

# JUDICIAL INFORMATION SYSTEM COMMITTEE

September 9, 2011  
9:00 a.m. to 3:00 p.m.  
Red Lion Hotel, SeaTac, WA

## Minutes

### Members Present:

Mr. Larry Barker  
Ms. Linda Bell  
Chief Robert Berg  
Judge Jeanette Dalton  
Justice Mary Fairhurst, Chair  
Mr. Jeff Hall  
Judge James Heller  
Mr. William Holmes  
Mr. N. F. Jackson  
Mr. Rich Johnson  
Mr. Marc Lampson  
Judge J. Robert Leach  
Ms. Barb Miner  
Judge Steven Rosen  
Ms. Yolande Williams  
Judge Thomas J. Wynne

### Members Absent:

Mr. Steward Menefee

### AOC/Temple Staff Present:

Justice Charlie Wiggins  
Mr. Bill Cogswell  
Ms. Vonnie Diseth  
Ms. Kate Kruller  
Ms. Vicky Marin  
Ms. Heather Morford  
Ms. Pam Payne  
Mr. Ramsey Radwan  
Mr. Kumar Yajamanam

### Guests Present:

Mr. Shayne Boyd  
Ms. Linda Myhre Enlow  
Ms. Lea Ennis  
Ms. Betty Gould  
Mr. Frank Maiocco  
Ms. Marti Maxwell  
Mr. Chris Shambro  
Mr. Paul Sherfey  
Mr. Kevin Stock  
Mr. Roland Thompson  
Ms. Aimee Vance  
Mr. Joe Wheeler

## Call to Order

Justice Mary Fairhurst called the meeting to order at 9:00 a.m. and introductions were made.

## June 24, 2011 Meeting Minutes

Justice Fairhurst asked if there were any changes to the August 5th meeting minutes. Hearing none, Justice Fairhurst deemed them approved.

## JIS Account Fund Balance

Mr. Ramsey Radwan presented an update on the JIS Account. During the last legislative session a 6 million dollar fund swap reduced the 2011-2013 general fund appropriation and increased the JIS account appropriation by a corresponding amount, thereby reducing the JIS Account fund balance held for long term information technology projects.

Mr. Radwan presented an overview of how the swap affects the JIS account over the next five consecutive biennia. The result would be a negative fund balance by the 2013-2015 biennium. We would not be able to complete identified or anticipated projects within the next six years.

Mr. Radwan shared that in a meeting with Representative Ross Hunter on August 31 Mr. Radwan had asked if this transfer was one time or ongoing. Representative Hunter replied this was a one-time transfer.

## **ITG Request #2 – Superior Court Case Management Feasibility Amended Final Report**

### ***Special Stakeholder Meeting on September 6<sup>th</sup>***

Justice Fairhurst held a meeting on September 6<sup>th</sup> with Superior Court CMS project stakeholders (Superior Court Judges, County Clerks and Court Administrators) to discuss one of the major risk factors identified by MTG --- the lack of a shared vision among the stakeholders. The meeting was very productive and the motion before the JISC today reflects the discussion and the agreements that were made between the three associations. Justice Fairhurst expressed her appreciation for the effort made by everyone.

### ***Project Background Review***

Kate Kruller reviewed all the project activity that occurred over the past several months that has brought us to this decision point.

### ***Full Briefing of Feasibility Study Alternatives***

Joe Wheeler, of MTG Consulting Services, presented a summary of the four alternatives. The full presentation details are available in the meeting documents.

- Alternative 1:       Employ an open source LINX application, to be hosted at Pierce County and the AOC.
- Alternative 2:       Acquire a court calendaring, scheduling, and case flow management application only.
- Alternative 3:       Acquire a full-feature court case management application, to be hosted at the AOC.
- Alternative 4:       Acquire a full-feature court case management application, to be hosted locally.

### ***Feasibility Study Final Recommendation***

The recommendation from MTG based on their analysis is for the JISC to acquire and centrally-host a commercial full function case management system.

### ***Question and Answer Session***

JISC members had several hours of question and answer time with MTG regarding their analysis, findings, and recommendation. All JISC questions were answered to the best of MTG's abilities. The following is a summary of the major discussion items.

Justice Wiggins asked for clarification of the costs under Alternative 1 (the LINX Option). Under this alternative, the \$24 million dollars represents 2/3 of the development costs which includes salaries, employee benefits and personal service contracts. The total development cost for the LINX system would be \$36 million. The salaries and wages are AOC program costs. The personal services contracts area is where the development work and rollout is being done for the 40,000 hours. The AOC would be paying that cost. Kevin Stock stated that Pierce County has about a \$1½ million dollar budget for their programming staff (10 programmers) per year. They are able to contribute those hours towards development and future enhancements. That would be their contribution. The personal services contracts is what the Pierce County IT Director put together for the 40,000 hours of programming that has been identified as needed to re-architect the application to make it viable for the state. Pierce County would not stop all of their other internal projects. But, some of the people who are currently working on that team will be involved in a transition and/or development process to get this going. If Pierce County re-platforms LINX with another partner, not AOC, it would be roughly \$5 million dollars to re-platform (40,000 hours of work); with an additional \$6 million dollars to bring in a contractor to do the rollout (training, implementation, etc.). Kate Kruller pointed out that MTG used the low numbers from the range (low to high estimate) that Pierce County provided, not the high numbers.

William Holmes asked what other aspects of the justice system are involved in LINX since this is an integrated justice software solution? Kevin Stock responded that every piece of the criminal justice system is involved in LINX. LINX has the jail, the prosecutor, assigned counsel, court probation, jury, superior court administration, clerk's office, DV, law enforcement, sheriff, and corrections. They are looking at the possibility of bringing on outside vendors, as well. City of Tacoma Police Department is talking to them now.

Judge Steve Rosen asked if Pierce County does not come on board with the statewide system; how that changes the \$43 million dollar benefits calculation. Does it lower it? The answer was yes, by about 12%. And how does that affect the Internal Rate of Return? If Pierce County doesn't license the system, it actually increases the Internal Rate of Return, because of the amount that is allocated for configuration. Pierce County is considered a custom configuration. So, the amount of effort related to personal services contracts that deal with custom configuration is higher for the custom counties. So while they represent about 12% of the benefits, they represent more of the costs. It would cost more to convert them to a centrally hosted system than other counties, because they would need to a customized configuration. The assumption is that the larger other nine courts would get built off of a common statewide configuration template; while Pierce County would end up getting a custom configuration.

Yolande Williams asked how the Annual Tangible Benefit were calculated and whether they were based on analysis of superior court systems within the State of Washington or are on industry standards? Joe Wheeler responded that they were based on the Superior Courts of Washington as provided by Ronee Parsons and the ISD and MTG Business Analysts. There was further discussion on how much outreach was done to the clerks to obtain feedback on the analysis. MTG confirmed that outreach was made, but not a lot of feedback was received.

Yolande Williams then asked about the accounting/financial functions that were originally considered out of scope. If that functionality is now in scope, how does it affect our budget forecast? Joe Wheeler explained that accounting/financial functionality is already licensed in the commercial applications. So if you buy it, you're going to pay the same price – whether you use the financial functionality available in the system or not. However, providing a financial system for the clerks was not included in the scope of the analysis. Yolande stated that accounting is part of the functional responsibility of the clerk's office, so they need the capacity to do that. If we're talking about an application that ultimately will eliminate SCOMIS, then accounting needs to be part of it.

Judge Leach asked if the projected operating costs for this system, going forward, include any savings from not continuing to maintain SCOMIS? The answer is 'No'; it doesn't include any of the potential cost reductions from not operating SCOMIS, the King County Case Management System (KCMS), or Pierce County LINX system. But we know there will be a benefit; it just wasn't quantified.

Barb Miner asked for an explanation of the public benefits and why they were included in the analysis. The answer was that including the public benefits in analysis is a common practice throughout the state. Jeff Hall explained that when the JISC decided to move forward with the feasibility study, the vendor was instructed to conduct the analysis in accordance with the Information Services Board (ISB) guidelines and process for conducting feasibility studies. All of the financials are done using the ISB spreadsheets. We made that decision for two reasons: 1) because we don't have our own policy and our own format yet, and 2) this is the information that the legislature and folks in the Executive Branch are used to seeing. The ISB policy description, of the amounts of other benefits of the proposed project in form 5, states the following:

*Benefits Cash Flow Analysis – these may include cost avoidance, cost reduction, increased revenue, or tangible public benefits.*

This is why the public benefits are included in the analysis. It is the format that we adopted and it is the standard for conducting state IT project cost/benefit analysis.

Barb Miner then asked what it meant by Internal Rate of Return? Joe Wheeler explained that there are inflows and outflows each year. You look at those inflows and outflows over time and see what kind of

return on investment you get across all those years. The Internal Rate of Return calculation tallies all those up to determine the annual rate of return.

### ***Mitigation Recommendations for High Risk Items***

Vonnie Diseth stated that there were 18 high risk items, 22 medium risk items, and 50 low risk items that were identified in the Alternative 3 - COTS full-featured system. AOC has already started taking action to address those high-level risks. The 18 high level risks were grouped into five main categories:

1. *Unified Leadership & Vision among all the Stakeholders.* As Justice Fairhurst said earlier, we had a meeting of all the stakeholders (the clerks, court administrators, and the judges) to start focusing on that unified vision and to discuss the groups concerns and issues to find out what will it take to move this effort forward and to resolve everyone's concerns. Some of the things that came out of that discussion was the need to form a new Executive Steering Committee specifically for the RFP development that is different from the Executive Steering Committee that was used for the Feasibility Study. The group wants a new charter and more formalized processes than were used during the Feasibility Study. They would like to have formal motions made and document the discussions and decisions. We talked about obtaining agreement on the requirements. We have a proviso that we have to meet on December 30<sup>th</sup> that requires us to have agreement on the requirements prior to obtaining approval to go forward with a COTS package. Specifically, the proviso requires us to make sure that we captured all the requirements for all 39 counties. We are in discussions about the process for how we are going to do that. Once that is completed, we will have to finalize discussion on the scope issue of what is included and what isn't. But, the point I want to make is that we have started having those difficult discussions. We have already reached some agreements and have made progress in beginning to address this risk item.
2. *Adapting Current Local Practices.* This focuses on the need to look at standardization of processes as much as possible so that we don't have so many different ways of doing something. As part of our requirements and documenting the business processes, we've identified processes that are common among all the courts and identified where there is some differences in how people do things. But again, it's being open to and looking at where those things can be more standardized to where we don't have as many unique configurations that need to be done.
3. *Information Networking Hub.* Rich Johnson brought up some concerns in this area. We have an Information Networking Hub (INH) program track in place with an assigned project manager and Kumar as the program manager. At the end of this month, we have a proviso report due to the legislature that describes the data exchange strategy, where we're at, progress we've made, and the plan moving forward. We are also working on a proof of concept to validate the technology components, the services and the data stores. We will begin reporting the progress of that program track here at the JISC meetings, beginning in December.
4. *Managing the Solution Provider.* This risk is ensuring that we have the processes and procedures in place for contract management and change management and having really good project management to manage the COTS vendor. To take steps to address this risk, we hired an experienced vendor relations coordinator that started last month to help us manage our vendor contracts and vendor relations ---- especially, moving forward with this critical project.
5. *Maintaining Funding Across Three Biennia.* Ramsey has already addressed a lot of this. We need to keep the legislature informed. We need to meet the proviso requirements they have given to us. We've got the first proviso report due at the end of this month, with the second one due the end of December. We're on track to deliver those two reports. Jeff, Melanie, Ramsey, and I are also continually meeting with representatives, talking to them about the budget situation, our needs, the programs that we have in place, and the progress that we've made. We are working to keep those lines of communications open, so that they understand what our needs are and why the funding is critical to the courts.

In summary, we acknowledge the risks that have been identified in the feasibility study and are working diligently to address and mitigate those risks. But, it is important to understand that there will be risks all throughout the project. These risks are not a one-time occurrence that once mitigated you can forget about and move on. You constantly have to monitor and watch them throughout the project.

Justice Fairhurst asked Kate Kruller and Joe Wheeler how they feel about the risk mitigations that have taken place thus far. Kate stated that she is very encouraged by the steps that Vonnie has taken inside ISD to embrace the challenges that are coming now and the people we're bringing on board are superior. So, I'm more encouraged from the day that I sat down with MTG in the spring and did this initial analysis. And I think we're going to continue on that path in a positive way. Joe Wheeler stated that although steps are being taken, people are being put in place, and agreements are getting made; the proof is going to be in the execution, commitment, and durability of all this going forward; especially, around the leadership and vision risk. This project has legislative impacts and leadership impacts with a proviso coming into play. Major county organizations are going to have a say about what direction this ultimately goes.

N.F. Jackson stated that the risks, vision, and leadership are probably the highest he's ever seen with the next one being business practices. If we can identify the different practices, then we've got a short list to begin working on the consensus. Kate Kruller stated that a lot of work has already been done in this arena. ISD Business Analysts have already been capturing the differences. They are color coded so that you can easily spot where the variances and commonalities are. It's tremendous work and will continue. But, there's a lot more to do.

Rich Johnson stated that in the document on the motion there is a bullet that has to do with the INH being identified as a high risk item. The data exchange has been a priority for the past 10 or 15 years. The INH is just a vehicle for data exchange and we're saying that it is a required piece of the puzzle. But it's not part of the project. So, my comments are twofold: 1) we can't overstate the risks involved with the dependency on the INH. We could cruise along with this project, issue an RFP, get a successful vendor, it could meet everybody's needs, and we could agree to go forward. But if we don't have the INH in place; the project would fail. So, if it is a dependency and a requirement; then we need to have more focus on that effort and put some stoplights in place. We need to have made progress towards that ultimate goal before we get too far out on our CMS continuum, or our risk is quadrupled. I think we need to have a specific mitigation strategy just for the INH. In my opinion, that is the 100 pound gorilla that we've never been able to bring down.

Vonnie Diseth responded that there will be a contingency plan in place in the event that the INH is not ready when it's needed. But, we are working towards making sure that it is in place.

Justice Fairhurst stated that the JISC really needs to understand the goals and timeline for Plan A to ensure the two projects are in the right spot. It is very smart to do contingency planning to know what our stop-gap will be to bring on CMS even if the INH is not ready for some reason. Because we might determine that if INH isn't going to be ready and it doesn't make sense to implement the contingency plan; we may decide to take a yellow and not acquire the CMS for some period of time to let the INH project catch up. So those would be the two different options: 1) to wait – if INH isn't going to happen or 2) everything is great and we're good to go. It is not our expectation or our plan, but this group as we know wants to have contingency plans so that we don't have failures. And, I know Vonnie and Jeff share that sentiment as does all the AOC staff. As I definitely do. It is really important that we have successes. And for us to have successes, we have to do like any smart person would do and plan for the ideal as well as the worst case scenario. So, as we move on to the decision points, we have built in these stop signs so that the RFP steering committee will be in a position to say Yea or Nay. If they say nay, that's it --- we're done. If they say yes, then the JISC can either say yes or no to that. But, we don't get to monkey around and change their recommendation. They are the stakeholders who have skin in the game. The no decision or none of the above is an option. And that includes today. Today, we could stop right now and just say, we think we're not going to overcome the risks. We think the risks are too great. We don't think the benefits are really there; and we stop today. Or we say; we're ready to go forward. We think we've got mitigation plans for the risks and we feel pretty good about it. So by saying yes, we're just saying yes to the next phase. There's the big journey and then there's the different steps. And we can stop at any point along the way.

Because having a bad result or having something that doesn't serve our needs is not a win. A win is to have something that serves our needs.

### ***Discussion of the RFP Evaluation Process***

Jeff Hall explained that in anticipation that a significant issue with the stakeholder groups would be the governance of the project and the selection process, a group got together at AOC to talk about what the RFP process might look like and what the different groups involved in that might look like. We shared a proposed concept at the stakeholder meeting on Tuesday. Some discussion and some tweaking occurred amongst the stakeholders. We talked about it in terms of tiers:

**Tier 1** is the review of the paper submissions. If you've ever been involved in grading grants or resumes, or anything like that, it's that grunt work of just going through and checking off boxes and scoring paper after paper after paper. We anticipate there would be two Tier 1 groups. One group would be the Technical group. We would involve both AOC technical staff and county IT technical staff. So, we would get an outside technical view, as well in that analysis. Again, that's the raw objective scoring that happens. The same thing would happen on the functional requirements. We would look to have an equal number of county clerk representatives and an equal number of combined judge and court administrator representatives doing that functional scoring, the raw paper scoring.

**Tier 2** review gets into more of the interactive review. The demos, the use case scenarios, and potentially site visits; all of those sorts of things. The Tier 2 group would use objective scoring criteria, but would be much more interactive and actually looking at the products and touch and feel with the same sort of structure as Tier 1. Different people, but an equal number of clerk representatives and judge/court administrator representatives combined. To do that scoring there would be again a technical group just to make sure that what they had in paper in fact they show in a live environment, or in a demo environment. Scores for both the Tier 1 and the Tier 2 would then go up to the RFP Executive Steering Committee.

**Tier 3** is review and recommendation by the Executive Steering Committee with one significant change: when we get to the scoring review and the decision point about what product or not to recommend to JISC, Vonnie and I would not vote. We would not have a vote in that aspect of the steering committee's responsibilities. The composition of the steering committee would be three clerk representatives and three judge/administrator representatives. For the three judge/administrator representatives, the following rules apply: there must be at least one judge and at least one court administrator and one of the three must be from the King County Superior Court. The Steering Committee has two roles: One role is oversight as we go through the RFP development and execution process. When risks need to be elevated or issues need to be resolved that can't be resolved at the lower level, they elevate to there. Kate Kruller, as the project manager, uses that group to handle things that she needs input and direction on. A really good example from her time at DOT is where a vendor in response to one question on the RFP simply had the word, Dave. It was a clear mistake by the vendor. The person responsible apparently for answering that question (Dave) didn't do so. There was a big debate about whether or not that should disqualify that vendor's response. That question was elevated to the steering committee and they decided to allow the vendor to proceed. But it was the steering committee that was able to answer that question and make that decision. Then, they would make the final recommendation to JISC on acquiring Product A, Product B, or none of the above. All those are viable options. Then, the JISC either accepts or rejects the recommendation.

Justice Fairhurst reminded everyone that the RFP steering committee would have formal minutes taken when they meet so that we know what was discussed, concerns people raised, and agreements made or not made. And votes would be taken so it would be less of a consensus. They have to have a majority of four votes to pass anything. So, you at least have one from the judicial side and recognizing the clerks and the executive side and how much this impacts their work, that it was really important. The Court Administrators were fine to have that split. King County has a very important presence because of information that we're aware of that Ross Hunter, who is the Chair of the House Ways & Means Committee,

will not approve the money for this project unless King County's needs are met. That's been sort of worked out to be 95%. Now, we're trying to get an understanding around 95% of what? But, we do know that it's very important and if there were a vendor out there that could meet 95% of King County's needs, and Ross Hunter would fund it, it would be fabulous. We're going to have to sort that out as we go forward. I believe I'm meeting with Ross Hunter next week. And, I'm going to continue to meet with Ross Hunter to have these discussions to try to be sure that he understands the efforts that we are going through to try to have this be a win/win for everybody involved. I also want to be clear that the intention of this project, if a new CMS is eventually selected, that it would replace SCOMIS in the JIS portfolio. The new Case Management System would have to have SCOMIS functionality. It may not perform those functions in the same manner as it is currently done in SCOMIS. But, it would have the same functionality. That's because one of our JISC goals is to reduce the size and complexity of our IT Portfolio. So, we don't want to simply add a new system to the mix without retiring an old system. Of course, SCOMIS and the new case management system would be on dual tracks for some amount of time due to the statewide rollout. The other expectation was that King county would be implemented in the first 18 months. Normally, we wouldn't take on a big county first. But if they want it early, we'll let them have it.

Vonnie Diseth pointed out that the agreement that was reached regarding King County being one of the first counties to rollout did not actually get captured and included in the motion (as it should have been). So, the motion should be amended to include that as the last bullet item.

Justice Fairhurst polled each of the stakeholders who were at the Tuesday meeting to see if they had anything they wanted to add. Paul Sherfey stated that he appreciated Justice Fairhurst's acknowledgement of the position King County is working under, that we have captured it all very appropriately, and that he thinks this should go forward.

### ***Legislative Proviso: Due December 31, 2011***

We have a legislative proviso due at the end of December that requires us to confirm that all 39 counties agree with the business requirements that have been captured; before the RFP is issued. What we discussed with our stakeholder groups, which included the presidents of the three associations, was that we would have the three presidents affirmatively confirm with their own members that they are satisfied. We will need to verify with Ross Hunter that this approach is okay. But, the sense is that if King County is okay with it, then Ross Hunter will be okay with it. So we're not going to go out to all the 39 counties individually. We're going to let the presidents manage their own groups. If there are concerns within the three major stakeholder associations, we want them to try to sort that out themselves.

Vonnie Diseth handed out a timeline that was put together based on Tuesday's agreements that works backward from the date the proviso is due and identifies the critical dates that we need to meet if we are going to be ready in time. This is the second proviso report that has to go to the legislature. There happens to be a JISC meeting scheduled for December 2<sup>nd</sup>. We thought that would be a good time to have written confirmation from the three association presidents that the requirements that we have gathered meet their needs, are comprehensive and that we are good to go. If we have that on December 2<sup>nd</sup>, then we'll be able to put that in with the report and will be ready with everything we have to have due at the end of that month. We have not yet received all of King County's requirements. What AOC offered to do, is to send Lea Ennis, Barb Miner and Paul Sherfey, the requirements that we have gathered for them to review and validate. They can then include any of their requirements that we don't have captured. To keep on schedule, we need to have those by the end of the month (September). So, that gives King County two and a half or three weeks to review and respond. When we get those back, we will then spend October thru November making sure we understand what was added, having meetings and conversations about review and refinement of those requirements between all three associations of the executive steering committee, and making sure that we've got the comprehensive requirements list. So when we get to the December 2<sup>nd</sup> JISC meeting, we want all parties to be comfortable that they can give that endorsement. Everyone needs to see the schedule and understand the timelines that we have to meet to make this happen.

Barb Miner asked if the requirements AOC will be sending to them will include the requirements that were gathered in the last CMS effort. The answer was yes, they will be included. We are not starting at square

one. What we have gathered includes the requirements that were done with the last effort.

### ***RFP Executive Steering Committee***

N.F. Jackson suggested that the charter for the new RFP Executive Steering Committee be sent to the JISC in advance to let it be vetted in time to get it approved by our constituencies for recommendation to the JISC on October 7th.

Justice Fairhurst stated that this is going to be different governance structure than we have had before. Some of the concerns expressed by the stakeholder groups were that the decisions that get made with this project effects them directly. There are many more people on JISC than are Superior Court representatives. And the stakeholder groups don't want to go through all this effort and then have the rest of us (non Superior Court JISC members), who aren't living in their world day in and day out, monkey around the decisions or recommendations that are made. So, we are going to let the RFP Executive Steering Committee develop charter for this phase of the project. But I need to be sure JISC is okay with that. If we don't like how it works on this project, we don't ever have to do it again. But as our very first project, we have to sort of feel our way as to the processes. So, this was the process that the stakeholders and AOC and I were comfortable with. But I want to be sure the rest of you are.

William Holmes stated that the juvenile court community, a division of the superior court, remains concerned that they do not have adequate assurance that they have a place in the proposed structure to address the impacts the new CMS may have their operations. There is great concern that the juvenile court administrator's responsibilities will not be properly addressed. The feasibility study workgroup will include the three major stakeholders, but that does not include the juvenile court administrators.

Yolande Williams asked if there was any discussion at the meeting with the stakeholder group regarding how this project deviates significantly from the official JIS process, where JIS basically has ultimate authority to make decisions moving forward. This particular project is kind of going off a different path; where in essence, King County is in the driver's seat.

Judge Thomas Wynne explained that the JISC would still have responsibility and authority to make the decisions on this project in terms of stoplights and go/no go decisions. But the idea here is that this project should not be micro-managed by the JISC. The project steering committees have the authority to make recommendations at each stage to JISC regarding whether the project should go forward and how it should go forward. The JISC would not have the ability to come back and say no, the Executive Steering Committee recommends Vendor B; but, we think we should choose Vendor C. The JISC would only be able to say, yes or no to that recommendation. If the JISC says no; then the Executive Steering Committee can come back and reassess the situation. But, the JISC cannot substitute a decision for a recommendation being made by the Executive Steering Committee. As to King County, it's a political reality based upon the budgetary situation and the fact that we have a representative from King County who's Chair of the House, Ways & Means Committee. So this is sort of unique in this respect. And, King County will have to agree to what we're doing before we will have a budget to proceed. If King County doesn't agree, we're not going to have a budget and we can't have a project. So, that's the reality of it.

Judge Jeanette Dalton stated that we did discuss the implication of Ross Hunter at the meeting on Tuesday. And, it may feel like he is dictating to us. But upon reflection, and throughout this vigorous discussion that we had on Tuesday, my impression was that this is a true opportunity for all of us to unify our vision, to come together and to truly create a statewide case management system that can meet the needs of all of us. And we have a funding source who is ready and willing to pay for it in Ross Hunter. He has a proviso. But, in discussions with the folks from King County, their vision is not disparate from our vision. What they want is what we want. And since their voice is the one that is going to be heard the loudest; then I think we're all going to have a wonderful opportunity here to really get all the bells and whistles. We may get a Cadillac.

Justice Fairhurst then asked the group how William Holmes's juvenile court administrator concerns could be addressed.

N.F. Jackson suggested that one of the requirements for the new system should be to integrate with the Juvenile Court System (JCS). The Juvenile Court applications include some detention and referrals to probation. Some courts have juvenile deputy clerks who do all the docketing of those documents and manage the juvenile cases. SCOMIS or the SCOMIS replacement will embrace much of that need. We cannot miss the technical connection to JCS, as a requirement. In addition, some juvenile courts serve multiple counties. That complicates the issues. There must be some kind of accommodation made for those officers to have multi-jurisdictional responsibilities. I think I can commit to William Holmes that the judges and administrators have your best interests at heart. We'll be in constant communication with you to ensure that we have covered everything.

Jeff Hall commented that one of the things that we would do now that William Holmes raised these concerns is to ensure that we do in fact engage with the juvenile court administrators on the requirements, as we with the other stakeholder groups. Then, subject to further discussion, we go forward. But, I don't see why we wouldn't include them as part of the Tier 1 and Tier 2 RFP Evaluation teams.

Kate Kruller stated that the project is still doing scope visits. And, although we are not replacing the juvenile system (JCS), the project still has to engage with and understand what processes overlap.

### ***Information Networking Hub (INH)***

Rich Johnson asked if there is really any way we can do the data exchange with the CMS project without the INH because he has been operating on the assumption that if we don't have it, we will fail.

Kumar Yajamanam clarified that the INH is much bigger than just the Superior Court Case Management System integration. The Information Networking Hub is needed for many more things. The CMS effort will likely be the first one of the major projects that would be using it. So, from the perspective of the Superior Court Case Management System, we have to consider other various workarounds (contingency plans). Some of that will depend on what is the scope of the case management system. For example, if the accounting functionality is part of the new scope; what we have to deliver to INH will be different. Therefore, our requirements of what services have to be provided are going to be different. So, the workarounds could be based on the scope of the functionality of the new CMS. For example, if we implement the new case management system with exactly the same functionality as what SCOMIS does today and nothing more; we could do a database to database synchronization. That would be a little easier to do. But if we have to include some new functionality in the case management system (i.e., a new case type that we have not handled in the past); then the data changes. And we may not be able to do a direct database to database synchronization. In which case we have to start thinking in terms of how we'll translate from one system to the other. Any workarounds that would be employed would be temporary in nature and would go away once we got the INH up and running. The INH will continue to develop. In addition, the COTS vendors typically have their own integration engines which could be our failsafe. But without knowing which specific vendor we would need to integrate with, it is difficult to factor that in. We don't know how the vendors are going to provide that. We expect that the vendors would have an application programming interface (API). All the new COTS packages have those. And they could be capable of providing us information in whichever form that we ask for it. So, that's the solution that we're doing now.

Rich Johnson stated that the INH project may not be as fraught with peril as the superior court exchanges have been in the past because we're not trying to exchange data with SCOMIS, but a different product that maybe is more modern and has more standardization. But that there should be a fundamental premise, that a stoplight be inserted in the CMS project that is associated with the INH project. And, it needs to be pretty early on in the process before we have too much invested. That way, as that process moves forward, we know that at a certain stoplight, we have to know where we are on INH because it will be a major factor in the decision making.

Judge Thomas Wynne stated that the data exchange Information Networking Hub must be completed regardless of the process, but it's not a deliverable of the CMS project. They are two separate projects that have dependences between them.

Kate Kruller explained that the projects are separate because INH will happen whether CMS does or not. So, the dependency is because the CMS project is coming along and has a need. So, we have actually been talking about integrated milestones and a projects chart that can be shared to show where those dependencies are and how we're doing against them.

Jeff Hall stated that the CMS project is highly dependent on INH. And, to some extent what we do in INH initially is dependent upon what CMS needs. We recognize those dependencies. Vonnie and her staff have spent a lot of time understanding those dependencies and looking at not just the dependencies with INH, but with all of the other concurrent efforts that are going on within AOC as well. Things like getting the vendor relationship manager hired to support the CMS project coming down the road. They've spent a lot of time working on all those dependencies.

Vonnie Diseth expanded on that and explained that ISD is currently recruiting for an Enterprise Scheduler to help coordinate the timelines for all these projects and the dependencies. They plan to be able to come back here and provide the JISC with that master schedule that shows the various project relationships.

Judge Thomas Wynne stated that we are talking about data exchanges and INH in the same breath. And, they are two different things. We're relying on data exchanges now for communications between the same level of application (i.e., LINX and SCOMIS) and in the future will continue to rely on them for that purpose. However, the INH will allow interfaces between other systems and the new COTS system. And those are two different things.

Kate Kruller stated that a while ago there was a diagram that showed various point-to-point connections and how complicated they could get. The INH will serve as a "switchboard" (for lack of a better term). But, if we have to, we can use the less desirable point-to-point connections with the integration engine provided from the vendor's CMS. If the INH is not ready when it is needed, it would not stop us.

Barb Miner reminded everyone that Vonnie said ISD would do a briefing on INH for the JISC to give everyone a better understanding of what it is. We need to understand what the risks are for that effort as well (capacity, technology, etc). The JISC needs to have more thorough information about what it is and the timeline. Vonnie said it was her intention to have an INH presentation at the December meeting. The October meeting agenda is already full and the agendas get planned months in advance. That would also give the team more time to pull all the information together. And, it would be timely because our pilot that we're doing is supposed to be completed in December. So, we would have information on that as well.

### ***The CMS Project and Smaller Courts***

Linda Bell stated her discomfort that King County seems to be in control of the CMS project moving forward. Just because we're getting a Cadillac for King County, doesn't mean it is going to work for all the other superior courts; the smaller ones.

Justice Fairhurst stated that King County has what they currently have, which is more than what most people have. And the commitment coming out of the stakeholder group on Tuesday was that if it met 95% of their requirements, it would be acceptable. So, it's just a number that was picked. That number could change later to a lesser percentage. But, the RFP Executive Steering Committee and the JISC has a responsibility to ensure that what we end up with will serve all the counties.

Jeff Hall stated that based on what he knows of the market, it's not likely that we'll find a system that meets King County's needs but is too sophisticated for the rest of the smaller courts. If you look at the market, the CMS systems are operating in both large and small courts. It's more likely that we'll see a few products that would be fine for the small courts, but don't meet King County's needs. But, it is not likely that we'll find something that meets King County's needs that would overwhelm a small court. Vendors make sure that their products works in all situations because they are trying to sell to other states. And other states are just

like us. They've got really small towns in rural areas, one big metropolitan center, and maybe a couple of other mid-majors. We're very similar to Arizona and Minnesota and Indiana.

### **Courts of Limited Jurisdiction Concerns**

Linda Bell stated that in looking at future budgets and limited funds; the CLJ's have concerns that they will end up having to migrate to the CMS system that the Superior Court chooses. And it's a serious concern that they want to put on the table.

Justice Fairhurst stated that it was a good observation and everyone is sensitive to that. A potential option would be to do exactly what we've done for superior courts and see if there's something on the market that meets the needs of the CLJ courts. Or, we can find out if the same system will work for the CLJ's or what wouldn't work. The CLJ's are clearly the work horse of the courts. The system that works for a superior court may not be the system that would work for you. And it may make sense, for a feasibility study, and an RFP. Or the chosen vendor may have a system that will work for the CLJ's. I think that's where we'll be going as we start working our way through the portfolio and saying, who's most at risk next, and where do we need to set the priorities. But, it will be duly noted that the courts of limited jurisdiction are sensitive to this issue and how it will ultimately affect them.

N.F. Jackson suggested that we ask vendors in the RFP to tell us what they offer for the Courts of Limited Jurisdiction.

Judge Steve Rosen suggested that someone from the Courts of Limited Jurisdiction be invited to sit in on the Tier 1 and Tier 2 RFP Evaluation Teams to observe and get a sense of what the vendors are offering.

Jeff Hall commented that he's given this some thought. We are going to go out and acquire a system for the superior courts. The limited jurisdiction courts are already starting to put their request into the IT Governance process. So, we should do for the courts of limited jurisdiction, the same thing we are doing for the superior courts. First, we need to capture, document, and understand their requirements. Once we've done that, then we can say, we've got this system over here for the superior courts, how does it measure up and match limited jurisdiction courts' requirements? If it's a match – hallelujah! If it's not a match or not a good match, then we go to a feasibility study, we do an RFP, and we see what's out in the market that meets the needs and the requirements of the limited jurisdiction courts.

### **Motion for the Superior Court Management Feasibility Study**

Justice Fairhurst called for a motion.

**Motion:** *Judge Thomas Wynne – I move that the JISC direct the AOC to develop an RFP that would implement the recommendations of MTG Management Consultants, in the Superior Court Case Management Feasibility Study Report, Version 1.3 presented today, that AOC acquire, implement, and centrally host a statewide, full-featured (as we talked about defined in this meeting), commercial case management system for the superior courts, subject to the conditions on this page. To include that King County be implemented within the first 18 months, as we talked about that on Tuesday.*

Justice Fairhurst – Do I have a second?

**Second:** Judge Jeanette Dalton

Justice Fairhurst – I have a motion made by Judge Thomas Wynne, seconded by Judge Jeanette Dalton. Do I have any discussion?

Judge Steve Rosen asked Joe Wheeler a question about the dollar cost at each of the stop signs. Joe stated a rough estimate of RFP development – a couple hundred thousand, Acquisition - \$475,000, Configuration and Validation - \$5 million, and the Pilot - about \$1.8 million.

Barb Miner asked a clarifying question about the process that was agreed to at the meeting with the stakeholders and the roles between the RFP Executive Steering Committee and the JISC. Justice Fairhurst reiterated that if the Steering Committee recommends a "stop" to the project (from a stoplight perspective). That is a recommendation to JISC. The JISC cannot say we're continuing on anyway. The JISC cannot override a no vote, or none of the above vote from the RFP steering committee. That's approximately the 5th bullet in the motion that was agreed upon. So, if the committee comes back and you have 4 votes that say, nope, we're done. Then, by adopting this, we are agreeing that the JISC is not overriding them. The JISC would have the option to say, go back to the other feasibility alternatives. The Steering Committee can then work it out or not work it out. Or, under a different scenario --- if the Steering Committee says they want COTS Vendor A, the JISC cannot say we choose COTS Vendor B. But, the JISC can say no to Vendor A. The Steering Committee can then go back and say okay, the JISC has not approved Vendor A; we have two other vendors. Do we like either of them? And if you say, no, we don't like any of them. Then, we're back to the feasibility study. If none of the alternatives are viable, then we're done with the project. You are simply out of luck. At that point, the JISC has reached a conclusion of this project. You can go to the back of the end of the line and you make a new request and you see if you can get your CLUG to agree. But, you have to get back in the queue. That's being true to our governance process and is being respectful to the role and the importance of the stakeholder groups. The JISC should not be second guessing what the stakeholders pass, as far as whether or not it will work for them. The JISC will still retain the ultimate authority over money and timing. But, the JISC would not force a new system on a court simply because thirteen other members (vs. six members) think that you should be able to live with it.

Marc Lampson expressed two points. The first point is that the ultimate stakeholders here are the public and the Bar Association. And neither is represented on this subcommittee. I think that's unfortunate that those stakeholders are not represented. The second point is that I wasn't convinced by the briefing that the LINX system should be excluded from consideration. If we're going to go toe-to-toe with 3 or 4 vendors that have been identified as having deep and robust participation in this market, I would like to see how LINX matches up. I suspect LINX would come up pretty well.

Jeff Hall responded that if the motion goes forward and if we proceed with an RFP development and the release of an RFP, there is nothing that prohibits Pierce County from submitting a response to the RFP and competing with all of the other vendors in that process. So what this vote is saying is that we're not going to exclusively work with Pierce County on developing a system. That decision has been made or is implied by this vote. Otherwise, we could probably do an Intergovernmental Agreement with Pierce County and avoid all the procurement issues. But if we're going to go for a procurement, that still does not by this vote preclude Pierce County from submitting a response to the RFP and being evaluated along with everybody else.

Kevin Stock responded to Marc Lampson's comment regarding the Bar Association and Public involvement on the Executive Steering Committee. This is such an important decision for us because this is our work product. But, all the benefits that could be gained by the Bar and by the public are very much in the back of my mind when I look at and evaluate things. So you both are beneficiary to that. But, we would definitely have concerns with you or the public, or whoever, coming in and having the ability to stop this effort --- simply based on it doesn't meet your needs. Your interests are in our hearts and mind.

Marc Lampson - It would just be a voice there to say, you know, what does this look like to the public? How is the Bar going to interact with the system? I think an ultimate decision would be up to the courts.

### **Official Vote**

Justice Fairhurst – I'm hearing no acceptance of any amendments to the Motion as it stands. And, I have a motion and a second. Yolande Williams is not able to vote, because we don't allow proxy under our current rules. But, before she left, she told me that she does support this Motion. She is not voting. But, off the record, she is not disagreeing. I'm going to go ahead and call for a vote. I want JISC members to raise their hand and I will note.

**Voting in Favor:** Justice Fairhurst, Larry, Barker, Linda Bell, Chief Berg, Judge Dalton, Jeff Hall, Judge Heller, N.F. Jackson, Rich Johnson, Marc Lampson, Judge Leach, Barb Miner, and Judge Rosen.

**Opposed:** William Holmes

**Absent:** Stew Menefee, Yolande Williams (at time of vote)

Thank you all very much. We will go on to the next phase. A new RFP Executive Steering Committee charter will be developed. We will be identifying the evaluators. The stakeholder groups will be identifying who their six members will be. We will get a small update in October and another update in December. Thank you everyone for all of your hard work on this project. And, thank you to Kate Kruller and Joe Wheeler for your efforts. A lot of people have worked really hard for a long time to get us to that decision point. So we will move on from this stop sign, and when we reach the next stop sign, we'll have another robust effort.

### ***Update on the Spokane Municipal Court Request***

Vonnie Diseth reminded everyone of the initial letter that was sent to the JISC in March requesting approval to implement their own CMS system, locally in Spokane. In June, this was brought before the JISC for initial discussion. At that time, we brought forth the options as we saw them for dealing with Spokane's request. We presented three different options. One was using the existing Seattle Municipal Court file transfer process that we currently have, and we identified the pros and cons of that approach. The second option was to do duplicate data entry into both the new system that they wanted (JustWare), as well as the JIS system. We also identified the pros and cons of that approach. The third option was to not implement JustWare until after we had completed ITG request #27, which was Seattle's request to expand the data transfer. No decision was made by the JISC at that time. The JISC decided to create a group to look at developing a policy for Rule 13. Meanwhile, ISD has been working with Spokane trying to understand the data exchange issues and what it would take to make this work. We were having a lot of technical meetings with them. But on August 16th, Justice Fairhurst received a letter from Spokane stating that they had reconsidered their request and have decided that they want to go with Option 2 which is the duplicate data entry temporary solution. They stated that they plan to proceed with implementing their own CMS system and continue to enter data into JIS. They stated that no further consideration or discussion needs to happen here with the JISC. I wanted to make you aware of their decision and that technically the JISC never actually voted or approved their implementation of a local court system. We briefly discuss this at the JISC Executive Meeting. The decision was to draft a response to Spokane that outlines the potential risks that they will assume of implementing their own system. This agenda item is simply an FYI to let you know what was decided.

Justice Fairhurst clarified that we are technically pointing out to Spokane that the JISC isn't in a position at the moment to approve or disapprove their request because we don't have a policy in place. We acknowledge that they were trying to follow what they understood was the rule. But, because a policy is not in place, we didn't want to hold it up any further. So, our recommendation is we just do nothing other than what we've outlined.

Barb Miner stated that it would be helpful when we are doing the December presentation on INH if we would include how the Seattle Municipal request fits in with the INH effort since it involves data exchange and is a large project. If the INH was in place, would the Seattle Municipal request still be necessary?

Larry Barker asked if we were continuing with the subcommittee that was created to go over Rule 13 and to create a policy. The answer was 'yes', we are still continuing with that work. It is on the agenda for October.