

The Judicial Council of California is the constitutionally created policymaking body of the California courts. The council meets at least six times a year for business meetings that are open to the public and audiocast live via the California Courts Web site. What follows is a polished and unedited transcript of the meeting of February 25, 2011. The official record of each meeting, the meeting minutes, are usually approved by the council at the next business meeting. Much more information about this meeting, the work of the Judicial Council, and the role of the state court system is available on the California Courts Website at <http://www.courts.ca.gov> .

>> I've had the pleasure as many of you have with serving with a former chief justice Ron George for the last two years on Judicial Council. And speaking of the former chief I think we all can never overstate in the 14 years he served as chief. He really changed the landscape from 1996 to 2010 and he made everlasting changes to make us an independent, stronger impartial accessible branch. And all of our conversations and movement here is based on the foundation of Chief George and his predecessors dreamed of for a vision for our branch. So my sincere hope is that we actually live out our potential as an institution, as an independent third branch.

I'd also want to talk to you before I get into my report that it teams fitting that we have our first business meeting here in Sacramento, here in the capital, not just because it's my hometown that you've all experienced in the last several days speaking with our legislative representatives at the legislature that it's critical now more than ever to be able to convey to them the role of the court, the need of the court because that makes our relationship with them stronger, to better understand our needs and those needs are not solely budgetary. They're across-the-board and it's going to be as we know an ongoing discussion that we're going to have to have with the legislature every year. And I really thank you for your efforts thus far.

[Phone ringing]

>> Is that me?

[Laughing]

>> That's you.

[Laughing]

>> You can't phone a friend.

>> That reminds me -- that puts me in the mind have to remember to turn off your cell phones and electronic devices. And between Bill and I will figure out because it may interfere with the audio cast. I also want to let you know, as you already know, that to ensure public access and to increase better understanding of the business of the branch, our meetings are public. And they are recorded. Audio cast live with real time captioning. And it's placed on the California courts website and routinely videotaped for a later broadcast for California newscast and CNN and you're familiar with that and also you'd might like to know in some of our past meetings we've had more than 350 live online visitors and hundreds more who have looked at the tape afterwards. So I remind council members in each vein to address each other by name and to identify yourself in

the record and to proceed and to fashion and speak on the microphone. We have several guests, but I'd like to indicate for the record here that we do welcome my former APJ who's now retired, the former APJ of the Court of Appeals, justice Arthur Scotland. We also have here associate justice Terence Bruiniers. He's also going to be talking to us about CCMS later. We also have superior court judge Glen -- there he is who's going to help us with our demonstration for CCMS thank you for volunteering your time to show us this valuable demonstration. We also have I understand two members of the Sacramento superior court visiting. And that is administrative presiding -- assistant -- no, administrative presiding Judge Laurie Earl who has been here before. Serves on some work for the council as well as Judge Stacy who is the supervising judge of juvenile court here in Sacramento. You may see them later.

And I believe but do not see but maybe will come in later, a group of judicial administration fellows from our program. As you know, we partner with California studies at California state university in Sacramento and we provide career training for future court leaders in the fellowship program so we're going to welcome them. They'll be observing I believe one of their first judicial council meetings. So the first item on our agenda this morning is the swearing-in and the welcoming of new judicial council members. So please join me in welcoming associate justice Harry Hull, Jr. And also commissioner Sue Alexander, superior court of California, County of Alameda. Good morning. [Applause]

>> And so you know, every year, about a third of council membership rotates off, a new group rotates in. This involved continuity allows new leaders to get involved in judicial council, still allowing us to retain some institutional memory of the important issues that council faces every year. So these are -- in case of off-schedule appointments which are Justice Hull and Commissioner Alexander's, the Justice Hull feels the vacancy created by the chief and Sue's appointment is to replace Ron who was moved up to the superior court of Orange County. I would like to ask Justice Hull and Commissioner Sue Alexander. You will find books at your places and if you don't have that I'll get that to you. I will have the oath which I'm about to administer and I'd ask you to please raise your right hand.

And repeat after me. I do solemnly swear or affirm that I will support and defend the Constitution of the United States, and the Constitution of the State of California, against all enemies foreign and domestic. That I will bear a true faith and allegiance to the Constitution of the United States and the Constitution of the State of California, that I take this obligation freely without any mental reservation or purpose of evasion, and that I will faithfully discharge the duties upon which I'm about to enter.

Congratulations.
[Applause]

>> Please do sign the booklet and retain it as a memento as a reminder of the oath and the service you've pledged to the judicial council and the State of California. And I believe this morning we have not received any requests for public comment. And so at this point in the meeting, it's traditional to move forward for the approval of minutes from our December 14 meeting.

Are there any corrections to the minutes? Do I hear a motion after review of our December 14, 2010, meeting to approve?

>> I will move approval, excuse me.

>> I second.

>> So I have Justice Huffman moving and Justice O'Malley, all in favor vote aye. Any opposed? The minutes pass. Next in our schedule we have Judicial Council committee presentations. These are our reports from our internal committees, and I ask to start with Mr. Huffman.

>> Thank you, Ms. Chief Justice. It's been a busy time. The executive committee has met seven times since its December 14th council meeting. We had five telephone conferences, one resolved by email and then we had an in-person meeting here earlier in San Francisco earlier this week.

On December 17th, shortly after the council meeting, the administrative director brought several things to the attention of the executive committee acting on behalf of the council rule 10.11A. The first had to do with the Long Beach courthouse and the questions having to do with the financial closure of the financing deal. If you've not listened to any of these discussion business international interest rates and all of that, I'm not sure I understood it any way but it was a fascinating, moving target that the AOC needed to get this thing closed by a particular time because at the interest rates and a hiccup and it goes up millions of dollars it would be consumed in the financing. So having reviewed that and the department of finance in late December issued an approval letter for the Long Beach courthouse. And we reviewed that. We've reviewed the financial issues and the course of action that we supported by the administrative director and our assistant presiding judge of the superior court, we approved a financial closure under the terms at the interest rates that were then being discussed. We did give the administrative director discretion to close at a slightly higher rate if that's what happened and it was still in the best financial interest of the branch and the deal ultimately did close.

We also took up with the administrative director the request that we approve on behalf of the council a revised CCMS governance model that you'll be hearing more about, but in short, it's a new governance system. And as I understand it involves judges from 29 different counties, different levels participating in this new process. And after reviewing it, the committee acted on behalf of the council and approved the governance model and reaffirmed the administrative director's authority to proceed with the CCMS final testing and to do the work necessary for full deployment if and when finances are made available. And the new governance model is attached to your materials. On December 22nd, we took up the issue on behalf of Orange County, again, for the new members and for the public under the policies of the judicial council. The process of converting open subordinate judicial officer positions to judgeships under the authorizing statute has been delegated to executive and planning committee. It's become so popular now we've filled the 1011 quota well before July 1st and we're now working our way to filling the numbers for 1112 and so we approved the conversion of two vacant subordinate judicial officer positions for Orange County effective July 1st of 2011 or the day in which the legislature enacts the authorizing legislation to ratify the authority to make those conversions.

The conversion of one of the positions is contingent upon the judicial council today approving the adjustment of the allocation of SJL positions around the state in order for Orange County to actually convert all the positions it needs to over the 10-year period. They have to have an added position and so in your binder, in the consent agenda is the matter for the council if it chooses to approve the reallocation, and that will allow Orange County to convert two of its SJO's to superior court judgeships.

There's also the potential of a third position -- Orange County is interested in taking advantage of the new statute, AB2763 which additional SJO positions to be converted to judgeships provided that those positions are going to be used in family law or juvenile courts. And you have that in your binder as well. And we approve that subject to the legislature enacting the necessary materials to allow that to go forward. They haven't yet done that.

As we usually do authorized Orange County to hire retired commissioners to fill those positions pending replacement via a superior court judge. As you've seen, we have new council members. The role of the executive committee to solicit and review applications and make recommendations to the chief justice for those positions and we did and she has appointed the new members that have just been sworn in.

February 1st, we met again by telephone and began the process of trying to set the agenda for this meeting. And we also reviewed with the staff the plans for the legislative visits here that have gone on this week.

We also planned for the annual agenda review with the council's advisory committees and again, for the public and for new members, the council each year meets -- the rules committee and the executive committee each meet with the advisory committees that are assigned to those internal committees to review their annual agendas to see that the advisory committees are working in connection with the council's operational plan, that we have the opportunity to perhaps give them ideas and hear from them, so it takes some time and we did that planning.

And we also made recommendations to the chief to fill an out of cycle nomination for the corporate interpreters advisory committee. On February 7th, we continued with the agenda-setting. If you looked at the original agenda now it's entirely different. We had some education items procedure that we were going to put on but we've moved them over to April so that the council would have nothing other than the CCMS issues to discuss today other than the two brief items.

On the 10th we began the process and on the 15th and we till continued trying to work through this agenda. We hit another out of cycle nomination for appointment appellate court advisory committee, the appellate advisory committee and we did forward that nomination on to the chief justice then on the 22nd we did have a day-long session with the new advisory chairs and with each of the advisory committees that were subject to the judicial -- to the executive committee's oversight. So that's the report of the executive committee, Chief Justice.

>> Thank you, Justice Huffman. We'll now here from Justice Baxter.

>> Thank you, Chief. First of all, in January of each year it's customary for a memo to be sent out by the policy committee under my signature to all of the advisory committees

within the judicial council urging those committees to focus on prospective judicial council's sponsored legislation. And that urging is branch-wide. I urge each and every one of you to give some consideration to areas where perhaps through your own experience, you conclude that a legislative change is appropriate and to communicate your thoughts to the office of governmental affairs so that the process can begin in terms of having the idea forwarded to the appropriate advisory committee, embedded there and working its way through ultimately to the policy committee and to the judicial council.

As far as our meetings are concerned, we've had two meetings this year. At the January 26th meeting the policy took a support position on one bill relating to the prohibition of electronic communications by jurors. And also recommended for sponsorship a legislative proposal regarding the judge's retirement system credit and preretirement death benefits. The proposal for council's sponsored legislation is Item C on today's consent agenda.

And at our second meeting on February 16th, a budget status update was presented. The legislative deadline to introduce bills was February 18th. And in total more than 2400 bills, constitutional amendments, and resolutions were introduced for the start of this 2011/'12 session. The majority of the bills were introduced on the last day before the deadline and the office of governmental affairs, the staff is reviewing all of those bills to identify those of particular interest to the judicial branch.

So in it future reports, I'll make every effort to keep you informed of the progress of the bills that we identify as of interest to our branch. The bench bar coalition day in Sacramento was held on two separate days this year, February 1st and February 15th. And will also be conducted on March 1st and 2nd. This multi-day approach proved to be successful last year and has been equally successful with the two meetings already held.

Bench and bar leaders and court executive officers were able to meet with legislators on issues pertinent to the proposed 2011/'12 judicial branch budget. New judgeships, California case management and access to justice issues. In addition to that, the office of governmental affairs is in the process of scheduling with our justice partners meetings with the chief justice and other representatives of the council during the course of this year. And that's in progress. I think three or four of those meetings have already been scheduled.

That completes my report, Chief.

>> Any questions? I neglected to ask either Justice Huffman or Justice Baxter? Thank you.

We'll hear from Justice Douglas Miller from the rules and project committee.

>> Thank you. The rules and projects committee has met four times since the December 14th judicial council meeting, once in person, twice by phone and once by email. We met by phone on January 24th to consider a proposal from the traffic advisory committee to amend a rule to circulate for public comment on a special cycle. It was approved, the circulation. Following public circulation and further review by the traffic advisory committee, this proposal is expected to come back before the judicial council at our meeting in April. RUPRO also met by email on February 7th where we communicated by email to approve a circulating order proposing revisions to amend two judicial council

fee waiver forms to incorporate the 2011 increases in the federal poverty guidelines. The judicial council approved the amended forms by circulating order and special notice has been given to the courts regarding these amended forms.

We also met again by phone on February 14th for a briefing to prepare for our meeting to review the annual agendas of the various advisory groups and task forces that are overseen by RUPRO and we met for the entire day on February 22nd to review these annual agendas and the updates from 12 advisory committees and task forces.

We discussed the work with each of their judicial chairs and principal staff. I want to tell you they were very productive. It was very rewarding to see the hard work that they are performing and really their commitment to doing things that benefit the judicial branch in their particular area.

We did have some discussions and those were incorporated within the annual agendas and RUPRO approved those and that's our report. Thank you, chief.

>> Thank you, Justice Miller. Any questions on RUPRO's activities? Thank you.

It's customary at this time for the chief to deliver her report. And I want to share with you that the last eight weeks have been extraordinary in many ways. So I'll just share the highlights with you, and that is -- as you know, my second day on I believe Justice Moreno announced his retirement from the California Supreme Court, telling us that really he had new beginning-itis and over the holidays had decided to enter private life. And I want to mention on this record that we are grateful for Justice Moreno for his 24 years on the federal and judicial benches serving California and we wish him well and we hope we'll be able to invite him back and thank him personally with the blue ribbon commission on children and foster care. I also had the opportunity to meet with Governor Brown to talk about the need of the branch and the need of the branch and the history of the branch especially in terms of the sustainment of budget cuts throughout the years. I thought that was a very positive discussion and a willingness to work and not only on matters affecting the branch as it pertains to budget and to the vacancy he will fill with Justice Moreno leaving the court. I've also had meetings in Sacramento with dozens and dozens of legislators talking to them about the branch and the branch needs and our stepping up regarding the \$200 million budget cuts. And our message has been simple and that is keep the courts open, let us tell you where we can take the reduction, doing the least amount of harm to the branch and we received open ears and I think the legislature has been supportive about our priority and needing to keep the courts open and we continue to work in that regard.

As you know the governor's proposal was a first step in a process that normally takes months but we -- the new normal are doing that in a matter of a couple of weeks and so we've been working around-the-clock. We've been greatly assistive meeting the \$200 million with the ad hoc trial court judges and executive officers and justices who have come forward to help us find a proposal that will do us -- give us a solution with the least amount of harm. We've met twice. It's been very helpful. Very useful to open those lines of communication. I know many of you here are part of that ad hoc budget working group and I extend my deep appreciation for your ability to come on short notice and your ability to stay and really zone in on where the solutions lie for the branch.

I would also point out in that regard, as you know, that our team of Kurt, Ron, Bill, Stephen have been working around-the-clock at the capital providing the legislator and department of finance the information they need to make the difficult decisions they are facing every day as well. Also I want to mention that for our meeting today, I directed staff to allow adequate time in our agenda for the discussion of the newly published cost-benefit analysis of CCMS. I want council to receive a detailed update on that report and a demonstration on how the system works. Because it is almost near completion. And I also want to say as I have said repeatedly to the media, that I think the -- I'm aware and I thank the bureau of state audits for its intensive historical review of CCMS and I take its report and its findings seriously. And we accept and look to working with the legislature in its important visionary project that that's not only visionary for the branch but visionary for California. And so we have a new leadership governance infrastructure in place. You'll be hear more about that. And I hope we can engage in a robust conversation about that because that is the transition where the judicial council and judges will be taking over ownership control of CCMS.

I know that Justice Bruiniers is here who will be leading us in that discussion. Thank you, Justice. I also want to tell you a little bit what I've been doing in the past eight weeks in terms of trying to get around the state to meet bar associations and to meet bar leaders and judges and courts and so you know I've seen many of you at the regional meetings, the three regions I've visited. First the Bay Area Region. We then visited the Southern California region and then lastly, the northern central region. And I think we engaged in frank discussions about the status of the branch and the status of major initiatives like CCMS and like our budget, and I hope to continue to have those kinds of discussions with the branch because I think more and more we need to share information and maybe in the past it's been misunderstood that we haven't been so good at sharing information.

I've also had the opportunity to introduce myself to different bar associations in the legal community and I'll mention a few. I spoke to and had the pleasure of sitting on a panel with chief Alex Kozinski at the William Ingram court in Santa Clara. I see people with the professionalism and ethics of the bench that was a lively conversation that we had and I believe it's now on C-Span. It was also moderated by Professor Olman. I think it couldn't have been a more timely discussion, quite frankly, what we need in the branch and really in government, period.

Thereafter, shortly I had an opportunity to give brief remarks at the lawyers committee for civil rights in San Francisco at their luncheon. I also then thereafter went to Washington, D.C. for several days and met with the conference of chief justices, which is a conference of a chief judge from every state and territory where we get together and talk about the impact of federal law and federal mandates and trends that are occurring in the nation. California is always a leader. They always want to know what's happening in California because we have the finest bench, the finest legal community and we're always pushing the envelope and you should know your efforts here are respected nationwide. I also had the opportunity and the pleasure to travel down to Los Angeles. I see many of you here also. At the trailblazers award center for our former judicial council colleague now presiding judge of the Los Angeles superior court. That is Lee Smalley Edmond and also David Wesley was there where we were able to celebrate what

is a historic moment in the history of jurisprudence to have Lee Smalley leading the superior court and we wish her well and support and we know based on her contributions as a judicial council member that Los Angeles is in great hands.

I also had the chance to attend the Alameda luncheon where I met with leaders and volunteers. That was very gratifying.

I had a chance to attend at an investiture celebration where 900 of my closest friends and we had a chance to reconnect and to regvanized Southern California to step up and start to volunteer for the committees. I was at the Marin bar county association write met with the Marin County judges Kim Turner and spoke with over 200 judges about the evolution of the branch. Many people telling me they had no idea that the branch had undergone such a transformation and how grateful they were which makes them reading the trade papers more contextual once they read the history of the branch and where we are today. I met with several school groups grassroots to teach students about the importance of civic education and the judicial branch and, of course, I made my annual trip to Sutter middle school where I've been nine times. I feel like I'm entitled to a degree from middle school. And I also had an opportunity to speak to at UC Davis to talk to them about the great future they have in this wonderful branch.

And I think on Monday I'm going to have my first opportunity to participate in our underground-breaking construction project in Hollister to build safe buildings for the public and for our judges.

I'm also working in novel ways to communicate and to achieve outreach with the public. And so you may be seeing more video. I know I said to folks, I would rather hear a video than read another single-spaced memo so we're trying to use more video to reach and communicate within the branch. And I urge you that if you feel there's something branch-wide that you would like to communicate, to let me know so that we can use our video center to provide that kind of information to the branch as a whole.

I also want to announce that I believe on Monday we'll be launching the next generation of the branch website California courts site. It includes easier navigation, several new features that will help educate, engage and inform and serve the public and we hope it's much user-friendly to anyone. Encourage you to get on it and to give it a try. And I believe that concludes my report at this point. Thank you and we'll pass the bill to deliver.

>> You have a copy of my written report which I'll just submit on the record and respond to any questions you may have. I just have two issues that I specifically want to -- excuse me -- raise. One is I think you're aware that justice announced the executive committee approved and authorized changing the governance oversight of the CCMS project. That was something that had been recommended by Sheila who has been the executive sponsor of that program during the development phase. And recommended a change that was supported by the previous oversight committee, the presiding judges from the specific courts that have been involved in the development of the CCMS product. And they all supported the idea of changing to a committee that would have terms life of the individual serving on it so we would have continuity to guide us through the very challenging part of the completing of the testing and the acceptance of the product and the deployment, which will be a very complex issue. And so that committee comprised

as I indicated of primarily judges, court executives on each of the three advisory committees to the executive committee. It will provide input as well as justices as partners in that process and the executive committee will be responsible for prioritizing activities, providing the general charge to the new project management office which brings together staff under AOC under the leadership of Mark Moore whom you'll be hearing about later today who will be responsible for carrying out the directions based on the decisions of the executive oversight committee that we have put in place in that area. And they will be responsible for seeing that as we move ahead that we fully comply with all of the audit recommendations both the bureau audits as well as the previous review done by the state's chief information officer in the process.

The number one issue, obviously, that we all have been working on is a budget resolution for fiscal '11 and '12. As you know the chief justice in January assembled a committee of judicial branch leaders including representatives from the council, presiding judges, the administrative presiding justices, the leadership of CJA, bar representatives and others, court executives to provide guidance on alternative concepts for addressing the budget issues. And that committee met early in January. They met again in February. They arrived on a consensus on how we might approach this and working with the legislature and the governor's office on a solution and we think we're close to having a solution that will achieve the objectives as the chief justices stated of seeing that the trial courts have adequate funding basically funding consistent with the level of this year to remain open next year in the process.

That solution also obviously involves reductions for the Supreme Courts, the court of appeal and the administrative office of the courts. And while we were trying to offset the large portion of the reductions for the trial courts, we've not presented proposals to do that for the Supreme Court, the courts of or the administrative office of the courts. So in the administrative office of the courts, the directors this past week received direction to review the general fund allocations and their budgets with some detailed information provided by our finance department for them to review. They've been asked to respond by providing three scenarios for making reductions at the level of 5, 8 and 12%. And to explain how they would make those reductions and to provide an analysis of what the impacts would be so that we can meet and ultimately propose a reduction plan to make a permanent reduction in the budget as we did last year of the AOC.

And on some of these issues we'll be seeking input from the trial courts and the appellate courts in terms of their view about the priorities of some of the issues that will be considered in that reduction plan. And they will be reporting back with you if not earlier by written communication as part of the process so we are ready on July 1 and to operate and live with the budget we have for the next year. So those are the two issues I wanted to raise. And again, if you have any questions, you can feel free to call me or email me about anything in the report that you have. Thank you.

>> Thank you. Any questions of this report? Thank you.

Next on the agenda are the consent items. As you can see items A through D and I don't believe any of the consent items have been asked by any person or persons to be replaced on the discussion agenda. So I'm getting an affirmative nod, thank you. And so at this

time regarding consent A through D. I'll be calling for our motion for approval and a second and a vote thereafter. Do I hear a motion to pass consent Item A through D?

>> Second.

>> Justice O'Malley -- Judge O'Malley moved and Judge Pines seconded, thank you. All in favor? >> Aye.

>> Any opposed? The matter's passed.

That brings us to our discussion agenda items. The judicial council resolution for the days of leadership and achievement of Mr. John G. Davis. I believe the speaker on this matter is Justice Huffman.

>> Thank you, chief justice and members of the council. It's my honor to make these recommendations I would note that I'm joined in this request by the members of the San Diego superior court who are wholeheartedly behind this. It's a shame sometimes that it's good that we recognize people. It's a shame sometimes that we don't get to it until there is something not good on the horizon. And John Davis is gravely ill. The committee in San Diego is going to have a celebration of his career on March 10th. And notwithstanding he's gravely ill, he's still actively participating, volunteering for things in this community to the extent that his physical health.

You have before you a resolution, Mr. Davis besides him being a practitioner has served as the appointments secretary for Governor Wilson. He served as the appointments, judicial appointments advisor, for Governor Schwarzenegger and has served with Governor Wilson's federal judicial appointments process for a number of years.

He's in addition to that, he served as a member of the regents of the university of California and as you will see in the resolution before you that he has also served as a volunteer in many important areas within his community, planning commissions, Children's Hospital and board of governors of California's foundation and so he has -- as the last says, whereas during his 48 years as a member of California's legal profession, Mr. Davis worked to advance the democratic values of our justice system and demonstrated his untiring commitment to strengthen what is broadly acknowledged as one of the finest benches in the United States. And so the resolution would read now therefore be it resolved that the judicial council of California and the California administrative office of the courts do commend the achievements of public service, John G. Davis and express sincere appreciation for his leadership in promoting public trust and confidence in the integrity and independence of the California judiciary. And it's my privilege to request that the judicial council adopt that resolution so it can be presented to Mr. Davis on March 10th.

>> Thank you, Justice Huffman. Justice Baxter moves approval.

>> I would like to second it.

>> Judge Pines seconds it.

>> I'm going to point out just because the obvious and I like to point out the obvious that we have the two former appointment secretaries standing forth behind in supporting this resolution and speaking forward, thank you, Justice Baxter, Judge Pines.

>> Yes, thank you, Chief. I would just like to commend this resolution to the council, John Davis has played a significant role obviously in shaping the judiciary as we know it today. His wisdom and his insight have proven invaluable. And he has in fulfilling the various roles that he has served us all in, he has served the branch and the public extremely well. Thank you.

>> Thank you, Judge.

Anyone else wish to be heard? I would just like to make a brief comment about the comments of the service of John Davis. I believe with his work and my interaction as well and my interview with him --

[Laughing]

>> I'm grateful for the effort and the time and dedication and analysis he put into making recommendations for the governor for appointment and I believe that all of us and California is a better place and a better judiciary for the work he put into making recommendations for the governor. And I have deep gratitude for his efforts.

All in favor, then, of adopting and passing this resolution so that we may present this to John Davis -- all in favor?

>> Aye.

>> Any opposed? Motion poses unanimously. Thank you, Justice Huffman. Thank you. We'll put this on display. Thank you. On display at break. Moving to --

>> I'd like to -- I'd like to clarify my relationship with John Davis. We arm wrestled --

[Laughing]

>> Because at the time the governor was governor of California, Senator Wilson was the U.S. Senator and John Davis was advising Senator Wilson on federal judicial appointments. And, of course, I was involved with the governor. And every once in a while we will hone in on the same individual and that's where the arm wrestling came in.

[Laughing]

>> He was a very formidable adversary.

[Laughing]

>> Thank you. Thank you, Justice Baxter. Turning now then to Item F, the court facilities, naming the new courthouse in Long Beach is an action item and we have presenting on this Justice Huffman and also Justice Arthur Scotland, retired of the third appellate district. We previously welcomed his presence and also we have Mr. Willoughby.

>> We're here to recommend naming of the new Long Beach courthouse. Superior court of California County of Los Angeles. The naming policy was adopted by E & P on behalf of the council in May of 2009 and there's three preferences, either location, case type, deceased person or for a living person, which is this case. The criterion for a living person, there's five criterion that must be met. These are shown here and we have reviewed those and believe that the proposed name meets all of these criterion.

The process was submitted to the ENP committee. They served as the oversight role for the facilities program that at this time and there have been at least two letters of support for this naming. In the near future we'll have the groundbreaking ceremony scheduled for April 7th at 1:00 PM. And if the council adopts the naming today, this name will be included on the invitations to the ceremony. And each of you will be invited to this ceremony.

>> Thank you, Lee. The executive and planning committee does exercise oversight over the facilities process and on this particular issue, we absolutely concur that the naming of the courthouse for Governor Deukmejian is completely consistent with the policies in the naming policy. The executive committee unanimously recommends to the council that they adopt this naming for the new courthouse in Long Beach. It's an honor again for me to be allowed to speak on that issue having been a young person in Long Beach and seeing on all the dairy farms signs about elect assembly Deukmejian as was phonetic. And I followed her career representing Long Beach assemblyman as a senator then as the attorney general. In my other life we had other interactions with the attorney general. Duke Deukmejian who was involved in the criminal justice issues that California had when he became governor, he was also passionately interested in the courts of California. Some people have said a governor who makes an appointment, makes one temporary friend and five permanent enemies. But he approached that, I think, relying on the wisdom of Ms. Baxter but I think also in his own personal dedication to the goal the state ought to have good and honorable judges on its bench. So he did make an occasional mistake or two but I've outlasted that so --

[Laughing]

>> But I do think it would be highly consistent with his service to the community of Long Beach, both the legislature and in the executive branch, I think, a high mark for this body to recognize that service by the naming of this courthouse.

>> I'd like to stand so I can see everybody. You have in your package a letter that was submitted in September of 2010. I think what is striking about that letter is the broad bipartisan support for this proposal. Not only from members from the judiciary but also members and former members of the legislative branch of government, the executive branch of government and very distinguished community leaders both locally in Long Beach and throughout the state. For example, senator Alan Lowenthal and Bonnie Lowenthal both who represented that area and Democrats in the legislature enthusiastically endorsed this area and former attorney general the State of California John Vandencamp, the mayor of Long Beach Bob Foster, the chair of the Los Angeles county board of supervisors, Don KINO Becker and Tim McCoy was the presiding judge of the L.A. County superior court. He supported the California judges association. Members of the California Supreme Court all of the administrative presiding justices of the courts of appeal around the state. The president of the State Bar and the president of the Los Angeles County -- the county bar association and committee leaders both in the area and throughout the state. And -- oh, dimension that then associate justice Tani Cantil-Sakauye who is now the chief justice actually endorsed that proposal as well.

[Laughing]

>> This is just a small sample of the group of individuals both locally and throughout the state who recognized the wisdom and the appropriateness in of naming this facility for the governor. And it's not simply because he was a politician and he represented those people. It's really because of the number of things. One, he practiced law in Long Beach. He represented the people of Long Beach. Both in the assembly and the senate. And as has been indicated he represented not only Long Beach and the entire state as the attorney general and then governor the State of California but also he continues to live in Long Beach and he did many, many things to advance the administration of justice. And he continues to do many things to advance the administration of justice. Not only did he appoint judges but he supported measures that really promoted the administration of justice and made our judicial system a better system. And, in fact, in 2003, this very body, the judicial council recognized the governor's council for a better council of the award. So you recognized him for all of the things that he has done for the state and for the judicial branch and for our courts and generally for the administration of justice including enhancing access to justice and I think it's duly fitting that he should be recognized again for the contributions not only that he made statewide but particularly to Long Beach. So I strongly urge you to endorse and support this proposal. Thank you very much for the opportunity to speak to you.

>> Thank you, Justice.

>> Yes, I'd like to make a few comments before I submit a motion and I'm sure Justice Scotland could make the same comments that are rather personal. I had the opportunity of a lifetime to serve as Governor Deukmejian's secretary during the period of 1983 until 1988. So my job was to work directly with the governor on appointments to the executive branch, appointments ranging from cabinet level to fair boards. And also the judicial branch. And it was very much a one-on-one relationship. And when you have that type of relationship with someone, the warts become obvious. And there were none. I mean, I can't think of a person that I've met during my lifetime who is more highly principled, who is more civil, and who is more loyal to those that work with him. So I'm commenting on his personal attributes. And it's largely because of those personal attributes that he had record-breaking favorability ratings. Ever since the holding took place of establishing favorability ratings for public officials, none come close. And it's not because he was following the polls or anything of that sort. It was really because what you saw was what you got. And so he took his -- he took his responsibilities very, very seriously. But he didn't take himself that seriously. In fact, one of the things that he would jokingly comment upon was that I moonlighted as his charisma coach.

[Laughing]

>> So with that, I would move that the recommendation be approved.

>> Thank you, Justice Baxter.

>> Chief, if I could just have a moment, unlike Justice Scotland and Justice Baxter, for some reason George Deukmejian never asked me to work in his office when he was governor. But I have great respect for the man and his dedication to the administration of justice and what he's done for this state and I can't think of a better person to have our courthouse in Long Beach named after. So certainly in the interest of bipartisanship and as a Los Angeles judge, I'd like to second the motion. Thank you.

>> Thank you, Judge Pines.

Any other comment or anecdote? Okay. Then I'm going to say something.

[Laughing]

>> It's true that I worked for Governor Deukmejian in the '80s in two different capacities. But I really have to say that it was Gloria Deukmejian who for me gave me the most profound experience when she gave me my very first job babysitting their kids when he and she moved to Sacramento and moved four houses down the street. And so my very first job for a person and family with an unpronounceable name, I worked in my teens, early teens. Now I want to point out and be clear that it didn't help me get a job in his administration because I never mentioned it and I'm sure they didn't remember it. But what a wonderful family. What a wonderful personable warm and loving family. And then later when I went to work in the administration how those family attributes overflowed into the horseshoe where we worked long hours, I always broke bread with him and sat with him and had a personal relationship with him because his staff was like his family. So at this time I call for a vote on this motion to name the Long Beach courthouse after governor George Deukmejian. All in favor. The matter passes unanimously. Thank you.

>> I thank you for the opportunity to have the naming after Governor Deukmejian.

>> Next on our agenda is Item J, California case management system, the CCMS cost-benefit analysis report from Thornton, LLP and we'll have Ron standing in for Mr. Stephen Nash.

>> Everyone knows Stephen Nash rides a scooter to work and I wonder what happened today. And when I need a charisma coach you're my first choice, Justice Baxter.

[Laughing]

>>> Thank you.

>> Next on our agenda is item J, California case management system. The CCMS cost-benefit analysis report from Grant Thornton LLP. We'll have Ron Overholt standing in for Mr. Stephen Nash. Thank you.

>>> Many of you know that Stephen Nash rides a scooter to work. I shudder to think what happened to him on the way over here today on Interstate 80 on a scooter. When I need a charisma coach, you're my first choice, Justice Baxter. (Laughter) whatever I do to him.

>> So I'd like to just introduce our guest from Grant Thornton LLP who has done our cost-benefit analysis on California court case management system and Mr. Graeme Finley from Grant Thornton LLP. As you know, from the audit from the bureau of state audits, one of the recommendations that they have and one of the criticisms that they had was that a cost-benefit analysis had not been done. Of course, as we know, this being an iterative process going back eight years and with evolving branch governance that we've had doing a cost-benefit analysis early on under the recommendation from the chief information officer of the state at the time was that that was not a wise approach at that

time. But certainly the chief information officer and her recommendations that were released in April of 2010 certainly recommended that this evaluation be done. And we immediately retained Grant Thornton to do that on her recommendation. It was her recommendation that we work with Grant Thornton, who is one of the recognized experts in this area. So they conducted this independent review and you all have a copy of what their report shows and their recommendations. At this time I'd like to introduce, Mr. Graeme Finley, director from Grant Thornton.

>> Thank you.

>> Good morning everyone. Pleasure to be here. Can everybody hear me okay? Great. Thank you.

>> Yes, thank you.

>> What I would like to do this morning is provide a summary of the results of the cost-benefit analysis, the Grant Thornton conducted for the AOC. There are three things I would like to cover this morning. The first is the purpose and scope of our cost-benefit analysis. The second is the approach we took to conduct the cost-benefit analysis and the third and final part is the results. In terms of what we found out during the process. In terms of purpose and scope, the AOC contracted to conduct the cost-benefit analysis. There were three main things that the AOC wanted to understand.

First, is the anticipated full life cycle cost of ownership for CCMS and that cost of ownership is not only state level costs, also includes court costs. The scope of the analysis did not include local justice department costs. Second is the expected quantitative and qualitative benefits that would be realized through CCMS when it's deployed. When I say that, I mean things that we could estimate a dollar value and qualitative is where there may be benefits but you can't put a dollar value on them. Finally, estimated return on investment for CCMS. Here a return on investment is basically a dollar number that compares the amount of money that would be spent in a particular scenario against not implementing the system. As we go through the process, I'll sort of define that more precisely. We started the cost-benefit analysis in mid-October and we wrapped it up this week. So the cost-benefit analysis identifies a set of scenarios and estimates an ROI for each of the return on investment for each of the scenarios.

We do not make any recommendations and we're expressing no preference for any of the identified scenarios, we're simply presenting the results with the idea that it would inform decision making on the future course of CCMS. We are looking at cost to go back to fiscal year 2002. They're all considered part of the CCMS, sort of cost history. The timeline extends through fiscal year 2020. The reason we used 2020 was our ending point. It's basically a ten-year useful life for the system from today which is pretty consistent with sort of common practices when looking at the return on investment for a large IT investment. A ten-year life span as a common thing to use.

We also present the results from two different time spans. We look at the return on investment. Imagine we had a time machine and could go back to 2001 and let's assume we know everything we know today and sitting in 2001. We say what are we going to spend on CCMS or other alternatives and what's the return on investment. We

present that perspective on the results. But recognize that the money been spent on CCMS in 2002 through today is what economists call -- you can't get the money back. So from an economic decision perspective, we're also presenting the results from now through 2020 and what is that return on investment look like. To the extent there's a difference in the results. We felt that providing both of those perspectives would be useful to decision makers.

So our analysis is an objective and independent assessment of four scenarios for CCMS. Scenario one is cancel the CCMS deployment. So in this scenario, the CCMS project would basically canceled at the end of this fiscal year. The CCMS V-2 and V-3 systems that are out there in the field would continue to be used. They're operational systems and they would have a useful lifelike any other system in use in a court. But each of the 58 courts would independently make their own decisions on maintaining, upgrading and replacing the case management systems at their courts. This scenario is as the baseline against which all of the other scenarios are compared. When you see the return on investment calculations, this scenario is basically going to be sort of the zero state. The baseline and then we'll compare all of the other scenarios against this scenario.

The second scenario is a 58-court deployment. All the courts in the state. So all the courts in this scenario would operate on a CCMS environment that's maintained at the California court technology center. It would also include integration of an enterprise document management system which would also be implemented at the California court technology center. For those courts that already have a document management system at the time that CCMS is deployed at their court, that document management system would be integrated with CCMS. If the Court did not have a document management system they would use the enterprise document management system that's being implemented at the CCTC. This scenario also includes deployment on implementation of electronic interfaces with any state or local justice local partners prepared to implement the interfaces.

The third and fourth scenarios are more limited deployments of CCMS. Scenario 3 is labeled southern region plus V-2, V-3. What this means is after deployment of the three early adopt a courts, the CCMS deployment would be limited to the southern region courts, not including Los Angeles. Plus any of the remaining V-2 and V-3 installations so that all of them deployments would be retired and replaced with V-4. This would mean that the single V-3 instance at the courthouse in L.A. would also be replaced by V-4. Similar to the 58-court deployment, it would include integration with enterprise DMS for the tax center if the Court did not have document management system already and it would include implementation of electronic interfaces with any justice partners that are prepared to create those interfaces. This scenario is 14 courts, about 44% of the case volume for the state.

The other courts who are not included in this scenario would basically do their own thing. Decide how they wanted to maintain upgrade or replace their case management systems independently. The 4th scenario is called interim C MS plus extra small courts. The objective is to fully retire V-2, V-3 plus the sustained justice edition software which one of the existing case management systems in use in a number of courts. So it would fully retire those three systems, plus any other extra small courts that were left after that would also be migrated on to CCMS. Again, the same idea. It would

include deployment of an enterprise document management system at the tax center if you did not have a DMS locally. It would include implementation of electronic interfaces with any state and local justice partners who are prepared to implement those interfaces.

This scenario has a total of 34 courts in it and it's just under 50% of the state case load would be covered. Again, those courts that were not included in this scenario would independently make choices about how they want to upgrade, replace or maintain their existing case management systems through the duration of the cost-benefit analysis, which again we took out through 2020.

Those are the four scenarios that we looked at. For each of those scenarios, this is an eye chart for those without slides in front of you. I'll short of walk through them piece by piece. For each scenario, we analyzed a set of cost categories, the idea being to get a full sense of all of the IT and non-IT costs involved in each scenario. The major categories of costs that we assessed were, first of all, CCMS deployment costs. This includes both state level costs, for example, AOC staff and AOC contractors and court level costs. Primarily court staff costs associated with deploying CCMS. It includes operations and maintenance costs for CCMS, both state level and at the courts. It includes continuing IT costs for the existing systems. So for those systems, the courts not replacing their existing systems with CCMS, or if they're in the period where they're going to replacing their system with CCMS but the deployment isn't here yet, they're going to have to continue running their existing systems and we included the maintenance costs associated with those systems.

There are current system replacement costs in the scenarios where not all 58 courts migrate on to CCMS. Then for those courts that don't migrate on to CCMS, some or all of them will have to replace their existing case management systems at some point during the next ten years. We made estimates of what those costs would be. There are continuing program costs. What this means is the non-IT costs of running those -- executing the business processes associated with case management, particularly those business processes impacted by CCMS and, again, I'm going to go through each of these in more detail and talk through what's included there. This is basically the non-IT costs associated with running case management of the courts.

The final category is new revenue. There are three new sources of revenue that are intended to help offset the deployment and maintenance costs for CCMS again, I'll talk through what the sources of revenue are. For each of the scenarios, we estimated the costs associated with each of these categories. And then basically, we added up the costs from all of these to get a number. That's the total number, the total amount that would be spent over the next ten years or actually and adding back the costs that have been spent since 2002. That gives you a total cost for each scenario. The return on investment analysis is basically looking at the differences between those total costs.

What I want to do now is basically walk through each of those cost categories and talk through the major cost drivers and assumptions around each of those categories. Before I do that, though, I want to make a reference back to another document that's sort of been in circulation for a few years, which was a 2007 business case conducted for AOC by Gardner. I just want to -- for those of you familiar with that document, I wanted to contrast what we've done with that document just so it's clear where it's similar and where it's different.

The diagram shows the cost categories and the areas that were covered in the 2007 business case. If you like, I think the 2007 business case was more of a benefits analysis than a cost-benefit analysis. It primarily focused on the -- it didn't talk a lot about the costs associated with achieving those benefits. We're trying to address both elements. A little bit about sort of the approach before we go into each of the individual cross-categories.

In completing the cost-benefit analysis, we issued an electronic survey to all of the courts to try and collect baseline information to help us with context and some general data we wanted to collect. We got responses from 48 courts. We also conducted telephone interviews of 28 courts to talk specifically about their current IT costs. How much they're spending on their case management systems today. Made in-person visits to seven courts. We also conducted a number of telephone interviews with various courts and we also held group interviews with representatives from the sustained user group and the small court consortium and we had a number of meetings with AOC management and staff.

The state executive branch requires that all large IT investments go through what's called a feasibility study report process. A feasibility study report is basically a business case document, cost-benefit analysis, that the state executive branch, the CIO and the department of finance require of any large IT investment before it's approved. What we've done in this cost-benefit analysis is follow that FSR format. So the format of the actual document is pretty similar to a feasibility report study format and the actual -- the excel spreadsheets that we present with the results in them, they are in the state what's called the economic analysis workbook format or EAW for short. That's the state mandated format for doing these kinds of analyses. We want it to be consistent with what the executive branch usually does in these kinds of processes. To the extent, there's strange language that we're using, that's EAW speak. I'll translate into English where it's somewhat confusing. That's the reason why we're using some of the terminology that we are.

So let's go on to the various cost categories. I'll start with state level CCMS deployment costs. The assumptions are on here and the numbers on the first two bullets relate to the 58-court deployment. AOC intends to take what's called sort of a mixed approach to deploying CCMS. That means that an external vendor will be used to deploy CCMS to the early adopt a courts and the large courts in the state. AOC wants to use the early adopter court implementation as a way to transfer knowledge to AOC staff and then have AOC staff actually execute the deployment at a lot of the small courts. In the end an external vendor would be the deployment at about 13 of the 58 and AOC internal staff will deploy to the other 45 courts.

As I said before, all courts will operate on a standard platform operated at the tax center. There will be an enterprise document management system that will also be implemented at the tax center. If a court doesn't already have a document management system at the time that CCMS is deployed at that court, they'll be integrated with that enterprise document management system and for those justice partners that are able and willing to implement an electronic interface with CCMS, that will be included as part of the deployment to for each court. Those are the major assumptions that drove into the estimate of state level costs.

When you look at court level costs, there are three main categories of costs that the courts will have to cover as part of the CCMS Dee deployment. The major category is the Court staff costs associated with deploying CCMS. So to estimate that, we actually had conversations with some of the earlier adopter courts going through the process of estimating what they think it will take for them to support the deployment and what we did is basically take their estimates and extrapolate them across the 58 courts to come up with an estimate of court staff costs.

Also, if the Court doesn't have a document management system already, they have to deploy additional staff to support the deployment of a DMS at that court or integration with the enterprise DMS at the tech center and if they do decide to implement a local document management system before CCMS is deployed, there will be hardware and software costs associated with that which we also included in our analysis. A lot of our estimates around the DMS costs leverage work that Santa Clara has done. They've done a cost-benefit analysis for their court. They did a pretty detailed analysis and we used a lot of the information that they've developed to help develop our estimates as well.

So when you look at those components of the costs across the four scenarios, we walked through the results. There are three categories here. State costs, court costs and a total. for the cancel CCMS deployment scenario, that has a state cost of \$270 million. That's the money that's already been spent on CCMS. That money is not coming back. It's a sunk cost. It has to be considered as part of the ultimate return on investment if you cancel the project. Clearly, if you cancel, the deployment, there are no court costs going forward from today through 2020. So the total CCMS deployment costs for the canceled CCMS deployment scenario is around \$270 million. For the 58-court deployment, the state cost is estimated to be about \$1.1 billion to deploy across all 58 courts. We estimate the Court cost to be about \$230 million. That's a total of just under \$1.4 billion that it will cost to deploy CCMS across the 58 courts. For the southern region, an interim CMS scenario, they're partial deployments. The state cost and the Court costs are somewhat less. About 750 million and the interim CMS plus extra small courts, around 824 million. When you talk about operations and maintenance costs, once each court is deployed on to CCMS. There are costs associated with operating and maintaining that.

Again, all of the CCMS instances are assumed to be at the California court technology center. One key item, there's no chargeback model assumed here. All of the - - I should say almost all of the operations and maintenance costs associated with CCMS are state level costs. Court costs are limited to what I would call out-of-pocket expenses associated with operating the system.

So for example, if you hire new staff, you need to train those staff, you're going to interact with the government processes at the tech center. Where bump, patches or enhancements are being deployed to local testing that's necessary. So those kind of costs will still have to be covered at the Court level but the bulk of the operation, the maintenance costs are assumed to be state level costs.

Similarly, the document management system and costs for those people who are using the enterprise DMS, that's also a state level cost. For those courts that have a local document management system, that is a court level cost. Now, they will have to pay those operations and maintenance costs.

Looking at the total there, of course, in the canceled CCMS deployment, there is no one deployed so the cost is zero. In the 58-court deployment, about \$800 million between 2011 to 2020 would be the operations and maintenance costs for 58 courts. Then about \$75 million in out-of-pocket expenses for the courts. So that's a total of \$876 million. For the southern region and the interim CMS, there was a partial deployment, there aren't as many courts on CCMS. The cost is somewhat lower. For southern region, we estimated around \$466 million and for the interim CCMS, the estimate was \$491 million. Again, that's from the first deployment of CCMS, which is sort of end of FY 12 through FY 2020.

Continuing existing IT costs, again these are the current system costs for each of the courts who either are not implementing CCMS or have not yet implemented CCMS because they're waiting for the deployment. They have to pay for the maintenance and operation of the current case management system. This data was mostly based on the 28 interviews we did with courts to collect actual current system cost information as well as the Court's cost for maintaining their existing systems. It also includes the supplemental funding that AOC provides to support V-2, V-3 and the sustained systems which varies sort of year by year. It's not an insignificant amount of money. It can be more than \$20 million a year. As you might expect for the scenarios where -- let's take the 58-court scenario. As courts are deployed on to CCMS, this number goes down.

You know, today all 58 courts are maintaining their existing IT systems as they migrate on to CCMS, more and more of them no longer have to pay for that maintenance. At the end, the this number is zero because nobody is any longer maintaining their own systems. In the southern region and the interim scenarios, 3 and 4, because they're partial deployments, at the end of that deployment process, there are still some courts who are running their existing systems. So there will always be some local current existing IT costs for those courts.

So for the results there in terms of our estimates, for canceled CCMS deployments, this is basically an estimate of if CCMS is not deployed and the existing systems stay in the courts and people continue to basically pay what they're paying today in terms of operations and maintenance, what will that cost? Our estimate is it's about \$1.2 billion. Between now and 2020 will be spent. In the 58-court deployment, that number is \$569 million. What that represents is the cost that the courts will have to pay in operations and maintenance of their local systems until they go on to CCMS. At that point they're not paying operations and maintenance anymore. In the southern region, an interim scenario, it's a mixture. There are a set of courts we'll be deploying on to CCMS.

For those courts, they pay their current system maintenance costs through the point that they deploy on CCMS and they're not paying those costs anymore. For the courts that will never go on to CCMS, they have to pay these costs through the full period of their CBA out through 2020. When we add those together it's about 840 million. And for the interim, 794 million.

Current system replacement costs, what this represents is in those scenarios and the -- where not all courts are going to be deployed on to CCMS. For those courts that are not, they have to basically decide what they're going to do over the next ten years with their existing systems. We needed to estimate what that would likely cost. What we tried to take is what I will call a minimalist replacement strategy. What I mean by that is where we thought a court could reasonably survive on the system it's got through 2020.

Then we assumed it would. Where we felt that they could upgrade their existing system to a more modern version of that system without having to effectively rip it out and replace it, we assumed they would do that. When we felt that the Court would have to replace their existing system because it wasn't -- over ten years, we estimated what it would take to replace the system with the minimum functionality to support the current business processes. No additional process engineering, no DMS, no additional automation. The minimum required to get what I've got today in terms of business functionality, it would be on a technical platform that will see me through 2020.

We felt there were probably about 11 courts that could survive on the systems they've got through 2020. All of the rest would have to do something reasonably significant between now and 2020 in order to maintain their systems. So the estimates we came up with for the canceled CCMS deployment, this is assuming all 58 courts have to figure out what they're going to do independently. We estimated about \$340 million is what it would cost the courts between now and 2020 to basically maintain the status quo environment on more modern technology. For the 58-court deployment, the number is zero because everybody is going on CCMS. Nobody is upgrading or replacing. For the southern region, we estimated about \$250 million because remember, there's 14 courts included in the southern region scenario. So the other 44 have to figure out themselves and replace their own systems. A lot of them are fairly small courts but there are a lot of them. We think it comes to \$250 million. The interim CMS scenario, there are 34 courts in that scenario. So the remaining courts have to, again, decide what they're going to do independently and do their own replacements and upgrades. They're mostly the larger courts. And there we estimated about \$215 million it would cost for those courts to replace their existing systems.

Our estimate of \$342 million. We're not the only people looking at this number. In fact, the California trial court consortium commissioned an independent study which reported quite recently on basically this same question, how much would it cost for the courts to do the replacement independently of their own systems. Our estimate is a little less than theirs. Their midpoint was about \$406 million, I think. They did a low range estimate, which was \$363 million, which is still a little higher than ours but it's close. I figure we are consistent with their assessment in terms of what those costs would likely be.

So we'll move on to non-IT costs now. This continuing program cost is EAW speak for the non-IT cost. How much does it cost you to run your business throughout period that we're talking about? So what we're talking about here are the non-IT business process costs. What we did was identified the major case management-related functions that were likely to be impacted by CCMS. We're not looking at every single cost associated with case management within the courts. What we were trying to identify was those specific costs primarily at the courts that would likely be impacted by CCMS and then we tried to estimate what those are today and then make estimates of what they would be in each of these target scenarios where CCMS is fully or partially deployed. So the major business processes that we considered were, first of all, case initiation.

This is the process of bringing a case in, getting it into the case management system. There were probably two main assumptions around that. The first is, once a court is on CCMS and they get a paper case file, a piece of paper that they have the data to enter into the system, we estimated would take twice as long to enter that data into

the system. This is based on conversations we had with a number of courts that have gone through similar projects in the past, including V-3 implementations because you're entering data. They don't capture much data. CCMS captures a lot up front. It's going to take twice as long to enter a paper case file into the system as it does on one of the current systems out there today.

The other major assumption was if you can get that case file in electronic format, so you eliminate the paper altogether, the data entry cost goes away altogether. We made specific assumptions around the percentage of case files that would likely be received electronically from state and local justice partners primarily. These assumptions were based on conversations with the courts, and I would say they're significantly more conservative than some of the assumptions that have been made in the past. Certainly, there are a lot more conservative than the assumptions used in the 2007 business case.

Generally, we assumed that for the larger courts, they can probably get a large proportion of their case files electronically in one format or another. But both for sort of population demographic reasons and economic reasons, we thought it was very unlikely that the small courts are going to be able to get a very large percentage at all in the near future of their case files electronically. They'll be paper-based for a long time probably. When we put all that information together, we estimated that probably on an average about 73% of the case file volume could reasonably be assumed in a target state to come in electronically. Once everybody is on CCMS. That contrasts, I think 100% in the business case in 2007. The number would be a little higher for citations because the California highway patrol citations project is intending to deliver that information electronically to all the courts.

That bumps up the citation percentage to 87%. Those are the main assumptions around case initiation.

For fee and penalty processing and calendaring, those are both in the processes that are, have a lot of manual activity around them today, especially the calendaring process. Not so much creating the calendars, but there's a process of retrieving paper case files to support all the cases that are on that calendar. We thought those processes could be greatly improved in terms of level of efficiency. But that was contingent on a document management system being integrated with CCMS. You had to have a DMS in order to really give you these benefits around calendaring and fee and penalty processing

Similarly, with appeals case preparation, that's a very manually intensive process today. Depending on the nature of the case, it can take a few minutes to a few days to prepare an appeals case. Also background checks. Fairly manually intensive today in a paper-based environment. We felt both of those could be significantly improved with CCMS. Again, it's contingent upon having a document management system integrated with CCMS to get leverage to benefits there. Administrative inquiries is another area where there was significant room for improvement. That's actually been borne out by some of the courts that have put a lot of their information on-line. They've seen a decrease in the amount of front office traffic of people coming in and asking name searches and electronic records and so on

The final major area with other state agency, child welfare services. They have a lot of people spending time entering and key entering and reviewing court data for accuracy as part of their child welfare processes. As part of child welfare services project, they did an independent analysis of this process. They felt that process just

simply the data entry and the data quality review was costing their people about \$29 million a year. They felt that most, if not all of that cost could go away if they could get all of that information electronically and not have to do the key entry for the data quality review.

Now, one thing I want to talk about in terms of how do these things really come to be in a court. First of all, each of the deployment assumptions assume a certain set of waves. Between two to four waves depending on the scenario. Courts will migrate wave by wave on to CCMS and as each wave goes in, there's a certain percentage of the case volume of the state that is now on CCMS and a certain percentage that's not on CCMS. The percentage that's not on CCMS is basically status quo, business as usual, costs remain what they are.

For the percentage that is now on CCMS, we assume that these benefits kick in for those courts. However, you know, anybody who has been through a major system implementation and as we were talking with the courts, they validated in with their own case management system implementations. You don't flip the switch and day one all of a sudden these things are happening. Usually it's the reverse. Courts usually start out digging a hole for themselves in terms of productivity. Productivity goes down and in many cases they build up a dramatic backlog of cases because there's problems with the system, either technical problems or people don't know how to operate it. Change management issues, people haven't been fully trained, they don't like the new business processes. Anybody who has been through this process, you see it again and again.

So you have to assume it's going to take some time for these processes really to get ingrained in the organization for people to accept them and for the Court to really become sort of a humming machine running CCMS and getting all the benefits.

Based on our experiences with other large state and other public and private sector projects, as well as what courts told us about that prior experiences, we assumed it would take a full year before any of these benefits would start to accrue for any of the courts. So if a court deploys beginning of FY 13, it won't be until the beginning of FY 14 that any of these benefits start to kick in. We basically assumed it was business as usual during that year, which really means what would happen things will get a lot worse for six months probably and then they'd get better in the following six months. By the end of the year, you're now getting the benefits out of the project.

So from a continuing program cost, these are the biggest numbers in the cost-benefit analysis. This is where most of the cost is. It's in the work that people are doing, storage costs associated with paper case files. So the basis for these estimates are our estimates of the cost of executing all the business processes I went through from FY 9-10, which was the latest year we had real information through FY 2020-21. Which is the end of the business case period. So the canceled CCMS deployment number represents the status quo business environment. What we estimate it's taking to execute these business processes today extrapolated out through 2020. The other scenarios represent relative efficiencies gained through the use of CCMS as the courts are deployed on to CCMS and as the revised business processes start to kick in.

As I mentioned before, the canceled CCMS deployment scenario is our baseline. Everything is judged against that. The way that we assess return on investment is really comparing these numbers against each other. That's what I'm getting at the end. We're

going to add all of the numbers up together, see what the results are and then the difference becomes basically return on investment.

The final cost category is new revenue. So AOC intends to generate three new sources of revenue to partially offset CCMS deployment and operations costs. The first two are sort of usage fees, if you like, fees of CCMS functionality. The first is a name search fee. We assumed a \$4 fee for conducting name serves using CCMS. I want to note here that we did not assume any revenue from courts that are already charging these fees. If you're charging this fee today, it wasn't considered in our analysis. It's only costs that do not charge fees such as this, we counted the revenue. Similarly, an electronic document fee, \$7.50 for conducting electronic document searches, in practice that's likely to be a page dependent, the larger the document, the more you'll get charged. We used an average of \$7.50 in the analysis for the estimates.

Again, there are courts that already charge a fee such as this. If they do, we did not include that revenue in the analysis. It's only if we new revenue for courts that don't charge a fee as this. The final one is a credit card transaction fee of \$10 for traffic offender disposition penalties that would be charged. That would go to offset deployment and maintenance fees.

What we come to, when you look at the case volume that will be coming through CCMS over the course of the deployment, obviously for the canceled CCMS deployment, it's zero. None of the fees would be charged. The 58-court deployment, we estimated a total of about \$197 million. Through FY 2020. Once all 58 courts are on the system, about \$29 million a year. Something like that would come through this. In the period we're talking about for the business case, it's just under \$200 million that would be brought in. For southern region and interim CMS, again these are partial deployments, not all courts are on CCMS, it's less revenue for the southern region, about \$91 million. For the interim CMS about \$120 million.

So probably what everybody has been waiting for. What does that amount to? What I'm going to do is show ROI results in about four different ways because there's a lot of different ways of looking at this. Different people want to look at it in different ways. We tried to present the information in a lot of different ways. So you can see it for a number of different perspectives. The first thing is we're presenting it from two different time periods. As I had mentioned earlier, we're looking at, let's go back to 2001 in a time machine and look forward. We look at the full period from 2002 through 2020. What did that look like, then the second column there is if we just considered today forward, what is that return on investment? So for the CCMS deployment x if you go back to 2002 and go forward, your cost there is the sunk cost on the project. You spent \$270 million on V-4. Not getting that money back. That's a cost. It's a negative ROI of \$270 million.

For FY 11 on wards, since the canceled CCMS deployment is used as a baseline, by definition, it has an ROI of zero. Because it's the baseline against everything else. Against which everything else is compared. For the 58-court deployment, if you look from 2002 through 2020, over this time period, we got a positive ROI of \$566 million. If you just look at today going forward, for getting about what you spent already, you get a positive ROI of \$836 million. For the southern region scenario, looking at total costs from 2002 through 2020, it's about \$383 positive ROI. \$654 million from today

forward. Interim CMS, looking from 2002 through 2020, it's about \$420. Then looking today for, it's about \$691 million.

Once CCMS, if you look at the 58-court deployment one, once CCMS is deployed across all 58 courts, we estimated that you get about \$300 million a year in positive ROI every year, the system is up from sort of 2018, 2019, 2020. -- what that money is doing is taking away, eating away the costs that you've accrued for the system both in development costs and deployment costs. By the time you get to 2020, you've got a positive ROI of \$830 million. That \$300 million has about five components to it. One component is savings and IT maintenance costs.

We estimated that the operations and maintenance costs for CCMS are probably about \$10 million less than the total operations and maintenance costs for all of the Court systems that the courts are running independently today. It's not a big difference but it's a few million dollars a year that there's some efficiencies. There's a few million dollars a year in storage cost efficiencies as courts migrate on to a document management system. They're able to start retiring some of their physical storage costs, primarily the stuff that's off-site where they're paying for off-site storage today.

We used the Santa Clara courts document management system cost-benefit analysis for some of this information. They did a pretty detailed assessment on their storage costs and what they felt they could recoup over time, year by year. We leveraged a lot of that information. It's a few million dollars a year. It's not a big number.

The biggest number is in court staff efficiencies in terms of factors having additional staff to do case work because you're taking a lot of the effort out of the sort of paper driven administrative processes that are taking a lot of time today. That's the major component. About \$29 million a year is the child welfare services staff costs. These are the savings to the child welfare service agency in terms of their costs. Then about another \$29 million is the revenue that would be brought in from the three new revenue sources that I mentioned earlier.

I mentioned earlier that even though our case management system replacement cost estimate is pretty close to another estimate that was done very recently by an independent source, there are a lot of uncertainties about that number. I mean, there's all sorts of things that could happen. It's almost impossible to predict the future. If all 58 courts are going to go their own way, what would really happen? What we wanted to do is present those same ROI numbers stripping out all of those case management system replacement costs. Let's assume nobody spends anything on replacing their existing systems. What do the costs look like?

So this table presents that. No real change to the canceled CCMS deployment piece. It's still \$270 million you spend on CCMS so far. Can't get that money back. You're not spending anything going forward. So that's zero. The 58 court deployment. It's still a positive ROI but somewhat less. It's \$220 million from 2002 onwards. It's \$493 million if you look at today forward. Southern region, \$295 going from 2002 forward. From FY 11 through 2020, just going from today forward, it's about \$565 million. Interim CMS, \$293 million and just going forward, about \$563 million. The three deployments are still positive, but again, it's sort of an unrealistic set of numbers, but it is going to cost something for the courts to replace their existing systems. What we want to present this, just so you can see what happens when you take that factor out of the analysis. It's one with a lot of uncertainty around.

Another thing we wanted to do is all of the numbers we've been presenting so far, when we've been talking about CCMS costs, what we've been defining them as CCMS V-4 costs. We have not included the costs spent so far on the V-2 and V-3 deployments. We thought that was reasonable because those effectively are independent systems today. If you cancel the CCMS project, V-2 and V-3 are still going to be around. They're operational systems in the world. We thought that was reasonable. We understand that people want to see it also from that perspective. What we did is created the ROI table also to present if you add in the money you've spent on V-2 and V-3 going back to 2002 what happens. The net effect is all of the numbers go down by \$109 million.

So looking at the table there, the canceled CCMS deployment now has a negative ROI going back to 2002 of \$379 million. That's all the money on V-4, V-3 and V-2. Still zero going forward. 58-court deployment, that ROI goes down to \$456 million from 2002 to 2020. From 11-12 to 2020, it doesn't change because we're basically adding the costs you spent previously. The costs for V-2 and V-3 going forward are already in there. They've been in from the very beginning. It's only the 2002-2020 numbers that change. The southern region, the number goes down to \$274 million. The interim, down to \$311 million, still positive, all of them less by \$109 million.

So in addition to all of those sort of perspectives on the information, what we've sorted presented is a baseline best estimate what we think is the most likely result. But recognizing that a lot of the uncertainties, the way things can happen, we also created what we called optimistic and pessimistic scenarios. All versions of each of the scenarios, I should say. What we did was say for each scenario, we thought we would were being conservative in our assumptions. There is room for things to go a lot better than we assumed. So we said, well what would happen if things actually did go better? The deployment costs cost less than we were estimating. There were more efficiencies in terms of business processes, a higher degree of electronic J.P. integration.

What happens to the results then? Then for the reverse, what happens if you get sort of a perfect storm and everything that can go wrong does go wrong short of canceling the project. Deployment costs for the AOC, state level are higher, deployment costs for the courts are higher. It takes longer to do each wave. It takes longer to get the benefits from each wave, takes more than a year for each court to get benefits. When the courts do get the benefits, they're less than we actually expect them to be now. What happens then? We did it for two reasons. One is to show the sensitivity in the assumptions. What are the things that if you change these numbers, the ROI changes significantly?

But also, I think this is maybe the most useful part of it, it helped us identify what we think is some of the most critical aspects of the CCMS deployment that will most impact the success of the project at least from a quantitative perspective. I want to talk through those.

First of all, looking at sort of the results of the optimistic/pessimistic scenario, for the canceled CCMS deployment, our baseline view of the world is it's zero dollars. This is basically going from 2011 through 2020. That's the period we're looking at the numbers. The optimistic is, while it could cost significantly less potentially. So we basically assume what would actually happen if -- more optimistic about which courts needed to replace their systems, reduce the amount of money it would cost to replace

those system. Pull them out \$100 million out of that process. That's why the optimistic at \$100 million better than the baseline.

The pessimistic, we basically -- we took a more -- I guess a more pessimistic viewpoint on the CMS replacement costs and we basically used the analysis that was done by the AOC in June of last year that came up with a much higher cost for CMS replacement costs. We took those numbers. Put them in the pessimistic view. So that's about \$368 million more than our baseline estimate.

For the 58-court deployment, again our baseline was a positive ROI of \$836 million. We think that could go to well over a billion if you take more optimistic assumptions. On the other hand, if everything goes wrong that could go wrong, you can end up losing, about \$800 million. That's sort of our outlying nightmare scenario pessimistic viewpoint. For the southern region in the interim, it's a similar story. The positive ROI is the best estimate, there's room for that to get somewhat more positive, but not as much room as with the 58-court deployment mainly because you don't have the same scale. You only have half of the case load on the state on the system. The opportunities for things to get better aren't as great because you don't have the same sort of massive cases going through the system. On the other side of it, the risks are somewhat less because, again, there's only half the courts, half the case load on the system.

So if things go badly, you know, the risk is somewhat less in terms of the ROI going significantly negative. Of course, you can sort of play around with these numbers anyway you want. From my perspective, what's most interesting about this analysis is not these numbers per se, but what they told us about the key factors that drove the changes in the numbers. That's what I want to talk about next.

There were about five things that came up to us. They will drive the benefits and the costs. From a return of investment perspective. These are the things that really should have attention paid to them either as the project is planning out how we're going to do this but also if you choose to do another cost-benefit analysis in the future, these are the kind of things to really focus on because these are the things if you can get more accurate numbers on these, you're going to get a much tighter estimate of ROI. The better the data you can get on the stuff. The first is the deployment wave duration. Right now each of the scenarios where CCMS has been deployed to a court, assumes it takes two years to go through that deployment.

If that duration extends to, say, three years, which is what we assumed in our pessimistic, it has a big impact. It increases the costs to the courts and to the state of the deployment process and it delays the assumption of those benefits by another year which has a big impact when you're looking at the ROI through a fixed end point as we were. 2020 was our end point.

Another point is the timeline to gain benefits at deployment. I mentioned that in our analysis we assumed it took a full year for the courts to really get on to the full CCMS benefits. It would take that long to get up and running and be getting all of the benefits out of the system that they could. If you can make that six months, less than a year, which is what we assumed in the optimistic, it makes a big difference. Alternatively, if it takes more than a year for it, if it took two years, that makes a big difference as well. That ability to have a well-executed, well-planned smooth deployment where people are appropriately trained, the business processes are in place

and you run efficiently as close to day one as you can. That makes a big difference on return of investment.

The state level deployment costs for AOC staff, AOC contractors and the Court costs, sort of obvious. But yes, if those things go up, then ROI goes down. Pretty simply. The last piece that has a big impact we feel is the percentage of electronic case file delivery. That's one of the big drivers business process costs. If you can get cases into the system without any paper ever existing, that can save a lot of money. The degree to which you can get the state level and local level justice partners hooked in electronically to CCMS. So the paper never has to exist in the first place. That has a big impact.

Those are things that we felt were things both critical for CCMS deployment to do well, but also if you're going to do another cost-benefit analysis at some point in the future, these would be things to focus on in terms of getting more accurate data as you learn more about what the actual deployment is going to look like.

So that concludes my presentation. I'm happy to take any questions you might have.

>> Kim and Burt.

>> So thank you for this very informative presentation. I did have a question about your optimistic and pessimistic scenarios. In reading the report last night, I noticed in the pessimistic scenario world, you were looking at a more dire set of pessimistic circumstances than you did on the optimistic side of the equation. So I was wondering if that was your really planning for sort of the absolute worst case scenario on the pessimistic side and you did not think that they were offsetting optimistic benefits that would get us to an even greater gain scenario on the optimistic side, just curious about your reasoning there.

>> Yeah. Well, as a general rule, there's always more things that can go wrong. (Laughter).

Than can go right. There's usually -- your costs are unbounded effectively in terms of how they can increase. They can never get less than zero. There's a limit there. So yes, when you look at the optimistic versus pessimistic route, we're trying to sort of be pragmatic about it. I think the optimistic scenario, they're reasonably achievable. Actually some of the optimistic assumptions we made. There were differences of opinion from various opinion we talked to about, for example, court level costs. We got various information from different sources what they thought it would take for the courts to staff up. We took some of the higher estimates in our analysis. So what we reflect in our sort of baseline is a pretty high end estimate of what the courts thought.

There were other estimates that were somewhat less than that. We used those more optimistic estimates in the apartment mystic scenario. They may well turn out to be accurate. But they're more optimistic than the ones we took. Certainly, from a -- from things like timeline to deployment. Percentage -- did you also account for the learning gained deployment after deployment after deployment. If the AOC is deploying 45 of 58 as was originally assumed, did you give any credit as we did this more and more often do we get better or is that not one of the factors?

We did assume that there would be reduction in the number of court staff required to support a deployment for the latter courts versus the former courts. You should be able to take the -- the early adopt a courts will make a lot of the mistakes and go through

the pain and hopefully the later courts can learn and not have to go through some of the same pain. You get a benefit there. We did not assume that the later courts they would attain them quicker than the early courts. We put everybody in at a year. So it would take a year for everybody. It's possible that could happen. That the latter courts by the time you get to the fourth wave, it's pretty much, turn the handle, a more efficient process. We did not assume that.

>> One more question. Talked about personnel savings which you didn't really address in your presentation. I found that fascinating.

>> So we did assume that there would be reduction in the number of court staff required for the latter courts versus the former courts. The earlier adopted courts are going to make a lot of the mistakes and sort of go through the pain that hopefully the later courts can learn, you know, and not have to go through some of that same pain and so you'll get a benefit there. What we did not assume, for example, was for the later courts they would have business efficiency for the earlier courts. We put everybody there for a year. It's possible that that could actually happen and that the latter courts by the time you get to the fourth wave it's time to handle a much more efficient process we did not assume that.

>> And just one more question at the end of your analysis you had the EAW worksheets that talked about personnel years, savings. So in terms of looking at potential benefits of, you know, and I assume most of that was e-filing and I would say that's at least two-thirds of that is court staff time savings and yes in the back of the document we present part of the requirements in the state process as well showing it in dollar terms issuing what they call easily speak. We present that in the number of format as well.

>> Okay. Thank you. Judge Pines.

>> Yeah, this is Judge Pines. We just received the report at the end of the day yesterday and I haven't had time to consider all of these matters to think about it. This is obviously not the end of the process, I assume. This is going to be at some point be referred to or the committees they set up they'll have a chance to digest it and I'll have more opportunities to come to some resolution or conclusion at later meetings initially there are a lot of assumptions here. I just want to have some understanding of basic assumptions in terms of costs. You indicated originally that our costs so far are around 270 million. Then you indicated that did not include V2 and V3. Am I correct?

>> That's correct.

>> If you added those, it would be 379. Now, does that include everything that's been spent today by the AOC? Does it include staff time? Does it include the amounts spent by courts so far in working on this process. I've seen higher numbers in terms of costs. The second issue is the projected total cost because again if you look at the state auditors report, the estimate was \$1.9 billion based on information provided by the AOC which includes, of course, not just the AOC's cost but the costs of courts to implement these things but that was embraced in your 1.3 billion number. So there's a .6 billion 600 million dollar difference there. If you could give me a little bit more information on this, I could appreciate it.

>> I should partially after to answer KWET some I might have to defer to Stephen. But it does include state-level cost for V2, V3-4 in the past. It does not include court staff costs previously. Now, if we had included those, it wouldn't have made a difference with the ROI numbers because those would have been some costs in all the different scenarios so it really wouldn't have made the difference, the difference is the values would have changed but the difference it wouldn't have changed but it's money being spent in the past. We did offset future costs from January this year going forward. On the projected deployment costs, I can't speak to what was provided to the BSA. Steve would have to speak to that. But I -- you know, I do know that there has been a change in approach in terms of how AOC was planning to deploy CCMS, particularly with the amount of external vendor labor and the mix of vendor labor and external staff and it does have a significant impact on costs but I'm better off passing it off to staff to talk about details.

>> Judge Pines, there is a critical difference from the information that was provided and reviewed by the bureau of state audits reflected the best estimates which included incorporated an assumption of a full deployment. We had a contract that was signed -- not signed but a contract that was negotiated for deployment. That was assuming 600-plus million dollars for the court deployment. Subsequently our project management office is looking at other alternative scenarios and the scenario that they presented and rolled out as part of this effort was not contracting all of that but a partial and not necessarily with the same vendor but opening up for some of the largest court deployments to have a vendor but then having staff working with the court, and this is really following as you know the recommendations of the office of chief information officer. Using state and court and local staff to do the deployments for medium and small size courts and there is a belief that -- and that's what Grant Thornton looked at but there is a belief that it will result in substantial deployment savings so that the deployment scenario that was presented is not a full contract model. It does not assume \$600 million of deployment costs.

>> So is your projection consistent with the consultant's projection in terms of all costs including court costs to deploy and implement this system seven?

>> So that's part of why we engaged the -- if I could, Chief, I'd like to step back a little bit. I have a few bigger comments and maybe I'll be able to answer your question, Judge Pines, if I could just take a moment 'cause I wanted to talk a little bit about why we engaged Grant Thornton and why we did it now and what does it mean and what is the process and what is this product? The thing that obviously lit the match that got us going back in October was the bureau of state audits coming in and looking at it, indicating this is one of the areas that they were focused on. This follows the chief information -- talking about cost benefit analysis, a complete cost benefit analysis of the project. This follows the chief information officer of the state report. They really were looking to have a formal cost benefit analysis done. In both cases, both of them were looking for what executive branch level, state level type cost benefit analysis -- a formal cost benefit analysis done equivalent to the state level. This is also very consonant with what are some of the principles of our project review board. So the project review board as you know, tracking and manages the project costs so we can report those to the council not just CCMS but not all of our project endeavors and it does require when you're initiating a project to do an analysis of costs and benefits. And so all of these came together. And

we did believe it was necessary to do it. And again, it was a recommendation that was coming out of the BSA that we concurred with and believed it was necessary to do.

Once that determination was made, Bill asked my office and the finance division just to separate it out of the project to really engage and follow up and find out what's the best approach for doing a cost benefit analysis. My team -- we visited with the -- and sat down with the chief information officer and spent some time talking -- and also with the department of finance. It used to be more involved with doing cost benefit analysis of projects. They still review them but not to the level they once again.

The results of those discussions were really a format for how do you do it? And what we asked for -- what our -- my direction was, was to do a top shelf analysis. This is not advocacy and I want that to be very clear. And any of you as you read it and it was just delivered yesterday but as you read it, I think you'll see this was not an advocacy piece. This was clearly analysis that was done just looking at the project and given the data that's available. But the chief information officer based on their recommendation, that really helped form our statement of work which they reviewed. We also asked them for some of the most regarded firms in the state for doing it. And really at the top of their list without hesitation was Grant Thornton and even Graeme Finley did great work not only in California but in other states.

So that's kind of the process. The other thing is, the principle that we applied in my office and also under direction from Bill Vickrey was the report needed to be credible. It needed to be technically proficient and really just passionate. I think that was really accomplished by the analysis that you've heard today.

One of the other principles was it really needed to be arm's length. So not only was project management for this contract -- contract management put in my office but my intent was that Grant Thornton would be doing this basically independently and this was kind of a marriage made in heaven because on our first discussion with Mr. Finley, he made clear the need to talk to courts, to get court surveys, court analysis independent of AOC and that's not to say AOC is poison or we have any agenda but we're asking him to come in and provide professional judgment and so that's how the costs rolled out. A lot of these cost estimates, you're asking how they compare with us. Some cases they have much better information than I have on what the court independently, what I have on what court costs were. We're reviewing this information we think it's absolutely helpful. We've learned a lot from the work that Grant Thornton did on this and the surveys and the information they selected and the conversations they had and some of the work that they did.

The last thing I want to say and I think we've said it before, but we completely concur with the BSA recommendation, not only to do a thorough cost benefit analysis of the project now but to do it when -- at the completion of the three-quarters early adopter model to do it again and it's going to provide substantial information and any other critical points in time. This isn't -- we agree with that recommendation. We believe it's very sound. We believe it's necessary even without that recommendation. This is an appropriate way to proceed as we move forward. So that's the recommendation that we're making to you.

>> Thank you. Your response to my basic question. I'm just trying to get an idea of what's been spent and what the projected cost is. Is it 1.9 billion or is it 1.73, 1.4?

>> I concur with the estimate, the lower estimate. I believe that we do need to take this seriously. Mark Moore and his team will be making recommendations to the committees and ultimately up to the council on how we proceed. I'm telling you as the guy who just runs the numbers and does the calculations that from my perspective, the notion of a substantially more cost-effective deployment model and a model that takes into account some of the issues on justice partner and integration recommended here makes complete sense to me but again, I defer to the committees and the recommendations --

>> I don't need to belabor this. But just so I understand from the Grant Thornton perspective. Would your estimated cost be 1.4 billion if you were to include the amount that's been spent up-to-date on these other systems?

>> If you include the amount that's being spent on V2 and V3, then the total would 1.5.
>> 1.5.

>> And that includes the cost of the courts, too? I'm sorry from this July --

>> From this July 1st onwards but not historically going from today.

>> So it doesn't include what's been spent before?

>> By the courts, that's correct?

>> The courts but it does include what's been spent by the state?

>> This is as of last year's report and the other thing I want to mention so in their analysis as you can imagine, they reviewed tremendous amounts of not only downloads of everything that we had in AOC in terms of cost data and information and so forth but they also had -- we had lots of information about court historical costs. Some of it was included in surveys. It was beyond the scope that they had to verify that.

Another recommendation of the bureau of state audits that we are implementing is to go back. So right now I can't tell you what courts have spent historically. That hasn't been reported that way in our statewide financial system. We have implemented a process so that anything case management-related going forward will be reported. We have also -- one of the recommendations that we've agreed with and are going to do is go back and work with the courts to identify historical. So we weren't able to provide that information to them on what the courts have historically spent on implementation of the V2, V3 and whatever they've done so far for V4.

>> Thank you, Chief. This cost-benefit analysis is financial cost benefit. And I guess I was wondering in that -- in the analysis of benefits, would one take into account things like better access to data by the public, police agencies, more accurate financial and statistical records, the judges have quicker access to information decision-making. Is this simply dollars and cents? We think you will be able put a dollar figure on but just not yet. We're not in a position to sort of judge those benefits, you know, make a value judgment about how much they're worth. All we do in the document is present the fact that these are likely to exist.

>> Thank you.

>> Can I have one answer to that --

[Inaudible]

[Laughing]

>> Going back to my discussion and this is going back to my old hat and trying to recycle 'cause I actually used to be on the receiving end of the department of refinance of SSR's. And this is more than a decade ago when I was talking to the manager of department of finance about again the kind of principles and kind of make sure we had this done right and establish this correctly. They pointed out something very important and that is this is a cost-benefit analysis. This just a cost-benefit analysis so that all it does is tell you for economic, discreet items that you can put a number to, we know how much we can spend and, yeah, there is an issue and we're going to make sure we identified all of those dollars and put them in the right bucket but how much you spend is one thing. But what are the benefits? And clearly the benefits of this project in terms of public safety and service to the public and access to files on a timely basis and other things goes beyond staff savings time or things that you can put dollars on and that's the real benefit. And the manager of the department of finance made it clear. In the executive branch these are required for every project to do this type of analysis. It's not - it's not the case that just because you end up with a negative return on investment that you would cancel a project because sometimes those other noneconomic nondiscrete analysis that's part of your cost-benefit analysis so it's an important gauge of dollars but again, there's other benefits that are outside of it.

And the other thing that I think sets this all up interestingly and appropriately, this is a cost-benefit analysis. One of the major assumptions is that the project will work. And I know that's part of the topic of today and further and that it will roll out effectively to the courts and they have a range -- the pessimistic and optimistic range but there is an assumption that this will work. The other independent analysis we're going to have I think is going to tell another side of this story and that's some of the technical feasibility and do we have a project that's ready for prime time? And so this is just a perspective and an important component and analysis of where we are today as we look forward.

>> Thank you.

>> Chairman?

>> Just a question to follow up on something that Judge Pines asked and I think it's an area that would be helpful just to clarify for us. And that is there has been the number 1.3 billion put out and the number that the BSA came back with at 1.9 million. All of those - all of those are our numbers and perhaps you can explain what components the BSA decided to put in to move from 1.3 to 1.9 and why we did -- why we have been looking at the 1.3 number?

>> Yeah. So thank you, Judge Herman. The issue is -- and in our report to the legislature what we identified in last year's report and this year report, we're required to report costs related to CCMS to the legislature. We have separated out and we're amending this year because we are interested in displaying how -- however anybody wants but last year we had separately identified in that report the costs of the V2, V3, the implementation of those costs and the ongoing because those are the interim system costs

that will be replaced. We had it reported beginning last year. We had it reported. And what those costs looked like. So once you have a project rolled out whether it's V2, V3 or when the CCMS V4 system is rolled out, there's ongoing costs annually to maintain and to keep that going. That was separately identified and then when you include the deployment -- the development and deployment costs of V4, so we had separately identified that and in total that was 1.87, I think it was, billion dollars. Almost 1.9. That was all. We're not disputing -- so it's again a question of CCMS-related costs, which would include V2, V3 and that's why we had asked so he presented the alternative.

So from a business case perspective today as we look forward, it's really a V4 decision. Are we deploying it or not or are there alternatives in how we deploy it and so forth but we also asked include the V2, V3 when you say, what's the historical costs? Include that as well and take a look what that looks like so that we got -- so that's why both pictures were presented. But that's the difference. So the development, deployment, V4 costs historical going forward, we were identifying at about -- just over \$1.3 billion rounding up from the numbers he's showing now. To some extent it's a coincidence how some of these numbers rolled out. But including the core costs he's saying it's 1.4 on their estimate right now. For again the V4 component of it but when you include all the other components, you get the higher number.

And the other thing I wanted to caution because again as everyone looks at this, again, I say this as an advocacy, this is just a series of best information we have in data, when you roll out as the state does multiyear presentations on the EAW -- and so the presentation, the 10-year presentation goes to 2020, 2019, 2020, 2021, when you do that 10-year presentation there's ongoing costs that every year show up incremental and so however many years you go out, guess what? That number is going to continue to get higher. And it is the world we're in. I'm not complaining about it. But anytime depending what year you get you'll get a different number and that's just how these numbers work.

>> I get that just so I make sure I understand it. The 600 million that is the difference between the 1.3 and the 1.9 we gave them both the figures and the larger number is composed of previously expended maintenance costs for V2, V3 that have already been deployed as well as ongoing projections of what maintenance would be V2, V3, V4, is that --

>> I know I've confused you. And I don't want -- I apologize for that. There's so many layers to this. So this \$600 million, just to be clear, that I said was the negotiated historical -- the contract negotiated but never signed, that information that we were going to do an alternative deployment --

>> You're just talking about the difference between the 1.3?

>> That's what I'm trying to say. That has not been discussed with BSA at this point because it wasn't ready at the time we provided the information to them for their review. We will be presenting it as part of this cost-benefit analysis fee. So that's a separate issue. The difference again between the 1.9 and the 1.3 is including the V2, V3 historical, the ongoing operations and maintenance those are all -- what we were segmenting out, separating out, BSA's position is it's all CCMS related and all should be included.

>> Just ask a follow-up question on this point. That cost which includes the operation and maintenance of what's -- I'll give you an example specifically of Fresno using the V2 system; correct, is included as part of the total cost of CCMS in that 1.9 million activity? And so -- you know, I think there are different groups who made different assumptions but just is an example. In that specific case, the superior court of Fresno County had -- what they described as a failure of their system, and they made written requests. Came up and to be able to use the V2 system so that they could manage their activities. Not something that we were promoting or seeking or whatever. And so they used -- they were granted access to the system. And now under certain assumptions, individuals are counting the cost of operating and maintaining that system in the court as part of the total cost of CCMS. But that court was in a position where they were going to go make some decision about the system. And so that's the, I think, the issue that's always been there in terms of how they looked at it and how BSA has looked at it. So there's been a judgment difference on some of those things about what you include and don't include in the actual cost of the development and deployment of the California case management system as it's developed.

>> You had a question and comment?

>> Thank you, chief. Just one or two questions if I may for Mr. Finley or Mr. Nash. One small point. If I heard you correctly, Mr. Finley, the percentage of electronic case file delivery, you estimated at 73%. Is that 73% as of 2021 or as of today or somewhere in between?

>> It's an average -- by the time that all the calls are deployed so that would be about 2018, the 73% or thereabouts.

>> All right. Thank you. And I was wondering, on the charts that we have at Page -- Roman numeral 4 of the executive summary, I noticed that when we compare fiscal year '02, '03 to it fiscal year 2021, the first column, looking at the 58 deployment and then deploying to essentially today to 2021, that return of investment goes up rather dramatically from about 566 million to 836 million. Am I reading that correctly?

>> Yes. Could you just briefly and then I'll have a question after you do, I'm not learned enough in this by a long shot, why does that number go up that dramatically when we look at return from today, 10 years from today?

>> I think there's a pretty simple answer. In the 2002 to 2020 where we got 566 million, what we have to sort of take into consideration there is we spent \$270 million so far and that comes right off the return on investment.

When you're looking just from today onwards you're basically starting out from a clean slate. Forget about we spent any money you're starting from scratch.

>> So as we -- as we consider return on investment, maybe it doesn't make any difference, but is it more appropriate for decisions that we're making today to focus on

the 2011/'12 fiscal year to 2020, 2021 as a return -- and I understand your explanation a moment ago. It really is not comparing the same things. But we focus on the higher number or on the lower number?

>> Well, it's not so much the higher or the lower it's should we be focusing on the number today onwards. If you're talking to a economist, they would tell you what you spent is spent and it doesn't matter effectively, you know, you're not getting that money back so really it's what do we spend from today on? What are our choices today? And given the choices we have today, what are the economic return for those choices? So from that perspective, yes, the 2011 through 2020 is the -- you know the only number that matters in a sense but we know people are interested in the total life Seibel cost so we wanted to make sure we presented those.

>> Thank you, that's very helpful.

>> Thank you. I've heard this twice and I think I'm getting close tongued what you're doing. I have three questions, you talked about the startup process in each court. That it would take about a year from when they so to speak brought it in to when it would really work well. So what I hear you saying and I wasn't in orange when you did it. But I heard from the staff the first months is horrible and then forget about how horrible this was and we should anticipate in every court we should deploy or V4 or CCMS when we go forward.

>> When you have a large I.T. project deployed anywhere where people didn't have to go through that process. It's just a fact of life.

>> Yeah.

>> You can make it quicker and less painful but it's never going to go away.

>> Yeah.

>> I also have heard from a lot of courts that -- and you mentioned this. I want to make sure I understand whether this was in there. What the systems they have now don't have as much data as CCMS does. So it takes more staff and putting aside the electronic filing piece. It takes more staff initially to use CCMS than it might have taken to run your old system. You included that in your cost study. And some people are going to need some more staff initially until we can get to more electronic filing?

>> Yes.

>> Last question, so your first set of scenarios does not include the V2, V3 costs or the maintenance costs but then you did another set of scenarios where you did include some of those costs. Would it be fair to say that the generally accepted business practice so to speak on running this kind of cost-benefit analysis would not include V2, V3 and maintenance? That you're just talking about what it costs to develop CCMS and go forward?

>> It really depends on how you view V2 and V3. The reason we did not in our -- in our first set of numbers that we presented is we think it's reasonable to consider V2 and V3 as separate independent systems. And the reason we think that's reasonable is if you cancel a project today, V2 and V3 don't go away. They are still systems out there. People are going to be using them for a lot of years. And who knows what happens? So

in that sense the cost to develop V2, V3 they would develop separate systems. You could have a independent question what is the cost-benefit analysis for V2 and V3. But in part of V4 -- you know, V2, V3 are separate systems so we didn't think it was necessarily, you know, the most logically consistent, you know, approach to include them. But we wanted to make sure that we did at least in the end so people could see the numbers when you did include them.

>> Stephen?

>> Yeah, just one quick point and I want to make sure everyone is clear on this. I think it was referenced but I want to make sure it's clear that it will probably can out later oh, gee, oh, gosh. On Page 42 of the report, you'll see revenues. There's actually a new revenue assumption here. And for some of these revenues, these are already in place in some courts and they're being collected. We have an assumption -- and this is consistent with what's occurred in some other states with major case management efforts. But we're saying and there's three -- and ultimately this would be a proposal but three revenue sources that would support ongoing operations and maintenance. Very conservative assumptions. This would leave revenue in place and under this assumption where courts already have something going on and are already collecting it so it wouldn't create holes. Very conservative. We would say it would create additional revenue items would create 30 million per year and I want to go on the record and make clear that there's impeded in here this revenue proposal. If you take that revenue proposal out, you're still positive ROI, return on investment, substantial positive ROI. This is just a component and I want to make everyone clear that it was there.

>> My question sort of goes to the issue of new revenue. I understand that we have some proprietary right to the code and in looking at the optimistic version of the ROI anyone has looked into the possibilities of new revenue being generated if other courts wish to adopt CCMS in their jurisdictions?

>> The answer's no. We did not consider that possibility at all.

>> Is there any historical information that we could look to and perhaps this is speculative and too early. But I would think that this is something that would be useful for other courts because I've seen the system work and I know that this would be something that would be useful.

>> I'm not aware of any historical information in the court case management arena. There may be some, but I'm not aware of it. This kind of practice has been going on in the services arena for a while but it generally hasn't been used to generate revenue. Not that it couldn't. But I'm not aware of sort of, you know, a revenue-sharing model that comes to mind. It's not a possibility we included. If there was anything like that that would be in addition to anything we've considered.

>> Thank you.

>> I guess in some ways this is consistent with Judge Hughes's but looking in a different area. You referenced approximately 30 million a year in --

>> I'm sorry, your microphone.

>> Is it on?

>> Just keep it closer.

>> You referenced around 30 million per year in child welfare service agencies savings. I presume that that doesn't include within it potential savings that might result by virtue of the fact that the child welfare system is going to have to be creating its own new electronic sort of management system. And by virtue of what we've created I know there's been some earlier discussions. I don't know if there's been any attempt to talk this through it and quantify it. That the investment that they'll need to be making as they move forward could well be reduced by virtue of what we've already created. So has that been accounted for and is that the 29 million a year. Or is that beyond the 20 million a year. I know Curtis is very familiar with these issues. I had discussions with commissioner Wagner on it very briefly. I don't know perhaps if you all aren't entirely sure what I'm referring to, I know that Kurt probably is.

>> I could have time what is included and help you decide what we're talking about. So in the, you know, the child welfare services and the process of developing a new system, as part of that, they -- you know, in the human services world you have to do these things called IEPD's which are documents that go to the federal government to get your share of the costs. In the IEPD that's where they estimated these savings. These are all staff savings. They are making the investment to build CWF and if CCMS is in place they will expect to get about \$29 million a year in staff savings.

>> And that's what I understood. So I guess what it doesn't include -- and I don't know if there's been any attempt to quantify this, is in building CWS, what they built and how they build it may well be cheaper or streamlined by virtue of what's already been created with CCMS, as I understand it. And again, and I'm seeing Diane Nunn nodding as well. I don't know if there's been an effort to quantify that. But it's my understanding that as they bring in federal revenue to help support the building of CCMS, that there may be some ability, whether it's viewed as a cost-savings or whether it's viewed as another revenue-generating mechanism to tap into some of the revenue they build in and potentially incorporate that into the cost of what we're building by virtue of the intersections in kind of the creation. So I don't know if anybody has attempted to try to look at that, but as I understand it, from your answer, that's not included --

>> That's not included in our document.

>> Okay.

>> Judge Herman?

>> Mr. Nash, just one final question on the numbers. And considering that actual expenses is a number that varies virtually daily, if you could help us with an estimate of the amount that's been spent to date on development and deployment of V2, V3 plus the development of the 4 and in addition to that, there's been additional funding that's been spent to maintain V2, V3 because I think there's a lot of focus on the 1.3, 1.9 billion but it's helpful to know where we dashboard wise where we are right now.

>> Well, Stephen, while you figure that out. I have a question for Mr. Finley.

>> Uh-huh.

>> And it's a broader question. Of course, it's already been mentioned that Grant Thornton was recommended to us and the EO by you have many out of state analyses of big systems and I'm just curious from a broad sense of point of view did you find any cost-benefit analysis of CCMS, V2, V3, V4 if you found anything different, remarkable or surprising as we compare it to other similar statewide case management systems?

>> Well, I mean, one difference would be the fact that it's being done several years in the development of the system. Normally this is something done, you know, before the project starts. We've actually done something similar to this for other states where they've been in the middle of development and needed to go back and see, you know, does it pay for itself? And so that's not unheard of. But normally this is something that, you know, you'll see sort of early on.

I think the environment is probably more complex than normal, both because of California size as well as, you know, the dynamics of the 58 courts plus, you know, state-level expenses and so on. Other than that, though, the -- sort of the model here -- this is pretty sort of standard both, you know, the large I.T. investments that California would try to do as well as the other -- many of the larger states. The kind of thing we went through is exactly the same thing that we would normally do and I think the kind of things we found were, you know, pretty similar, I would say.

>> Does that include your assumptions as well as the return on investment in terms of the numbers that we're speaking about?

>> Yeah. I'd say so.

>> Thank you.

>> Mr. Nash, I think just given the time that we're dealing with, perhaps it's something that we could address through our governance. We could discuss --

>> I've got the answer for you, Judge Herman. On the other hand --

[Laughing]

>> Like I said we'd like to hear the answer.

>> So when you include the V2 and V3 as well, up to now, the -- and this is through the end of 2009, through 2010, that's \$156.7 million. We have -- and again, through the end of 2009-2010, through CCMS development deployment, we have -- and including -- yeah, CCMS development deployment, \$297.3 million through the end of last year. And so again in the broader -- what's all been spent for CCMS, you could bring those two together and I could add it for you if you don't have it.

>> I was a liberal arts major.

[Laughing]

>> I understand.

>> That's true, the end of the last fiscal year.

>> The end of 2009-2010, that's correct.

>> I just wanted to wrap up if I could for a second.

>> Use your mic there.

>> I'm sorry.

>> Use Dick's mic. Mr. Penrod has a question, two.

>> On Page 24 of your report, you're discussing the canceling the CCMS scenario? And there's a statement of the continuing costs would be 5.3 billion reflecting the continued maintenance of current systems and the continued execution of status quo business processes. I didn't really understand how that number fit in with the other numbers you've given us.

>> Was that 23?

>> 23.

>> 23, sorry.

>> Given the PowerPoint presentation today, you saw a series a tables. Sometimes it was zero, times it was many millions of dollars. If you add all of those individual numbers up, you know, that we saw there, the total you would come to is this 5. -- actually it would be the 5.93. The total continuing existing cost, the 5.324 is a portion of some number of the slides you saw, you know, certain categories are included in those costs and you add those together and you come to the continuing existing program costs which is about 4 billion and change. And then several of the other ones we went through you add them all together it comes to the 5.3 billion.

I won't try to take you through it but there's a similar number for every one of the scenarios that basically said if you do that same calculation for all the different scenarios you come to a similar number and it's in the billions and the way you identify the return on investment is by comparing the numbers against each other and seeing what the difference is. So the ROI number that I presented here. Here was the number you're looking at and what we're looking at is the difference between them, if that helps.

>> And I think you said in the qualitative area, the savings to lawyers and clients from this system you have not put a number on it.

>> That's correct.

>> We have like 160,000 practicing lawyers. If they save \$2,000 in the system that would add 220 million on the above benefit side of this system.

>> It could, but the other side of that equation which we also did not consider are the costs required of those, justice pines, is the integration on the CCMS. We consider the benefit unless we considered a cost because we weren't able to estimate the costs on that side. We wouldn't include the benefits either. But you're correct. I mean, there is potential benefits there.

>> Stephen just reminded me. It's in one appendices one of the things we did at ROI's request we did not try to make a statewide estimate of justice's partner cost and benefits. We did at a ROI state level but not at a local level. Simply because of the complexity associated with it it's a very difficult thing to do. But was a higher level to justice partners integrating with CCMS and do that we asked to the other courts and to some justice partner representatives of those counties. And they're pretty early in the process.

And they're not able to give us is cost but they gave us some numbers to make some county by county estimates and it's going to be very variable on a county by county basis depending on how big they are, how much integration they have already but it is something we tried to look at just so people could get a flavor what's likely to be involved on the cost side but again, we didn't tackle the benefit side.

>> Any more questions? Bill, did you want to discuss where this report goes from here?

>> Yes, just for a moment here. This is another -- and I think a very rich set of information that will be important to you as a council is you guide -- you make the decision business what you authorized to proceed, priorities, budget that you allocate a whole variety of other things. And our -- at least my recommendation at this point is, is that we have a new governing committee that has a charge that was authorized through your executive and planning committee to provide thorough both oversight and -- for the project and responsibility to make recommendations to you for action on all of those issues. And so the types of information that we have available that Justice Bruiner's executive governing committee and then the three advisory committees that are working with them that -- that they will hopefully return to and examine and developing recommendations to you include information such as -- and I don't mean this as an exclusive list but information from the former chief information Officer Clark Kelso who is sitting at the back there who was involved in the discussions and decisions in the early part of the process. You heard the gardener report that was referred to that provided a business case analysis but not a really cost-benefit analysis of the process. We have the CIO's more recent report, the audit, all of which are extraordinarily helpful and then the cost-benefit analysis. So all of those things, Justice Bruiners' committee and all the committees underneath will go through the review process with a goal of how do we use this information to guide decision-making that will limit and minimize the risk to the greatest extent possible and hopefully have us be creative and aggressive about how we maximize the benefits and try to move more towards the optimistic scenario, if we can. I mean, that's our challenge is a process. And then your challenge as the decision-makers and the owner of CCMS and how we do those things.

You also will be receiving more information as we proceed. And I think Mark, by April, there should be information that will come back on the trial courts accepting testing process that they're involved in right now so that you get some information about what the results of that process is. By summer, you'll have both follow-up information on the testing on e-filing and the data warehouse and also the independent review of the core product that will be coming back and guiding the decisions in that process.

This is a long project as we move ahead, and the council will need to know how to dedicate the time of individuals to have the knowledge and the experience to -- as you go through this process to be able to form your own judgment based on the best information that you have available to you. And that will have to be done in a way that hopefully allows us to bridge the turnover in the council in that process knowing that we're hoping that the governing committee and its three advisory committees -- that membership will remain relatively stable during this thing. But for people retiring from their jobs and those kinds of things and the process and I think the chief has some plans to try to institutionalize a process in the council so that we can have the strength of people being involved in activities and we have a number of council members that by design and

recommendation are sitting on different portions of the governing committee process so that we have that knowledge base in the council but there needs to be in the ability in the council to its own analysis and then to package the information for the full council to deal with as we move ahead.

>> I want to thank Mr. Finley for an excellent report. Thank you very much. And Stephen as well. I know that we're going to take a lunch break but thereafter we're going to hear from Justice Bruiners and others that you see on the agenda. If you have any questions where CCMS goes from here, Justice Bruiners and the chairs who are here will be happy to address that with you after our lunch break. We'll take a break until 11:55.

>> I don't know if this is the appropriate time for a motion to do just what Mr. Vickrey said or we can do that later.

>> I want to do that later with Justice Bruiners who has a chance after lunch to address any other questions because he's chair of the executive committee and I want him to tell us any more he wishes to hear about this or his vision of where we go. Thank you. We stand in recess.

>> Thank you, gentlemen.
[Applause]

>> Logistics on lunch.

>>> Returning from our lunch break. We're going to start the agenda item of item I. The California Court Case Management System and a demonstration. We have Justice Bruiners, presenting with others and he'll introduce his panel. Thank you, Justice Bruiners

>>> Chief Justice, members of the council. Good afternoon. I'm Terry Bruiners. I'm on the first district of court appeal and been asked to chair the CCMS government structure. As you're all aware, we've recently established a more broadly inclusive and robust governance structure. In part in an effort to address the criticisms raised in the recent bureau of state audits report. There have been failures in project management and oversight and a failure to adequately Foster acceptance by our trial courts for implementation of the system. Our committee includes judges and court executive officers from 27 trial courts. We recently held the initial meeting of the governance committees in San Francisco on January 31st and February 1st, had what I think were productive initial meetings.

I think it's fair to say that the sharp criticisms contained in the BSA report have caused serious concerns within our branch and in our legislature about our ability to manage, complete and implement an effort that I believe is essential to our ability to operate as a coherent and coordinated judicial branch. One critic referred to it as a crisis of confidence and I cannot disagree with that assessment.

That means our first priority is the governance committee has been to attempt to restore confidence both within and outside the branch and what we're doing and how we're doing it. We've attempted to assure our colleagues that the issues raised by the audit have been and are being adequately addressed and that we will have a management process and oversight that is fully transparent and accountable. As I recently said at a

joint legislative committee hearing, I think it's important going forward to note that there really are three issues we need to look at in this project. Our purpose, our process and our product. I think it's also important to remember that only one of these, our process, has been brought into question by the auditors' report.

Our purpose is and has been to move beyond the myriad systems we inherited from an era of local trial court funding and support and to develop a system that links our courts together, a system that provides better access to the public, court information and court services and which provides critical and meaningful information to judges, local court administrators and to our justice partners. That purpose has been endorsed and supported over the past ten years by three governors. By the state chief information officer, by the legislature, by the Judicial Council and our former and present Chief Justices. That goal, that purpose has not been questioned either by the office of the chief information officer, now the chief -- the technology office or by the bureau of state audits. As you've just heard, we have completed the recommended cost-benefit analysis, which confirms the tangible economic benefits we can derive from implementation of CCMS.

And that report as you also heard does not even attempt to quantify the qualitative benefits that will be derived from unprecedented levels of public access to court services and court information and the economic benefits that the bar will derive from things like E-filing.

We believe we have now developed a product and you'll see a demonstration in a few moments that will fully justify the investment we have made which will meet the needs of our trial courts and which will provide far better service to the public than we are able to provide now. We've agreed to add an independent third party verification process while we simultaneously conduct our own acceptance testing to ensure that this claim will have credibility. In a moment, our new project management officer, Mark Moore will explain the testing under way and you will see live demonstration of what version 3 of the system is doing in our courts today and the promise that V-4 has, once it is fully accepted and implemented as it will be shortly.

As to our process, we've already said that we accept all of the recommendations of the bureau of state audits. And we have already implemented virtually all of them or will have them implement shortly. As the chair of the governance committee, I'm committed to keep the branch and this council informed of what we're doing at all times to make timely recommendations to you about what we think our next step should be and to be available to respond to your questions at any time.

I'd be happy to take your questions this morning, although it might be helpful if you can hear from Mark Moore and perhaps see some of the demonstrations here first. I'll leave that up to you. Unless there are any immediate questions you would like me to answer, I'd like to introduce Mark Moore the designated project management officer for CCMS.

>> Good afternoon. Thank you for your time this afternoon. I wanted to spend a little -- just a short period of time to bring the council up to date on the product acceptance testing which I'll get into in a minute but all of the other testing that CCMS has undergone to get to this point where we're actually now 70-plus branch representatives in there every day exercising test scripts. I will --

>> Excuse me. I'm sorry. A bit of the fact that I'm deaf. Could you move your microphone?

>> Is that better? It is? Okay, great. Sorry about that.

I'm also going to take a moment at the end to address a couple of questions that I've been asked on several occasions recently and they're almost exactly the same every time they're asked. So I thought they must be on everyone's mind. So I'll just share those questions and answers with you. Maybe follow-up dialog if you want after that.

First of all, the scope of the development, as you know, there are two parts to CCMS. There's the core product. The core product simply is all the functionality required to process all the case types throughout the life of a case from initiation to calendaring, judicial office of processes, interaction, clerk processes and interaction, court operation staff in the back office and the front office at the window dealing with the public. Minute orders, fees, forms, notices and reports. The application comes with it two standard configurations. The first configuration is what I would call a generalized configuration and that generalized configuration supports smaller courts where you have a universal person, a small group of individuals who have to perform multiple functions and then there's a specialized configuration that supports multiple complex work cues for medium and larger size courts that actually split the work up and actually have specialized processors who interact with the case work there.

It should be noted that those two standard configurations in every case in deployment will require some minor modifications to accommodate work processes, work flows, fees and funds that are specific and bail enhancements are that specific to your court. So that's the starting point you can think of that as 80% of the job and then the remaining configuration for your particular court would be 20%. Then we have the external components and those are the 125-data exchanges that you've heard about, that were developed to national standards that are available for all the local and statewide justice partners to be able to hook their systems up and interact with CCMS. There's also a web portal that has a public face and it has a justice partner face and based upon the roles of the individuals and what connection they have to particular cases, whether that information is public, it would be accessed, accessible to the public.

But if you're an individual, a lawyer and you have an interest or a party in a particular case, you'll be able to see the specifics of your case through that portal. Then a statewide data warehouse, which is going to collect all the information for the case and that's going to be our knowledge center that will really allow courts through 80 standard reports to be able to get all sorts of information about not just their court but to the extent that the courts want to share information or do trend analysis, statistics, for instance, that whole gypsies process will be part of the statewide data warehouse and supported by those reports.

For those of you who want to have individual reports, management reports and do business analysis, you will be able to do that. There is a tool that comes with this that allows your individual folks to go in and actually design their own management reports. So with some help from us, if you'd like, create specialized reports for your court

Lastly, a migration utility. That helps for folks who have V-2 and V-3. Think of it as conversion in a box, which will help us. Now, that the testing -- I will go very

briefly through those four testing phases. But I want to note from the beginning, there is a testing phase missing that is very, very important. That's called the stress testing that we've gone through. We continue to go through it on a periodic basis. Stress testing, at the CCTC, we have built out CCMS environment that replicates the size and complexity of the deployment of CCMS. Then we are applying transaction volumes to that system that will imitate or mimic what we expect at the peak volume when we're totally deployed. We have a whole series of performance metrics that we've established with participating courts that participate in the design, the development and they have to -- you can think of those as service levels that need to be met during peak periods.

We have exercised the application and proven to ourselves that the application meets at the tech center those agreed-upon performance metrics. After significant changes are made to the system, we will periodically redo those stress testing, make sure that as the system is changed or modified, we haven't done anything to degrade the performance of the system. So I just wanted to briefly tell you that.

The design validation testing for those of you who have court staff and subject matter experts who have been participating, we refer to that as the deep dive. It is really a fine tooth comb where you go -- fine tooth comb where you go through the 4300 individual work units that are screen functions, actions, forms, notices. It's on the slide there. We test every single one of those. And we go through a process called find, fix and validation. That means find any defects in those 4300 individual work units. Fix them, which involves an analysis and then a design of a resolution to the problem and then the fix. And then the validation of it is to go through the retesting of that.

This occurred from October of last year and completed in February and it really -- what the real benefit is, that we not only make sure that the system is operating appropriately and is isn't breaking and you aren't running into areas that are preventing you from going through work flow process, but when an end user goes in and starts to use the system, it will operate exactly as we directed that it should be through that 17,000 pages of requirements. So that was what's involved.

We actually had to map all the 4300 work units and then map them to that 17,000-page design to make sure there's no gaps. That activity was the responsibility of the Deloitte team under general supervision of the SRO at that time, the Burbank office. Now under my team's direction.

Then we have -- it's kind of a strange term. It's called string testing. Think of it as the next level of complexity. So in the validation, you looked at the individual work units and said that field work is right. It's displayed right. The screen is set up appropriately. The fields are where we believe they should be and they make sense. Now, we actually start to integrate and combine those processes to do a particular function. And that -- we take those 4300 items and in the core we distill them down to 324 use cases and exercise those and for the 121 data exchanges and the 8300 -- 83 reports, we'll do the same things. The objective is to try to get through a series of processes in a more complex set of circumstances and see if things break along the way and you do the same fix to find the fix and the validation approach for that. And get through that. That was done in parallel with the deep dive.

So as we would complete the validation testing, we would begin for that particular section and that team to then start the string testing and so that started and finished roughly in the same period of time.

Integration testing, think of that as the next level of complexity. The objective is this for an application vendor like Deloitte. To add all the complexity, go through 11,000 particular test scripts to test from beginning to end a case initiation, producing a form, going through a set of work flow process to actually get an end result. It is the most complex part of testing and Deloitte's objective and in meeting this is to actually have as close to a production ready system as possible because when they exit this phase, which they did, this month, then we, the branch get an opportunity to do our product acceptance testing, which is very much the same as this testing. Again, it's 11,054 scripts on the external components. It's 8574, almost 8600. The extra criteria, this is important. We want it ready.

The same exit criteria that we the branch are using in order to accept that application and that's what we call 00 50. Zero, the two first zeros are severity level one. Think of those as showstoppers. Roadblocks. If you have an error of that classification, you can't move forward with the test. It's very severe and would be disruptive. There could be none of those. Level 2, you could probably complete your test and look at the other results. But you can't get from the beginning of the process to the end of the process and so those need to be fixed too before you go into production.

Then 50, severity Level 3 defects are impactful defects. But they're defects that aren't preventing us from completing the work flow. We can develop work around while we fix them in many cases. Just because we would exit this criteria doesn't mean that Deloitte would not repair the 50 rejects. It just means that they're of a quantity that we can consider the product acceptable.

We went through three cycles of integration test, Deloitte did. Something we did that was unique in this process is we had a subset of our testers who were available shadow Deloitte and repeat these tests which you typically don't do. The advantage of that was that we were able to follow right on top of what the Deloitte testers were doing and see, did it break in the same way? Did we have the same findings? Did we find things they didn't find when we found errors? Did we think they were severe as they did? The real benefit is not only did we get trained on this, but we made sure there was no difference in an outside party who really doesn't understand court processes other than what's in that documentation. So they might interpret an error in a different way.

We actually had real live court users following behind them and there were gaps and there were opportunities to look and to train the testers to understand and have more of a court mind-set when they were doing the testing. We learned how to interact with the test scripts as well and to analyze the results. And where we believed that there were ambiguities in the 17,000-page test requirements, we were able to have a discussion on a separate track and eliminate those misunderstandings and come to an agreement before we get into product acceptance testing and have that sort of a debate going on.

Then this is what we entered two weeks ago now. Product acceptance testing. Again, it follows, it's the same level of complexity as the integration testing. Same exit criteria, same number of scripts. Typically, it's one cycle and a pass through. With many cycles for when you do a find and a fix. As we go through these scripts and we find errors, they're classified, one, two, three, and four. They go into a development work cue, Deloitte does the repair and then we collect them and they deliver a patch and they basically fix the system and then we go in and do a more narrow cycle where we test

what they've changed as well as maybe some aggression testing where we believe there might be some related problems to make sure nothing broke as a result of the fix.

I'd like to share with you, as of today as of last week we were three weeks ahead of schedule with a 97% pass rate. As of today, we have five weeks ahead of schedule with a 97% pass rate and most of the classifications. The importance there is that even though we have one pass with Deloitte's support, we are going to have another pass. So we're going to have another pass to be able to focus in on areas that we believe are most complex. The most important to us. We're going to have a whole second cycle of testing during our product acceptance testing that we wouldn't have and it's really to the credit not only of Deloitte with this deep dive that they did, but our teams and your teams that have participated in making sure that the testing was accurate and these prior phases and that the test scripts were of a high quality and easily understandable and the automation that both sides have put in to allow us to automate the more routine test scripts and spend more time looking at the results and less time actually interacting in the system, where that wasn't impactful. That's the product acceptance testing.

The next few slides, I'm not going to go through them, this presentation is available. But it gives you a feel for what the duration of each one of the test cycles were for both the core product and then I've got a slide for the external component. The number of work units just think about that as the discreet sections of work that had to be accomplished. Where you see any on the pass rate, it's because it's behind us. Just so you know, they were staffed to a 60% pass rate. They through the other two scenarios, they increasingly were above that. They were about at 80%, which means they had more than enough developers to jump on problems and work on other items, like test scripts and improving those. The number of testers that Deloitte had, that was Deloitte's staff and when you get into product acceptance testing, you see our staff and the development. Very large commitment on the part of Deloitte with staff to be appropriately staffed to not only develop quality product but to address and deliver high quality fixes which is very important. Every time they deliver a fix when we do the regression testing, they get better. It's very important. So they're getting more intelligent even as they're fixing, which is very encouraging.

On external components, I won't go through that. Again, those are just time frames. Then I've got a couple of questions that have been asked and I'll ask them and then pause. I think Ron has some comments he wants to make.

>> Let me interject one thing. It's important to remember as well, it's one of the reasons that the development cycle has taken us as long as it has. Is that the user requirements that we're testing for the functionality we're testing for now have all been court defined. These have been defined by judges, they've been defined by court managers, they've been defined by court staff. I think we've had probably over 300 people involved in this development process over the years. So the product that we're testing now, the functionality we're testing for originated not from the developer, but these are our user requirements as we have defined them.

>> Thank you. One question that's come up on --

>> I'm sorry.

>> Where it says that -- I don't have my glass unfortunately. I think it says a number of testers. Who are the people and who do they work for?

>> Which one are you referring to? The last number of testers in the lass column. It depends on which test you're talking about and the design and validation and the string testing you're talking about Deloitte folks, integration testing we're talking about Deloitte folks. We didn't put the people we had shadowing on there. For the product acceptance testing, that's us. In an external components, you'll see 60.

>> Who is us?

>> Us, I used -- I'm sorry. It's the judicial branch. So it is judicial officers, it is court staff. It is professional testers who bring a different discipline and viewpoint. It's AOC employees as well involved in that test. It is a judicial branch-wide effort. When we get into external components it will broaden. There are several state agencies who stepped up and they're going to want to test right out of the gate their interfaces. They're pretty excited about it. So this will broaden when we get into external components this summer. We'll have participation there as well. Any other questions? I apologize. I just started launching.

>> Thank you.

>> One question asked at the meeting. What would it mean or what's the harm and putting a pause on CCMS and doing the independent review of the CCMS application and then assessing that and moving forward.

>> Pause on the project because of where we are right now. Any delay that the Judicial Branch imposes on Deloitte in other words we're stopping because we would like to so as they -- as they turn down and until we tell them to completely stop, it's about \$1 million a week at this point because of where we are at the project, that we'd be responsible for. There's also hosting charges of several hundred thousand dollars a month for development environments that Deloitte has established on our behalf and we're paying them to host as well as at the tech center where we have a test center environment and that product acceptance products environment. Can we minimize those costs? We certainly could. But it would take some time for us to do it and they wouldn't go away completely so there would be several hundred thousand dollars a month while we were waiting for that as well. There's also staffing implications that I think should be considered. Deloitte as the slide show there over 200 staff that they would -- to minimize their out-of-pocket expenses would either reassign or let go or release from employment and those folks most likely would be gone permanently.

When we started we would have to re-baseline with a new team that would have to get up to speed and we would have a heavy learning curve there. I'm not saying and I don't believe Deloitte -- Deloitte would want to minimize that impact. It would be unavoidable and a substantial impact to us. We also have AOC. We have professional staffers. We

also have several contract staffs as well as individual AOC folks participating in this effort. Those folks would either be reassigned or they would be released as well. The courts have over 60 subject matter experts in some cases 70. We pay reasonable costs for those folks if we couldn't pay them, and if they didn't have testing to do, they would be released to their normal duties and we would maybe get them back, maybe not. There might be different folks as well so there would be restartup costs there. In redeployment we've got three early adopter courts that have stepped up. They've completed an assessment. We're working collaboratively to plan what that means for them and trying to craft a deployment plan that's successful and meets our budgeting constraints and ensures their success. If we put a paw on that. I'm not exactly sure. I need for them to speak for themselves, Matt, but I would imagine there would be some impacts for them that they would have consider and having been restopped and restated with many of them that are systems that are on the brink. We have two counties Sonoma and Nevada with failing systems. I'm sure one of our committees that Justice Bruiniers has asked me to look into is surveying other courts to find out and get ahead of the curve for the next two years how many do you think your systems could all of a sudden go unused so we could get a little bit more of a forecast and that forces them maybe augment their systems in a way they might not do and buy new systems and acquire. There's smaller courts that Graeme alluded to. They completed a study because they are now believing that CCMS may be further out in the horizon than they were originally planning and they're really struggling on what they need to do collectively to be successful and keep their courts running. So what I'm trying to say there the delay just moves everything. It's not just the restart costs and the out-of-pocket costs. You really start to think strategically as a branch, what does this mean for you because in many cases we can't wait much longer without buying new systems individually and by default, going into that path that Graeme talked about. And then if I could just one more question. That was on the financials. Specifically, there's been a lot of interest in what because of the current fiscal conditions we're in, this year how much -- what is the development budget for CCMS? For V4 CCMS and that is 25.4 million. Of that today, I can tell you that 5.1 million has been spent. 3.7 million has actually cleared the system meaning I can go to oracle and see the report and see the individual line items. There's 1.4 million in invoices that are somewhere in the process of being improved going to the strait controller that will eventually hit oracle. Where we go over budget or what's the likelihood we're going to go over budget this year?

I can say confidently we will not go over-budget. It is my commitment to try to get under-budget this year. And to try to absorb the cost of the independent review without going over-budget and I'm working very closely with Judge Herman who chairs the administrative committee and with Justice Bruiniers to give them a deep dive on the budget and to give them more visibility so that they can then communicate or give me direction on the appropriate communication to them on the frequency to the council and to Bill and to Ron. With that I'll pause and I think Ron has some things he'd like to say.

>> Thank you, Mark. Just a couple of things on reporting and oversight issues of CCMS, including the BCA audit that came out this month. We have been directed and have submitted cost reports to the legislature since the beginning of this project. So there has been ongoing annual reports and the legislature has changed, you know, how they would

like their reports organized and what they would like them to be and whatnot. But there have been annual reports to the legislature since the beginning of this process in the development of CCMS.

In addition to that, we've had a number of hearings, both in budget hearings, budget-related hearings or we have been questioned about CCMS and given information on the background of it, the purpose of it, the status of it, where we were in terms of costs. And in budget hearings going forward. And then in October of 2009, what the establishment and the assembly of an accountability committee we had a hearing that focused on CCMS in October of 2009 that was probably the most in-depth inquiry by the legislature that we've had and resulted in first the study that was done by the OCIO and released in April of 2010 in which Mr. KY offered 20 recommendations. Every one of them has been implemented. They included the establishment of this governing system that Justice Bruiniers is chair of, it included the project management office and the project management office director, which is Mark's position. As well as a number of other recommendations, again, that have all been implemented this time.

There was also a request for the bureau of state audits to conduct the audit that I just referred to. We requested that those not be ongoing at the same time so that we were able to focus on one, and that the results of the OCIO audit might be of use to the BSA audit going forward. And so they did not run at the same time. We received the OCIO report in October in April of 2010. And began meeting with them on a monthly basis and those meetings continue now so that we're working closely with them and involving them in the process going forward. After their report came out, the BSA audit began and as you know, was just released on the 8th of February.

We take this audit very, very seriously. It's very critical of the process that we used. And we take that criticism very seriously and we'll take it to heart and we will follow each of the recommendations in the audit report going forward. There was one sort of late add-on recommendation that the auditor had that she discussed with us before the report came out, and that was to do the independent review of the system once it's completed. And make sure that it's of a quality that we would expect it to be. Our initial response to that, our reaction to that was, with the exit criteria with the 0050 defects as being a very, very high standard of review and the number of test scripts and the rigorous testing that was going on, we didn't initially feel it was necessary to do that kind of review after the project was completed. With an expensive 5 to \$600,000 and not wanting to have a delay in the process. That being said, given the criticism and the critique of the audit itself, and the concerns that it raised, clearly, that is a process that we agree now should be done in any event. We're confident in what the outcome will be. But we're supportive of that as well. So again we're taking this audit very, very seriously and taking it to heart. We're following each and every one of the recommendations and we'll -- I think we'll benefit from the recommendations going forward.

One of the things that was not said in this audit or in the OCIO report was that the system doesn't work or the system's no good. And the fact of the matter is, the system does work. And the system is very good. And that's one of the things we wanted to be able to show you today with Judge moss and Judge Reiser showing the system works.

>> Judge Moss who uses it in his court on a daily basis can show us today.

>> Good afternoon. Glad to be here. I know most of you. My name is bob moss. I was told to do this in a British accent to have more credibility. [Laughing]

>> I'm not going to do that. I'm a member of the council as most of you know. I'm on the executive committee for CCMS. But more importantly I'm a trial judge and my current assignment is in civil. And I work in Orange County. And Orange County as probably you will know is a big county except for Los Angeles. We're the third largest in the state. We have a population of over 3 million people. We have 117 judges, 35 commissioners. I think we have seven separate courthouses. A pretty good operation. We started with V3, the interim version of CCMS three years ago. We were one of the first courts to go on. I was listening to Mr. Finley talk about what to expect when you deploy a new system and I was not nodding my head because we went through that early period where we had people on every floor, the clerks weren't sure how to use it.

It didn't take us a year. I would say maybe six months before the complaints kind of tapered off. I can report to you now, I spoke just a few weeks ago to the chief of our civil operations and she told me we're getting virtually no complaints from clerks.

I'm the chair of our court technology committee and we're getting no complaints from judges. I'm sure you can find judges who don't like it. Who don't like computers. Who don't like this program. I'm sure you can find clerks. But we're using it every single day in 48 courtrooms in Orange County. Now, this version as you probably know is an interim version. It doesn't handle all case types. Just civil, small claims, mental health and probate. So it's kind of limited in its application, but what I'm going to do is show you what it looks like because I think a picture may be worth a thousand words. And if everything goes according to plan, I'll push this button and we should log into the system. There we go. Now, this is not a demo. This is not a fake screen. This is my bench back in Orange County. We're connected over the internet. This is my real calendar today that I'm not attending to.

[Laughing]

>> If you look here there's a set of these dark blue tabs across the top. Case, accounting, calendar, courtroom. These are all the different functions that different people in the courthouse use, accounting obviously. The clerk uses the courtroom tab. The only tab the judge has to use is the judicial officer tab. The clerk on V3 does not have a judicial officer tab so she can't use my screen. Only the judges can do that. Initially when V3 was developed we thought we would have two views. We've learned that the -- the idea was you're working in your office you need a different view than what you're on the bench and we learned you really don't need the two different views so in V4 that Glen is going to show you we've done away with the two views and I won't even bother with the chamber view now. But this is what I see. Up on my bench on in my office. This little box, this lights blue box I'm kind of circle with the cursor is a simple little widget. It's a calendar calculator. It will tell you 15 court days from today. That's the date if you're setting a hearing. If you want to set something for 45 days, you just type it in right there. It will give you -- it's just a handy little widget for the judges to have on the bench. I think you can all see that.

Over the to the right is an active calendar. If you click on this little guy here, it will take you to the next two months and so forth. Down below you'll see when a judge opens his or her calendar, it defaults to your department. So I'm in department C23 and our central justice center in Santa Ana. And if I wanted to look at another judge's courtroom, however, I would just scroll up here for supervising judge wanted to see what was going on in a different courtroom you can easily scroll to any other department that is using this system.

Down below, this is the day view. And this shows you my calendar. We call these little items "buckets" and you can set V3 like to allow for a limited number of summary judgments. You can set the size of your bucket so automatically when you start the calendar of hearings, your bucket will be filled up and it will go to the next calendar days. That's a handy tool to have. Like every program you've operated, if you want to see what's in that bucket you just click on the little plus sign there. There we go. And you'll see in that bucket just one motion. It's a motion for summary judgment. And if you want to look at the case file, you simply click on the link to the case and there you go. And this is real time. This is the speed with -- I'm 800 miles away from Orange County. This is the speed with which I can operate it remotely. If anything it's a little faster in our courtroom where it's hard-wired connected. This is the first -- when you drill down into a case, you get the case summary sheet. This gives you some quick information, of course, the case number and the name of the case, the type of case, a little case description, a breach of contract case. We want to know is trial setter not set this is something trial setters is the trial set in this case? The case age all of you don't look at 780 days old.

[Laughing]

>> It probably was up on appeal.

[Laughing]

>> It will tell you the last event date is here and the next event date and some quick easy information. If we scroll down on this screen, it will tell you what future events are set. In this case, we have a jury trial is the only future event that is set. You can look -- if you're in a probate case you can look at probate notes. In a civil case -- I mean, and any other case where you use tentative decisions you can see your tentative rulings down there. In Orange County, we don't use the V3's tentative ruling functionality. I know Glen uses it in Ventura and they use it and it works fine but we already had a system to put our tentative rulings on the internet already. We use a widget that we created for word, so we didn't change that. And one of the good things about V3 is it's configurable. That means you can switch functionality on and off that you want to use or don't use. But it's very handy in that respect. But we don't use that functionality. But you can see if you want tentative rulings and things like that. Case milestones and others things. And you can print this sheet if you want to have a hard copy of it. Let me take you over on the left here is the -- is the menu of things you can select from. Let's go to case notes. I'll show you case notes. If a judge wants to make notes in the case, you simply click on that little icon and you can -- I'm not going to create a note here 'cause this is a live file. But you click on create new -- if I had made case notes you'd see them listed. And we

have security levels so a judge can set a note that only that judge can see. Only all judges can see. Anybody can see. You can set the level of security on case notes that you make.

Now, personally I don't put case notes in my cases. I have separate files in Word when I where I have my jury instructions and other things. I have it all set up that way. But if I chose to, I could keep case notes on this file.

So then you just create that note and it's all there. It's typed in and it's a great reference if you choose to use that functionality. Let's go to register of actions. Let's see you want to see that complaint. You click on register of actions and you'll see this list of pleadings here. If it has a little icon with the paper and pencil, that means there's an image document that you can access and look at. And Mr. Finley was talking about a document management system. You have to have a document management system to access the image of the document this way. Orange County, before I was on board had the foresight to start imaging documents like 10 or 12 years ago. So we have this vast library of pleadings that we can access.

If your court doesn't do that, that's something I recommend you get on right away so that you can have this functionality 'cause this makes all the difference in the world.

So let's go down -- I'll just pick a document at random. It doesn't matter what it is. I'll just pick this one. Click on that and you can look at the pleading. Scroll through it. Read it if council references a paragraph. You can get right to it that way. You can get out of it just like that. And you can go back up to your bench view.

The other -- so that's basically it. I mean, you could see your calendar. You can access your file. You can look at documents in your file. The other functionality is if -- you want to see a case that's not on your calendar that day, you just open up case search if you know the case number, you type it in and it will find that case for you. And you can do the same things I just showed you with that case.

If you don't know the case number and you remembered the case number or some of these parameters you can see described here, you fill in those blanks and you can go right to -- you can go right to that case and you can also do that up here. Like Microsoft, there's 100 ways to do the same thing. You can type in the case number here or the old legacy number if you want and go to a case to look at the documents in that case. So from a judge's standpoint, that's really what we use it for and I like to remind people, V3 and V4, these are really not primarily judges' tools. These are tools for the court, the clerk's office to manage documents, enter minutes and keep the records of the case.

Now, a judge can create a document in V3. If I want to create a tentative rule -- or a ruling, an order or a judgment I can do it but frankly I don't. What I do I type it out in Word, email it to my clerk and my clerk enters the rulings into the system, okay?

I think that's the essential function of V3. I don't want to belabor. Am I forgetting anything?

Yeah, Jim.

>> Well, first of all, Alan -- since you're 800 miles from Orange County and we're only 400 miles we were wondering if you were a hologram? [Laughing]

>> I want to beam back 'cause tomorrow I'm the best man at a wedding. So I have to get back. >> What do you take on the bench with you?

>> Have a computer in my chambers --

>> I actually had a question -- say you're a analog judge trapped in a digital hell and this is all fine but you've got a case and you want some paper to work with. How does Orange County work with that? >> Oh, I didn't mention this and -- to answer your question in a second. Last July, think about this. We threw away all of our civil paper files. Threw them away. We shredded them. We don't have paper files in civil anymore and we don't miss it a bit. And you think oh, my God, how can I do a long motion without looking at the complaint, the demure and the option. If the judge wants we will print off the paper. It's cheaper to print off the paper and let the judge scribble them and make notes take them home if he or she wants and then we shredded and recycle the paper. It's cheaper for us to do that. We had 11 people whose job it was -- when Judge moss called down for a file to go find the file, if they could find it 'cause it might be in legal research tore might be in another department. Put it on a cart with all the other cards. Take it to the other elevator, go down the floors, dropping off files and then picking them up and taking them back. 11 people we have reassigned to other jobs. Nobody has lost their job. They actually have better jobs, better opportunities but we don't have to have people and Mr. Finley was talking about when you save money, when you go paperless that's what he meant. We save real estate and we save bodies not doing that kind of work.

So the judge who wants paper can have all the paper he or she wants. That's the answer to your question, Jim. And the skinny files that we create, the little paper files with just the pleadings you want, it's better than that big construction defect case that has five folders, you know, of tons of documents in them to dig through. It's much easier for even the paper-reading judges. I was down in San Diego doing a demo down there and I showed this wonderful elderly judge I forgot his name and he just hates computers. He doesn't like them. Doesn't want to use them and that's fine. My father-in-law doesn't have a cell phone even. But I told him -- I reassured you don't need to like computers 'cause your clerk can print your calendar for you. And your clerk can print off the pleadings you want to see. It's no problem. You can have all the paper you want. He was happy. Now to answer Justice Bruiniers's question, it was --

>> Would you take it on the bench with you?

>> I have a laptop computer. It's in my backpack at my motel and I keep it in chambers and I also have a mechanical connection -- there's a switch that -- -if I hit the space bar in for my chambers my monitor desk will line up and I can use that keyboard and monitor. On the bench I have a separate monitor and keyboard. It's linked to chambers. I can access everything from my computer from the bench. I have that screen you're looking at up there. If counsel mentions other documents. We have a system that's E.L.F. that is user friendly getting to several pleadings at once and I'll run that instead of Vs but it accesses the V3 database so you can't have E.L.F. without V3 and, of course, we'll give away the E.L.F. to anybody who has V3.

We also have our pleadings -- one more thing -- that are published on the internet. And that's the other way you can -- you have to close that circle. You have to get your documents on the internet so that people can access the file. Lawyers and court users can access those pleadings, but you have to have the document management system so you have the electronic images so you can post them on the internet. And we actually receive revenues now from those people downloading those documents. It's terrific we receive revenue from that. And last year we also started e-filing and that's truly closing the circle and Mr. Finley talked about that. With e-filing -- and we have now in this short space -- since when it was it in July we started Alan was it July?

>> June.

>> E-filing now we have 17% of our civil filings are E-filing.

>> Unlimited civil.

>> Unlimited civil. That's terrific. And our target we're going to try to reach 50% by when?

>> End of the year.

>> Promising, right?

>> That's our target. And what we did -- we didn't just switch it on and expect lawyers to do it. We went to bar associations and did demonstrations. I took my tech guy who's sitting in the back there and some of his people. And we took our vendor who does the interface with our system and we go around to lawyer groups but not just lawyer groups. We went to legal secretary groups and paralegal groups and showed them how this works. And they're all jumping on board. Once they find out -- I mean, you can file a complaint from a Starbucks in Buenos Aires and it's really great for everybody. We use it pretty seamlessly in Orange County. I think anybody who's afraid of this product I mean, it's living proof that it works in Orange County. Yes, Bill. >> How does the -- how do the staff react to it? >> We don't hire our clerks with I.T. backgrounds, right. Most of them are high school graduates they used paper and pen and typing so a lot of them are -- not very oriented towards technology. And it's a new system so it's tough when you start. My clerk is the best example. I adore her but she's not as oriented as I am to computers. I often to have come out and show her how to do something, you know? I asked her don't tell me what I want to hear 'cause you know what I want to hear. Tell me how you like the system. She's perfectly happy with it now. Now that she's gotten used to it and she's gotten as part of your routine. She he wouldn't want to go back to the old system that we had. I have other clerks who are younger, more computer oriented and they just think V3 is terrific. They can explain -- and I'm not a clerk so I don't do their works but there's ways with their most recent version of V3 we call it release 10, you can do multiple cases at one time, the same task. And you save tons of time from a clerk's standpoint doing that. So the short answer the clerks are now used to it. I'm sure you'll find one or two that don't like it. But the vast majority are fine with it.

>> I have a question. Now, that this is developed, is the funding for this system coming from your court\ or having from the AOC?

>> I don't know, Allen?

>> We run this system on our equipment in orange. So it's our staff and our money that pays it on a day-to-day basis but the V3 software is written by the AOC.

>> So if we were to shut down everything, that would obviously affect what's going on there, right?

>> We have the software on our equipment. We could keep running and we would be stuck where we are right now. If we could get the V3 we would collaborate where San Diego --

>> You just have civil? You would never --

>> Oh, yeah. This is mainly in civil. It works in probate and mental health and small claims.

>> You could probably write the code and get by on civil and probate --

>> Yeah. My assignment -- I'm fine right now with V3.

It works great.

>> And the terrific and everything else --

>> We have a different system for criminal, traffic and a third system for family, juvenile.

>> At some point they would --

>> But I'll tell you the sad thing about the situation we have. I'm a civil trial judge. So if I don't have any trials and I'm open and there aren't any civil trials, I can't call family law and take a case because my clerk can't use the family law system. I can't take a criminal case 'cause she's not trained in our criminal system. And neither am I but it's more important that the clerk be trained, so I can't take a case from the other case types because of this limitation. That's why we need one case management system that handles all case types, yes, sir.

>> You just asked a question -- and you said what would happen and you would have to buy the code. Who would you have to buy the code from?

>> We don't have to buy the code. We wouldn't to have buy it.

>> Yeah.

>> I don't know that that we would -- we don't have to have the code. We have the software running on our equipment now. It could keep on running --

>> But you couldn't modify it --

>> Right.

>> And you don't have the knowledge transfer?

>> We do a lot of things we call them apps and magic buttons. It takes data from V3 and data from our document management system. We could keep writing things like that. We would rather have the code --

>> For example, V3 when you type an order, the editor in V3 is not full Microsoft word. It's a lesser version of that. So if you type something in Word and cut and paste into V3 with their editor, it's going to maybe screw up your paragraphs and things like that. But we have an app we figured out to have a way to have a full word available to the judge who wants his or her order typed in a certain way. It's like having a link -- so we invent these things to make it work better.

>> But it would be better if you had the code.

>> Yeah.

>> We don't need it. And we have the same thing that San Diego has and San Luis has. We can give to anybody else who's got -- we want to stay in a system where we can all share, making something better down the road.

>> And the continuity of having the state wide system so that the information is the same up and down the state is important in terms of the venue transparency and whatnot. The maintenance in operation of V3 is done by the AOC and Deloitte and paid for. So changes in fees, you know, updates to the product. We just mentioned release 10 so any releases, new releases, those kinds of things are done by the AOC for all of the V3 courts.

>> We're very much involved in the release. Like the e-filing release, we're the ones doing e-filing. We were there making sure the release did what we wanted to. I mean, it was a very interactive process with the AOC people and we implemented it.

>> And that's what we're assuming from Deloitte is the maintenance and operation. You saw has retaining consultants and that will save us millions of dollars when we have that maintenance operation at the AOC and no longer with the vendor.

>> Any other comments or questions? That's about the end of the demo. Burt, did you have something.

>> We're going to lose some council members at 1:30 and we must have some discussion.

>> We've got Glen Reiser what V3 will do and he can do that very quickly so you can see what the product is that we're testing.

>> I'm done. Thank you.

>> Thank you.
[Applause]

>> Distinguished members of the council, I'm here to talk to you about the final product. Bob did a great job showing you the interim version which we've learned a lot from. The final product, of course, is not just a court tool but it's a public tool. It's an attorney tool. It's a justice partner tool. And it's a media tool. This is Tony Rochon who is helping me. In the last 146 months I've been privileged to be able to have the opportunity to manage calendars, in criminal felony misdemeanor courts, in criminal arraignment courts, in family law courts, in civil courts, and probate conservator courts and I've learned over the last few years that was really just my internship for software development.

[Laughing]

>> And as Bob mentioned, I use V3 all day every day in my formally civil and now probate courtroom and I have since its inception. And I want to point out that Ventura, unlike Orange County, works seamlessly from the California court technology center and provides me with the internet-based real time data to run my calendars. And I also want to note that I'm not running this from a bunker in the Silicon Valley or in Orange County. But from a courthouse in a farm field in Oxnard.

[Laughing]

>> And I also think that we should note that Ventura's V3 was uploaded and deployed in San Joaquin County for half the cost and half the time it took us to deploy V3 in Ventura. So I'm also and will continue to be a test pilot on the final project -- on the final product and I'm going to talk about that right now and we're going to show you the screens in a reverse process starting with the public screens and then working our way down into the courthouses. But I think I need to emphasize that one of the legacies of our history as a branch is the literally hundreds of ways that information is processed in our 400 trial courthouses. And those businesses courthouses have been centered and designed and have been centered and designed for far more than a century, right. Under a receipt, movement and delivery of single documents. And over the course of time, the generators of those documents have expanded not just from the courts but to probation officers and to family law mediators and to probate investigators, to 730 experts to child welfare agencies to APS -- you name it and the ability of our courts to synchronize the delivery of multiple that documents at a given point in time at a specific location in our 400 courtrooms -- actually courthouses is a logistical nightmare that we face in each of our hundreds of thousands of annual hearings every year in California. I'm guessing when I say hundreds of thousands of hearings because we don't actually know how many hearings we have because there's no way for our systems other than CCMS to talk to one another. So complicated by the fact, as we heard, that each county has different data entry systems for particular case types, the majority of which are old, many of which are failing. And the capability of all of those data entry systems is limited. Complicated by the fact that our justice partners, the police in the streets, the deputies at the booking station, the reception officials at CDC and CYA, the probation officers with these massive case loads, the prosecutors who need to dispose of cases who desperately need court information, access, accurate criminal histories, street gang associations, terms and conditions of probation, restraining orders, family issues cannot access the information they need from our court files. And so this is what does that.

So after years of deployment as Mark indicated earlier, the product is complete. It's subject to product end user acceptance testing. We designed it. We paid for it. And now we're ready to use it. So Tony -- Tony has up the public portal. And this, according to Mark, will be ready to be available to the public in July of 2011. That's this year. And this is every Californians portal to access court information and it's designed so that the most frequent types of transactional protocols can be addressed first.

Obviously traffic tickets are addressed here. Court fees and fines are addressed here. People can search calendars for those nonregistered folks meaning the non-attorneys can find probate notes, tentative rulings, what have you. So let's search for somebody. So California would go online and basically look for a court file, look for an attorney and in this case we're looking for Karen Campbell and Karen Campbell, you will note, has a specific identifier. And so in California, this Karen Campbell has six cases of different case types -- had six different cases of case types in California. And this is a criminal case that's being opened up for Karen Campbell, which gives the public a certain amount of information relating to that individual.

And also to the extent there are documents associated with that particular court file, for example, the complaint in that case, that would be available to this particular user. So individuals and the media who are frequently accessing our file rooms and are trying to locate files which may or may not be in the file room and documents which may or may not be in the file -- these will be available to the public real time. With respect to those documents which are allowed to be public documents through their California portal.

Well, if you want to do citation payment we can do citation payment but I'd suggest we go to the attorney portal. So let's go to the attorney portal, and this is for registered users. So an attorney would put in typically the bar number and there would be certain encryption involved in accessing that file but the attorney portal that has been designed for the final product really has four components. And you see there's menu items on the left but really the four components are first of all, upcoming events. So that every attorney who is a participate in a California case will have hearings, trials scheduled and those hearings -- just scroll up for a second, Tony, will be identified typically chronologically but not necessarily here so they'll know where they're supposed to be at a given time. It's not going to replace a paralegal or a secretary but it will certainly augment where an attorney needs to know they need to be at a given point in time. And you will see that there are hyper links over on the right side which will allow the attorneys to actually open up those files real time to see, A, why are they supposed to be there and all the documents with the case including the most recent documents and there's a attorney search feature with my cases their cases. This attorney luckily only has four cases, most attorneys have 400 cases. Some may have 4,000 cases. But all the attorneys' cases -- the attorneys' entire litigation of portfolio in the state trial courts will be here so they can hyperlink up and open up all of their court files relating to their particular cases. And those can be ordered by the attorney in terms of jurisdiction, in terms of, you know, alphabetically, case type, what have you.

The last section that we have for the attorneys is called my e-notifications. Courts as you know issue a lot of noise, noise of trial, noise of hearing. Minute orders, judicial orders. Anything emanating for the speak parties will go out to the lawyers or through the registrants. Relating to their cases. So that briefly is the attorney portal.

Now, perhaps we can go to the Justice Partner Portal. There are many justice partners in California today who are fairly restricted by the limitations of the system which has some accuracy challenges as well as huge limitations on the kinds of information and the breadth of the information that's provided. So here a justice partner can sign in through their security clearance and access certain information, in this case -- what do you want to search for, Tony? Okay. We'll search by a person by name. Let's say there's an officer who's in the field. They've got somebody in handcuffs. They have what they believe to be a correct ID on them. Other than, you know, calling dispatch, they can now go out to their squad car, open up their laptop and search this person's cases to see exactly what history there is out there. And this particular case Jim Jones, there's multiple Jim Joneses so let's pick one of them. Scroll down lightly so we can catch the breadth of all thinks cases. He has five cases one of which is a dissolution and 6 cases, 5 of which are criminal cases so let's open up one of those criminal cases just to get the kind of information that our justice partners can access in the field or in the probation department or what have you. Okay. So this will open up to a specific case. It will show you the violations charged. It will give -- find information. It will give originating agency information, criminal ID data. And there are a number of menu items in all of these portals but to the justice partners there's specific items for warrants, for jail time associated. There's bail bonds, related cases, registrar of actions, hearing information, case participants, programs that they're assigned to, diversions. Fees and fines which are payments, victim restitution, prison time. Why don't you jump in there on prison 'cause that might be of interest to law enforcement officers. So there's all of this information that can be broken down so that when an officer is at a scene or is in the booking room, and is consulting with the judge about setting bond or the probation officer is there or CDC is processing prospective inmate and historically the court file is somewhere on its way, they can have real time information on everything in that person's court files and hugely helpful. It's not the criminal court files. Obviously, if it's a domestic situation, there's family law families that can be accessed, restraining orders, civil harassment orders. The advantage to our justice partners of having this kind of information over and above what I consider a glorified Western Union teletype is profound.

>> Before you go on to the Judges Portal I know some of the Los Angeles County judges or others leaving from flights might have some questions and I would like to get some questions and I would like to take up the judges portal if you don't mind. Any questions for this.

>> I have a question for Justice Bruiniers.

>> Please do.

>> Justice Bruiniers, I wanted to know if the governors committee has set up a protocol to receiving questions both from the judicial council and from judges on various courts with respect to many of the issues regarding CCMS?

>> Well, as to a protocol, we have not yet. I can say that what we have done has been initiated an outreach effort by trying to communicate with the entire branch at least letting them know who we are, what we're doing. We have invited comments and I can assure you I have received many. [Laughing]

>> And tried to respond to them. But in terms of a protocol for doing it, no, we have not done that yet. Our focus has been to at least again get the mental out as to who we are, what we're trying to do, trying to deal with obviously the product acceptance issues so that certainly is an issue that we probably need to address, judge Wesley. >> Judge Wesley and Justice Bruiniers talked about this earlier. In terms of a protocol it's my intention to create what it would be a fifth standing committee to judicial council that would be CCMS. So that we would have regular reports to the council from the standing committee much like you heard this morning from rules project and PCLC and the ENP so we can continue to have regular updated reports. And I'll be referring this to justice Huffman, an ENP for the rulemaking to make that happen.

[Inaudible]

>> That's correct. At least, at least every time we meet. In much the same way all these -- I forgot litigation committee but they don't report but CCMS would report regularly and that's what I envisioned by making CCMS a standing committee. >> And Judge Wesley and chairs of the different CCMS committees and we're open to go anywhere. 800 miles to --

[Laughing]

>> Or 800 miles someplace I want to fly fish and I know we have some meetings set up with the regional centers.

>> Yeah, we're going to be going to all the regional meetings as well. I've already extended offers to a number of the judges who have communicated with me to come to their courts and to present the demonstrations to give them information. Certainly we have a number of members of the governance committee who are on the judicial council here. And we will be responsive to any requests from any member of the council at any time.

>> Thank you. Well, I have a question for Mr. Moore related to the additional expenses that we're going to be incurring before our next meeting or through the end of this year. Look, there are obviously a lot of significant issues that we have to address that were raised by the audit. I reviewed the audit and I do take it seriously as everyone mentioned. And I'm glad to know that all these audit recommendations are going to be implemented. One of the recommendations was that the council not spend significant amounts of money on this matter until we've completed the cost-benefit analysis. I don't think that's been completed yet. We really have to review and consider that. I think the same goes for the independent review that's going to be conducted.

What are we looking at? I mean, you mentioned some of the down sides of stopping everything now. But what are we looking at in terms of the expense between now -- let's say at our next meeting or at the end of the year? I understand there's not going to be any

money spent on deployment. It's been agreed to until the independent review is completed, it's not going to be deployed. But if I understand there's still some development going on. Now, maybe some of that development is necessary for the independent auditor and you can comment on that. But realistic what's your best estimate of what we can -- we know is going to be spent between now and the next meeting. We have some major spending and whatever the difference is. You know, we have to have some confidence that the money is going to be there.

Other issues are the buy-in by all the courts. All the things that were mentioned by the auditor. In the meantime, I understand we have to go forward and fund those operations that are depending every day on the funding. For just ordinary maintenance and I don't think there's any dispute about that but in terms of additional development costs what's your best estimate?

>> The development is 24.5 million this year which we've already expended 5.1. I would expect -- in many of the contracts or deliverables based meaning the payments don't occur until after the particular deliverable is completed. And then signed off and then has to go through the normal process including going to the state controller's office. It's hard to specifically or give you a particular burn rate because there are too many variables. But I could say, you know, a significant portion of the remaining 25.4 million will be expended because we will have accepted the product or about to accept the product if everything goes to plan, the core product by the time you meet next April. So I would -- as I've said earlier, I would expect that if we would have wind this thing down, or put it on pause, as we said, we would expend more than we have now in the budget to do that.

>> You say it would be a greater expense than it otherwise would be spent on development, is that what you're saying?

>> That's correct. That's correct and I should say too just to clarify because I don't want any misunderstanding in the committee. The agreement or would be as they say do not start to deploy. They did not tell us and they were very specific when they said we're not telling you to stop. We're not telling you not to move forward with the planning and the preparations for deployments. So there is a budget for deployment this year to support those activities and those activities would continue.

>> I understand -- there's that budget -- it is still subject to the council's discretion?

>> Oh, correct.

>> That's what I'm trying to figure out how much it is.

>> That's correct. I just wanted to make sure because you had said -- I believe if I heard you correctly that we were not going to spend any money and that the council has already -- has approved subject to review and reconsideration a budget which includes deployment component.

>> The larger budget context is important to keep in mind Judge Pines in the conversations we've had in how do we come up with statewide funds from courthouse construction funds, from CCMS, \$10 million and a variety of other things offset the cuts

to the courts. If that budget deal holds in place, there should be mitigate -- adequate mitigation to the courts in terms of the budget process. So CCMS is already on record as committing \$10 million for next year to help offset those cuts to the courts.

>> And I think it's important to note that we're in product acceptance testing which really means that you are on -- the system is really for all intents and purposes completed and done. And so to kind of stop and disband everybody, you'd really be shelving an incomplete, almost ready product. And so I think there's some implications that you may want to consider there as well.

Come April and by the end of this fiscal year, you'll have a fully complete case management system that's ready for a court who's in distress. You'll have an option that you don't have today.

Subject to funding, I understand.

>> Judge?

>> Before there's actual deployment of anything, Ron, am I correct that that will come before the judicial council?

>> Of course. And the planning for the first deployments is for the end of 2012 anyway. So it's not imminent that we're going to go out and turn CCMS on somewhere.

>> Any more questions from the judges who may have to leave? I understand 1:30 is the departure time.

>> What's your situation?

>> Feel free to ask questions. One important caveat relative to the justice partner -- these are all useable by the justice partners when we talk about cost to justice partners we're talking about creating data exchange systems with their partners so they can provide information that populates our system and vice versa so that the usability of our cost of running the system and getting information to our system would be improved by having justice partners using the same data standards so I understand every cop in the field will have access to this in every county where CCMS is employed. And also in other counties where it's not -- and they can see what's going on with CCMS counties. Seven there's someone in Santa Barbara County and that they bump into somebody from Ventura county they might know they can go online on CCMS Ventura and find all the Ventura information about this particular individual before we roll out to all the counties. Tony is going to bring us to one of our judge portals and this is a judge's criminal calendar. So it's very similar to what Bob showed us in civil. This is the final product version of what is a criminal -- this is a probation violation calendar and arraignment calendar. And so this would be just your general calendar that you would walk in in the morning and let's go into one of those cases Edward Jones.

Most judges have case information seats and this is a snapshot of this particular case. So waiting for the Edward Jones case there's general information on the probation status, the probation start date the calculations for rev the charges relative to this alleged probation violation and so a judge without drilling down would get some very accurate information about why this particular case is on calendar but to get into the file you would just drill down one time and you open up Mr. Jones' file. And there's certainly

information perhaps if you could click on Edward Jones. We had to borrow a photograph for this one. But the specific information CCMS ID number CI numbers, specific information, addresses, there's AKA's on a lot of these and so that information is available but getting back to the case itself, you see that in this particular case, the menu items are charges and priors. And the hyperlink in case we have that aberrational code section that we don't recognize because criminal courts -- it's all about numbers.

And you can view all the priors. There's attorney information. So if you wanted information on the various attorneys, that's available. There's probation information as to this probation. And all the related documents. Right there. There's an icon for the probation violation. Does that open up, Tony?

>> Yeah.

>> The past probation violations in this case. There's sentencing history. There is custody, calculations -- this is, of course, is the bane of most criminal trial judges is calculating credits. It's going to be done electronically for us whether it's at 15%, state prison whether it's 50% state prison or whether it's two-thirds county, whatever it is, those -- those types of calculations will be made available to CCMS so you don't have to send it back to probation umpteenth time so they don't have to do the calculations. Fee and fines will be real time listed here so you know the current balance.

Not a lot of our clients know the exact balance. Victim restitution information is available. A protective order information these are just menu items, programs that someone's assigned to. In this case, there aren't any but it could be D.B. classes, what have you. Diversions, warrants which are critical because a lot of times there's an FTA and you want to say what the warrant is, where it's generated. What the charge is. Not just in your jurisdiction but in any law enforcement jurisdiction in the state. Past and future hearings and here is the -- here's the big one in my mind. Actually, there's other cases in this county which aren't related to probation violations, past cases that may have closed, cases that don't have probation. And then there's other cases out of county, okay? So for those suspects and criminal defendants who don't honor county jurisdictional boundaries there are data fields available so that we not only access their cases but also there's so much rich NAFGS other counties have. The millions if not billions of dollars put into the probation departments to do these collateral contacts and write these very extensive family histories, it would be really nice to actually know something about someone that's been that well documented as opposed to looking at a report and say, okay, well, I'm guessing 270 days is an appropriate sentence for this felony. So that information is available.

Other cases, many people are involved in our system in many ways. And so if their dependency cases, delinquency cases, family law cases, they'll be listed here, documents of this particular hear so as it relates to a probation violation hearing as a shortcut we'd cull out the most important documents, their certain appointments, CDA, what have you. And 730 expert filings. That in a nutshell is a judge's criminal trial court screen. And perhaps briefly we can run through civil because we actually have screens which have been evolve through subject matter experts and judges in criminal law and in juvenile delinquency and in juvenile dependency and in civil and in probate, mental health and small claims. And this is civil.

This is the V4 version of the final product -- the final product version of what Bob showed us where this is a -- actually he's already drilled down from the judge's calendar into a specific case. That's okay. And then, for example, open up the complaint, if you would, please. There's an icon up at the top there. Just to the left. Keep going. There you go okay. It's not live. Okay.

So the kind of information that's available to our civil screens, filing summary, pending events, minute orders and rulings, motions, and filings. Related cases, ADR information, sanction history, case milestones, appointments and civil matters and there's also family law screens. I'm sorry about that. We have separate family law screens relating to the idiosyncrasies to our very complex family law courts and so these screens are different but they look similar because we have a lot of counties where judges do everything and both they and their staffs have to be conversant in all of these systems and so to have -- to have software that looks very similar across the various case types is going to make it a lot easier for them to manage these calendars where you will have a family law case followed by a criminal case followed by a probate case followed by whatever, a dependency case.

So this is -- so this is well actually moving out back a little bit. This is a judge's civil calendar. Okay. And so there's obviously a lot of screens we can show you. There's a lot of data which is available through these screens. I've just highlighted what they will look like to show you how user friendly they are, how easy it's going to be for a judicial officer to scroll down. I don't know if you saw this earlier there's a litany of menu items that all evolve around running an electronic courthouse, you know, taking court fees, taking processes, getting them electronically filed. V4 all the orders will be signed electronically by the judges with electronic signature and then pushed out electronically through the system. Proposed orders will be filed not lodged and not received as such. And there are some procedural changes associated with electronic case management and, of course, we have a lot of work to do with both the CCP and the rules of court to accommodate the technology and vice versa, so any questions about the final product? Well, thank you. It's my pleasure to show it to you. Obviously I'm excited about it. Ventura is an early adopter and we're anxious to get started and to show everyone how easy it is it will be used and hopefully two years from now I'll show you what bob has showed you how to go live with the final product in criminal cases and in family law cases and how it's already been populated in our system and how easy it will be to roll in and out other courthouses.

>> Judge, is there any interaction with any of your justice partners in Ventura in terms of their reaction is?

>> Well, absolutely. In Ventura, our justice partners are very involved in the process. And we have continued meetings. They are anxious to -- I would say to receive the kind of information that we've shown. And so the only question is, with respect to cost and we're working on those items right now in terms of how they need to budget to allow themselves to actually receive the information and transmit information to us electronically. Now, not only from the D.A.'s office but from the sheriff's department and from the various local law enforcement agencies. So, no, we're very integrated to

begin with. So that's helpful to us. But we have very cooperative law enforcement folks in Ventura County at least who are anxious to move forward with CCMS.

>> And Greg Taunton is a member of our governance committee. One of our justice partners.

>> Justice Baxter?

>> A great presentation.

>> I recall when I was in private law practice, we would recommend to clients rather than executing a will or in addition to executing a will execute a trust because that way you maintain the privacy of your property and the public wouldn't have access to it. And I recognize that this does not make what was private information public information. It retains it as being public but it's so much more accessible now. So my only question is, do you anticipate any effort to resolve civil cases outside the court system simply because of the information being so accessible?

>> Actually, that's a really good question and a philosophical question but I think societally when you have hard to get information that you make easy to get information it's going to have some impact. So to the extent people want their issues to be resolved without a lot of scrutiny then clearly council would advise them to do it outside of the system. I mean, there are some other questions that I think we need to address as a branch as to what types of documents we might not want to have easy to access. And what kind of documents we do want to have easy to access. You know, civil cases, there's very public documents and there's not a lot of privacy typically associated with those but family law cases are very sensitive and we do have certain case categories that are already not available to the public but there are parts of conservatorship files that are public. Guardianship files are public other than the confidential portion. So as a branch obviously we will have to come to grips with that but in terms of the hardware and the software being able to accommodate public access, it's here. Justice Baxter.

>> I would just like to comment. We enacted rules of court that were controversial at the time about remote electronic access to court files. And as a policy matter the council decided that we would not allow remote electronic access to -- at the document level, beyond the docket to certain case types, family among them, probate, mental health, domestic violation, cases of that sort in order to maintain the practical obscurity of the documents. One of the advantage to this system is it will allow people to get information, for example, on a family law matter as to their own case but that a neighbor could not get, for example. And this system allows us to put security and privacy at the document level that we can't do now so you can make documents confidential in this system as well. And one of the other things that we're trying to build into our document management system is some automated document production when this information is available online. What V4 allows us to do is provide even better levels of privacy and security than we had under our public access rules.

>> Justice Bruiniers as advice chair to Justice chin who has been looking at this for a long time and we'll continue to as well as having documents and files available from anywhere in the world and how that sort of thanks the nature of what's public document is open for further debate.

>> Ms. Krinsky and then Judge O'Malley.

>> My question, Mark, is more directed to you or maybe Ron. And it relates to the timing of the independent audit, vis-a-vis the final product acceptance testing and sort of reaching that moment in time when the product is deemed accepted and I guess the question -- you know, I recognize that the independent audit is a costly thing at a time when no one has money to burn. But I do think it was the prudent thing to do and it was an important thing to come forward and agree will happen. I guess what I'm trying to gain a sense of is, will the independent audit be completed we expect before the final product testing is completed? And if not, would there be any implications vis-a-vis our contractor vis-a-vis Deloitte by accepting the product at the completion of final product acceptance such that if the independent audit determines that there were other things that would cause us with 20/20 hindsight not to want to have accepted the product, that will no longer vis-a-vis Deloitte be able to do in the same way by virtue of having accepted the product? Does that make sense?

>> It does. And there's actually a couple of questions in there. And they're good ones.

>> Feel free to spread them out.

>> As far as what the independent review because it's really a review of -- they're going to lift the hood and take a look at the inside and make sure they were put together well.

>> And some of us are as bad with cars as we are with computers.

>> And so the first question is an interesting one. What if we were to run it in parallel with that testing? And what if we could do that? They would actually be lifting up the hood while we were changing things. So they really wouldn't be reviewing the end product.

>> Okay.

>> What pace and the technical expert really said is that you went in and you had to extend the development by 9 months because you had 50,000 errors. And the very first wave of that first wave of integration testing and basically it looked like the application was coming undone. You have to put those 50,000 errors I would have seen in many complex, 50,000 errors doesn't care me. It scares me if the developers and the people who are supposed to fix that application don't understand how they got there and how to get out. This is a very complex application.

Pace to get back said you're going to fix those 50,000 errors which they did in a deep dive which I talked to you about. And you're going to go through and do your integration testing and you're going to do your products acceptance testing but what happens if you get through all that and it functions and we look under the hood, it's basically put together with bailing wire, right? If they were to run parallel and try to do that, not only if they found something it would be a moving target, contractually with Deloitte we set up a criteria which we've agreed to for acceptance of the application. So if they are able to complete that application to a quality of 0050.

>> Right.

>> If they would to pass those stringent stress tests which I will tell you was the main reason why I was telling Ron that I would find it very, very difficult for that sort of independent review to come up with huge issues. If you're meeting your stress test requirements. Because the stress test -- if the system wasn't put together all that well and you stressed it, things -- bad things should start to happen and so that's another indication there. But contractually if they found something we wouldn't have a mechanism necessarily to tell them within the product acceptance test to do it.

We would during the warranty period. So what you really want to do is you want to have a completed product that we agree to and that we've accepted and then you bring the independent review in to look under the hood, check things out and if they find items that are of a concern, and I believe what they really want to do is let the branch know that maybe if this application wasn't fixed correctly, it's going to cost you an awful lot to maintain it, to expand on it and so the total cost of ownership would go up. We would have a mechanism within the warranty period to address that with the with the Deloitte and say, you know, you really need to fix this particular issue and you need to make the code comply with whatever they find.

There will be findings -- and I've talked to folks about it. Whenever you have an independent review, every developer, consultant group will come with their own methodology. Their own thought processes and their own opinions. And so often in an application like this, if you have five different groups, you're going to have fifty different methodologies and five different opinions on many different things. The real question is, when you get -- when you get these findings you have to work with them very closely and analyze them and say, are they material? So we all got to the finish line just because they would have got to the finish line taking a different path. Is that meaningful? Does it mean that it was done incorrectly? And that it's going to cost the branch more money or expose the branch to risk or make the application more vulnerable from a security perspective? Those are things we have to pay attention to.

What I want to make sure what we are able to do is have a meaningful dialog for the OCIO so say what type of finding is it and is it really material?

>> I understand all that now it makes more sense can I just ask one very short clarifying question.

>> Sure.

>> So if I understand the ordering the first product acceptance testing ends and then as you said, the hood is, you know, stationary under -- what's under the hood is stationary so an independent review at that point makes sense. But it's the warranty then kicks in. So if there are defects under the hood, it's under warranty. But in light of that, so when does that likely mean that the independent review would start and when does it likely mean the independent review would end? Because I've heard the presumption by individuals that the independent review will be done within 60 to 90 days but what you've just explained doesn't sound to me that's really a reasonable presumption.

>> And I think the misunderstanding is sort of the length of time of the activity so the activity -- when we estimated we came up pretty much with the same thing, the VCA did, you know, the 6 to 9 week, I think they said 6 to 10 or 6 to 8 roughly the same about half a million dollar effort. It's really when it starts.

>> Right, but it won't be ready to start --

>> July.

>> When the testing is done and that we think will be July.

>> End of July, correct.

>> Right.

>> But we will -- we will -- what we will do -- go ahead.

>> So just for those who have raised the concern that we sort of freeze things for those of us who have assumed that that would only mean freezing things for 60 to 90 days, really that's not accurate. If we were to freeze things, we'd be looking at freezing things for many months until the independent review is done; correct?

[Inaudible]

>> Well, or whatever freezing might --

>> We can't even start the independent review until we --

>> Until June or July. So we're looking into the fall until the end of the year when the independent review is done?

>> Right.

>> Judge O'Malley.

>> Having handled a heavy criminal -- I didn't have the information that this V4 will give to me at my fingertips and so I thank you Judge Reiser for a wonderful demonstration and Judge Moss for the V3. I'm very much looking forward to being able

to have access to information like this and I can see how valuable it will be to judges on the bench while they are hearing their calendars. And, you know, not having to wait for a file or usually it's putting the matter over and having all the parties come back at a another time to be able to resolve the simple issue of what's going on with the probation matter? So I thank you very much for that.

>> Thank you.

>> I would just like to point out a couple of things. And especially over the conversations that have been going on the last couple days and conversations that I've had with the legislators and that is obviously this body is willing and wants to now take responsibility and ownership over this process until it's completed. Until it's successfully, you know, given to all the other courts for us to be able to use. I know that we've started this governance process and Justice Bruiniers, thank you very much for standing up for being in charge of that process and I know of your technical abilities you having been the techie on my bench for many years and so I know we're in good hands in that regard.

If you may, I know that you have several different committees that are set up under your governance stricter and I do know we have some materials in our -- that we've received, you know, outlining that in a nutshell and then, chief, I've heard you this morning tell us or this afternoon that we're going to have a report that's going to be given to us as to the progress and status of CCMS at every meeting that we have, if not, you know -- if we need it before?

>> Right, because there will be a CCMS standing internal committee.

>> So here's a couple of things that I would ask that be provided by those reports. I just jotted down a few reports. And the next committees that will be going on, any progress, problems and status on the schedule would be very nice. The budget plans, expenditures and any changes in those that we foresee would be important and also any action that's been implemented to comply with the audit recommendations and any additional steps that you feel we can do over and above those recommendations as given to us by the audits that we feel we can do more, to be able to hold accountable to the public and everybody is involved. That this process obviously it's well worth it. The product is golden. There's no -- there's no question about that. But to make sure that the process is something that we can be proud of and be held accountable for and to know to the legislatures and to the public that their tax dollars are being well spent and supervised in a way that the courts would normally operate. So I would ask that for those next reports that those items be included so that this body can be fully apprised of, you know, the status and take ownership and make recommendations if any need to be to those committees. And again, Justice Bruiniers thank you and your fellow committee chairs for taking on that responsibility.

>> Thank you. Mr. Milliband?

>> I wholeheartedly degree setting up the CCMS executive committee with the standing committee and with the direction that Judge O'Malley has given. We all read the audit report. I know Justice Bruiniers you're familiar with it and one of the concerns was the oversight and I'm just wondering how you envision that the committee that has been created will fulfill the recommendations that are outlined in the audit report?

>> As I said our first objective is to restore some credibility to the process. And that's to, one, make sure that we share with the branch all of the information on a current basis.

Going forward on this as somebody said the other day I think Mark and their going to be joined at the hip for a while in terms of making sure Mark has the direction that he needs from us and that we have the information we need from him. One of the issues we're trying to address is certainly -- you know, we tried to make the governance committee broad and inclusive. It also makes it a little unwieldily. But I think getting the active participation, the input from as many of the trial courts as possible is a critical part of the process. I think making sure as Judge Wesley said that we're able to receive and respond to the questions both from the council and from the bench as a whole as to what we are doing.

I think those are the necessary first steps.

And getting the product proven and established here. I think the biggest challenge is going to be, particularly, with very uncertain budget situations what we can do in terms of an implementation plan. I think what we have on -- what we've had on paper so far is essentially at the window and we're starting fresh looking at how we're going to be able to implement this on a state-wide basis with what are going to continue to be limited resources. On the other hand, we've seen we spent money not doing anything. We spend money trying to maintain the status quo. Those are funds that we probably could spend far better into looking at some creative ways to leverage the resources we have to maximize the rollout and implementation of CCMS. So I think getting the information out to the branch first and foremost and outside the branch to our colleagues in the legislature as well and then establishing the validity and vitality of product and try and look at realistically what we can do in a reasonable time frame to make this available to all the trial courts.

>> Justice Bruiniers, as chair for the executive committee for CCMS you've heard the cost-benefit analysis that was presented to us earlier and so I wanted to know if you had any comments on that and ideas about where it should go as chair of the executive committee?

>> In terms of the cost-benefit analysis, I think there are certain things -- I think the cost-benefit analysis confirmed what we perhaps intuitively knew in certain areas. To try to maximize on the return of investment that we have made. My own view is that the product that we now have fully justifies the investment we have made in development. And that if we fail to use that product and fail to implement the CCMS in as many courts as we can, then we -- we have failed to recognize the return on investment that's available to us. I think that, you know, we need to make sure that we can as a matter of fact get back towards the most optimistic case that maximizes those returns. But I think

there are expenses that the courts would otherwise have, money that might otherwise -- we would otherwise have to spend on short-term solution that is we can perhaps apply to CCMS. I think there are ways we can certainly reduce some of these costs by letting the courts, the trial courts know what they need to do to prepare for implementation, to obviously ultimately the implementation strategy, the rollout strategy is going to be for this council to decide.

I don't think we have a -- I know we do not have a firm recommendation to make to this - - to the council at this time, but that will be one of our priorities in coming back to the council is saying what makes some sense? What can we do to leverage to the limited resources we have? And what are the alternatives that the council can consider in terms of a rollout strategy?

>> Is there a motion then to move the cost-benefit analysis to the executive committee? Judge Pines.

>> So moved.

>> Second by Judge O'Malley.

>> With that executive committee the same as the committee chief --

>> No. There is an executive committee and I'll be appointing the CCMS committee separately.

>> A separate --

>> That's correct.

>> But it's an internal committee require judicial council membership?

>> Okay. Would it make sense for them to both be considering or the executive committee will feed to that other --

>> That's correct

>> Okay. That will be the channel.

>> Thank you. In light of that comment, any no's, any opposition? And so move and we'll expect a report on the cost-benefit analysis as soon as that's available. And hopefully promptly. It's factually dense. We understand that.

>> We will try to be back at the next meeting with that.

>> Thank you. Thank you, Justice Bruiniers. Thank you all that you do. I appreciate the panel's presentation. Mr. Moore, Judge Reiser, Judge moss. Thank you, thank you, thank you, Ron.

[Applause]

>> We conclude today's meeting with a brief remembrance of a judicial colleague who recently deceased.

>> I didn't know we were concluding. I thought -- maybe this is not necessary, but there have been some agreements made, I understand on the part of the AOC as to what was going to occur and not occur.

I thought maybe these should be in a sense institutionalized with the direction from the council as a whole. For example, that there's not to be any deployment even in the early adopter courts until this independent review is done. I realize that's been agreed to but it seems to me that the council ought to go on record and say yes, that's correct and all of the recommendations of the audit could be complied with and we'll want the committee to oversee that and report back on the compliance with those recommendations. I just feel that the council should make it clear that this is the council's direction as well.

>> And I think that's right, Judge Pines. But in my view in the governance structure that is in place and affirmed we'll wait to hear back for confirmation but I don't think anyone thinks AOC is moving forward on this and I'll expect a report from the CCMS standing committee which is fed by the executive committee and the four advisory committees for that information in April.

>> Okay.

>> So as I was saying, we conclude today's meeting with a brief remembrance of judicial colleagues recently deceased. All are retired. I would like to name them. They're associate justice Hugh Evans, Court of Appeals third district. Judge David Isanson superior court of California, County of Los Angeles. Judge Mason Fenton, superior court of California, county of orange. Judge Roth well Mason, superior court of California county of Sacramento. Judge E. Warren Maguire, superior court of California, County of Marin. Judge Franklin field county of San Diego. Judge Donald Thorn, municipal court of California County of San Bernardino. Judge Juanita Verion, Municipal Court of California, county of Los Angeles. And we honor them for their service to their courts to the cause of justice and to California and I thank you all for traveling to Sacramento through the storm for this session and other meetings this week. And when we convene our next business meeting on April 29th at the judicial conference center in San Francisco we hope budget negotiations will be more complete. We'll have an update and more information for and more information on CCMS for all of you. Thank you.

>> Thank you, Chief.