



JUDICIAL COUNCIL
OF CALIFORNIA

TECHNOLOGY COMMITTEE

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JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))
THIS MEETING WILL BE CONDUCTED BY TELECONFERENCE
THIS MEETING WILL BE RECORDED

Date: March 25, 2016
Time: 12:00 noon - 1:00 p.m.
Public Call-in Number: 1-877-820-7831 Passcode: 3511860

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the February 8, 2016 Judicial Council Technology Committee meeting, the March 7, 2016, and March 14, 2016 Judicial Council Technology Committee Action by Emails.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), public comments about any agenda item must be submitted by March 24, 2016, 12:00 noon. Written comments should be e-mailed to jctc@jud.ca.gov or mailed or delivered to 2255 N. Ontario Street, Suite 220, Burbank, California 91504, attention: Jessica Craven. Only written comments received by March 24, 2016, 12:00 noon will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-7)

Item 1

Chair Report

Provide update on activities of or news from the Judicial Council, advisory bodies, courts, and/or other justice partners.

Presenter: Hon. Marsha G. Slough, Chair, Judicial Council Technology Committee

Item 2

Update/Report on Information Technology Advisory Committee (ITAC)

An update and report on ITAC will be provided; this will include the activities of the workstreams.

Presenter: Hon. Terence L. Bruiniers, Chair, Information Technology Advisory Committee

Item 3

Consortium of Seven Court Information Technology Infrastructure (Action Required)

Review funding request for the creation of a seven court Information Technology Infrastructure consortium for possible recommendation to the Trial Court Budget Advisory Committee (TCBAC).

Presenter: Mr. Jake Chatters, Court Executive Officer, Plumas Superior Court

Item 4

Update on Civil Case Management System (V3) Replacement Budget Change Proposal

An update and report on the work related to the civil case management system (V3) replacement budget change proposal.

Presenter: Mr. Richard D. Feldstein, JCTC member

Item 5

Update on Sustain Justice Edition Case Management System

An update and report on the work related to the Sustain Justice Edition case management system.

Presenter: Mr. Richard D. Feldstein, JCTC member

Item 6

Improvement and Modernization Fund Budget Review: Telecommunications Program

Briefing to update the JCTC on TCBAC efforts to address the IMF budget shortfall for FY 16-17, and to review options to eliminate or minimize periodic spikes in the long-term budget forecast.

Presenter: Mr. Michael Derr, Principal Manager, Judicial Council Information Technology

Item 7

Remote Video Proceedings Pilot Project


Review of the progress report from Fresno Superior Court on the court's Remote Video Proceedings pilot project.

Presenter: Ms. Tara Lundstrom, Attorney, Legal Services

IV. ADJOURNMENT

Adjourn

Judicial Council Technology Committee Open Meeting



March 25, 2016

Call to Order and Roll Call

- Welcome
- Open Meeting Script
- Approve minutes

*Hon. Marsha G. Slough, Chair, Judicial Council Technology
Committee*



JUDICIAL COUNCIL
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Chair Report

Hon. Marsha G. Slough



JUDICIAL COUNCIL
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Update/Report on Information Technology Advisory Committee (ITAC)

*Hon. Terence L. Bruiniers, Chair, Information Technology
Advisory Committee*



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Action: Consortium of Seven Court Information Technology Infrastructure

*Mr. Jake Chatters, Court Executive Officer, Plumas Superior
Court*



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Update on Civil Case Management System (V3) Replacement Budget Change Proposal

Mr. Richard D. Feldstein, JCTC member



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Update on Sustain Justice Edition Case Management System

Mr. Richard D. Feldstein



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Update on Improvement and Modernization Fund Budget Review: Telecommunications Program

*Mr. Michael Derr, Principal Manager, Judicial Council
Information Technology*



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Update on Remote Video Proceedings Pilot Project

Ms. Tara Lundstrom, Attorney, Judicial Council Legal Services



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Adjourn

All



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JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF OPEN MEETING

February 8, 2016
12:00 noon - 1:00 p.m.

Advisory Body Members Present: Hon. Marsha G. Slough, Chair; Hon. Daniel J. Buckley, Vice-Chair; Hon. Ming W. Chin; Hon. Gary Nadler; Mr. Jake Chatters; Mr. Richard D. Feldstein; and Ms. Debra Elaine Pole

Advisory Body Members Absent: Hon. David E. Gunn; and Mr. Mark Bonino;

Liaison Members Present: Hon. Terence L. Bruiniers

Others Present: Mr. Mark Dusman; Ms. Virginia Sanders-Hinds; Ms. Renea Stewart; Ms. Jessica Craven; Ms. Kathy Fink; Mr. David Koon; and Mr. Andrew Tran

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order, took roll call, and advised that no public comments were received.

Approval of Minutes

The members unanimously approved the minutes of the January 11, 2016 Judicial Council Technology Committee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-6)

Item 1

Chair Report

Update: Hon. Marsha G. Slough, Chair of the Judicial Council Technology Committee (JCTC), welcomed and thanked everyone for attending. Judge Slough reviewed the agenda for the meeting, as well as provided updates on recent meetings in which she and other members represented the JCTC or reported on the JCTC activities.

Item 2

Update/Report on Information Technology Advisory Committee (ITAC)

Update: Hon. Terence L. Bruiniers, Chair of ITAC, provided an update and report on the activities of the advisory committee, its subcommittees, and its workstreams.

Action: The committee discussed the activities of ITAC and received the report.

Item 3

Review of California's Language Access Plan: Video Remote Interpreting Pilot Project

Update: Hon. Terence L. Bruiniers, Chair of ITAC, reviewed the Language Access Plan Implementation Task Force's executive summary on a proposed pilot program that will provide important information for developing a long term Video Remote Interpreting (VRI) strategy for the California judicial branch.

Action: The committee asked questions, discussed the project, and voted unanimously to recommend to the Judicial Council.

Item 4

Update on Civil Case Management System (V3) Replacement Budget Change Proposal

Update: Mr. Richard D. Feldstein provided an update and report on the work related to the civil case management system (V3) replacement budget change proposal.

Action: The committee received the report.

Item 5

Update on Sustain Justice Edition Case Management System

Update: Mr. Richard D. Feldstein provided an update and report on the work related to the Sustain Justice Edition case management system including an upcoming meeting with the courts.

Action: The committee received the report.

Item 6

Update on Request For Proposal (RFP) for eCourt

Update: Mr. David Koon provided an update and report on the eCourt option for the Sustain Justice Edition courts as a path forward. He explained the need for an RFP.

Action: The committee discussed and voted unanimously to approve staff to work with the courts to prepare a RFP.

A D J O U R N M E N T

There being no further business, the meeting was adjourned.

JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF ACTION BY EMAIL BETWEEN MEETINGS
MARCH 7, 2016

Email Proposal

The Judicial Council Technology Committee (JCTC) was asked to approve that the proposed amendments to rules of court be circulated for public comment. At its February 22, 2016 meeting, the Information Technology Advisory Committee recommended two rules proposals be presented to the Judicial Council to implement legislation enacted in 2015. They are joint proposals with the Family and Juvenile Law Advisory Committee that were circulated for public comment during the winter 2016 cycle. One is a rules and form proposal implementing AB 879, which authorized electronic notice of hearings in juvenile dependency cases. The other is a rules proposal implementing AB 1519, which modified the retention and destruction requirements for signatures by local child support agencies on electronically filed pleadings. Due to the limited availability of JCTC members and the body's other priorities, the JCTC did not have time to consider this request at a meeting in a timely manner. Accordingly, the Chair concluded that prompt action by email was necessary.

Notice

On March 1, 2016 a notice was posted advising that the JCTC was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

Public Comment

Because the email proposal concerned a subject that otherwise must be discussed in an open meeting, the JCTC invited public comment on the proposal under rule 10.75(o)(2). The public comment period began at 4:00 p.m, Tuesday, March 1, 2016 and ended at 8:00 a.m., Friday, March 4, 2016. No comments were received.

Action Taken

After the public comment period ended, JCTC members were asked to submit their votes on the proposal by 11:00 a.m. on March 7, 2016. Eight members voted to approve; one member did not vote. The email proposal was approved.

JUDICIAL COUNCIL TECHNOLOGY COMMITTEE

MINUTES OF ACTION BY EMAIL BETWEEN MEETINGS
MARCH 14, 2016

Email Proposal

The Judicial Council Technology Committee (JCTC) was asked to approve the recommended allocations for the Jury Management System Grant program for fiscal year 2015 – 2016. Due to the limited availability of JCTC members and the body's other priorities, the JCTC did not have time to consider this request at a meeting in a timely manner. Accordingly, the Chair concluded that prompt action by email was necessary.

Notice

On March 8, 2016 a notice was posted advising that the JCTC was proposing to act by email between meetings under California Rules of Court, rule 10.75(o)(1)(B).

Public Comment

Because the email proposal concerned a subject that otherwise must be discussed in an open meeting, the JCTC invited public comment on the proposal under rule 10.75(o)(2). The public comment period began at 2:00 p.m, Tuesday, March 8, 2016 and ended at 8:00 a.m., Friday, March 11, 2016. No comments were received.

Action Taken

After the public comment period ended, JCTC members were asked to submit their votes on the proposal by 12:00 noon on March 14, 2016. Five members voted to approve; four members did not vote. The email proposal was approved.

Annual Agenda Project 1. CMS Data Exchanges

Summary	Develop Standardized Approaches to Case Management System (CMS) Interfaces and Data Exchanges with Critical State Justice Partners	
ITAC Resource	Workstream	
Sponsor(s) or Chair(s)	David Yamasaki, Judge Robert Freedman	Project Manager Alan Crouse
JCC Resources	JCIT (Neil Payne, Jackie Woods)	
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.	
Membership Established	<input checked="" type="checkbox"/> Approved by ITAC Chair (8/21/2015) and JCTC (9/15/2015); forwarded to E&P (staff).	
Project Active	<input checked="" type="checkbox"/> Court leads conducting vendor/justice partner sessions.	
Expected Outcomes	1. Documented data exchange elements and format standards 2. Documented governance and modification processes	
Expected Completion	July 2016 (extended at ITAC 3/18 meeting)	

MAJOR TASKS	STATUS	DESCRIPTION
(a) Identify a single data exchange standard between each justice partner and the judicial branch to use as a development target for case management system vendors.	In Progress	Primary requirements and needs were identified, with further confirmation and expansion occurring during justice partner and CMS vendor sessions in progress.
(b) Provide a lead court to act as a point of contact for all case management system vendors and justice partners for each justice partner exchange; and document the current implementation status of each exchange by each vendor.	In Progress	Designated court CIOs are facilitating sessions between justice partners and CMS vendors to refine information, processes, and identify issues for resolution.
(c) Identify the technical standards to be used for the implementation of all data exchanges between the judicial branch and justice partners.	In Progress	Implementation of CMS applications continues to be a discussion as part of the justice partner – CMS vendor sessions and as needed.
(d) Establish a formal governance process for exchange updates and modifications.	In Progress	Key objectives identified, with formal discussion and further decision-making in progress.
(e) Maintain a repository of required materials that support development of standardized exchanges.	In Progress	In the discussion and options review stage.

Annual Agenda Project 2. E-Filing Strategy

Summary	Update E-Filing Standards; Develop Provider Certification and a Deployment Strategy	
ITAC Resource	Workstream	
Sponsor(s) or Chair(s)	Hon. Sheila F. Hanson, Rob Oyung	Project Manager Snorri Ogata
JCC Resources	Legal Services (Patrick O'Donnell, Tara Lundstrom); no JCIT resources requested to-date.	
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.	
Membership Established	<input checked="" type="checkbox"/> Approved by ITAC Chair (8/21/2015) and JCTC (9/15/2015); forwarded to E&P (staff).	
Project Active	<input checked="" type="checkbox"/> Conducting bi-weekly meetings.	
Expected Outcomes	1. Updated Technical Standards 2. Certification Program	
Expected Completion	July 2016 (6 months)	

MAJOR TASKS	STATUS	DESCRIPTION
(a) Update the technical standards for court e-filing, namely, the XML specification and related schema.	In Progress	Standards recommendation is the NIEM/Oasis ECF specification (https://www.oasis-open.org/committees/legalxml-courtfilling).
(b) Develop the E-Filing Service Provider (EFSP) selection/certification process.	In Progress	See item (c) below.
(c) Develop the roadmap for an e-filing deployment strategy, approach, and branch solutions/alternatives.	In Progress	Workstream presented E-Filing and EFSP recommendations at March ITAC meeting and received approval to advance to the JCTC for review. Recommendations include high-level functional recommendations, along with commissioning of E-Filing Phase II workstream to manage RFP process.

Annual Agenda Project 3. Next Generation Hosting Strategy

Summary	Assess Alternatives for Transition to a Next-Generation Branchwide Hosting Model		
ITAC Resource	Workstream		
Sponsor(s) or Chair(s)	Hon. Kyle Brodie, Brian Cotta	Project Manager	Heather Pettit
JCC Resources	JCIT (Donna Keating)		
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.		
Membership Established	<input checked="" type="checkbox"/> Approved by ITAC Chair (8/21/2015) and JCTC (9/15/2015); forwarded to E&P (staff).		
Project Active	<input checked="" type="checkbox"/> 3 meetings held with the technical group. Expect next meeting in late March.		
Expected Outcomes	<ol style="list-style-type: none"> 1. Assessment Findings: Best practices, Solution Options 2. Educational Document for Courts 3. Host 1-Day Summit on Hosting 4. Recommendations For Branch-level Hosting 		
Expected Completion	December 2016		

MAJOR TASKS	STATUS	DESCRIPTION
(a) Define workstream project schedule and detailed tasks; gain approval of workstream membership.	In Progress	Membership approved. Project schedule/plan being determined.
(b) Outline industry best practices for hosting (including solution matrix with pros, cons, example applications, and costs).	In Progress	A few conference calls have been held with workstream participants. The initial calls included a “kick-off” and have centered on the workstream approach and beginning of technical discussions including various types of hosting models. Many more conference calls will follow to complete this deliverable.
(c) Produce a roadmap tool for use by courts in evaluating options.	Not Started	
(d) Consider educational summit on hosting options, and hold summit if appropriate.	Not Started	
(e) Identify requirements for centralized hosting.	Not Started	

Annual Agenda Project 4. Video Remote Interpreting (VRI) Pilot

Summary	Consult As Requested and Implement Video Remote Interpreting Pilot (VRI) Program	
ITAC Resource	Workstream	
Sponsor(s) or Chair(s)	Hon. Terence L. Bruiniers	Project Manager TBD - Seeking PM.
JCC Resources	Requested new PM resource; JCIT (Jenny Phu, Fati Farmanfarmaian, Nate Moore); Court Operations Special Services Office (Anne Marx)	
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.	
Membership Established	<input type="checkbox"/> TBD. Workstream formation is awaiting court and vendor selection for pilot.	
Project Active	<input type="checkbox"/>	
Expected Outcomes	1. Implementation of VRI Pilot Program	
Expected Completion	March 2017 (Phase I)	

MAJOR TASKS	STATUS	DESCRIPTION
(a) In cooperation with the Language Access Plan (LAP) Implementation Task Force Technological Solutions Subcommittee (TSS), assist with identifying participants for a video remote interpreting (VRI) pilot program. Steps include identification of a court participant and issuance of an RFP for a no-cost vendor partner, per the programmatic outline developed in 2015.	In Progress	Presented project concept at Court Executive and Presiding Judges Advisory Committee meetings; and received approval from the JCTC. Detailed pilot proposal is being reviewed and finalized, afterwhich, the project proposal will be presented to the Judicial Council for approval.
(b) Implement Phase I of the VRI pilot program, in cooperation with the TSS.	Not Started	

Annual Agenda Project 5. SRL E-Services

Summary	Develop Requirements and a Request for Proposal (RFP) for Establishing Online Branchwide Self-Represented Litigants (SRL) E-Services	
ITAC Resource	Workstream	
Sponsor(s) or Chair(s)	Hon. Robert Freedman, Hon. James Mize	Project Manager Brett Howard
JCC Resources	JCIT (Fati Farmanfarmaian; Mark Gelade) and CFCC (Karen Cannata, Diana Glick)	
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.	
Membership Established	<input type="checkbox"/> TBD – Recruitment in progress.	
Project Active	<input type="checkbox"/>	
Expected Outcomes	1. SRL Portal Requirements Document 2. Request for Proposal (RFP)	
Expected Completion	December 2016 (12 months)	

MAJOR TASKS	STATUS	DESCRIPTION
(a) Develop requirements for branchwide SRL e-capabilities to facilitate interactive FAQ, triage functionality, and document assembly to guide SRLs through the process, and interoperability with the branchwide e-filing solution. The portal will be complementary to existing local court services.	Not Started	The workstream Project Manager and JCC resources have been identified. Recruitment for workstream membership is currently taking place, and a final list will be submitted to ITAC and the JCTC in late March for approval. A workstream kickoff meeting is being planned for shortly thereafter. On March 14, leads attended a guided demonstration of Orange Superior Court’s new Self-Help portal.

Annual Agenda Project 6. Disaster Recovery (DR) Framework and Pilot

Summary	Document, Test, and Adopt a Court Disaster Recovery Framework	
ITAC Resource	Workstream	
Sponsor(s) or Chair(s)	Hon. Alan Perkins, Brian Cotta	Project Manager Brian Cotta
JCC Resources	None requested to date.	
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.	
Membership Established	<input type="checkbox"/> TBD – Workstream member recruitment underway.	
Project Active	<input type="checkbox"/>	
Expected Outcomes	1. Disaster Recovery Framework Document and Checklist 2. Findings from Pilot	
Expected Completion	December 2016 (12 months)	

MAJOR TASKS	STATUS	DESCRIPTION
(a) Develop model disaster recovery guidelines, standard recovery times, and priorities for each of the major technology components of the branch.	Not Started	Brian Cotta has been appointed as a co-sponsor and project manager. Workstream member recruitment is currently underway.
(b) Develop a disaster recovery framework document that could be adapted for any trial or appellate court to serve as a court’s disaster recovery plan.	Not Started	
(c) Create a plan for providing technology components that could be leveraged by all courts for disaster recovery purposes.	Not Started	
(d) Pilot the framework by having one or more courts use it.	Not Started	

Annual Agenda Project 7. Modernize Rules of Court (Phase II)

Summary	Modernize Trial and Appellate Court Rules to Support E-Business
ITAC Resource	Rules & Policy Subcommittee, Joint Appellate Technology Subcommittee
Sponsor(s) or Chair(s)	Hon. Peter J. Siggins, Hon. Louis R. Mauro
JCC Resources	Legal Services (Patrick O'Donnell, Tara Lundstrom), JCIT (Julie Bagoye)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Rules & Policy Subcommittee
Project Active	<input checked="" type="checkbox"/> Yes. Meeting regularly.
Expected Outcomes	1. Rule and/or Legislative Proposal, if appropriate
Expected Completion	December 2018 (2 years)

MAJOR TASKS	STATUS	DESCRIPTION
<p>(a) In collaboration with other advisory committees, continue review of rules and statutes in a systematic manner and develop recommendations for more comprehensive changes to align with modern business practices (e.g., eliminating paper dependencies).</p> <p>Note: Projects may include rule proposals to amend rules to address formatting of electronic documents, a legislative proposal to provide express statutory authority for permissive e-filing and e-service in criminal cases, and changes to appellate forms to reflect e-filing practices.</p>	In Progress	<p>RPS has recommended for circulation for public comment three legislative proposals and one rules proposal. The legislative proposals would amend the Probate Code, the Welfare and Institutions Code, and the Penal Code to facilitate e-filing and e-service in the probate, juvenile, and criminal courts. They have been recommended for circulation by the Probate and Mental Health Advisory Committee, the Family and Juvenile Law Advisory Committee, and the Criminal Law Advisory Committee. The rules proposal would amend titles 2, 3, and 5 of the California Rules of Court. It has already been recommended by the Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committee.</p> <p>JATS has developed and recommended for circulation for public comment a Phase 2 Appellate Rules Modernization proposal. The proposal would make modernizing changes throughout title 8 of the California Rules of Court, and one change in title 10, as well as making changes to numerous appellate forms. It would also create new proof of electronic service forms for use in the Courts of Appeal and the Appellate Division. The proposal has already been recommended by the Appellate Advisory Committee.</p>

Annual Agenda Project 8. Standards, Rules and/or Legislation for E-Signatures

Summary	Develop Legislation, Rules, and Standards for Electronic Signatures on Documents Filed by Parties and Attorneys
ITAC Resource	Rules & Policy Subcommittee
Sponsor(s) or Chair(s)	Hon. Peter J. Siggins
JCC Resources	Legal Services (Patrick O'Donnell, Tara Lundstrom), JCIT (TBD, as needed)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Rules & Policy Subcommittee
Project Active	<input checked="" type="checkbox"/> Yes. Meeting regularly.
Expected Outcomes	1. Rule and/or Legislative Proposal, if appropriate 2. Recommendation of Standards for Electronic Signatures (Update to the Trial Court Records Manual)
Expected Completion	December 2018(2 years)

MAJOR TASKS	STATUS	DESCRIPTION
(a) Develop legislative and rule proposal to amend Code of Civil Procedure section 1010.6(b)(2) and Cal. Rules of Court, rule 2.257, to authorize electronic signatures on documents filed by the parties and attorneys.	In Progress	RPS has developed and recommended a legislative proposal for circulation for public comment that would authorize electronic signatures on electronically filed documents.
(b) Develop standards governing electronic signatures to be included in the "Trial Court Records Manual."	Not Started	

Annual Agenda Project 9. Rules for Remote Access to Court Records by Local Justice Partners

Summary	Develop Rule Proposal to Facilitate Remote Access to Trial Court Records by Local Justice Partners
ITAC Resource	Rules & Policy Subcommittee
Sponsor(s) or Chair(s)	Hon. Peter J. Siggins
JCC Resources	Legal Services (Patrick O'Donnell, Tara Lundstrom), JCIT (TBD, as needed)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Rules & Policy Subcommittee
Project Active	<input type="checkbox"/>
Expected Outcomes	1. Rule Proposal
Expected Completion	December 2016

MAJOR TASKS	STATUS	DESCRIPTION
(a) Amend trial court rules to facilitate remote access to trial court records by local justice partners.	Not Started	

Annual Agenda Project 10. Rules for E-Filing

Summary	Evaluate Current E-Filing Laws and Rules, and Recommend Appropriate Changes
ITAC Resource	Rules & Policy Subcommittee
Sponsor(s) or Chair(s)	Hon. Peter J. Siggins
JCC Resources	Legal Services (Patrick O'Donnell, Tara Lundstrom), JCIT (TBD, as needed)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Rules & Policy Subcommittee
Project Active	<input checked="" type="checkbox"/> Yes. Meeting regularly.
Expected Outcomes	1. Legislative and Rule Proposals
Expected Completion	December 2016

MAJOR TASKS	STATUS	DESCRIPTION
(a) Evaluate current e-filing laws, rules, and amendments. Projects may include reviewing statutes and rules governing Electronic Filing Service Providers (EFSP) and filing deadlines.	In Progress	RPS's evaluation of the e-filing laws and rules informed its development of the legislative proposal.
(b) Develop legislative and rule proposals to amend e-filing laws and rules (Code of Civil Procedure section 1010.6 and California Rules of Court, rule 2.250 et seq.).	In Progress	RPS has developed and recommended a legislative proposal to amend the statutes governing e-filing and e-service in the Code of Civil Procedure.
Note: This effort will be informed by the E-Filing Workstream work.		

Annual Agenda Project 11. Privacy Policy

Summary	Develop Branch and Model Court Privacy Policies on Electronic Court Records and Access
ITAC Resource	Rules & Policy Subcommittee
Sponsor(s) or Chair(s)	Hon. Peter J. Siggins
JCC Resources	Legal Services (Patrick O'Donnell, Tara Lundstrom), JCIT (TBD, as needed)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Rules & Policy Subcommittee
Project Active	<input type="checkbox"/>
Expected Outcomes	1. Recommendation of Branch Privacy Policy 2. Recommendation of Model Local Court Privacy Policy
Expected Completion	December 2017 (2 years)

MAJOR TASKS	STATUS	DESCRIPTION
(a) Continue development of a comprehensive statewide privacy policy addressing electronic access to court records and data to align with both state and federal requirements.	Not Started	
(b) Continue development of a model (local) court privacy policy, outlining the key contents and provisions to address within a local court's specific policy.	Not Started	

Annual Agenda Project 12. Standards for Electronic Court Records

Summary	Develop Standards for Electronic Court Records Maintained as Data
ITAC Resource	Rules & Policy Subcommittee
Sponsor(s) or Chair(s)	Hon. Peter J. Siggins
JCC Resources	Legal Services (Patrick O'Donnell, Tara Lundstrom), JCIT (TBD, as needed)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Rules & Policy Subcommittee
Project Active	<input type="checkbox"/> Being developed primarily by CEAC. ITAC expects to review in latter part of the year.
Expected Outcomes	1. Recommendation of Standards for Electronic Court Records as Data (Update to the Trial Court Records Manual)
Expected Completion	September 2016 (1 year)

MAJOR TASKS	STATUS	DESCRIPTION
(a) In collaboration with the CMS Data Exchange Workstream, develop standards and proposal to allow trial courts to maintain electronic court records as data in their case management systems.	Not Started	
(b) Include standards in update to the Trial Court Records Manual.		

Annual Agenda Project 13. Appellate Rules for E-Filing

Summary	Amend Rules to Ensure Consistency with E-Filing Practices of Appellate Courts
ITAC Resource	Joint Appellate Technology Subcommittee
Sponsor(s) or Chair(s)	Hon. Louis R. Mauro
JCC Resources	Legal Services (Katherine Sher, Heather Anderson), JCIT (Julie Bagoye)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Joint Appellate Technology Subcommittee
Project Active	<input checked="" type="checkbox"/> Meeting as needed.
Expected Outcomes	1. Rule Proposal, as appropriate
Expected Completion	December 2016 (Spring 2016 Rules Cycle)

MAJOR TASKS	STATUS	DESCRIPTION
(a) Review appellate rules and amend as needed to ensure consistency between the rules and current e-filing practices and to consider whether statewide uniformity in those practices would be desirable.	In Progress	JATS has developed, and recommends for circulation for public comment, a proposal comprehensively to revise the appellate e-filing rules in accordance with current e-filing practices. The proposal has been considered by the Appellate Advisory Committee and is recommended by that committee for circulation.

Annual Agenda Project 14. Consult on Appellate Court Technological Issues

Summary	Consult, as Requested, On Technological Issues Arising In Or Affecting the Appellate Courts
ITAC Resource	Joint Appellate Technology Subcommittee
Sponsor(s) or Chair(s)	Hon. Louis R. Mauro
JCC Resources	Legal Services (Katherine Sher, Heather Anderson), JCIT (Julie Bagoye)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Joint Appellate Technology Subcommittee
Project Active	<input checked="" type="checkbox"/> Meeting as needed.
Expected Outcomes	1. Recommendations, as needed
Expected Completion	December 2016 (availability as issues arise)

MAJOR TASKS	STATUS	DESCRIPTION
(a) The Joint Appellate Technology Subcommittee (JATS) will provide input on request on technology related proposals considered by other advisory bodies as to how those proposals may affect, or involve, the appellate courts. JATS will consult on appellate court technology aspects of issues, as requested.	As Needed	No JATS input has been sought by other advisory bodies thus far in 2016.

Annual Agenda Project 15. Tactical Plan for Technology

Summary	Update Tactical Plan for Technology for Effective Date 2017-2019	
ITAC Resource	Chair and Full Committee	
Sponsor(s) or Chair(s)	Hon. Terence L. Bruiniers	Project Manager Kathleen Fink
JCC Resources	JCIT (Kathleen Fink, Jamel Jones)	
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.	
Membership Established	<input type="checkbox"/> TBD	
Project Active	<input type="checkbox"/>	
Expected Outcomes	1. Tactical Plan for Technology 2017-2019	
Expected Completion	December 2016 (work to begin no later than mid-year 2016)	

MAJOR TASKS	STATUS	DESCRIPTION
(a) Review and update the Tactical Plan for Technology.	Not Started	
(b) Circulate for branch and public comment.	Not Started	
(c) Finalize and submit for approval.	Not Started	
Note: Futures Commission outcomes will provide inputs into Strategic and Tactical Plan.		

Annual Agenda Project 16. Liaison Collaboration

Summary	Liaison with Advisory Bodies for Collaboration and Information Exchange
ITAC Resource	Liaisons
Sponsor(s) or Chair(s)	Hon. Terence L. Bruiniers
JCC Resources	JCIT (Jamel Jones, Jackie Woods)
Project Authorized	<input checked="" type="checkbox"/> Yes. Approved (1/11/2016) as part of 2016 Annual Agenda.
Membership Established	<input checked="" type="checkbox"/> Refer to liaisons roster.
Project Active	<input checked="" type="checkbox"/> Liaisons attending meetings.
Expected Outcomes	1. Liaison Reports at ITAC Meetings
Expected Completion	Ongoing

MAJOR TASKS	STATUS	DESCRIPTION
(a) Appoint ITAC members to serve as liaisons to identified advisory bodies.	In Progress	Selections complete and liaisons informed. Appointment letters e-mailed in March.
(b) Share ITAC status reports with advisory body chairs and attend liaison committee meetings.	Not Started	
(c) Identify opportunities to collaborate and share liaison feedback to ITAC, the JCTC, the Judicial Council, and the branch, as appropriate.		



JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date	Action Requested
March 2, 2016	Please Review
To	Deadline
Members of the Information Technology Advisory Committee (ITAC)	March 18, 2016
From	Contact
Hon. Sheila Hanson and Rob Oyung Executive Co-Sponsors, ITAC E-Filing Workstream	Snorri Ogata Project Manager, ITAC E-Filing Workstream Court Information Officer, Superior Court of California, Los Angeles County SOgata@LAcourt.org
Subject	
Approve ITAC E-Filing Workstream Recommendations	

Executive Summary

The E-Filing Workstream is seeking approval on a series of high-level functional recommendations related to establishing a Statewide E-Filing capability. Once finalized, we are also recommending that ITAC commission the E-Filing Workstream to manage the vendor selection process for a statewide E-Filing Manager (EFM) and statewide E-Filing Service Providers (EFSPs).

The functional recommendations fall into two broad categories:

- Requirements around E-Filing Management
- Requirements around E-Filing Service Providers

These high-level requirements define the major functionality being sought with both the intermediary system (EFM) that sits between Trial Court Case and Document Management Systems and the customer-facing E-Filing Service Provider (EFSP), as well as EFSP

requirements. In addition, a comprehensive set of overall requirements will be defined as part of the Request for Proposal (RFP) process.

Recommendation

The E-Filing Workstream recommends approval of the high-level functional recommendations to serve as the basis for a statewide RFP to be initiated immediately.

Previous Council Action

The 2015 ITAC agenda called for the creation of a workstream to develop:

- A roadmap and implementation of an e-filing deployment strategy; and
- An E-Filing Service Provider (EFSP) selection/certification process.

The workstream formally kicked off in May 2015 with an E-Filing Summit where alternative E-Filing models were explored.

Rationale for Recommendation

E-filing is a key area of focus in the *Judicial Branch Strategic Plan for Technology (2014-2018)*. Presently e-filing is managed on a county-by-county basis. While this approach has been successful for many courts, it has created inconsistencies across the state in terms of access (most trial courts do not offer e-filing), pricing and availability of EFSPs, to name a few.

The E-Filing Workstream had a variety of court participants (judges, administrators, technologists, lawyers) from a number courts, as well as members of the Judicial Council staff. The following courts participated in the workstream: Contra Costa, Los Angeles, Monterey, Orange, Sacramento, San Bernardino, San Diego, San Joaquin, San Mateo and Santa Clara.

In May 2015, the E-Filing Workstream kicked off with a meeting in San Francisco. At this meeting, interested trial courts and Judicial Council staff were invited to hear about e-filing experiences in three different courts' environments:

- The State of Texas (vendor-driven, statewide e-Filing)
- The State of Colorado (Court development, statewide e-Filing)
- Orange County of California (trial court implemented solution)

Over the next several months, the E-Filing Workstream refined its recommendations to a variation of the Texas (vendor-driven) approach with four (4) primary differences:

- Selection of "more than one" EFM.
- Requirement that all EFSPs work with all statewide EFMs.
- Requirement that all EFSPs provide services in all participating counties.
- Changes to how monies are managed (court fees, EFM fees, EFSP fees, merchant bank fees, and optional court cost-recovery fees).

The balance of the high-level functional recommendations captures unique expectations and requirements for California. For example, unlike Texas, California has established an EFSP-friendly environment that encourages many EFSPs to differentiate themselves in the marketplace through other value-added services. This is most evident in Orange County, California which has 14 EFSPs. While all EFSPs can support the needs of all filers in the court, each company has unique areas of focus such as:

- Self-Represented Litigants (Legal Aid Society of Orange County, TurboCourt)
- Civil Collection Cases (ISD)
- Full service Civil (One Legal, Rapid Legal, First Legal)
- Complex Civil (File & Serve Express, formerly Lexis)

The Texas model, largely adopted by several California trial courts that have chosen the Tyler case management system (CMS), is very efficient for courts using Tyler Odyssey, but is not as EFSP friendly as many in the state would prefer. It allows very little differentiation on services by the EFSP community around money management, as an example. In Texas, Tyler the EFM (100% of all transactions) is also the market share EFSP leader (70% of all transactions).

A number of the recommendations brought forward by this workstream are intended to ensure a competitive e-filing marketplace that balances the needs of all four (4) constituencies: the court, the filers, the EFM, and the EFSPs.

Comments, Alternatives Considered, and Policy Implications

Comments on the recommendations were solicited from and received by Court Executive Officers, Court Information Officers, and the Trial Court Presiding Judges Advisory Committee/Court Executive Advisory Committee Joint Technology Subcommittee. Overall feedback was positive and supportive.

During the workstream process, feedback was solicited from 10 EFSPs that currently practice in California. In total, eight (8) companies responded to the following questions:

1. Do you have any concerns if the state chooses multiple e-filing managers?
2. What percentage of your customers would you guess file in multiple counties?
3. Would you object to the state requiring all “statewide” EFSPs to work with all “statewide EFMs”?
4. The state is considering a requirement that all EFMs accept all of the following payment types. Please rank (1-5, 1 being top) your priorities:
 - a. Filer’s Credit Card
 - b. Filer’s eCheck
 - c. EFSP’s Credit Card
 - d. ACH with EFSPs
 - e. Draw down accounts with EFSPs
 - f. If you have another idea, please add it here____

All but one EFSP expressed no/limited concerns about multiple EFMs with the general consensus that this was a “healthy model.” The lone dissenting EFSP was from a company that does not currently conduct business in California.

Not surprisingly, an EFSP focused on SRLs responded that 30-40% of their customers file in multiple counties, while the traditional full service EFSPs that cater to law firms responded that 90-100% of customers file in multiple counties. The majority of EFSPs also did not express concerns about all EFSPs working with all EFMs, although two (2) did express concerns about the return on investment (ROI) in such a model.

Payment types saw a wide variance in responses. The more full-service EFSPs wanting alternatives to credit card payments, in particular e-Checks and ACH payments.

In addition, the four (4) major CMS vendors were surveyed about their readiness to work with statewide EFMs and their support of national e-filing standards. All four (4) vendors are ready to begin working with EFMs and at least two (2) of them hope to be selected as statewide EFMs. All four (4) vendors support the [NIEM/ECF e-filing standards](#).

Over the course of the workstream activities, two (2) other e-filing models were given consideration but ultimately rejected.

The status quo alternative of every trial court forging their own path was primarily rejected because it lacked a consistent framework, failed to address the needs of filers that transact with multiple courts, and did not create synergistic economies of scale. There was also a concern that smaller courts would largely be ignored due to low ROI.

The “build” option, modeled after Colorado, was primarily rejected because branch capabilities have been severely reduced during the budget crisis, and the current capacity to build and support a statewide technical solution is limited. There is also no identifiable funding source for development of the overall e-filing environment.

Implementation Requirements, Costs, and Operational Impacts

Until the RFP process is completed, it will not be clear what implementation costs, if any, will be incurred with the recommended approach. It is highly possible that a zero implementation cost model could be created, with revenues (and profits) being achieved on the transactional e-filing activities.

Because e-filing is highly disruptive to individual trial courts, the ultimate solution must leave participation authority with the local court. Before implementing e-filing, a court must have a modern case management system, a document management capability, financial resources to navigate through the transition to a digital court record, and staff available to train and operate

the new environment. In the long run, e-filing is proven to deliver operational efficiencies to courts. The timing of the transition, however, must be a local court decision.

Finally, a Coalition of EFSPs (and other interested groups) has been formed and is called the Coalition for Improving Court Access (CACI). CACI submitted comments/questions, which are attached. CACI is largely supportive of the recommendations of the workstream but seeks clarification in a few areas. It is recommended that the workstream that is commissioned to develop and manage the RFP process consider and respond to CACI feedback and incorporate appropriate suggestions into the final RFP.

Relevant Strategic Plan Goals and Operational Plan Objectives

E-filing is a key area of focus in the *Judicial Branch Strategic Plan for Technology (2014-2018)* and the *Judicial Branch Tactical Plan for Technology (2014-2016)*.

Attachments

1. E-Filing Workstream Recommendations slide presentation (Mar 4 2016)
2. Comments to ITAC from CICA (Feb 19 2016)

Date: February 19, 2016
To: Information Technology Advisory Committee
From: Coalition for Improving Court Access, Jeff Karotkin - Executive Director
Re: Comments regarding the Draft E-Filing work stream Recommendations being presented February 22, 2016 as Item 3 on the ITAC meeting agenda

Thank you for the opportunity to comment. I submit these comments on behalf of the Coalition for Improving Court Access or CICA. CICA is a registered lobbying coalition in California that is made up of approximately 14 litigation support providers including Electronic Filing Service Providers (EFSPs), attorney support services and a not for profit association California Association of Litigation Support Professionals (CALSPPro).

We have been tracking the activities of ITAC and the E-Filing workgroup to better understand its work product and its potential impact not just on coalition members but the several thousand law firm customers we support every day. Our comments and questions will focus on those items in the draft recommendations that we feel strongest about.

Let me start by saying we are pleased that the Branch and the local courts are addressing the challenges associated with modernizing the existing eFiling and eService rules, as well as, seeking to implement additional policies and procedures that are necessary for the courts and their constituents to benefit from a digital courthouse.

EFM Recommendations

- 1. Selects more than one statewide EFM** – The Coalition for Improving Court Access (CICA) supports this objective as long as it doesn't place an undue technical burden and cost on the EFSP community and the filers. Does this recommendation mean that an individual court could opt to support multiple EFMs?
- 2. Support electronic payment types beyond credit card** – CICA supports this requirement. We seek to ensure that any CMS/EFM providers and/or EFSPs are required to accept all forms of payment and are in strict compliance with [Government Code 6159](#) and [California Rule of Court 10.820](#). We can point the committee to instances where compliance with the government code and the rules are not being complied with.
- 3. Provides a zero cost e-Filing option for Indigent and Government filers** – CICA supports this requirement. We recommend that this requirement apply to the EFSP community as well. The EFSP community in CA already supports free eFiling for Government filers and Indigent Filers. In Orange County Superior Court specifically, Government filers and Indigent filers are supported by the commercial EFSP community as a condition of certification.
- 4. Allows individual Courts to retain authority as to which EFM they want to use** – If a court opts to only support one EFM, that EFM is guaranteed 100% of all transactions. CICA suggests that when there is only one (1) EFM the court seeks to ensure that the EFMs policies don't put the EFSPs at a competitive disadvantage. The model currently in place in California where the EFM is also an EFSP guarantees that the EFM/EFSP gets paid their EFSP fee even though the filing originates from the commercial EFSP community. In this example the EFSP community assumes all the cost of sales, marketing, on-boarding, training and

customer support, meaning the EFM/EFSP doesn't have to assume that cost but they get paid the retail rate as if they had assumed those costs. CICA recommends that the cost model supported by the EFM recognizes the value the EFSP community provides by charging the EFSPs less than the retail rate for a transaction.

EFSP Recommendations

- 1. Requires all EFSPs to work with all "statewide" EFMs** – CICA supports this in concept as long as it doesn't place an undue technical burden and cost on the EFSP community and the filers.
- 2. Requires the EFSPs to be the entity to collect all monies due and distributed monies to: EFSP (convenience fees)** – We are not sure we understand this requirement. Does this mean that the EFSP community is expected to collect the EFMs payment/credit card convenience fee and distribute it to the EFM?
- 3. Requires the EFSPs to be the entity to collect all monies due and distributed monies to: EFM (EFM fee)** – As mentioned in a prior comment, CICA has concerns with the EFM business model currently in place in many CA courts. It is our contention that it is anti-competitive in that it ensures that the EFM gets paid for services they didn't provide. CICA recommends whatever the EFM business model is that it provides the EFSP community the ability to be a viable eFiling provider, thus ensuring that the filers have real choice.

Optional Recommendations

- 1. EFM must maintain and freely share "service list" for all cases** – CICA supports this requirement. We recommend that the EFM host the eService list on behalf of the court ensuring compliance with CRC 2.251(d). Further, that list shall be made available to the EFSP community so they can perform the act of eService. Currently in the many EFM eFiling programs the EFM hosts the list and the EFM also performs the act of eService; not the EFSP that the filer has contracted with. The rules of court do not currently recognize an EFM as an entity that can perform eService. They do however recognize EFSPs as a provider of eService.

List of CICA questions:

1. Does the state intend to adopt a single set of specifications for electronic filing (e.g., Filing, Confirmations, Court Policy, Request-Response, Payment Reports, CMS-API)? Or will each court and vendor implement different specifications? Or will there be a limited set of specifications (e.g., three different specifications)?
2. If the specifications are the same, will an independent third party certify compliance with the specifications? Will the court certify?
3. If the specifications are not the same, will there be any governance over compliance of individual specifications?

4. The NIEM/ECF specification allows for "extensions". Most vendors, including Tyler, define, include, and often change significant extensions. The extensions, by definition, can be anything that the vendor defines, resulting in "proprietary" and "different" (forked) versions of NIEM/ECF. How does the state intend to manage the various versions of NIEM/ECF defined by different vendors?

5. What is the committee's position on courts not currently supporting NIEM/ECF? Will such courts now have to switch to NIEM/ECF?

6. Regarding the RFP to select more than one EFM, is there a desired number of EFMs? Also, is there any intention for the state to build its own (NEW) EFM, Clerk Review, and Request-Response web services?

7. Should there be a recommendation that the EFSPs meet a minimum set of requirements in order to work with EFMs?

8. Will there be a statewide standard for the amount court/court EFM vendors can charge per e-filing transaction?

9. Electronic service is an offering provided by most private service providers (EFSPs). While it is part of the NIEM/ECF specification, it is not an offering needed or required in a Court EFM for use by private process servers? Does the state intend to require eService through the Court's EFM or will this be optional?

10. The Tyler NIEM/ECF implementation requires EFSPs to provide customer lists to Tyler. If Tyler is also an EFSP, how does the state intend to handle this conflict of interest?

11. The recommendations state that (Court) EFMs (vendors) can also be EFSPs, but limited to free E-filing for fee waiver and government filers. If this is not the case and if the (Court) EFM is used for commercial filings, then does the state intend to set rules so that non-EFM-EFSPs are on equal footing with (Court) EFM-EFSPs (vendors) (which would not be limited to service fees, but also the ability of (Court) EFM-EFSPs to control and change specifications and release software faster than non-EFM-EFSPs?

12. What is the business / revenue model for case types with a large number of government filers (e.g., criminal, family)? Will commercial EFSPs participate in these systems?

13. Will there be a standard as to whether EFSPs are allowed to charge for filings that are ultimately rejected.

14. Will there be a standard as to the time (e.g., days) between the "court confirmation" and collection of money from EFSP customers and the time the EFSP must pay the court (e.g., 5 business days)?

15. Are there timetables established yet for determining the alternatives, approaches, and roadmaps referred to in the document? Will currently certified EFSPs be involved in this process?



E-filing Workstream Recommendations

March 2016

Our Charge:

Judicial Council Technology Tactical Plan

▶ E-filing Manager (EFM)

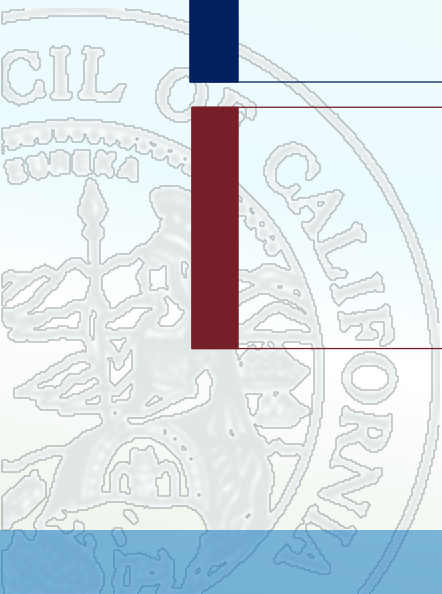
- ▶ Determine alternatives for implementing e-filing solutions for California *trial courts*
- ▶ Recommend an implementation approach to ITAC and JCTC
- ▶ Develop an e-filing Deployment Guide for selected approach

▶ E-filing Service Provider (EFSP) Selection/Certification

- ▶ Determine alternatives for selecting and certifying EFSPs to file with California *trial courts*.
- ▶ Recommend an approach to ITAC and JCTC
- ▶ Develop an EFSP roadmap for selected approach



Executive Summary of Recommendations



Recommendations - EFM

Issue an RFP for an E-Filing Manager that:

- ▶ Selects more than one statewide EFM
- ▶ Covers all litigation types
- ▶ Integrates with “core” Case Management Systems (the three statewide CMS Vendors *and* Journal Technology’s eCourt)
- ▶ Requires EFM vendors to describe their *approach for integration* with “non-standard” CMS’s including a free-standing e-Delivery option
- ▶ Integrates with Judicial Council approved Financial gateway vendors
- ▶ Support electronic payment types beyond credit card
- ▶ Provides a zero cost e-Filing option for Indigent and Government filers
- ▶ Allows individual Courts to retain authority as to which EFM they want to use
- ▶ Clearly discloses costs and services to EFSPs
- ▶ Requires compliance with NIEM/ECF as the new State of CA e-Filing standard
- ▶ Requires option of electronic service of Court generated documents

Recommendations - EFSPs

Create a framework for EFSPs that:

- ▶ Requires all EFSPs to work with all “statewide” EFM
- ▶ Requires all EFSPs to sign an agreement with:
 - ▶ JCC for overall statewide participation
 - ▶ Individual trial courts for county performance
 - ▶ Individual EFM for management and coordination of program, and to minimize reconciliation for each court
- ▶ Requires all EFSPs to integrate with Judicial Council approved Financial gateway vendors
- ▶ Requires EFSPs to be the entity to collect all monies due and distribute monies to:
 - ▶ EFSP (convenience fees)
 - ▶ EFM (EFM fee)
 - ▶ Court (Filing fees and optional Cost Recovery Fee)

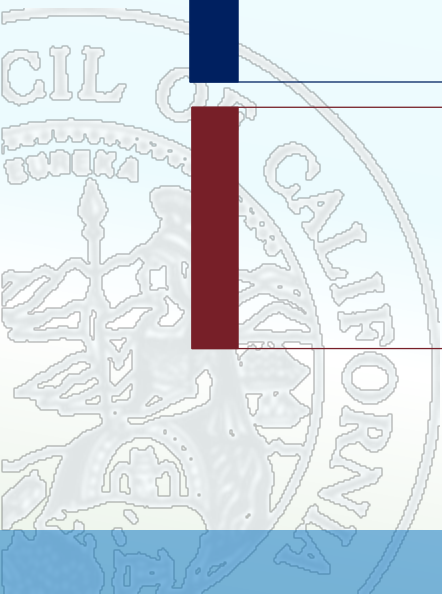
Other E-Filing Recommendations

- ▶ All E-Filing in the state must adhere to a “consistent framework”
- ▶ EFM(s) must maintain and freely share “service list” for all cases
- ▶ EFMs may also be EFSPs*

* This will likely be how the EFM offers free e-Filing to fee-waiver and government filers.



Alternatives Considered



EFM Option 1: Trial Court Decision (CA Status Quo)



Pros

- 👍 Each trial court determines their own fate.
- 👍 Individual courts can start immediately
- 👍 Court can tailor e-Filing to local constituencies
- 👍 Some economies of scale (similar CMS vendor)

Cons

- 👎 Not all CMS vendors have a solution
- 👎 May limit synergistic opportunities
- 👎 May lead to inconsistent experiences across courts
- 👎 Each trial court has a cost to integrate

While nearly half of all trial courts will be operating under this model by the end of 2016 this option was rejected for the reasons listed in the “cons”.

However, allowing each trial court to retain decision making authority on statewide e-Filing participation was viewed as a requirement for the final solution.

EFM Option 2: State / Multi-Court “Build” (Colorado)



Pros

- 👍 E-Filing revenue stream funds development and support and may even offset some CMS costs
- 👍 Highly tailored to the way we want to work.

Cons

- 👎 Requires strong governance to align participating courts
- 👎 Requires on-going organizational support.
- 👎 Requires integration with many CMS systems
- 👎 6-12 months to implement
- 👎 Need an initial funding source
- 👎 Is this our core competency?
- 👎 Finding resources will be difficult

While the potential revenues of this model were enticing this option was primarily rejected because viable off-the-shelf solutions are available and large-scale software development and on-going support is not a “core competency” of the Branch.

EFM Option 3: State / Multi-Court “Buy” (Texas)



Pros

- 👍 Consistent user experience across counties
- 👍 Majority of work outsourced to a vendor
- 👍 Can push CMS vendor integration onto E-Filing vendor

Cons

- 👎 Multiple intermediaries (EFSP, EFM and Court) increases costs
- 👎 3-6 month RFP and another 3-6 months for each court to on-board
- 👎 Might be difficult to get local customizations

The appeal of this option was the demonstrated success in states like Texas, and the ability to provide a uniform framework for e-Filing across counties.

The twist on this recommendation, however, is the desire to have “more than one” statewide EFM selected to ensure a competitive marketplace that leaves the Court in greater control.

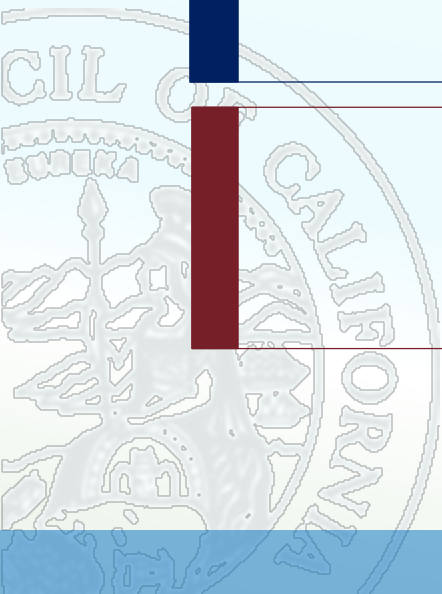
EFSP Options

	1. EFM Selected/Managed	2. JCC Built/Supported	3. Trial Court Selected/Managed
Pros	<ul style="list-style-type: none"> Burden of work falls on EFM vendor Typically handles \$ reconciliation Covers all counties 	<ul style="list-style-type: none"> Ensures statewide consistency Statewide management Covers all counties 	<ul style="list-style-type: none"> Status quo Ensures performance Accommodates local attorney services Local support
Cons	<ul style="list-style-type: none"> EFM exerts too much control over user experience EFM exerts too much control over financial management 	<ul style="list-style-type: none"> Not staffed to support Not funded to support Inadequate experience 	<ul style="list-style-type: none"> County-to-county variations EFSPs ignore smaller counties Burden to manage


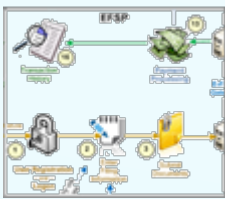


Option 4: Hybrid of all 3!



E-Filing Context



E-filing at 50,000 Feet

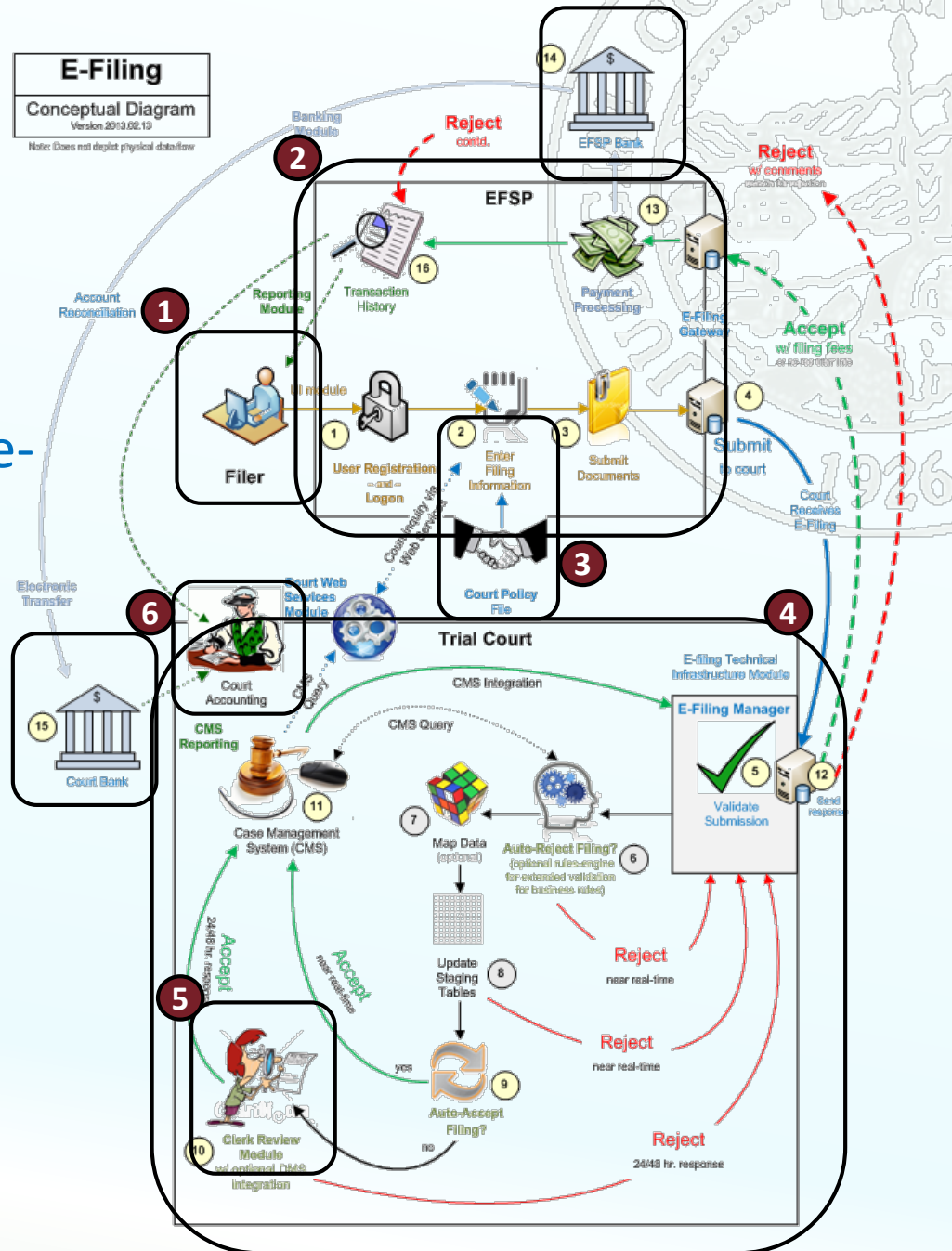
Filer	EFSP	EFM	Court
Lawyer, Para-legal, Legal secretary, Self-Represented Litigant, Government agency	E-filing Service Provider	E-filing Manager	Case Management Document Management
			
Initiates the process: <ul style="list-style-type: none"> - Data entry - Doc upload - Commit to pay 	Help gather data, documents and money to complete an e-filing transaction; trains and provides support to filer..	Organizes filings for clerical review. Prepares data for CMS and docs for DMS.	Accept/Reject. Store data in CMS. Store document in DMS. Settle charges.

E-filing at 100 Feet

Many Moving Parts

▶ At a LOCAL level there are many parts to a successful e-filing program, including:

1. The Filers
2. The EFSPs
3. Local Rules
4. Court Operations
5. The Clerk
6. The Money



Case Management Systems

▶ Pre-2013

- ▶ >40 different CMS versions across 58 counties

▶ 2015

CMS	Contracted	Leaning	Total
Tyler Odyssey	25	5	30
Journal eCourt	4	3	7
Thomson Reuters C-Track	3	0	3
Justice Systems	1	0	1
Total	33	8	41

Trial Courts are modernizing quickly around 4 vendors!

New CMS's Enable:

- ▶ E-Filing software licenses are included with Tyler & Journal
- ▶ SRL Document Assembly software licenses are included with Tyler (Tyler Guide & File)
- ▶ Case Access and Portal capabilities are included (at the trial court level) with the 4 statewide vendors

Foundation for E-Services in the Trial Court

The Rapid Evolution of CA Court E-Filing

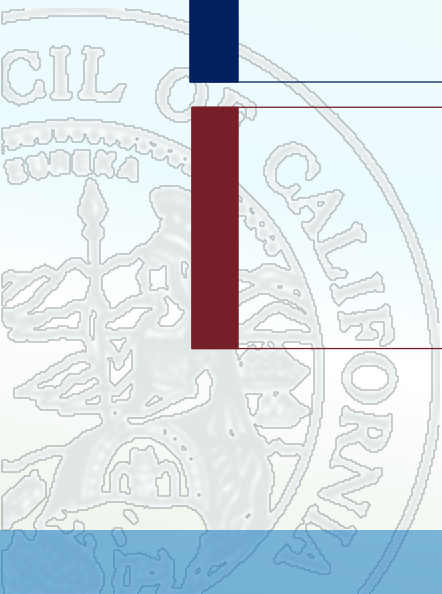
- ▶ 2014:
 - ▶ 9 counties offering some e-Filing
- ▶ 2015:
 - ▶ 17 counties offering some e-Filing
 - ▶ 8 counties leveraging Tyler File & Serve
- ▶ 2016:
 - ▶ ~35 counties will offer some e-Filing

Current E-Filing Challenges

- ▶ E-Filing is currently a county-by-county decision
- ▶ Historically little coordination amongst the EFSPs for consistency
- ▶ While the Tyler Courts are much more consistent across counties some challenges remain:
 - ▶ Tyler is slow to support non-Credit card payment types (adds costs to the EFSPs and ultimately the Filer)
 - ▶ Tyler is slow to support JCC financial gateways (adds costs to the Filer)
 - ▶ Tyler is slow to add EFSPs
 - ▶ Tyler does not currently enable e-Filing services for non-Tyler courts
- ▶ May need to develop common work flows for e-filing review business practices
- ▶ May need to develop common set of filing codes for e-filing transactions



Next Steps



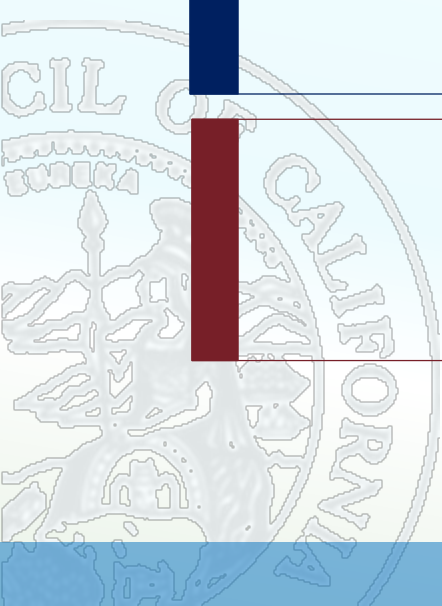
Next Steps

- ▶ Get approval on recommendation (or refine!)
- ▶ Form an RFP sub-workstream
- ▶ Form a Contracts sub-workstream
- ▶ Issue RFP
- ▶ Select vendor(s)
- ▶ Implement





Recommendation Detail



“More than One” Statewide EFM

▶ What it Means

- ▶ Individual trial courts will be able to choose from multiple Statewide E-Filing Managers based on what works best in their County. A trial court can elect to have more than one EFM.

▶ Rationale

- ▶ CA is the largest trial court system in the Country and can accommodate multiple EFMs.
- ▶ Multiple EFMs will ensure competition, which leads to greater access, quality service, innovation, and cheaper services.
- ▶ A single EFM, that is also a CMS vendor, could control too much of the Court technology infrastructure creating risk to the Branch from cost and business continuity perspectives.

Covers All Litigation Types

▶ What it Means

- ▶ A litigant in CA can E-File on any case in any court permitting e-filing.

▶ Rationale

- ▶ E-Filing vendors typically focus only on Civil which is more easily monetized.
- ▶ Majority of Court case filings are not in Civil, meaning a Civil-only e-filing solution would limit a trial Court's ability to implement a "digital court" thereby limiting public access to the court.

Integrates with “core” Case Management Systems

▶ What it Means

- ▶ A Court using one of the “core” CMSs will be able to add e-Filing capabilities and a court with more than one CMS can offer e-filing in more case types.

▶ Rationale

- ▶ In 2012 the Trial Courts created a Master Services Agreement (MSA) with 3 primary case management vendors (Tyler, Thomson-Reuters and Justice Systems).
- ▶ Since then 30 trial courts have purchased one of these CMS solutions
- ▶ In addition, several Courts had a significant investment with Journal Technologies (aka Sustain) and opted to upgrade their existing solution
- ▶ Between the four CMS vendors, 80% of the state’s population is served.

Requires EFM vendors to describe their *approach for integration* with “non-standard” CMS’s including a free-standing e-Delivery option

▶ What it Means

- ▶ Courts running non-standard CMSs will have insight into what it will cost to integrate their CMS with the Statewide E-Filing solution and will be able to integrate if they choose to; OR
- ▶ Courts will have an e-Delivery option for litigants that is not integrated to their CMS

▶ Rationale

- ▶ Several Courts have contracts in place with non-standard CMSs.
- ▶ Several Courts lack the budget to pay for a full CMS replacement
- ▶ Want to provide courts with a non-standard CMS some more options to move toward a “digital court”

Integrates with Judicial Council approved Financial gateway vendors

▶ What it Means

- ▶ Filers will enjoy the lowest possible on-line commerce fees.

▶ Rationale

- ▶ The Branch is typically able to negotiate cheaper on-line banking fees than private companies or individual trial courts.
- ▶ These “merchant” fees (typically 2-3%) are either passed on to the Filer which leads to additional costs to the filer, or are absorbed by the Courts which leads to less revenue to Courts.

Support electronic payment types beyond credit card

▶ What it Means

- ▶ Filers will be able to pay fees with a choice among multiple payment methods.

▶ Rationale

- ▶ Some EFM vendors only support Credit Card payments. This adds to overall costs for filers to cover “merchant fees”.
- ▶ One of the ways the EFSP community differentiates services is through the handling of money.
 - ▶ In the paper world the majority of filing fees are NOT paid for with Credit Cards.
 - ▶ The Court should accommodate any / all practical electronic payment methods, thereby increasing access to the court.

Zero cost e-Filing option for Indigent and Government filers

▶ What it Means

- ▶ Indigent and government filers, which by law cannot be charged for certain filings, will be able to file for free.

▶ Rationale

- ▶ It's the law!
- ▶ The Court's want every filing to be done electronically including indigent and governmental filers.
- ▶ Government agencies are the single largest filer in the Court.
- ▶ Indigent filers should not have to pay "convenience fees".
- ▶ The EFM can spread these costs by distributing across filers who can afford convenience fees.

Allows individual Courts to retain authority as to which EFM they want to use

▶ What it Means

- ▶ Each Trial Court gets to decide when to implement Statewide e-Filing and with whom, both as to EFM(s) and EFSP(s).

▶ Rationale

- ▶ The biggest barriers to e-Filing identified by the trial courts were:

- ▶ Insufficient funds to pay for it (integration with CMS, EFM, EFSP)
- ▶ Insufficient staff to train and hand-hold e-filers
- ▶ Inexperienced/untrained staff in the new world of e-filing

- ▶ The decision on WHEN to e-File must sit with each individual trial court because there are many local issues that will determine acceptance and success.

- ▶ Courts with an existing e-Filing capability may not directly benefit from an immediate change but will have more options in the future.

- ▶ When a Court does choose to e-File, they need a contracting vehicle through which to hold the vendor(s) accountable.

Clearly disclose costs and services to EFSPs

▶ What it Means

- ▶ Each Trial Court and EFSP will have a clear and transparent understanding of costs and distributions, extending to the clients/filers

▶ Rationale

- ▶ The revenue (costs) associated with e-Filing cluster around 3 primary areas:
 - ▶ Court filing fees
 - ▶ EFM Management fees
 - ▶ EFSP service fees
 - ▶ An optional Court “cost recovery fee”

▶ EFM may also operate as an EFSP, which may create a competitive imbalance

▶ In some implementations the EFM can tack on other costs to dilute revenues to EFSPs and/or optional Court recovery fees.

Requires compliance with NIEM/ECF as the new State of CA e-Filing standard

▶ What it Means

- ▶ Establishes NIEM/ECF as the official technical specification for E-Filing in CA.

▶ Rationale

- ▶ The current e-Filing technical standard is 2GEFS (2nd Generation E-Filing Specification), which is unique to CA.
- ▶ Nationally, all states implementing e-Filing are adopting the NIEM/ECF standard
- ▶ The 4 statewide CMS vendors are all required to support NIEM/ECF for e-Filing.

Requires option of electronic service of Court generated documents

▶ What it Means

- ▶ The Courts will be able to use e-Service for court generated documents in cases in which e-Filing is mandated.

▶ Rationale

- ▶ The Courts generate case documents that need to be distributed
- ▶ If e-Filing is mandatory, or if all parties on a case agree to e-File, e-Service of court documents should also be available.
- ▶ Allowing Courts to distribute/serve Court generated case documents through e-Service will save the court money.

Require all EFSPs to work with all “statewide” EFM

▶ What it Means

- ▶ Every trial court will benefit from the full complement of EFSPs
- ▶ Every e-Filer will have multiple EFSP options allowing them to e-file to any court accepting e-filing
- ▶ Every e-Filer that files across multiple Counties will only need to partner with a single EFSP, if desired

▶ Rationale

- ▶ EFSPs are very interested in providing services to the large counties and typically less interested in smaller counties.
- ▶ Multiple EFSPs provide a competitive environment for filers ensuring costs are balanced against services
- ▶ The EFSP is the marketing and user support organization for E-Filing. Filers will build relationships with EFSPs that best complement their business model.

Requires EFSPs to enter into agreements with Branch, Court and Individual EFM

▶ What it Means

- ▶ An EFSP can be terminated for non-performance at either the Branch or local trial court level.
- ▶ An EFSP can be terminated for non-performance with the EFM vendor.

▶ Rationale

- ▶ The Branch needs a contracting vehicle in place to ensure consistency and alignment with relevant Branch programs (e.g., financial gateways, Phoenix accounting system)
- ▶ The Trial Court needs a contracting vehicle in place to ensure quality of service to the public and compliance with Court policies for e-Filing services, in addition to articulating how money is handled.
- ▶ The EFM vendors need a contracting vehicle in place to ensure quality of service and payment.

Requires all EFSPs to integrate with Judicial Council approved Financial gateway vendors

(Same answers as EFM)

▶ What it Means

- ▶ Filers will enjoy the lowest possible on-line commerce fees.

▶ Rationale

- ▶ The Branch is typically able to negotiate cheaper on-line banking fees than private companies or individual trial courts.
- ▶ These “merchant” fees (typically 2-3%) are either passed on to the Filer which leads to additional costs to the filer, or are absorbed by the Courts which leads to less revenue to Courts and the Branch.

Requires EFSPs to be the entity to collect and distribute monies

▶ What it Means

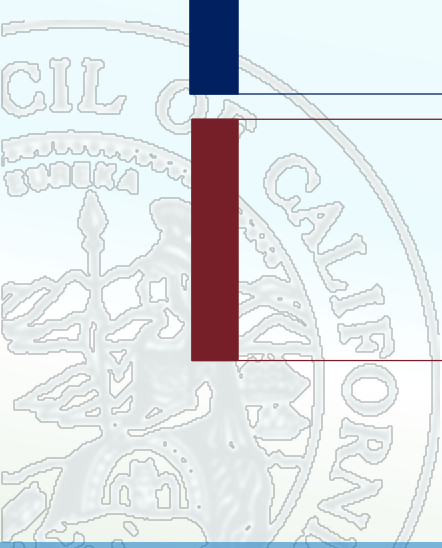
- ▶ The Filer interacts with the EFSP for all financial aspects of on-line services.
- ▶ The EFSP distributes the money to the appropriate entity.

▶ Rationale

- ▶ The filer interacts with the EFSP (not the EFM and only tangentially with the Court) for on-line services. As such any issues around performance, collection, refunds, etc. should be handled by the EFSP.
- ▶ Allowing the EFSP to be the money collector allows EFSP to offer a greater variety of payment options to the filer (e.g., credit card, debit card, ACH, EFSP fronts filing fees, EFSP gives free e-Filing in exchange for process serving, etc...)



E-Filing Workstream Participants



The following participated in some/all calls

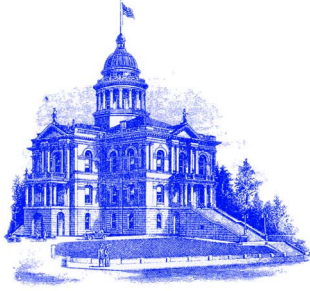
County	Participant
Contra Costa	Heather Pettit, CIO
JCC	Patrick O'Donnell, Attorney Tara Lundstrom, Attorney
Los Angeles	Snorri Ogata, CIO** Pratik Desai, IT Manager II Tarah Vadini, Exec. Assistant
Monterey	Hon. Mark Hood Paras Gupta, CIO
Orange	Hon. Sheila Hanson* Alan Carlson, CEO Brett Howard, CIO

County	Participant
Sacramento	Chris Stewart, CIO
San Bernardino	Mary Davis, Deputy CEO Nancy Eberhardt, Ops Mgmt
San Diego	Hon. Jeffrey Barton Mike Roddy, CEO
San Joaquin	Anh Tran, CIO
San Mateo	Rick Walery, CIO
Santa Clara	Hon. Aaron Persky Rob Oyung, CIO*

* Workstream Sponsor

** Workstream Lead

Thank you for your efforts and innovative thinking!



Superior Court of the State of California
In and For The County of Placer
Roseville, California

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March 1, 2016

Hon. Marsha Slough, Chair
Judicial Council Technology Committee

Hon. Jonathan Conklin, Chair
Trial Court Budget Advisory Committee

Re: Funding Request – Creation of Seven Court Information Technology
Infrastructure Consortium

Hon. Marsha Slough and Hon. Jonathan Conklin,

On behalf of the Superior Courts of Lake, Modoc, Plumas, San Benito, Sierra¹, and Trinity² (Hosted Courts), the Superior Court of Placer County (Placer Court) is requesting funding and/or Schedule C relief in the amount of \$238,500 in current year (FY 15/16) and \$498,000 in FY 16/17 to support the creation of the Placer Court Hosting Center (PCHC). The PCHC will provide a hosting location for six small Superior Courts' information technology (IT) infrastructure. The Hosted Courts join in this request.

This one time funding request will help to:

1. Support the Judicial Council's direction to the Judicial Council Technology Committee and the Trial Court Budget Advisory Committee to develop a plan for the eventual elimination of the Interim Case Management System (ICMS).
2. Reduce Improvement and Modernization Fund (IMF) expenditures related to costs for both the California Court Technology Center (CTCC) and the ICMS program.
3. Reduce annual IT related expenses for the Hosted Courts.

¹ Case management system only.

² Case management system only.

Details of the request are provided on the attached Funding Request.

The Placer and Hosted Courts are requesting expedited review of this request to ensure work can begin in April 2016. Work must begin no later than April to ensure implementation is complete in time to provide relief to the IMF at the start of FY 17/18.

On behalf of the participating courts, we are prepared to answer any questions you or your Committees may have and will make ourselves available to any future meetings.

Thank you for your consideration,

Jake Chatters
Court Executive Officer
Placer Superior Court

Krista LeVier
Court Executive Officer
Lake Superior Court

Ronda Gysin
Court Executive Officer
Modoc Superior Court

Deborah Norrie
Court Executive Officer
Plumas Superior Court

Gil Solario
Court Executive Officer
San Benito Superior Court

Lee Kirby
Court Executive Officer
Sierra Superior Court

Staci Holliday
Interim Court Executive Officer
Trinity Superior Court

Funding Request
Creation of Seven Court Information Technology
Infrastructure Consortium
March 1, 2016

Submitted to:
Judicial Council Technology Committee
Trial Court Budget Advisory Committee

Submitted by the Superior Courts of:
Placer (lead), Lake, Modoc, Plumas, San Benito, Sierra, Trinity

Summary of Request

The Superior Court of Placer County (Placer Court) is requesting funding in the amount of \$238,500 in current year (FY 15/16) and \$498,000 in FY 16/17 to support the creation of the Placer Court Hosting Center (PCHC). The PCHC will provide a hosting location for six small Superior Courts' information technology (IT) infrastructure. Participating in this effort are the Superior Courts of Lake, Modoc, Plumas, San Benito, Sierra³, and Trinity⁴ (Hosted Courts). The Hosted Courts join in this funding request.

This request is consistent with the Judicial Council's Technology Governance and Funding Model and the Judicial Council's Strategic Plan for Technology (2014-2018), Judicial Council's April 2014 directive to the Judicial Council Technology Committee (JCTC) to "eventually eliminate subsidies from the TCTF and IMF for both V-3 and ICMS" and with actions taken by the Judicial Council at its February 19, 2015 meeting that directed the JCTC and the Trial Court Budget Advisory Committee (TCBAC) to form a group "to focus on information technology (IT) efficiencies and cost saving measures for smaller courts."

Background and Program Components

The Superior Courts of Lake, Modoc, Plumas, San Benito, Sierra, and Trinity (Hosted Courts) rely on the California Court Technology Center (CTCC) and Judicial Council's Information Technology (JCIT) for most, if not all, of their technology infrastructure. The scope of the services varies by court but generally includes hosting of email, file servers, websites, jury management systems, case management systems, and other mission critical applications.

³ Case management system only.

⁴ Case management system only.

Charges for these services include both general hosting charges for baseline IT infrastructure and charges related to the SUSTAIN Justice Edition Case Management System, generally referred to in Judicial Council documents as the Interim Case Management System (ICMS) program.

Due to the ongoing deficit in the IMF, the TCBAC Revenue and Expenditure Subcommittee has undertaken detailed review of all expenditures from the IMF. This review highlighted that the Hosted Courts are not paying the full cost of either the IT infrastructure-related CTCC charges or the full cost of the ICMS program⁵. Significant dialogue between the JCTC, TCBAC, the Hosted Courts, and JCIT has resulted in a number of specific actions or directives from the Judicial Council. In particular the April 2014 directive to “eventually eliminate subsidies from the TCTF and IMF for both V-3 and ICMS” and its February 2015 directive that the JCTC and TCBAC form a group “to focus on information technology (IT) efficiencies and cost saving measures for smaller courts.”

Initial focus of the JCTC and TCBAC focused on the V3 courts due to the significantly higher cost of that program. The Hosted Courts, concerned about unknown and potentially large cost increases in future years continued to discuss and consider options for finding a stable IT infrastructure at lower cost.

In spring 2015, the Placer Superior Court extended an invitation to the eight ICMS-hosted courts to participate in an evaluation of a court-based IT hosting center for their case management system. The six Hosted Courts expressed interest in the evaluation. The Humboldt and Madera Superior Courts declined to participate at that time.

The Placer Superior Court IT staff met with each of the interested courts throughout the fall of 2015 to identify specific needs and construct an appropriate solution. This effort made it clear that hosting of the case management system alone did not address the Hosted Courts’ needs. Instead, to allow for the greatest cost savings and operational efficiency, any solution would need to include all IT infrastructure.

In December 2015, the Placer Superior Court provided a proposal to the Hosted Courts to create the Placer Court Hosting Center (PCHC). Under this proposal, the PCHC will provide:

- All servers, located at the Gibson Courthouse in Roseville.
- Hosting of Journal Technologies SUSTAIN SJE or eCourt⁶ case management system.

⁵ This review also highlighted that V3 courts were receiving an implicit subsidy for their case management system. Significant effort has been undertaken to support the move of V3 courts away from that solution and the CTCC. Those efforts are not discussed in any detail in this request.

⁶ Only courts currently using these programs were included in the analysis. The Placer Court currently uses both SJE and eCourt and has expertise in the establishment and maintenance of required servers.

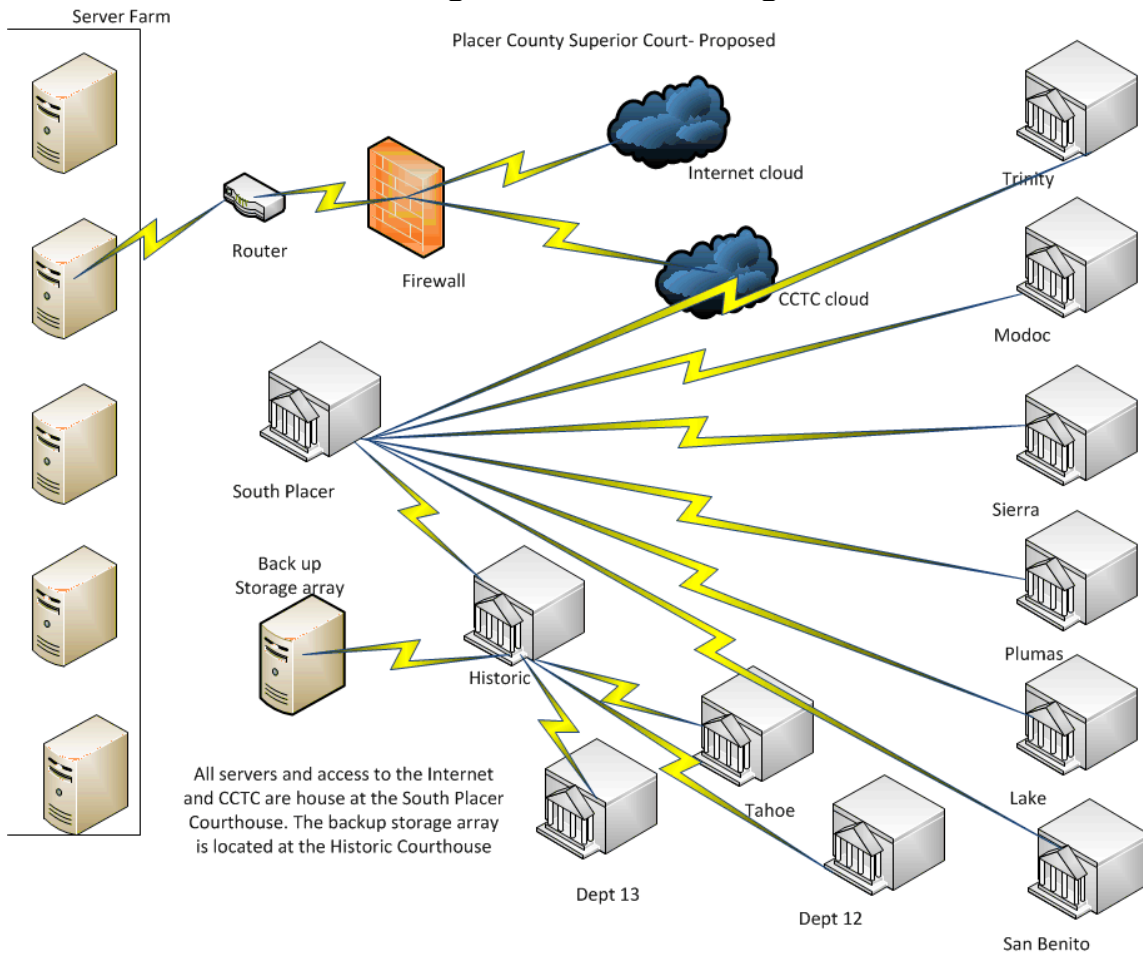
Funding Request: Creation of Seven Court Information Technology Infrastructure Consortium

- Uniform IT policies and security rules.
- Centralized connection to the PCHC, external connections running from the PCHC to the eventual location (for example, hosted court connects to the PCHC, which then connects to the Phoenix application).
- Services will be provided Monday – Friday, 7 am to 5 pm
- The PCHC would host (or manage contracts for hosting⁷) the following non-exclusive list:
 - Internet
 - Email, including archiving
 - File storage (i.e. reports, memos, etc)
 - Conduit to the California Courts Technology Center for connection to Phoenix (financial system) and the California Court Protective Order Registry
 - Connection to DMV
 - Journal Technologies SJE and/or eCourt case management system
 - Jury Management Systems
 - Document Management Systems
 - DNS
 - DHCP
 - Domain Naming
 - Jury instructions
 - Martin Dean Essential Forms
 - XSpouse
 - XArrears
 - Microsoft Office (routine purchase or Office 365 at Hosted Court preference)
 - Backup and recovery services
 - Website hosting.

Exhibit 1 provides a visual representation of the new PCHC.

⁷ Some applications may be purchased as software as a service to avoid the need for local installation.

Exhibit 1: Placer Court Hosting Center Network Diagram



The PCHS proposal included a court by court cost analysis for the transition from the CTCC to the PCHC for each court along with a five year projection of operating and replacement costs (see Financial Summary section).

In January 2016, all six Hosted Courts expressed their desire to move to the PCHC.

Financial Summary and Funding Request

Implementation Costs

The total one-time cost to bring the six courts into the PCHC is approximately **\$988,000**. Exhibit 2 provides a high-level summary of the deployment costs.

Exhibit 2: Total Implementation Costs

Cost Category	\$
Vendor Costs (All Courts)	\$393,000
Vendor Costs-Additional for San Benito/Lake	\$65,000
Staffing Costs	\$256,000
Hardware/Software Costs	\$274,000
Total	\$988,000

Implementation costs will be spread over two fiscal years as follows:

FY 15/16 -- \$450,000

FY 16/17 - \$538,000.

Ongoing Costs

Annual ongoing costs will be approximately \$373,000⁸. This cost will be allocated to each participating court on a per user basis. These costs are inclusive of all direct hardware, software, services, and staff costs.

By comparison, the six courts currently pay \$768,000 annually to the Judicial Council for hosting costs. The Judicial Council pays an additional \$373,000 annually for data center costs related to the ICMS that is paid for by the IMF⁹. It is unclear whether there are additional non-case management system hosting costs paid by the JCC that are not passed on to the court. Further the \$768,000 paid by the Hosted Courts does *not* include any costs related to JCC staff support of the ICMS. The PCHC is not intended to replace the work done by JCC staff to support the ICMS program, only to replace the data center costs.

Total annual ongoing costs for PCHC: \$373,000

Current CTCC annual costs related to ICMS and the Hosted Courts: \$1,141,000¹⁰

Moving to the PCHC would result in a significant savings for the Hosted Courts and the IMF. Assuming that only 60% of the CTCC costs can be avoided, there would be a savings of \$470,000 annually in data center costs alone. Providing a return on the

⁸ Does not include estimate of cost increases between current and start of project. Does include rough increase of 5% per year for inflation after Year 1. Year 5 will have a significantly higher cost due to routine hardware replacement. Does not include costs for CMS, DMS, JMS, or other software maintenance paid directly by hosted courts to their vendors. Also does not include Office 365, if hosted courts choose this option.

⁹ The ICMS Program receives IMF funding totaling \$1.039 million in FY 15/16. Of that total, \$373,000 is required for CTCC costs associated with the ICMS Program. The additional expenditures relate to staffing and consultants to support the ICMS Program. A separate effort is underway to replace the ICMS Program in a way that relieves expenses from the IMF. Further, the \$373,000 represents the total CTCC costs and includes charges necessary to support the two hosted courts that are NOT included in the PCHC.

¹⁰ Represents the costs paid by Hosted Courts for non-ICMS hosting costs and the ICMS hosting costs. Does not include expenditure by the JCC using IMF or other funds for non-ICMS hosting costs attributable to the Hosted Courts but not included in their Schedule C charges.

initial implementation costs in just 2.1 years. This is a low estimate given that there are likely other JCC costs related to hosting these courts that have not been identified.

Schedule

The intent of the participating courts is to complete the transition to the PCHC by June 30, 2017. This would enable the Judicial Branch to begin decommissioning elements of the CTCC beginning in January 2017 and complete the ramp down of the portions related to the participant courts effective July 1, 2017. To accomplish this goal, the courts have agreed to the following rough schedule:

- December 2015-January 2016 – Hosted Courts decision to move forward with concept.
- February-March 2016 – Development and execution of Intra-Branch Agreements.
- April-June 2016 – Infrastructure design and purchase.
- July-November 2016 – Network build, DMV interface for all courts built, design of data migration, SUSTAIN environment created at Placer Court for all other courts.
- December 2016-June 2017 – Courts moved onto PCHC, one per month.
- June 30, 2017 – All implementation activities complete
- July 1, 2017 – First year of program officially begins.

Funding Request

The Hosted Courts are requested funding and/or Schedule C relief of:

- **FY 16/17 - \$238,500**
- **FY 17/18 - \$498,000**

This request is for one-time funding and/or Schedule C relief to support the transition to the PCHC. No ongoing funding is requested.

The Hosted Courts are in very different financial positions, but have been able to identify the following funding for the one-time costs as outlined in Exhibit 3.

Exhibit 3: Funding Available // Requested By Fiscal Year

	Court	Funding Available	Remaining Cost
FY 15/16 Implementation Costs			\$ 450,000
	Lake	\$ 40,000	\$ 410,000
	Modoc	\$ 20,000	\$ 390,000
	Plumas/Sierra	\$ 71,500	\$ 318,500
	San Benito	\$ 55,000	\$ 263,500
	Trinity	\$ 25,000	\$ 238,500
	Total Funding Available 15/16	\$ 211,500	
	Funding Requested FY 15/16		\$ 238,500
FY 16/17 Implementation Costs			\$ 538,000
	Lake	\$ -	\$ 538,000
	Modoc	\$ 8,000	\$ 530,000
	Plumas/Sierra	\$ 17,000	\$ 513,000
	San Benito	\$ 15,000	\$ 498,000
	Trinity	\$ -	\$ 498,000
	Total Funding Available 16/17	\$ 40,000	
	Funding Requested FY 16/17		\$ 498,000
	TOTAL FUNDING REQUESTED		\$ 736,500

The Hosted Courts will continue to monitor their budgets for additional funding that may become available to support this project. Due to the need for the Placer Superior Court to execute contracts with third party vendors, the funding requests cannot wait until later in the current year. If the Hosted Courts identify additional available funding to provide to the project, the amount provided by Branch funds could be reduced by an equal amount.

The Hosted Courts and Placer Superior Court are open to any option on how best to provide the requested funding. Inter-branch agreements are being developed between the Placer Superior Court and each Hosted Court to allow for the provision of services and related payment. As such, the Committees may wish to provide funding to the Hosted Courts. Alternatively, in lieu of an additional allocation, an action could be taken to waive the Hosted Courts' Schedule C costs in both fiscal years. Finally, the requesting courts are not opposed to funding being provided directly to the Placer Superior Court for this project, should the Committees believe this the most effective course of action.

Closing

The Placer Superior Court and the Hosted Courts appreciate the opportunity to present this funding request and thank both the JCTC and TCBAC for their consideration and welcome the opportunity to provide additional detail or answer any of the Committees' questions.

IMF Budget Review

Judicial Council Information Technology Office Telecommunications Program

Prepared for the Trial Court Budget Advisory Committee
Revenue and Expenditures Subcommittee

February 4, 2016



JUDICIAL COUNCIL OF CALIFORNIA



Agenda

- Review of Open Items
- Findings and Recommendations
- Q&A



JUDICIAL COUNCIL
OF CALIFORNIA



Items for Review

- Recap: addressing the budget shortfall
- Lease vs. finance
- One-time, periodic or ongoing?
- Revised budgeting scenarios
- Procurement options post-CALNET 2





Addressing the Budget Shortfall

- Working from a needs-based approach, our estimated need for FY 16-17 was approximately \$35M
- CALNET 3 introduced new service-based options, which give us the ability to migrate to a managed firewall solution that reduces the estimated FY 16-17 need to approximately \$28.8M
- A lease/finance approach was proposed to address the remaining shortfall.





Lease vs. Finance

- Conclusion: Finance
 - Briefing provided by the California Department of General Services (DGS) that reviewed both options.
 - DGS can arrange either option, but their advice is that a lease generally costs more.
- Considerations
 - This would be a secured loan. The equipment being purchased serves as the collateral
 - We need to be cognizant of unencumbered obligations.
 - Payment issues impact the state's bond rating



Decision Factors

Factor	Lease	Finance
1. How long will we keep the asset?	Shorter Term	Longer Term
2. Is there a chance that we want to own the equipment after the lease term?	No	Yes
3. What is more important from a technology perspective?	Latest Technology	Established/ Stable Technology
4. What is more important from a financial perspective?	Lower Payments	Lower Overall Cost
5. Will the asset still have tangible value when it is replaced?	Yes	No
6. Is the equipment usually replaced in a timely manner?	Yes	No
7. Is a thorough financial understanding critical? (level of complication/possibility for misunderstanding or mistakes)	More Complicated	Less Complicated
8. Is legal review a factor? (difficulty to properly evaluate)	More Difficult	Less Difficult



Finance Process

- Facilitated by the Department of General Service's GS \$mart program
- No fees from DGS. We pay only interest and bond counsel.
- DGS screens lenders to determine which will provide the best deal.
- We need to adhere to the established purchase schedule. Courts will lose the flexibility to defer implementations.





One-time, Periodic or Ongoing?

- Conclusion: Periodic
- Basis:
 - Provides the flattest budget with the least amount of finance charges.
 - We still anticipate fluctuations from year to year, even with efforts to shift expenses out of peak years.
 - Financing provides no benefit in off-peak years





Scenarios Considered

- Three scenarios were modeled in this review:
 - **Scenario 1:** assumes full funding of program obligations
 - **Scenario 2:** assumes reduced funding based on current budget limitations, and addresses the shortfall through the deferral of hardware replacement
 - **Scenario 3:** assumes reduced funding based on current budget limitations, and addresses the shortfall through financing.



Option Comparison*

Scenario 1: Original obligation without leveling or financing

Option	TECHNOLOGY REFRESH FIVE YEAR BUDGET FORECAST					Program Totals
	FY 15-16 (TR9)	FY 16-17 (TR10)	FY 17-18 (TR11)	FY 18-19 (TR12)	FY 19-20 (TR13)	
1	\$16,099,422	\$28,774,039	\$11,375,749	\$9,773,660	\$15,835,226	\$81,858,096

Scenario 2: Reduction from base need; defer 370 network switches 1 year past EOS

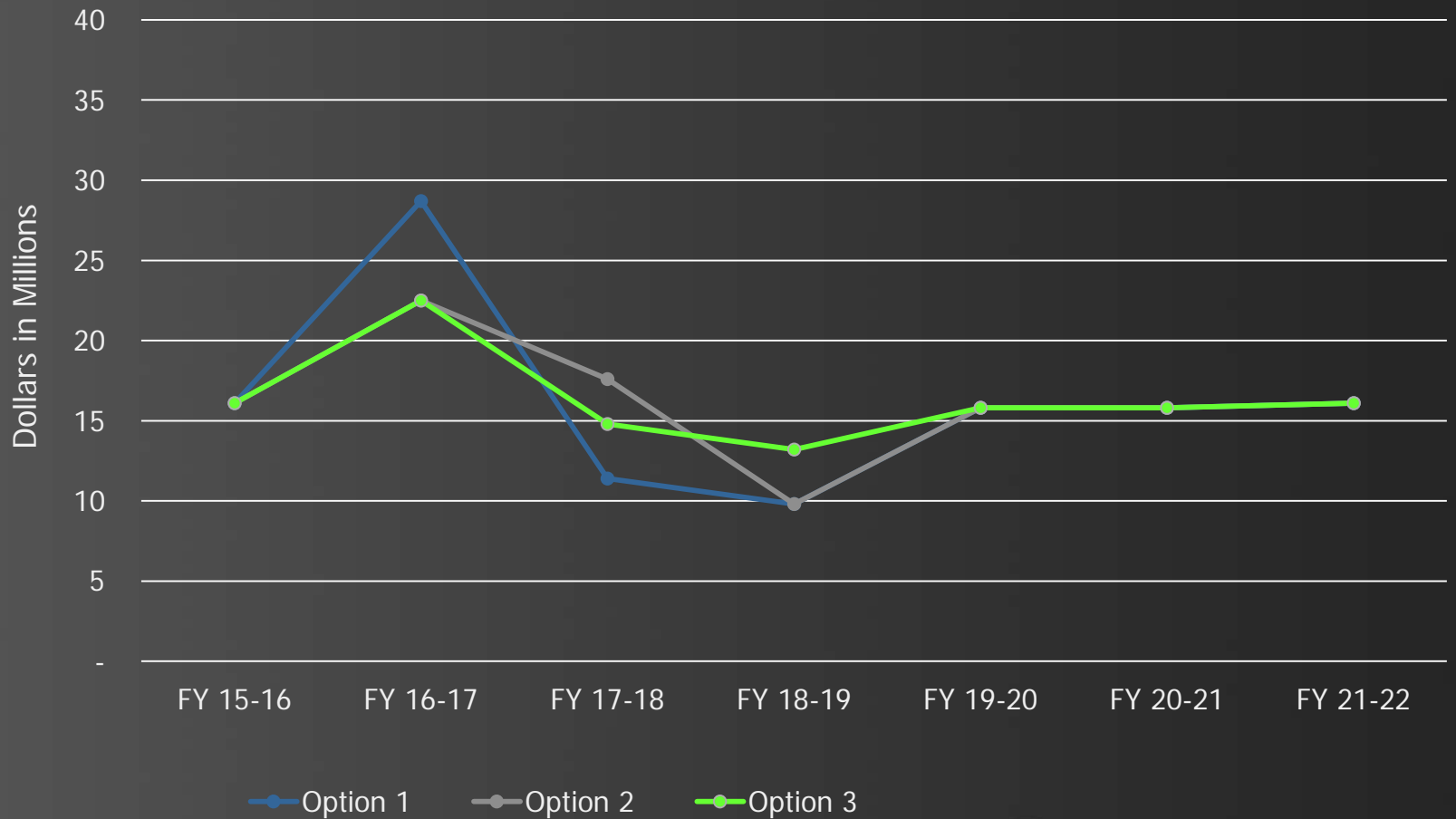
Option	TECHNOLOGY REFRESH FIVE YEAR BUDGET FORECAST					Program Totals
	FY 15-16 (TR9)	FY 16-17 (TR10)	FY 17-18 (TR11)	FY 18-19 (TR12)	FY 19-20 (TR13)	
2	\$16,099,422	\$22,500,000	\$17,649,788	\$9,773,660	\$15,835,226	\$81,858,096

Scenario 3: Reduction from base need with shortfall financed for 3 years @ 3% APR

Option	TECHNOLOGY REFRESH FIVE YEAR BUDGET FORECAST					Program Totals
	FY 15-16 (TR9)	FY 16-17 (TR10)	FY 17-18 (TR11)	FY 18-19 (TR12)	FY 19-20 (TR13)	
3	\$16,099,422	\$22,500,000	\$14,817,727	\$13,215,638	\$15,835,226	\$82,468,013

* Preliminary

Comparison Chart





Conclusion

- Scenario 3 provides the most effective balance between the need to level the budget, while keeping the finance charges at a reasonable level.
- Resolves the funding shortfall that is inherent with option 1
- Avoids the need to defer hardware replacement
- Least risk of impact to the court's daily operations





Procurement Vehicles

- CALNET 3
 - Currently in effect, but does not provide the full range of products and services that have previously been procured through CALNET 2
- CALNET 2
 - Expired but subsequently extended through January 2016
 - The California Department of Technology recently announced that it is working with AT&T and Verizon to extend the CALNET 2 agreements for two additional years





CITMF Review

Consensus on:

- Flexibility on the procurement model so long as court needs are met, and that it doesn't lock us into the same replacement cycle with the attendant budget peaks and valleys.
- The need to ensure that whichever option is selected provides a long term solution, vs. for several years until we have to face the problem again.
- The need to focus on stable ongoing funding now vs. down the road, and ensuring that the funding approach complies with the Judicial Branch Technology Governance and Funding Model.

California Judicial Branch Strategic Plan for Technology:

"Stable, long-term funding must be secured to support infrastructure maintenance, replacement, and improvement."



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Questions and Answers



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FRESNO SUPERIOR COURT PILOT REMOTE VIDEO PROCEEDINGS (RVP) PROJECT FOR TRAFFIC CASES

Semiannual Progress Report #6 July 1 – December 31, 2015

SUMMARY

The Fresno Superior Court's RVP pilot project was started in April 2013 and continues to operate well. The process provides motorists who live outside the City of Fresno, both throughout Fresno County and in other areas of the state, cost- and time-saving options for resolving their traffic citations by appearing in court remotely. Hearings are held remotely each Tuesday in the city council chambers in Mendota, which is 42 miles west of the City of Fresno. Appearances are videoconferenced every Wednesday from the municipal government building in Coalinga, which is 70 miles southwest of the Fresno metro area.

There are three measures of the success for this program: usage, sustainability, and replicability. Though usage fluctuates somewhat, RVP has been well received and continually used throughout its 32 months of operation. In the first full six months (July through December 2013), there were a total of 119 actual court appearances at both sites; in the current semiannual reporting period there were 109 appearances. Cumulatively, by the end of December 2015 a total of 629 court users has appeared in traffic court via RVP.

Strong partnerships with the remote site contribute to the project's sustainability. Each year, the Cities of Coalinga and Mendota have willingly renewed their agreements to host the sites. They are not compensated for their facilities and they contribute at no cost to the project a small amount of staff support for hearings, problem resolution, and outreach. City Managers in both locations have relayed to the court that they continue making this commitment despite tight resources because RVP enables them to serve their constituents better. This complements the court's satisfaction that the RVP increases access to justice for traffic court users, particularly for Spanish-speaking court users in rural areas.

High-quality videoconferencing has proven to be replicable to fill an array of other court needs. The Fresno Superior Court used this process to secure certified interpreting services from San Diego for a language for which local interpreters were not available. This prevented a case delay. Most recently, the court leveraged both the RVP experience and infrastructure to secure a federal grant in order to begin offering videoconference services from the courthouse to rural domestic violence litigants. The project will start with two remote host sites with the capacity to expand. Finally, the court is exploring ways with public and private healthcare providers for using technology to enhance substance abuse and mental health services remotely in underserved rural areas.

SYSTEM USAGE

The following table contains the statistics for the current reporting period.

Period: July 1 – December 31, 2015	Site: Coalinga	Site: Mendota	Total for both sites
Hearings and Trials			
Same-Day Hearings/Trials Set (JC Form TR-505)	1		1
Separate RVP hearings and trials (JC Form TR-510)	6	34	40
Court trials held	4	14	18
The number of actual appearances at offsite remote location	20	89	109
Walk-in Requests			
Walk-in persons assisted onsite with court documents, questions, extensions and other traffic court-related matters.	14	38	52
Walk-in persons referred to the traffic courthouse or other court divisions for assistance with payments or other court matters.	36	88	124
Walk-in persons who were not assisted due to the requests not being related to court matters.	40	58	98
Appeals			
Filed After RVP Court Trial	0	0	0
Upheld	0	0	0
Overtured	0	0	0
Pending	0	0	0
Bail			
Bail Waived	4	14	18
Bail Waived for CT-FTA at court	0	0	0
Law Enforcement			
The number of requests from LEAs to appear at downtown courthouse instead of remote location (JC form FTR-70)	0	0	0
Language Assistance			
The number of cases/matters where an interpreter was used	34	122	156
Languages: Spanish			
The number of issues related to interpreter use such as notice not given to provide an interpreter	0	0	0
Citations			
The number of citations filed in the geographical area of the remote site	4,079	2,019	6,098

SYSTEM PERFORMANCE

There were three performance issues to report in this period. In July, the Coalinga site installed a new laptop to operate the RVP and it resulted in challenges loading the software program. The court's IT division worked with the city manager to complete the upload. Despite this assistance, connection problems cropped back up on the next RVP session. It was then determined that a combination of insufficient memory and cable upload speed were at fault. A temporary work-around solution was implemented for a few weeks until Coalinga upgraded to 5GB of RAM and secured a higher upload speed with AT&T.

Also in July, the Judicial Assistant was not able to use the virtual private network to connect to the court's server and operate RVP from Coalinga. The Judicial Assistant used Any Connect to establish the connections within 15 minutes.

In August, the Mendota site was kicked off the court's server during RVP. The Judicial assistant was able to reboot the PC to log back into the server and restore the RVP session within a few minutes.

USER SATISFACTION

The RVP process has been embraced and the court continues to receive positive feedback from users. A recurring comment is that without RVP, many persons would not have access to the court. Users report that the amount of time and money RVP saves them is immeasurable and irreplaceable. In particular, the Spanish-speaking community in rural areas appreciates RVP services. Below is the tabulation of responses to a voluntary user survey in this period.

Question	Responses
Please rate how timely you were assisted.	Pleased: 11 Okay: 8 Disappointed: 1
Were your expectations met?	Yes, definitely: 10 Yes, somewhat: 8 No: 1
How did you feel about the way court was conducted?	Pleased: 14 Okay: 5 Disappointed: 1
How was the quality of the video and audio?	Excellent: 8 Good: 12 Fair: 0 Poor: 0
Would you recommend this service to others?	Absolutely: 15 Probably: 5 Don't know: 0 No: 0
Overall, how would you rate the service you received?	Excellent: 11 Good: 8 Fair: 0 Poor: 1

How did you hear about the Remote Video Proceedings?	Media: 3 Court website: 3 Neighbor: 3 Other: 5 Court courtesy notice: 6 Community representative: 2
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The rated responses were enhanced by fill-in comments. Below is a representative sample of responses when court users were asked what could be done to make the RVP experience better.

- “Todo bien.” Translation: Everything is fine. (Coalinga user, 7/1/15)
- “Café.” Translation: Coffee. (Coalinga user, 7/1/15)
- “Mas rápido.” Translation: Faster. (Coalinga user, 7/1/15)
- “Judge calls us last.” (Mendota users, 7/22/15)
- “Nothing.” (Mendota user, 9/9/15)
- “Mas tiempo para como una persona que viene arreglar su tiket” Translation: More time such as for a person that comes to fix a ticket. (Mendota user, 12/22/15)

It’s unclear from the Mendota user comment on 7/22 if being called last was desired or unwanted; but cases are called in the order that users sign in.

There have been previous requests for the court to provide coffee for RVP sessions but is not possible. The court does not provide coffee for any hearings.