requirements gathering & documenting, working with programmers as needed.
Architecture	0	
Maintenance (JIS)	1000	10-15 programs, conversion program, codes tables.
Maintenance (SCOMIS)	2000	Changes to 25+ programs, changes to SFC(SPAR).
Maintenance (JCS)	180	Modify 12+ programs, unit testing.
Maintenance (Java)	300	Analyze and modify applications.
Maintenance (Web)	85	Modify 7 programs.
Data Warehouse (BI)	184	Modify objects.
Data Warehouse (ETL)	122	Modify mappings.
Quality Assurance	1300	Functional testing and validation.
Project Management	1000	Oversight and coordination.
Total	**6606 hours**	

AOC staff costs average $76 per hour. Contractor staff generally costs $120 - $150 per hour.

Request:
This request was generated based on the JISC adopting the recommendations of the JISC Public Case Search Workgroup on August 18th, 2010. This work detailed in this request will partially fulfill Recommendation #1 from the report.

This request seeks to change how juveniles are identified in SCOMIS from "defendants" to "respondents."

Business Impacts:
This change will ensure that the terminology used in SCOMIS and displayed using JIS-Link conforms to the terminology used in the Revised Code of Washington, Title 13. Court staff would no longer be able to identify any participant in Case Type 8 (Juvenile Offender) using the participant type code for defendant (DEF), but would instead use the participant type code for respondent (RSP).

Initial analysis indicates the superior court Monthly Interest process is impacted. The superior court LFO Billing Process, including the data exchange with the vendor, will not be affected, because it is limited to S1 (Criminal) cases.

Initial analysis indicates the ACORDS application and data elements are not impacted.

Proposed Solution:
AOC proposes an expanded scope to this request. This request should include juvenile offender referral types Juvenile Offender (JO), Juvenile Infraction (JI), and Administrative Procedures – Offender (AO). This will provide consistency throughout the system.
This request may also impact Juvenile Diversion (SD) case types and may include Case Type S9 (Judgment Cases) as well.

When this enhancement is implemented the RSP participant type code will be available in these cases, and DEF will no longer be a valid participant type code in these cases.

There will be a one-time data conversion, so that all eligible participant type codes will be changed from DEF to RSP. This applies to unresolved and resolved cases. Docket entries would not be in scope for data conversion, but a query could be provided to assist the court to review and modify that data.

Assumptions:
None

Risks:

1. This project could impact the work of the SCOMIS Data Exchange project.
2. The estimated hours for Maintenance (Java) are based upon a large number of suppositions. If some of these suppositions are incorrect, the work effort may be significantly more than this estimate.
3. This enhancement would affect most of the JIS applications. As such, there is a significant risk associated with integration of the changes in all of the systems.
4. DSHS currently uses the AOC public data mart to run criminal histories and they would need to modify their stored procedure.
5. Courts (Snohomish, Spokane, and possibly others) that use the ODS data store directly would need to modify their programs.

Identify Juveniles as Respondents in SCOMIS

Request Detail

Requestor Name:
Alfasso, Lynne

Origination Date:
08/19/2010

Requestor Email:
kevin.ammons@courts.wa.gov; lynne.alfasso@courts.wa.gov

Requestor Phone:
360-705-5315

Recommended Endorser:
AOC (endorses for other communities)

Request Status: Awaiting CLUG Recommendation

Request Type: Change or Enhancement

Which Systems are affected? Superior Court Management Information System (SCOMIS)

Other affected Systems / Business Processes

Business Area: Court Case Management

Communities Impacted:
Superior Court Judges
County Clerks
Family and Juvenile Law Judges
Juvenile Court Administrators
Public and Other Users

Impact if not Resolved: High

Impact Description:

Until a change is made in SCOMIS, customers using JIS-Link or viewing the case on a public terminal at the courthouse will still see the juvenile identified as a "defendant".

What is the Business Problem or Opportunity

Identify juveniles in juvenile offense cases in SCOMIS as “respondents” instead of “defendants”.

The statutes in RCW Title 13 do not refer to juveniles in juvenile offense cases (SCOMIS case type 8) as "defendants", which is the identifying term used in SCOMIS. The term "juvenile offender" is used for a juvenile who has been found by the juvenile court to have committed an offense.

The term "respondent" is used for a juvenile who is alleged or proven to have committed an offense. The term "respondent" is used in the caption of the Washington pattern forms for juvenile offense proceedings, since the same term can be used on the forms for the entire case from information to disposition.

Expected Benefit:

This change will ensure that the terminology used in SCOMIS and displayed using JIS-Link conforms with the terminology in the applicable RCW Title.

Any Additional Information:

This request was generated based on the JISC adopting the recommendations of the JISC Public Case Search Workgroup on August 18th, 2010. This work detailed in this request will partially fulfill Recommendation #1 from the report.

Endorsement Detail

Endorsing Committee
AOC (endorses for other communities)

Endorser Name:
Ammons, Kevin

Origination Date:
08/19/2010

Endorser Email:
kevin.ammons@courts.wa.gov

Endorser Phone:
360-704-4085

Endorsing Action: Endorsed

Endorser’s Explanation and Comments

This request was part of a series of recommendation adopted at the August 18th, 2010 meeting of the JISC. As such, this request will proceed to the analysis stage.

Endorsement Attachments

Appendix1(final).pdf
Appendix2(final).pdf
Appendix3(final).pdf
FinalReport(Aug.18).pdf

AOC Analysis Detail

Analysis Date: 12/17/2010

Request Rationale

Aligns with JIS Business Priorities, IT Strategies & Plans: Yes

Aligns with applicable policies and with ISD Standards: Yes

Key Business Objectives:

This request seeks to change how juveniles are identified in SCOMIS from “defendants” to “respondents.”

Benefits and Business Value:

This change will ensure that the terminology used in SCOMIS and displayed using JIS-Link conforms to the terminology used in the Revised Code of Washington, Title 13. Court staff would no longer be able to identify any participant in Case Type 8 (Juvenile Offender) using the participant type code for

Identify Juveniles as Respondents in SCOMIS

Breadth of Solution Benefit:	Wide
Cost Estimates	
Cost Benefit Analysis Complete?	
Cost to Implement?	6606 hours
Positive Return on Investment?	
Projected Maintenance cost?	$0
Feasibility Study needed?	No
Court Level User Group	
Superior Courts	

participant in Case Type 8 (Juvenile Offender) using the participant type code for defendant (DEF), but would instead use the participant type code for respondent (RSP).

AOC Analysis - Proposed Solution

The solution that the Administrative Office of the Courts (AOC) proposes would change juveniles in SCOMIS Case Type 8s from Defendant (DEF) to Respondent (RSP). When implemented, there will be a onetime update to the system changing juveniles on cases from DEF to RSP. This request entails an extremely large amount of work effort because changing how juveniles are labeled in SCOMIS will require changes in most of the applications supported by AOC. The AOC has implemented a change to the public case search to address this issue for users of the website. When a juvenile case is shown on the website, the juvenile is identified as the respondent even though the data in SCOMIS shows them as the defendant.

AOC Analysis - Proposed Approach

AOC proposes an expanded scope to this request. This request should include juvenile offender referral types Juvenile Offender (JO), Juvenile Infraction (JI), and Administrative Procedures – Offender (AO). This will provide consistency throughout the system.
This request may also impact Juvenile Diversion (SD) case types and may include Case Type S9 (Judgment Cases) as well.

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Additional Systems Affected

Addtional Court Communities Affected

AOC Analysis Attachments

ITG Request 013 - Identify Juveniles as Respondents in SCOMIS.docx

Confirmation of Endorsing Action Detail

Endorsing Committee
AOC (endorses for other communities)

Endorser Name:
Ammons, Kevin

Origination Date:
12/17/2010

Endorser Email:
kevin.ammons@courts.wa.gov

Endorser Phone:
360-489-0360

Endorsing Action: Endorsed

Endorser's Explanation and Comments

Judicial Information System Committee Meeting **August 18, 2010**

DECISION POINT - Should Changes be made to the Disclaimer and the Display of Case Information on the Washington Courts Website?

MOTION:

I move that the JISC:

1. Adopt Recommendations 1 through 8 for changes to the display of case information on the Washington Courts Website by following the IT governance process.

2. Adopt Recommendation 9 for changes to the Disclaimer on the Washington Courts website only, and to leave the existing Disclaimer on JIS-Link Subscription Agreements, Public Index Contracts, Data Dissemination Reports, and Data Exchanges with Other Agencies.

3. Adopt Recommendation 10 to refer unresolved issues to the JISC Data Dissemination Committee for further discussion by interested parties.

Background

At its December 4, 2009, meeting, the Judicial Information System Committee (JISC) discussed how court case information is displayed on the Washington Courts public website (www.courts.wa.gov). The public case search feature of the website is located at http://dw.courts.wa.gov.

This issue was brought to the JISC for discussion by several stakeholder groups:

- The Washington State Bar Association (WSBA) Juvenile Law Section;
- The Washington Association of Criminal Defense Lawyers (WACDL);
- The American Civil Liberties Union (ACLU);
- Columbia Legal Services (which provides legal services to low-income persons).

It was noted that AOC has also received complaints directly from members of the public regarding the information displayed on the public case search website.

After discussion, the JISC established the JISC Public Case Search Workgroup (Workgroup) composed of both JISC members and stakeholder representatives to discuss the stakeholders' concerns regarding the website. The Workgroup roster is attached as Appendix 1. Since December 2009 the Workgroup has met monthly via

teleconference to discuss the issues raised by the stakeholders and consider changes to the display of information on the website.

Information Available on the Public Case Search Website

The public case search website is a way for anyone to search by name or case number for a public case or proceeding filed in a municipal, district, superior or appellate court. The search function is simple to operate and is free. The index on the AOC website is the only index for superior court cases in the automated case management system; the counties do not maintain separate indexes.

A name search that brings up a case will display the party's name and relationship to the case, the court name, the case number and "court information", which may be a filing date or may be other information. Superior and appellate court cases may also link to a case docket.

A Disclaimer on the website notes that the case information on the website is not the official court record and directs parties to the court of record to obtain the case record and copies of case file documents. Since there are no personal identifiers on the public website case information, it is difficult to link case information to a specific person.

The case search website helps fulfill a legislative suggestion that the courts "[u]se technologies that allow continuous access twenty-four hours a day, seven days per week, involve little or no cost to access, and are capable of being used by persons without extensive technology ability".[1] A 2005 report to the Supreme Court discussing the Access to Justice Technology Principles noted that the website helped fulfill those principles by facilitating the public's access to court records.[2]

Recommendations

- The Workgroup has arrived at several recommendations for changes to the website display of case information, set forth below.
- Workgroup members who did not agree with the recommendations were invited by the Chair to submit Minority Reports to the JISC.
- Finally, there are issues which require further discussion. The Workgroup recommends that JISC refer those issues to the JISC Data Dissemination Committee for further discussion by interested parties and that the JISC authorize the Data Dissemination Committee to pursue any further recommended changes through the IT Governance Process.

Recommendation No. 1 Juvenile Offense Cases

> **Identify juveniles in these cases as "juvenile respondents" instead of "defendants". Make the change on the public case search display as soon as possible. Make the change in SCOMIS as determined by the IT governance process.**

[1] RCW 2.68.050 (7).
[2] *2005 ATJ Technology Principles Report to the Supreme Court*, December 30, 2005, page 5.

Recommendation No. 2 Juvenile Offense Cases

> **Support the suggestion that the juvenile law stakeholders continue working toward a legislative solution which would address the permissible use of juvenile offender case information by noncourt users.**

Comment: The statutes in RCW Title 13 do not refer to juveniles in juvenile offense cases (SCOMIS case type 8) as "defendants", which is the identifying term used in SCOMIS. The term "juvenile offender" is used for a juvenile who has been found by the juvenile court to have committed an offense.[3] The term "respondent" is used for a juvenile who is alleged or proven to have committed an offense.[4] The term "respondent" is used in the caption of the Washington pattern forms for juvenile offense proceedings, since the same term can be used on the forms for the entire case from information to disposition.[5] RCW Chapter 13.50, which is the chapter that prescribes the rules for the keeping and release of juvenile court records, uses the term "alleged or proven juvenile offender" to refer to juveniles with juvenile offense cases.[6]

The Workgroup understands that it is relatively easy to substitute "juvenile respondent" for "defendants" on the public website display. However, to make the change in SCOMIS requires much more engineering and that request should go through the IT governance process. Until a change is made in SCOMIS, customers using JIS-Link or viewing the case on a public terminal at the courthouse will still see the juvenile identified as a "defendant".

The Workgroup was not able to reach consensus on the Juvenile Law Section's recommendations to either remove all juvenile information from the public case search website, or to remove information from the website when the juvenile reaches the age of 18 or 21, or to remove nonconviction information. The legislature has provided that juvenile offender case information is open to the public, except where statutes provide otherwise. It was suggested that the Juvenile Law Section continue working toward a legislative solution which would address the (mis)use of juvenile offender case information.

Recommendation No. 3 Court of Limited Jurisdiction Criminal Case Records

> **Implement the recommendations adopted by the JISC on April 25, 2008, regarding the retention and destruction of certain court of limited jurisdiction criminal case records, utilizing the IT governance process.**

Comment: Attached as Appendix 2 is a policy memorandum adopted by the JISC on April 25, 2008, which required that certain records in the courts of limited jurisdiction be purged after a period of time: probable cause hearings (three years), records of criminal felonies in the courts of limited jurisdiction (three years), and criminal cases that

[3] RCW 13.40.020 (15).
[4] RCW 13.40.020 (24).
[5] http://www.courts.wa.gov/forms/?fa=forms.contribute&formID=26.
[6] RCW 13.50.050(2).

are either dismissed or have the judgments vacated (except for domestic violence and driving under the influence cases) (ten years). Purging of these records would take them off the public website display.

Recommendation No. 4 Trial Court Case Cover Sheets

> **Add information to the superior court and court of limited jurisdiction case cover sheets that states that information in a pleading and court file may be posted on a public website.**

Comment: The Workgroup is concerned that the public is unaware that information in a pleading and a court file may be posted by the court on a public website. Adding information to the case cover sheet used in the trial courts when a case is filed would be one method of informing the public.[7]

Recommendation No. 5 New Code

> **Add a new code which would identify a party as being a victim of identity theft.**

Comment: if a party falsely pretends to be another person, the innocent person's name remains part of the case record even after the defendant is correctly identified. This may cause the innocent person continued embarrassment and inconvenience, particularly if the case record is publicly available on a website. Allowing the innocent person to be identified as a victim of identity theft would make it easier for that person to disassociate him/herself from the case.

Recommendation No. 6 Hyperlink Codes

> **Hyperlink JIS/SCOMIS case resolution and completion codes to definitions.**

Comment: The Workgroup supported having the terminology used in JIS/SCOMIS be made more clear to the public using the website. One way to do this would be to hyperlink resolution and completion codes to definitions, if they are used in the display of case information.

Recommendation No. 7 Judgment Information

> **Only display a judgment "case" as a hyperlink from the underlying civil or criminal case.**

Comment: When a judgment is entered in a civil or criminal case, it is given a separate case number (SCOMIS case type 9.) Therefore, a name search may turn up what appears to be two cases for an individual, because there are two separate case numbers, when in fact there is only one actual case. Judgments should not display during a public case search. Instead, only the original civil or criminal case should be

[7] See the cover sheets at http://www.courts.wa.gov/forms/?fa=forms.static&staticID=14.

displayed, with a hyperlink from that case to the judgment case and to the case docket (if available.)

An explanation should also appear on the screen stating that even though the judgment has a separate identifying case number, it is not a separate or different case from the criminal or civil proceedings that resulted in the judgment.

Recommendation No. 8 Change Column Heading

> **Change the column caption on the website display from "Violation Date" to "Court Information", since the information in this column is not always the violation date.**

Comment: There was a column on the website display entitled "Violation Date". Local courts use this column to enter different kinds of information for local business purposes. Since courts were not using this column to enter violations dates, the name of the column has been changed to "Court Information". AOC has already made this change.

Recommendation No. 9 Change the Disclaimer on the Public Website

> **Change the Disclaimer on the public website display of case information so that it reads as set forth in Appendix 3.**

Comment: The information on the public website display of case information is minimal. It is an index to allow the public to locate the case number and the court of record, so the public can review the entire file to determine what has happened in a case. The public should not rely solely on the information on the public website to determine what has happened in a case. The revised language in the Disclaimer is meant to convey more strongly to users of the website that the case file in the court of record should be reviewed to verify and/or determine what has happened in the case.

The current website Disclaimer language is also used in the following situations:

1) JIS-Link Subscription Contracts;
2) Electronic Public Index Contracts;
3) Data Dissemination Reports containing JIS Data; and
4) Data Exchanges with other Agencies.

It is proposed that the original Disclaimer language continue to be used in those contracts and reports, since those users are not using the public website for case information.

Recommendation No. 10 JISC Data Dissemination Committee

> **Refer remaining issues to the Data Dissemination Committee for discussion and formulation of recommendations.**

Comment: There were several issues which the Workgroup discussed at length but which did not result in recommendations. It is suggested that the JISC refer the continued discussion of these issues to the JISC Data Dissemination Committee for continued work. These issues include:

- The display of probable cause information in adult and juvenile cases.
- The display of information in unlawful detainer cases.
- The display of additional case outcome information on the website in a "Disposition' column.
- The addition of more explanatory language and definitions on the website.

The Data Dissemination Committee may want to form subgroups to discuss these issues. Current Workgroup stakeholders will be invited to participate in these discussions. The Data Dissemination Committee may also want to invite new stakeholders, such as prosecuting attorneys, criminal defense attorneys, landlord and tenant representatives, and background investigators, to give their points of view.