Technology Committee Minutes

Date: September 16, 2016
Time: 10:30 a.m. – 2:30 p.m.
Location: N.C. Judicial Center, 901 Corporate Center Dr., Raleigh, N.C.

Attendees

Committee Members: Justice Barbara Jackson, Judge William "Mac" Cameron, Susan Frye, Sally Ann Gupta (attending on behalf of Senator Harry Brown), Jennifer Harjo, Jason Hensley, Lori Kroll (on behalf of Carl Armato), Dean J. Rich Leonard, Judge Linda McGee, Tina McNair, Brooks Raiford, Carolyn Timmons
Presenters: Doug Rowe, Andy Flewelling, Charlie Leadbetter
Reporters: Paul Embley, Kurt Stephenson
Guests: Bill Bigley, Jared Burtner, Jordan Fly, Justin Furr, Charles Fraley, Dave Johnson, Mike Lotz, Jeff Marecic, Judge Martin McGee, Sharon McLaurin, Kellie Myers, Jayme Owen, Emily Portner, Dennis Reynolds, Judge Michael Robinson, Will Robinson, Danielle Seale, Beth Stevenson, Jon Williams, Fred Wood

Administrative Matters

A motion was made and approved to adopt the minutes from the June Technology Committee meeting, as drafted and distributed.

Presentations

Findings from the NCCALJ Public Hearings and Technology Committee Discussion–
Emily Portner, NCCALJ Research Associate

In total, more than 400 people attended NCCALJ public hearings. An average of 100 people attended at each of the four locations. Approximately 200 individuals provided comments or feedback to the NCCALJ, and about 150 of those were speakers at the public hearings. Several Judicial Branch stakeholder groups submitted formal responses in writing.

One theme from comments was that people want technology that reduces duplicate clerk entries and allows applications or systems to speak to each other. It was also noted that data analytics and reporting from the NCAOC would be advantageous along with instruction on how to use the information. Public comments also indicated that it is currently hard to access information about the courts online. Comments were also received supporting the use of official court reporters; particularly those who provide real-time court reporting. Other comments included adding wireless capabilities to courtrooms.

The Technology Committee for the North Carolina Bar Association suggested that the final report might convey additional details about what uniformity in technology would mean and how it might be accomplished at the local level. Questions about uniformity were also raised for other committees.

e-Courts Strategic Plan Updates– *Andrew Flewelling, Charlie Leadbetter, and Doug Rowe, of BerryDunn*

BerryDunn provided the two volume e-Courts Strategic Technology Plan.   Volume 1 contains an executive summary reviewing process and findings as well as strategic initiatives with anticipated costs. Volume II contains supplemental materials with details. Final tweaks will be made to Volume 1 in coming weeks, and a final version will be delivered. The e-Courts Strategic Technology Plan will be an appendix to the final report of the NCCALJ Technology Committee.

BerryDunn reviewed the process used to develop the e-Courts Strategic Technology Plan. They completed and refined a current state analysis and future state outlook. They contacted industry associations to identify best practices for e-Courts and implementation of project/portfolio/program management. They identified and reached out to eight peer states. They started with five strategic initiatives and evolved that list to nine initiatives with the help of a subcommittee of the NCCALJ Technology Committee. They moved from prioritizing the list to categorizing each initiative as a top priority. The plan started with a five year outlook but later developed to a six year plan plus some work in the current fiscal year. Budgeting numbers are also provided for years 7 through 10, but confidence with those figures decreases due to changing variables.

In discussions with peer states Berry Dunn generally heard that states didn't use metrics to justify funding for a case management system. Instead, it was the implementation of technology that enabled them to identify metrics that improved business process. As a result, states weren't reliant on showing a return on investment. Overall, peer states are generally struggling with similar issues for technology.

BerryDunn reviewed the chart containing a maturity model for seven elements of eCourts. The chart shows four stages moving from paper based operations to advanced status. North Carolina is in the peach color and the green color reflects where the state wants to go. In four of the seven elements North Carolina is aligned with peer states. North Carolina is slightly

behind in reporting and analytics and financial management system integration. North Carolina is significantly behind in development of an integrated case management.

The list of strategic initiatives is not prioritized. If an initiative provided little benefit then it wouldn't make the list. Training was included in the plan and some costs are included. BerryDunn couldn't be too specific with training since the type and cost of training would be dependent on what the Judicial Branch chooses to implement. Discussion encouraged the use of video training options; perhaps embedded within the applications. BerryDunn recommended that if the intent is to buy an off-the-shelf application it would be better to use a consulting group to develop a detailed RFP.

BerryDunn discussed a few aspects of each initiative.

Initiative A: Management and Governance
It is critical to implement this in year zero. They recommend having a governance board or committee review the existing charter for changes and then ratify the document. This process would be for large scale initiatives. Governance is not a no-cost initiative since it requires existing employees' time and travel. Ideally, the group could begin by reviewing the remaining eight initiatives and defining timelines for accomplishing each.

Initiative B: Baseline Metrics
This doesn't need to be exclusively CourTools but it may include many items from the National Center for State Courts' recommended model. In any event, metrics should be identified and then Initiative C can be initiated.

Initiative C: Reporting and Analytics
This requires developing requirements for a robust reporting tool. BerryDunn recommends that the Judicial Branch not wait until clean data is available. Instead, standardization and other positive outcomes can come from dirty data that reveals issues.

Initiative D: EIMS
This initiative is already underway through the efforts of the NCAOC Technology Services Division. EIMS is integral to other initiatives. It provides both storage and access to documentation, and it could be used as a judicial workbench.

Initiative E: eFiling
BerryDunn encouraged the Judicial Branch to first examine broader eFiling needs and then look into the marketplace for solutions. A consulting firm that has experience with developing an RFP for similar technology projects could be an asset. eFiling will bring data and forms into the courts, and therefore, defined CMS and EIMS platforms are needed.

Initiative F: Integrated Case Management (ICMS)
Today, the Judicial Branch has a multi-module case management approach, but an integrated case management would mean implementing a system across all case types, platforms, and

courts. It would have common data elements and have multi-user accessibility with security. This initiative is split into two options; buy vs. build.

Initiative G: Financial Management
This initiative is only identifying requirements for a financial management system. It is important to define requirements whether the Judicial Branch ultimately buys standalone technology or a package FMS within the ICMS. Either way it should be integrated into ICMS.

Initiative H: Electronic Public Access
This initiative should minimize the need for the public coming to the courthouse or courtroom. It may include adding services online or with kiosks.

Initiative I: Judicial Workbench
This initiative allow judges to access statutes, LexisNexis, and other information through an integrated portal view at any time or location. Judges can prepare notes on a case with limited views to others. This can be integrated into ICMS and could be built from the EIMS system that has been acquired.

Following descriptions of the initiatives, the cost horizons were discussed. Budget matrices in Volume 1 of the plan provide cost differences for building and buying ICMS. In the discussion of buying vs. building technology a car analogy was referenced. Building an ICMS internally would like building a car yourself; including the lug nuts. The budget charts provide details about startup capital and operational costs. Final year cost projections are smaller due to more reliance on operational and maintenance duties. Paul Embley noted that a number of vendors are moving to cloud based solutions, and BerryDunn acknowledged that may impact when costs are incurred. It was also noted that a cloud based solution would likely increase costs over the long term. Costs were estimated using publicly available RFPs, proposals from vendors, peer state discussions, possible hardware/software costs, training needs, and other factors. The details will be transferred to the NCAOC.

The total if building an ICMS would be around $110 million, and about $61 million would be attributable to external costs. The annual costs would be about $9 million.

The total if buying an ICMS would be around $113 million, and about $69 million would be attributable to external costs. The annual costs would be about $10 million.

Jon Williams noted that the costs outlined for the initiatives are less than 3.5% of the Judicial Branch's current budget. Assuming things remain the same, then it is anticipated that most of the work could be financed internally, but peak spending years may require additional funds. It is currently difficult to determine how technology implementation might create cost savings in other areas that could be reinvested.

Technology Committee's Final Report and Other Next Steps – *Paul Embley facilitating*
Technology Committee Discussion

Committee members provided input and suggestions for content to include in the Technology Committee's final report. The document should have a broad vision for a virtual courthouse that reinforces common NCCALJ themes such as fairness, access, and effective case management. BerryDunn noted that the executive summary could be a resource for providing general information about hiring consultants, using peer state comparisons, and reviewing industry standards. Committee members noted that the final report could reference technology successes or current projects such as the website improvements. It was recommended that public comments be acknowledged, and when appropriate, information should be included to describe why the committee didn't discuss an issue that might have been raised during the public hearings. For example, the report might provide information about the Wi-Fi site survey that NCAOC TSD is conducting, or it might reference previous results reported to the N.C. General Assembly about the use of official court reporters.

Various methods were discussed that might show a reader the value of implementing new technology. For example, the report might show the perspective of an average person navigating the court system as it mirrors BerryDunn's gap analysis findings. Then, it could relay how the implementation of initiatives would change and improve that interaction with the court of the future. Another example might be the inclusion of short vignettes that describe current problems with practical examples of solutions that will be provided through the implementation of the initiatives. In general, the report should look for opportunities to personalize the courts, quantify time and cost savings, and increasing transparency and accountability.

Judge Martin McGee provided an example of the current inefficiency related to paper based communications between the NCAOC and the Department of Adult Corrections. It requires multiple people to review and key the same information. The committee also noted a previous NCAOC Research & Planning presentation that estimated 35+ million pieces of paper are added to files each year. Creating electronic alternatives could reduce paper and clerks' time could be reallocated from keying information to other tasks. This also represents a current and future cost saving for counties since they are responsible for facilities and storage.

Committee members also discussed different audiences for the final report and e-Courts strategic technology plan. As the NCAOC delivers the strategic plan to comply with session law requirements they may want to give additional consideration to discussing findings with the state information officer. It was noted that this may provide opportunities to bundle technology projects for cost savings or sequencing of funding requests.