JUDICIAL INFORMATION SYSTEM COMMITTEE

July 19, 2013
1:00 p.m. to 4:30 p.m.
AOC Office, SeaTac, WA

DRAFT - Minutes

Members Present:
Mr. Larry Barker
Judge Jeanette Dalton
Ms. Callie Dietz
Justice Mary Fairhurst, Chair
Judge James Heller (phone)
Mr. William Holmes
Mr. Rich Johnson
Ms. Joan Kleinberg
Ms. Marti Maxwell
Mr. Steward Menefee
Ms. Barb Miner
Judge Steven Rosen (phone)
Ms. Aimee Vance (phone)
Ms. Yolande Williams
Judge Thomas J. Wynne

Members Absent:
Chief Robert Berg
Judge J. Robert Leach

AOC Staff Present:
Mr. Kevin Ammons
Mr. Bill Cogswell
Ms. Vonnie Diseth
Ms. Stephanie Happold
Mr. Mike Keeling
Ms. Vicky Marin
Mr. Dirk Marler
Ms. Mellani McAleenan
Ms. Pam Payne
Mr. Ramsey Radwan
Ms. Maribeth Sapinoso
Mr. Matt Stevens
Ms. Heather Williams (phone)

Guests Present:
Ms. Lea Ennis
Mr. Frank Maiocco
Mr. Paul Sherfey
Mr. Roland Thompson

Call to Order

Judge Thomas Wynne called the meeting to order at 1:00 p.m. and introductions were made.

April 26, 2013 Meeting Minutes

Judge Wynne asked if there were any additions or corrections to the April 26 meeting minutes, hearing none, Judge Wynne deemed them approved.

JIS Budget Update (11-13 Biennium)

Mr. Ramsey Radwan presented the close of the 11-13 biennium. The green sheet indicates expenditures; amounts budgets and amounts expended and the variance. Mr. Radwan may present the final 11-13 budget and expenditures at the October meeting after the biennial closing process is complete.

JIS Budget Update (13-15 Biennium)

Mr. Ramsey Radwan presented the start of the new biennium green sheet. This sheet identifies the dollar amounts the legislature provided specifically for those decision packets we submitted and they funded. This sheet may or may not expand. As we make decisions through the course of the biennium specific decisions will be made about funding allocations. This could expand or contract the funding details moving forward.

JIS Fund Forecast

Mr. Ramsey Radwan presented the fund analysis for the seven year period. These numbers are subject to change. The biggest impact to these numbers will be the biennium close in October. That will determine the JIS fund balance available for the new biennium.

JISC Bylaw Change for Data Dissemination Committee

Judge Thomas Wynne presented a proposed amendment for the Data Dissemination Committee (DDC). The proposed amendment would add a CLJ Administrator to the DDC. This amendment comes at the request of the administrators on CLJ courts. The proposed amendment will be discussed and voted on at the next JISC meeting in September.

In addition, Judge Wynne presented a proposed bylaw amendment for the DDC. The proposed amendment would allow the DDC to request formal and informal opinions from the Attorney General's Office through the State Court Administrator.

> **Motion:** Judge Thomas Wynne
>
> I move to approve an amendment to the JISC Bylaws to permit the Data Dissemination Committee to request formal and informal opinions from the Attorney General's Office through the State Court Administrator.
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> **Second:** Judge James Heller
> **Voting in Favor**: All present (Judge Heller, Judge Rosen, and Aimee Vance, phone)
> **Opposed**: None
> **Absent:** Chief Berg and Judge Leach

JIS Data Dissemination Policy Amendment

Judge Wynne presented a proposed policy amendment for the DDC. Judge Wynne provided background on the policy regarding retention of court records by the CLJs. After discussions with members of the DDC and JISC, a proposal was suggested to create a subcommittee to look at remaining issues and make a recommendation on the policy previously set by the JISC. The recommendation would be prepared for the September 6 JISC meeting. The proposed amendment was tabled and referred to the subcommittee for review, to be reviewed at the September 6 JISC meeting.

Access to Justice Technology Principles Report

Ms. Vicky Marin presented the Access to Justice Technology Principles Report. Justice Fairhurst deemed the report approved for submission to the Supreme Court. Justice Fairhurst sought feedback on whether to alter the submission schedule for the report from an annual report to a biennial report. Mr. Rich Johnson felt that a biennial report would be sufficient. Justice Fairhurst recommended exploring with the BJA Board the prospect of changing the report submission to a biennial occurrence. The recommendation was deemed approved by all present.

ITG #2 - SC-CMS Update

Ms. Maribeth Sapinoso presented the current status of the Superior Court Case Management System (SC-CMS) Project summarizing the contract negotiation activities leading up to the July 19, 2013 JISC meeting. Meetings with Tyler were successfully completed with the Primary Negotiation Team, including meetings with the business and technical subject matter experts.

Final contract negotiations with Tyler and AOC concluded July 3, 2013. On July 9, 2013, the Project Steering Committee reviewed the details of the contract as it related to the desired outcomes addendum that was approved by the JISC on March 22, 2013. The Project Steering Committee also reviewed the Statement of Work, the Work Plan, and the Payment Plan. The outcome of the July 9th Project Steering Committee meeting was; the ***unanimous approval*** to make the recommendation to the JISC that the AOC execute the contract negotiated with Tyler Technologies, Inc.

Ms. Callie Dietz, Mr. Dirk Marler, and Ms. Maribeth Sapinoso presented a project update at the SCJA/AWSCA Annual Conference on April 30, 2013.

AOC staff members from the SC-CMS Project and the Court Business Office visited Benton/Franklin and Walla Walla County Superior Courts and Clerk Offices the end of June 2013.

No high exposure risks were identified for the June 2013 Quality Assurance Monthly Report produced by Bluecrane.

Next steps for the project include the selection process of the Pilot Site(s) and drafting the Project Steering Committee charter for JISC approval.

With approval of the contract by the JISC, the contract will be signed and Tyler Technologies will be on-site with the AOC beginning September 3, 2013.

Mr. Keith Curry was noted as having resigned his position as the deputy project manager. Mr. Curry left to pursue a promotional opportunity with another agency. Ms. Vonnie Diseth and Ms. Sapinoso both stated a replacement candidate for the deputy project manager position is being finalized.

Ms. Diseth reviewed the decision point approving the SC-CMS Steering Committee recommendation. Negotiations with Tyler Technologies had been extensive over the past three months. Several out-of-scope items were brought into scope at no additional cost, including financials. Tyler had noted the Odyssey system had never been implemented without the financials piece, and could produce an increased risk, as well as increasing costs if added at a later date. Financial Manager, Document Management, Electronic Filing, and SessionWorks Judge Edition were all included in the contract. These functions are optional, and not required for every court to use. The original bid was $29.5 million, and the contract amount, as negotiated, came to $29.035 million.

Justice Fairhurst provided acknowledgement and thanks to the members of the steering committee and the contract negotiation team. Mr. Paul Sherfey asked for support for approving the contract. Ms. Diseth pointed out the motion contains an understanding that the SC-CMS project will cover the local court planning and implementation costs. Justice Fairhurst requested vigilance be paid to legislative funding towards implementation costs at the local level.

Justice Fairhurst had received a notice of concern centered on the document management and E-filing, and the potential for fees associated with using the document management modules. Concerns included if the fees were standard throughout the state, and how this would impact private sector groups. Justice Fairhurst sought confirmation that discussions about fees would be held as the project moves forward. Ms. Barb Miner felt this subject had not been talked about at this level. In particular, the E-filing module is “software as a service (SAS)”. Which means that Tyler hosts the service and includes a $5 fee to use the E-filing service. As different

counties use the module, there could be issues regarding costs/fees. Oregon charged users $10. Ms. Diseth noted this is "software as a service", explaining the fee covers Tyler's maintenance, support, help desks, and the other costs to support the service. Ms. Miner raised a concern that if E-filing becomes a mandatory part of the court, the fee then becomes mandatory as well. When implemented as an option, a cost-benefit analysis can be made on the user's part, but to mandate the fee could have other impacts to the courts. Ms. Sapinoso noted the contract states for every filing, there will be one fee of $5, regardless of the number of documents that get filed. Tyler stated the fee could be waived for indigent customers. With regard to pro se, Tyler will be providing their web portal, and all registered users will have access to the web portal. Judge Wynne noted this discussion had been initiated during one of the site visits, inquiring of the courts in Minnesota about their use of the e-filing system. Justice Fairhurst noted concerns about authority to implement the fees from a legal perspective. Ms. Kleinberg expressed concern about the contractual agreement to the $5 fee if the service is turned on, and does the contract contain a fee waiver or was any waiver a verbal commitment outside the contract. Ms. Sapinoso responded that e-filing is an option that anyone can choose to use, but cannot be used until AOC tells Tyler that it is ok to enable. The $5 fee is part of the business model for Tyler, and is not subject to waiver except for reasons of financial need. The contract is written with e-filing as optional software. Ms. Diseth confirmed that there are significant policy issues that need to be addressed ***prior to*** the software being turned on.

Mr. Rich Johnson felt there were several issues, but his primary concern is with local implementation costs. If a county decides to do financial management, will the project also pay for the local implementation costs of the financial management? Same question if a county chooses to implement document management. Mr. Johnson expressed concern that the motion covers all local implementation costs when there is not a good handle on what those costs would amount to. Judge Wynne noted his understanding is that the financial management was not optional, and Ms. Diseth concurred. Mr. Johnson noted that these two areas were out-of-scope in the original cost assessment during the initial feasibility study, and the costs may have increased with the added modules. Ms. Sapinoso noted the financials will be implemented statewide, and Tyler has factored into their schedule an additional 2-3 weeks to account for the financials fit analysis. No software related costs will be added, only costs due to resources. Mr. Johnson reiterated that his concerns include the reconfigurations at a local court level that would be necessary to work with the Tyler financial system. Ms. Sapinoso stated the AOC is still working towards evaluating this, and will be getting there.

Judge Jeanette Dalton clarified a point on local implementation costs. The purpose of the SC-CMS project covering local courts costs would be to allow those counties that otherwise could not afford to hook-up to the Odyssey system to implement the system. Judge Dalton felt severing the local implementation costs from the rest of the motion is not feasible.

Ms. Diseth expressed a need for criteria regarding what will and will not be paid for as part of the implementation. Does the size of the court make a difference? Does each county need a project manager? Some form of criteria is necessary to keep costs within the scope of the project.

Ms. Yolande Williams felt criteria are necessary, but felt that this could not be determined at this meeting. The initial $1.9 million for local court implementation is probably not a realistic number. Would it be helpful to clarify that e-filing is optional for the courts and that there is a charge from Tyler for its use? Mr. William Holmes suggested if adding "as determined by the JISC review and approval" may provide the ability to review of the costs in the future. Ms. Williams stated she would be comfortable with adding this to the motion.

Motion: Judge Jeanette Dalton

I move that the JISC approve the SC-CMS RFP Steering Committee's recommendation for AOC to proceed with executing the contract negotiated with Tyler Technologies, Inc. to secure a statewide case management system for Superior Courts and County Clerks, with the understanding that the SC-CMS Project covers local court planning and implementation costs, as determined by the JISC.

Second: [Inaudible]

Ms. Miner discussed the effects of the local court implementation costs, including time spent in training and covering backfills for the overtime to cover regular court activities. Without funding from the SC-CMS project, some courts would be unable to implement the system due to the budget constraints in covering regular courts duties during training. Justice Fairhurst suggested amending the motion to "…County Clerks, and this motion is made with the understanding that the SC-CMS Project covers local court planning and implementation costs, with criteria as determined and approved by the JISC." This will allow for the continuation of an oversight committee. The amendment was accepted by both the mover and the second.

Ms. Callie Dietz urged the body to pass the motion as amended. Mr. Sherfey expressed some concern about what criteria would be used to defray implementation costs, noting some counties may elect not to implement the system due to costs, even with some level of reimbursement. Judge Dalton felt the costs would be better served if leveraged onto the state legislators rather than on individual counties, commissioners, and the like. In order to be a statewide system, the system needs to be implemented everywhere, not just in individual counties. Ms. Williams emphasized establishing some criteria now, as additional courts will be looking to implement systems in the future, and the criteria set here will help guide decisions down the road.

Justice Fairhurst restated this amended motion which was approved by Judge Dalton and seconded.

I move that the JISC approve the SC-CMS RFP Steering Committee's recommendation for the AOC to proceed with executing the contract negotiated with Tyler Technologies, Inc. to secure a statewide case management system for Superior Courts and County Clerks, and this motion is made with the understanding that the SC-CMS Project covers local court planning and implementation costs, with criteria as determined and approved by the JISC.

Voting in Favor: All present (Judge Heller, Judge Rosen, and Aimee Vance, phone)
Opposed: None
Absent: Chief Berg, Joan Kleinberg, and Judge Leach

ITG #121 Superior Court Data Exchange Update

Mr. Kevin Ammons presented the update on the Superior Court Data Exchange (SCDX) Project. Mr. Ammons informed the JISC that AOC had received a letter from the Pierce County Information Technology Department Director, Linda Gerull, stating that Pierce County would complete work on the six data exchanges that are currently being worked on, but work on the other 60 data exchanges would be put on hold indefinitely. This suspension of work was directed by the Pierce County Technology Investment Board, based on Pierce County's estimate that the remaining 60 services would take Pierce County IT resources over 3,000 hours to implement.

Mr. Ammons continued by stating that AOC is currently making a small modification to SCOMIS to correct an issue Pierce experienced with duplicate docket entries on some types of transactions. Pierce County will attempt to implement the six data exchanges once the SCOMIS modification is deployed.

AOC has now completed testing on all 66 SCDX services and these services are available for any customer to consume. King County has inquired about using three services and plans to begin testing in the near future.

Judge Wynne inquired about the payments being made to Pierce County, and the continued duration of the payments. Ms. Diseth clarified the amount being paid to Pierce County and stated that after Pierce County gets the six services for the data exchange running for a couple months, a follow-up meeting will be held with Pierce County to discuss an ongoing strategy going forward. The follow-up meeting will be scheduled for the late fall/early winter after Tyler Technologies is on-board. Ms. Williams inquired about the amount AOC has spent on the SCDX project to this point. Ms. Diseth noted $1.6 million has been spent on contracting costs, not including ISD staff costs.

Mr. Johnson made a motion for JISC to fund Pierce County's costs for implementing all of the SDCX services. Mr. Johnson raised the point that the SCDX services were intended to be the basis of the Information Networking Hub (INH) and asked how that project was impacted. Mr. Ammons stated that the services have already been incorporated into the INH project and will be used even if the services are not implemented for Pierce County. Ms. Miner seconded the motion, adding time and expenditures to this point should be relevant to any decision. Ms. Diseth discouraged the notion for counties to develop their own systems when a statewide system will be available explaining that the time and money required to integrate these individual systems into a larger statewide system will detract from our ability to do other projects down the road. Mr. Rich Johnson clarified his motion, emphasizing the motion does not dictate how the implementation of the services occurs, only that the funding is provided. Mr. Ammons stated the resources would have to be based in Pierce County, as AOC does not have the resources to work with the LINX system. Judge Wynne expressed concern about the availability of funds.

Motion: Ms. Vonnie Diseth

I move to table consideration of the motion until the December 6 meeting of the JISC to give time for Pierce County to implement the six services and for AOC to evaluate the implementation.

Second: Judge Wynne
Voting in Favor: All present except Rich Johnson (Judge Heller, Judge Rosen, and Aimee Vance, phone)
Opposed: None
Abstain: Rich Johnson
Absent: Chief Berg, Joan Kleinberg, and Judge Leach

Committee Reports

Data Dissemination Committee:
Judge Wynne provided the JISC with an update on the actions of the Data Dissemination Committee. The last meeting entailed discussions on Data Driven Safety and access to traffic infractions. A proposed amendment to the Data Dissemination policy regarding juvenile court

records will be discussed at the next meeting. This will prohibit the bulk transfer of juvenile information and take related information off the public website. Access to juvenile information will remain through JIS-Link and the clerks' offices. The final draft for GR-15 is in the works, and will be completed for the October 25 JISC meeting.

Data Management Steering Committee:
Mr. Rich Johnson provided the JISC with an update on the Data Management Steering Committee (DMSC). One project that has been overseen is the expansion of the data warehouse to include county data, and the project is scheduled for completion in the near future. An on-going effort is being conducted with AOC staff regarding a roadmap for the DMSC in the next several years. The nature of the oversight from the DMSC is being discussed, and the management structure with in AOC compared to DMSC/JISC oversight has been a point of dialogue.

IT Security Update

Ms. Vonnie Diseth provided an update on IT Security. Mr. Matt Stevens was introduced as the new Information Security Officer at AOC. After the February security breach, numerous security updates have been made to upgrade systems. An IT security team was created that has been meeting weekly to identify potential vulnerabilities and plans within court systems. An RFQQ has been released to obtain the services of a security consulting firm to analyze and test systems and plans. Changes will affect court users, and as these are identified, users will be notified. Attacks on the systems have been occurring on a daily basis, and security needs to be monitored and upgraded to maintain protected systems. Ms. Diseth clarified that JIS systems were not breached; rather the web servers were breached. Ms. Diseth and Mr. Mike Keeling provided details on how the data was accessed and what sort of data was available. Ms. Callie Dietz ensured the JISC regular security reports would be provided going forward.

Adjournment

The meeting was adjourned by Justice Fairhurst at 4:25 p.m.

Next Meeting

The next meeting will be September 6, 2013, at the AOC SeaTac Facility; from 9:00 a.m. to 3:00 p.m.

Action Items

	Action Item – From October 7th 2011 Meeting	Owner	Status
1	Confer with the BJA on JISC bylaw amendment regarding JISC communication with the legislature.	Justice Fairhurst	