



Technology Committee Agenda

Date: November 20, 2015

Time: 10:30 a.m. – 3:30 p.m.

Location: N.C. Judicial Center, 901 Corporate Center Dr., Raleigh, N.C.

Attendees

Members: Justice Barbara Jackson, Judge Susan Burch, Judge William “Mac” Cameron, Jeff Frazier, Susan Frye, Sally Ann Gupta (attending on behalf of Senator Harry Brown), Jennifer Harjo, Jason Hensley, Lori Kroll (attending on behalf of Carl S. Armato), Dean J. Rich Leonard, James J. MacCallum, Chief Judge Linda McGee, Tina McNair, Brooks Raiford, Carolyn Timmons

Presenters: Emily Portner, Will Robinson, Marcos de Souza, Jon Williams

Reporters: Paul Embley, Kurt Stephenson

Guests: David Johnson, Patrick Kuchyt, Erik Mazzone, Michael Robinson, Danielle Seale, Judge Marion Warren

Administrative Matters

Jennifer Harjo, the New Hanover County Public Defender, was introduced as an ex-officio member in order to fulfill requirements of the eCourts Advisory Committee.

A motion was made and adopted to approve the draft minutes of the October 16th meeting of the Technology Committee with the inclusion of edits provided by Tina McNair.

Presentations

An Overview of Information Technology from North Carolina’s Supreme Court and Court of Appeals – *Marcos de Souza, Director of Information Technology*

Marcos noted that he has eight years with the appellate division’s IT functions, and he encouraged members to consider IT as a “means to an end” that will solve a problem.

He reported that the total number of docketed appellate cases declined from 3,271 in 2008 to 1,599 in 2015. The total number of documents filed also fell from 14,009 in 2008 to 10,864 in 2015.

The NC Appellate Courts utilize an eFiling system that was developed in-house. Attorneys or clerks enter information into the system for cases initiated from lower courts while the transfer of case details is seamless when moving from the Court of Appeals to the Supreme Court. Paper documents that are received by the courts will be scanned into the system, and this allows for approximately 90% of documents to be available electronically for judges and justices. The eFiling system communicates with the docketing system so that the clerk's office can review and approve document submissions. Once approved, the document moves to a publicly viewed area at www.ncappellatecourts.org. This site allows anyone to open documents that have been filed in a case, but in order to submit documents, an account must be created.

The total number of filings in 2015 was 10,864 and 45.89% were filed electronically, and the remainder are scanned by the court's print shop.

Mandatory eFiling and better document usability were discussed as ways to increase eFiling rates.

Identifying Business Needs in the Office of the Clerk of Superior Court and Examples of the Intersections with Technology – Susan Frye, Forsyth County Clerk of Superior Court

Following budget cuts, Susan's office had fewer positions. As a result, she wanted to reduce the public's need to call or visit the office of the Clerk of Superior Court.

In order to facilitate this process, she paid to host a website with basic types of information. People can find many things on the website; such as information about reporting to jury duty, links to request copies of files, foreclosure details, and review a spreadsheet for arrest orders in child support cases. Pro se litigants can find samples of documents, and attorneys are also encouraged to use the website.

Susan noted that credit card usage has allowed her to reassign employees to different tasks, and she believes that if credit cards could be more widely used then additional benefits would be gained.

She heard from the local Bar Association and the public that they wanted additional ways to communicate electronically with her office. Susan eliminated the printing of eCitations for traffic matters in administrative court. This has reduced human error because the file isn't touched or physically transferred multiple times. With the assistance of the District Attorney, her county has instituted an online compliance process to receive a voluntary dismissal for certain traffic offenses.

Susan has found that technology allows her to cross-train employees and also to create opportunities for existing employees to perform their job more efficiently. As she recruits new employees she looks for skill sets that include experience using technology.

In the future, Susan mentioned there are additional opportunities that could be examined, such as a revamped bookkeeping system with online payments, eFiling for civil magistrate cases, and uniform websites for other clerk's offices to resolve the public's questions remotely.

Lunch and Tour of the NCCALJ Website – Emily Portner, Research Associate, NCCALJ

Emily noted that the North Carolina Association of Government Information Officers recently recognized the NCCALJ website for excellence in communication. Emily showed members the website www.nccalj.org, the email log-in button, and where to find NCCALJ information.

An Update on the RFP for the eCourts Strategic Plan – Jon Williams, Senior Deputy Director, N.C. Administrative Office of the Courts

Jon reported that the RFP is out for public view and people can submit proposals through December 16. He highlighted some of the deliverables that potential vendors will be expected to address. All proposals will be evaluated following the standard guidelines of the NCAOC Purchasing and General Services Division. The process may include interviews with respondents. Copies of the RFP were distributed.

Previous State Judicial Council Technology Committee Efforts to Identify Principles, Structures, and Processes for IT Governance – Judge Mac Cameron, District Court Judge, 4th Judicial District Court

Chief Justice Sarah Parker formed a Technology Committee of the State Judicial Council and asked the group to serve as the IT Governance Committee for the Judicial Branch. She instructed the committee to advise her on principles of governance and recommend a high level governance structure. This initiative started in December 2013 and a report with recommendations was made in August 2014.

The Technology Committee reviewed models of IT governance from various states and met with Lawrence Webster from the National Center for State Courts. In the years leading up to the committee's work, the NC court system model had few rules and little structure. The Technology Services Division was receiving requests constantly, and it needed a transparent formal process that involved stakeholders to determine which projects should move forward.

Ultimately, the Technology Committee recommended five guiding principles for IT governance:

- 1) Are stakeholders involved in the decision-making process?
- 2) Will this improve judicial system performance and efficiency?
- 3) Are we using fact-based decision-making?
- 4) Is the installed base protected and functional?

5) Is this moving North Carolina courts toward simplicity and advancing the goal to reduce complexity?

In the draft IT governance charter, a process for decision making was also recommended. The process includes an opportunity for all business problems to initiate with a commission, conference, association, or a NCAOC division. The problems are reviewed by internal stakeholders in Judicial Advisory Groups distinguished by Criminal, Non-Criminal, and Administrative categories. TSD and other NCAOC divisions collaborate to develop business cases for prioritized projects coming out of the advisory groups. The Technology Committee receives all business cases and recommends to the Chief Justice which projects should move forward first.

The NCAOC TSD has incorporated the principles into its daily work but the overall governance process has not been implemented. It was reiterated how important a governance process will be in order for technology projects to be initiated and completed in the future.

Paul recommended that if this process moves forward that all projects, including those from the Chief Justice, start in the same manner. He also recommended each advisory group can select their top five priorities, but the full list should still move forward for review. He noted that one way to encourage stakeholder buy-in would be to show that the process can work with a project that produces a “quick win.”

Other suggestions for any IT governance process that might be examined in the future included; appropriate education and communication with judicial branch employees and ensuring the process allows for internal dialogue that weighs the breadth of impact and the value a project brings versus the costs that might be incurred.

A Closer Look at Framing Values and Principles for Decision-Making and Prioritizing Business Needs in State Courts - *Paul Embley, Chief Information Officer, National Center for State Courts*

A 2014 NCSC Public Opinion Survey gauging the public’s trust and confidence found the court system remains the most trusted branch of government, but it ranks just above the United States Congress.

In this work, there were four technology issues of note for committee members to consider as they begin exploring a vision for the court:

- 1) Automated initial case triage. This is increasingly expected by the public. A case can be filed electronically and a computer reviews case characteristics and assigns to a processing queue (e.g. - legal aid, judge, etc.)
- 2) Automated case management. Today, a judge or prosecutor manages a case depending on the state. It is possible to have technology determine the next move while providing notifications, alerts, or event pushes.

- 3) Litigant portal. Self-represented litigants (SRL) need to understand if they actually have a legal problem. The courts may not be the best or only way to resolve the issue. Next, they need to know where to file, how to file, and if legal help is available.
- 4) Online dispute resolution. Modria provides online dispute resolution for eBay. They resolve approximately 400,000 cases per quarter, and the United Kingdom just assigned this technology as the front end filter for their legal system. This type of online resolution can have three tiers: one completely automated, an asynchronous option, and then a synchronous option with a human in the loop. Utah is moving toward multiple tiers where a party can escalate by choice if they don't like the option provided.

Committee members were encouraged to think about reimagining the court before the next meeting. Committee members might consider if there are other agencies or entities that might resolve the issues currently handled by the courts, or if some issues might be resolved with legislative changes. They were also encouraged to think about values that are core to the court system, starting with a vision statement and then developing strategy for achievement.

Closing Remarks

Will Robinson mentioned that public hearings are tentatively scheduled for August 2016, and it would be expected that by June 2016 each committee could provide written issue statements for the public's input.

Tina McNair shared information about Bridge Mobile, an application that allows clerks, judges, and others to view realtime information produced by the Official Court Reporter. She indicated that court reporters would benefit from access to any case management system that might be developed or utilized. Tina mentioned the NC Court Reporters Association is a resource for continuing education and training. She also suggested that Judge Ridgeway and Judge Gale would be good choices for future speakers.