The Challenging Voyage to Statewide Court Automation

A National Assessment

by

J. Douglas Walker

Director of Court Technology Research

National Center for State Courts

Patricia H. Maddox, *Project Secretary*
Original Illustrations by Lynn B. Walker

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Mary Louise Clifford, a staunch friend and former staff member of the National Center as well as a professional writer, performed outstanding editing services to finalize the monograph. Finally, Lynn B. Walker contributed numerous unpaid hours developing illustrations for the monograph. Her patient translation of the author's verbal descriptions into a set of whimsical cartoons greatly enhances communication of the concepts embodied in the monograph, and may even help the reader stay awake.

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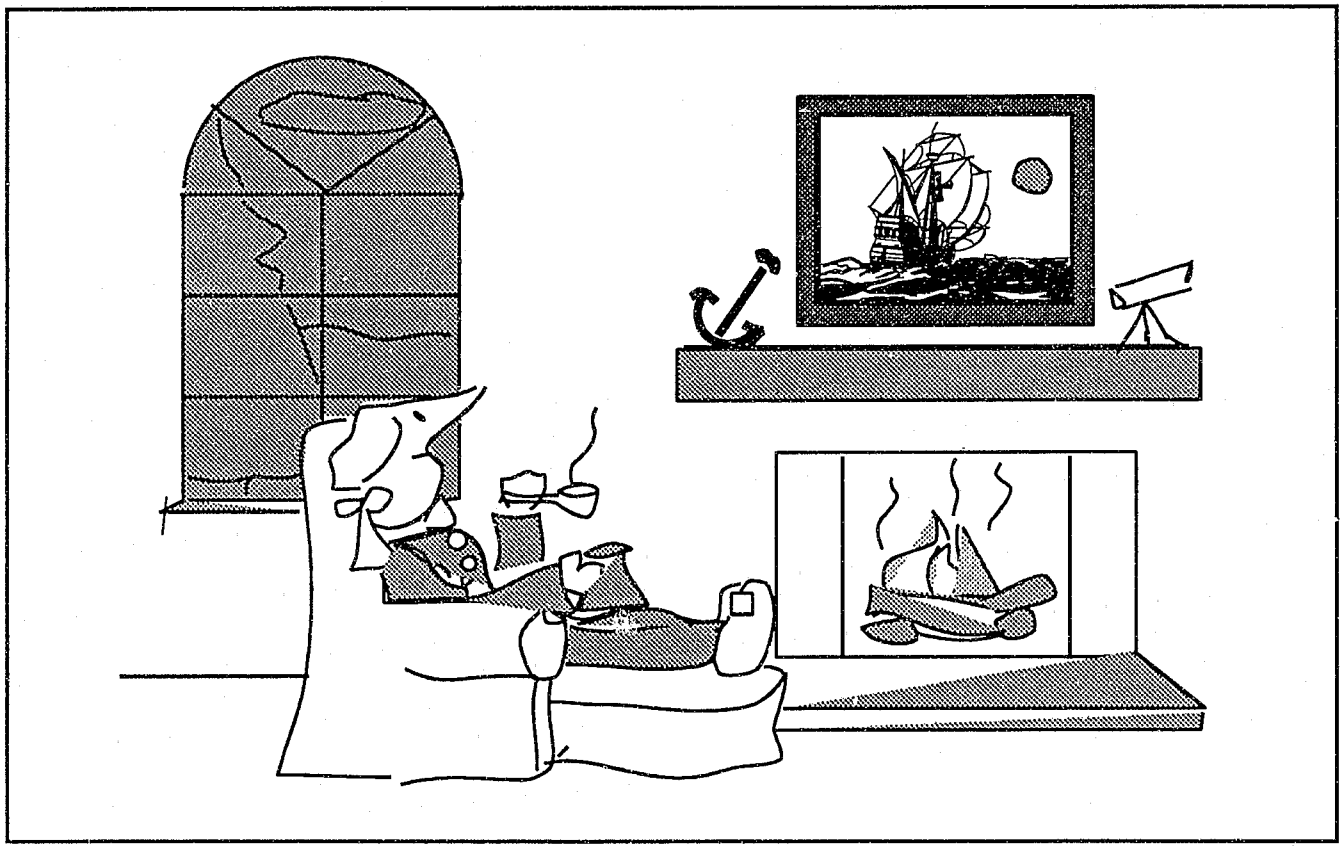
CHAPTER ONE
Introduction

The sea is at its best at London, near midnight, when you are sitting before a glowing fire. --H. M. TOMLINSON

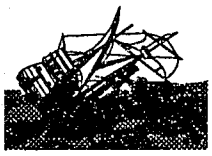


I.A. The Challenge of a Perilous Voyage

Venturing out upon the ocean for an extended voyage into unfamiliar waters was the ultimate challenge for mariners of old. With only sketchy or non-existent charts to guide them, often with poorly built and poorly equipped sailing ships, and usually with crews of questionable abilities and loyalties, captains had to be both fearless and highly motivated to leave home port for a destination that was largely unknown. Even if they did not worry about sea monsters, they were aware of the very real dangers that had already destroyed many good ships and crews. Violent storms, unseen rocks and shoals, failure of gear or structural components, mutiny, and simply running out of provisions before making landfall could easily spell disaster to the most able and well-prepared ship's master.

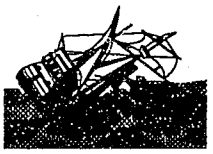
There is a strong analogy between a sea voyage of centuries ago and a statewide court automation project of today. While the direct hazard to human life is not the concern, the difficulties and potential problems that confront a statewide automation endeavor are so great that there is a very real possibility of a failure, with serious political and economic repercussions. Furthermore, just as a captain who survived the sinking of his vessel or the utter failure to accomplish his mission might never be entrusted with command of another voyage, a state court administrator or judicial information systems director whose statewide automation project ends in disaster may face a gloomy future in that career.

With all the knowledge about conducting automation projects that has been amassed in the last three decades of increasingly prevalent experience with computers, is a statewide automation project failure really that possible? Consider the following examples of repeated or protracted attempts to succeed. Even where one level of court or processing of one major type of case has been successfully automated, some states have not been able to accomplish automation of the next tier of courts or the remainder of the case types--at least not without many years of additional effort and expenses.



One Southwestern state is launching its fourth attempt to implement statewide trial court automation in the wake of previous aborted efforts. Will sheer perseverance pay off this time, or will key issues once again be overlooked? Ironically, a commercial software development firm that resides in that state and originally designed its system for use in that state has since modified its software for another state, where it was quite successfully implemented.

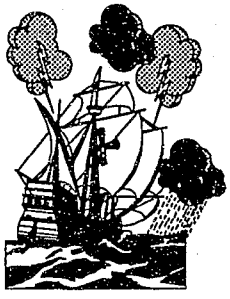
Another state in the Western half of the nation is in the midst of its fourth attempt to achieve statewide automation. This time it is seeking to streamline the process by transferring and adapting a system developed by another state. Are the leaders focusing sufficiently on all of the critical issues of managing the process, or are they blinded by the security of a design proven in another state?



An Eastern state that successfully automated its limited jurisdiction courts on a statewide basis several years ago has been unable to bring statewide automation to its more independent general jurisdiction courts, several of which have stand-alone, locally-developed systems. Despite careful planning and emphasis on a thorough analysis, a combination of political, economic, and business factors has blocked a long-running effort to arrive at a complete statewide solution.

A Western state that was an early pioneer in statewide automation successfully implemented its first generation statewide system for the general jurisdiction courts, with considerable effort and expense. Its subsequent attempt to automate the limited jurisdiction courts using a new technological approach, however, was finally abandoned after a painful struggle to overcome setbacks. It has since been engaged in a massive re-engineering effort to implement a successful second-generation system for the limited jurisdiction courts--one that addresses the deficiencies of the first system while it incorporates recent advances in technology.

A state in the Southeast successfully developed and implemented a statewide criminal system years ago (after recovering from an aborted preliminary attempt) and now has that system deployed in 100% of the courts. Despite the success with criminal case processing, however, it has yet to implement a civil case processing system. Although the delay does not constitute a failure (and a civil system is indeed well under development), why does it take so long to replace the remaining manual system in a state that has built up an impressive technical staff and has demonstrated expertise in statewide projects?



Two states in the Northeast have been pursuing statewide automation for a number of years. Each has invested considerable personnel time and energy and millions of dollars in the process, which has included the substantial involvement of outside consulting services where needed. Although both states have shown great progress in recent years and seem well on their way toward a successful conclusion to this process, the final chapters have not been written. Moreover, to whatever extent their goals ultimately will be realized, their accomplishments will have come only after a long history of setbacks, delays, reversals, and abandoned approaches.

There is indisputable evidence that achieving statewide trial court automation historically has meant a long and difficult process for most states that have attempted it. Yet many states have succeeded in developing and implementing very effective statewide systems. What made the difference between those attempts that failed and those that succeeded? Why did some projects leave a torturous trail of switchbacks and abandoned forays, as one impasse after another was encountered and had to be sidestepped, while other projects seemed to proceed with minimal wasted time and effort? Was it all a matter of luck--just the presence or absence of a favorable set of circumstances in which things fell into place? Did some projects succeed simply because the right people were available, along with the right political and economic climate, at a time during which no serious problems happened to emerge? (Indeed, there seems to be an element of luck involved!) What is the secret of success in this tremendous undertaking?

> At least 11 states are known to have experienced one or more failures, aborted attempts, or near-catastrophic setbacks in their efforts to accomplish statewide automation of their trial courts.

I.B. Project Purpose and Description

The National Center for State Courts, with funding provided by the State Justice Institute, set out to study the efforts of the state court systems to automate their trial courts on a statewide basis. Rather than focusing on technology issues, this study was designed to explore the issues involved in managing the **process** of statewide automation. Over the years management issues have proven to be far more germane to the success of the effort than has technology (even though technical decisions are a part of the process that must be managed, and technical decisions may affect the approach that is taken to subsequent components of the overall process). In addition to documenting the major management issues, the main objectives of the study were to identify the problems and pitfalls that are common to statewide automation efforts and to discover the ingredients necessary to formulate successful strategies for achieving statewide automation.

For purposes of this project, *statewide court automation* is defined in the somewhat restricted

sense highlighted below. Project staff conducted all research, including surveys and interviews, in the context of this definition. Correspondingly, all figures, statistical data, profiles of states, and analysis of issues presented in this report reflect this interpretation.

Definitive Characteristics of Statewide Court Automation Projects and Systems

1. Planning, development, operation, and major funding are the responsibility of the state judicial organization, whether systems are actually developed by state-level technical staff or software vendors.
2. The project results in uniform (but not necessarily identical) software applications implemented in multiple courts, whether operated in a centralized or decentralized environment.
3. The project involves case processing systems for major casetypes, providing comprehensive operational support to the trial courts, rather than appellate court systems, administrative systems, or applications serving only a narrow part of the judicial process (e.g., child support payment processing, statistics, financial operations, or jury management).

I.B.1. Scope and Focus

Because it was necessary to limit the scope of this project to manageable proportions, the research and this resulting monograph intentionally avoid duplicating previous treatments of court automation and technology topics. For example, this report is not a discussion of planning methodology. Furthermore, it does not tackle the issue of "why have court automation." It assumes the reader is well aware of the advantages (nay, the necessity) of court automation in general. In fact, this report does not even address the premise that statewide court automation is a desirable thing, except as part of the strategy for selling the concept of a statewide approach.

Similarly, this report does not try to cover the issues that are common to all court automation projects. Although there is certainly some overlap, the study focused on the issues that are unique to statewide automation, or at least the aspects of common issues (e.g., training court staffs to use the new automated system) that are unique or especially important to statewide projects. For an in-depth treatment of the general issues involved in all court automation projects, the reader is invited to examine another National Center publication, *Planning, Acquiring, and Implementing Court Automation* (National Center for State Courts, 1993). That monograph, which was also funded by the State Justice Institute, offers valuable guidance to any court manager pursuing automation, whether at the local, district, or state level.

I.B.2. Methodology

This project was conducted using a combination of surveys, literary research, site visits, and both formal and informal interviews. In the formative stages of the study, National Center staff began exploring available reports, articles, and other sources of information about statewide automation projects. They then developed a detailed survey instrument to collect information on the status of statewide automation in each of the 50 states and insights into the experience of those states that had pursued a statewide court automation project. Rather than quantifiable results, the preliminary survey was designed to gain an understanding of what issues were problematic for different states and how different states characterized their approach to statewide automation. Because many of the questions were interrelated and many of the responses had to be interpreted in light of the characteristics of a particular state's judicial system, the survey results were reviewed individually, rather than in the aggregate.

On the basis of the literary search, survey, follow-up telephone interviews, and personal knowledge of National Center staff, and with the help of the advisory committee, four states were selected for a more in-depth, on-site review of their state-

wide projects: Idaho, Minnesota, North Carolina, and Oregon. The selection of sites was designed to obtain the best cross-section of the national experience possible with limited sites. National Center staff spent approximately a week in each state, examining documentation and interviewing numerous court personnel at all levels, both at the state capital and in several trial courts around the state. With the assistance of the judicial information systems director in each state, key people with long-term or substantial involvement in the statewide project were identified for interviewing, in order to recreate as much as possible of the "corporate memory" of the experience.

Persons interviewed at the state level included:

- chief justices or other designated supreme court justices
- state court administrators
- deputy administrators
- judicial information system (JIS) directors and deputies
- training managers and staff
- analysts
- technical support personnel.

At the trial court level, National Center staff spoke with

- judges
- court administrators at local and district levels
- clerks of court
- supervisors
- technical staff
- end users.

Many of these individuals served on the original statewide committees and task forces.

Near the end of the project, staff conducted a follow-up survey by telephone with the JIS director or other appropriate individual in each state. The purpose of this abbreviated survey was to collect specific, current information about the status of statewide automation and other aspects of existing projects. Profiles for each state resulting from the final survey are found in Appendix A.

In addition to formal interviews and surveys, National Center staff gleaned much helpful information about statewide projects through informal discussions with court personnel at numerous conferences, meetings, and other events around the country. Similarly, in the course of other activities conducted at the same time this project was under way, staff had many opportunities to gain additional insights into statewide automation projects through telephone conversations with court managers, technical staff, and court technology vendors.

Throughout the project, National Center staff have sought to avoid bringing embarrassment or criticism to any state, court, office, or individual. All persons interviewed were encouraged to be as candid and fully disclosing as possible, with the understanding that the project staff would use discretion in publishing the findings. Accordingly, this monograph contains the essence of many of the events, decisions, political settings, and anecdotes -- both good and bad -- related by those persons interviewed, without specific references to persons, places, or other identifying characteristics.

I.C. Organization of this Report

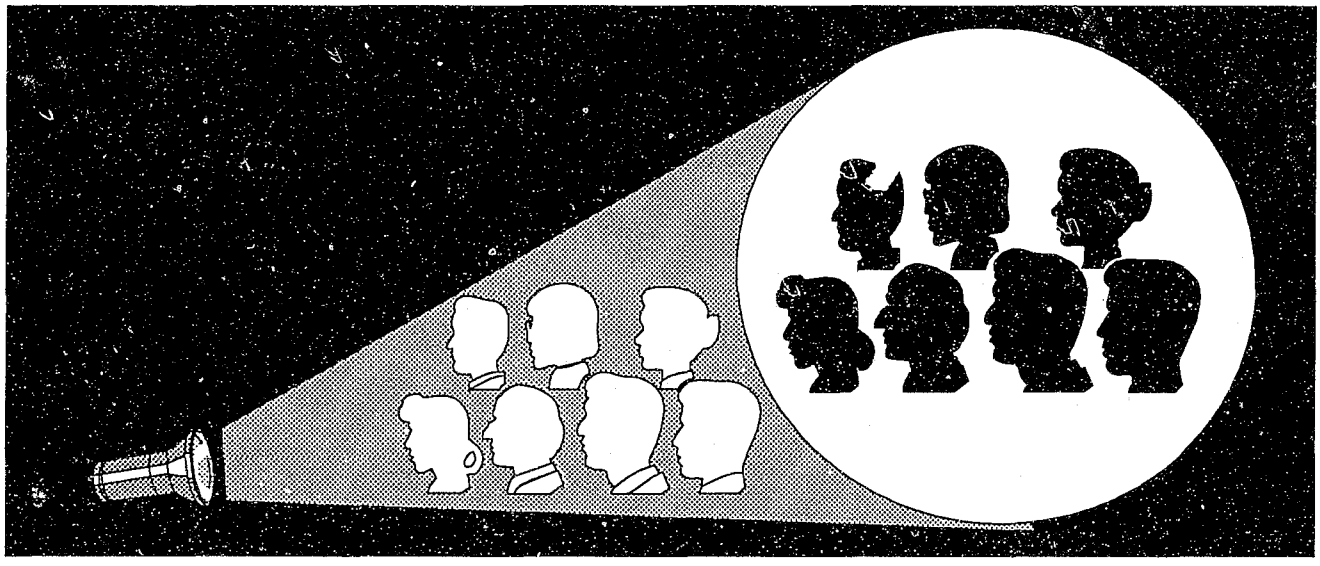
The remaining chapters of this report discuss the findings, insights, and conclusions gained from the National Center's research into managing the process of statewide court automation. Chapter Two portrays a snapshot of the general status and characteristics of statewide automation around the country. Chapter Three explores the question of why it is so difficult to achieve statewide court automation, summarizing the problems most commonly encountered and the causes for many failures.

Chapter Four presents an overview of the major issues that have been found to be fundamental to most statewide automation projects. It is these

issues that must be addressed with care if a state is going to be successful in its endeavor. The remaining chapters are devoted to discussing each issue in more detail, providing advice and guidance based on the collective experience of all the individuals who contributed to this study. Readers wishing to review only a summary of the issues involved in managing the process of automating a state's trial courts should read Chapter Four.

CHAPTER TWO
National Profile of Statewide Court Automation

"Profiles of Courage" or "Silhouettes in the Dark"?



II.A. Overview

Although the main thrust of this project was to study the major issues involved in the process of statewide court automation, it is both interesting and informative to develop some type of profile of the collective statewide projects. Like trying to hit the proverbial moving target, however, attempting to describe the status of statewide automation efforts across the country is a dynamic exercise. At this writing, several states are pursuing their statewide projects at a furious pace, and the number of courts automated changes almost weekly.

Furthermore, it is nearly impossible to compare statewide projects or to develop a meaningful composite of such projects, because each is unique in multiple ways. In one state, for example, automation may have been phased in over more than a decade. Perhaps the initial efforts involved only the general jurisdiction courts, and were further limited to implementing a statewide civil case processing system on a central mainframe computer. Then perhaps after most of the general jurisdiction courts were automated, the system was modified for minor civil or small claims cases in courts of limited jurisdictions. By the time work began on a criminal case processing system, perhaps entirely new technology was available, such as a system development tool using a fourth-generation language and running on a PC local-area network.

In another state that started its project much later, there may have been a suitable commercially-developed case processing package available that was installed as a complete system, capable of handling all types of cases and including integrated financial accounting functions. Particularly if that

state had a unified court system, implementation may have proceeded around the state at a very rapid pace.

Funding may also vary considerably from state to state. Some states, for instance, have a separate budget for court automation and are able to track expenses quite accurately. Others do not break out the cost of developing and maintaining the system from the overall personnel and operating costs of the judiciary. Some states fund their project entirely out of legislative appropriations, while others use a combination of appropriations and fee-based funding.

Finally, because automation projects generally span many years, personnel turnover frequently makes it nearly impossible to retrieve detailed facts about dates, costs, system origins, and other aspects of the project over time. Fortunately for purposes of this study, the "corporate memory" is much more adept at piecing together the general history of the project with respect to the major events that transpired and the important issues that were involved in the process.

Despite the limitations discussed above, the project staff has compiled information from a combination of sources to try to develop a brief profile for each state showing some of its demographic characteristics and a snapshot of its automation efforts. Information about the systems and projects was obtained largely from telephone interviews conducted with technical directors or other individuals at the state administrative office of the courts AOC. Although each state has been given opportunity to verify the accuracy of the information recorded on the profile sheets, there is considerable room for errors stemming from miscommunication, misinterpretation of the questions asked or answers given, or inconsistencies among the state judicial systems. Moreover, much of the data is subjective in nature. The individual profile sheets for each state can be found in Appendix A.

From the individual profiles, several aggregate charts and graphs have been developed to help present a snapshot of the national status of state wide automation efforts as of this writing. These figures appear below, in the remainder of Chapter Two. The reader is again cautioned not to regard the figures as precise or accurate.

II.B. Aggregate Statewide Court Automation Charts

II.B.1. Extent of Statewide Trial Court Automation

Figures 2-1 and 2-2 below depict the extent to which each state has achieved automation of its trial courts on a statewide basis. In these figures states fall into one of three categories:

- **None or under development**: These are the states that have not yet implemented a statewide system in production mode in any of the trial courts. They may be planning for automation, actively developing a system, or even piloting a system.
- **Partial implementation**: This category includes a wide range of states in which a statewide automated system providing case processing functions for at least one major case type has been developed and implemented in at least some of the trial courts.
- **Full or very extensive automation**: This category is reserved for those states in which statewide case processing systems supporting all major case types (civil, criminal, and traffic) have been implemented in at least 80% of the courts (including both general jurisdiction and the main tier of limited jurisdiction courts, if applicable), or in which the statewide system processes at least 80% of the total caseload in the state.

Figure 2-1 illustrates the distribution of states across the three categories. Readers may refer to the state profiles in Appendix A to find more detailed information on the status of automation in a given state. Figure 2-2 shows the percentage of states in each category.

Figure 2-1: Status of Statewide Court Automation

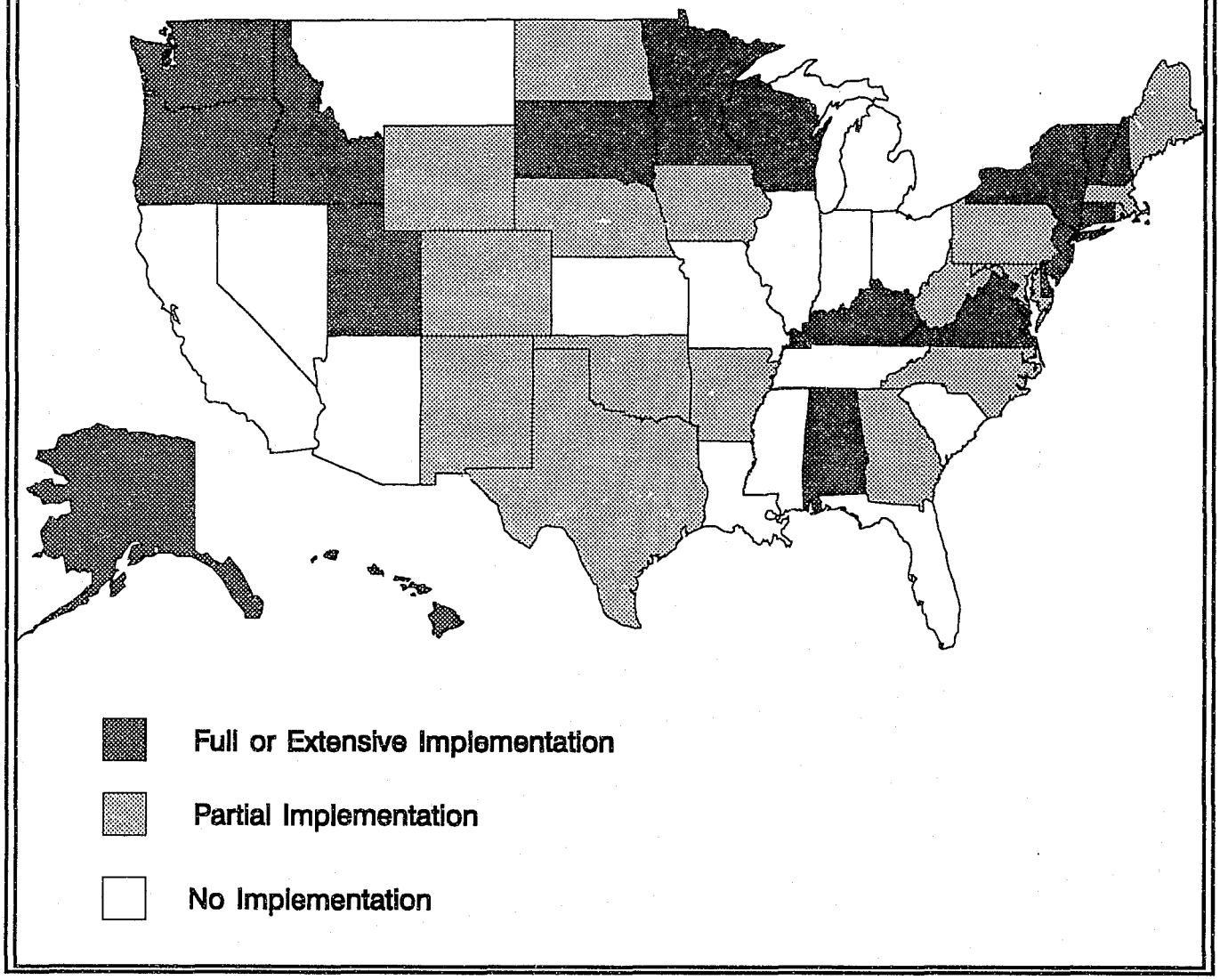


Figure 2-2: Status of Statewide System Implementation Across States

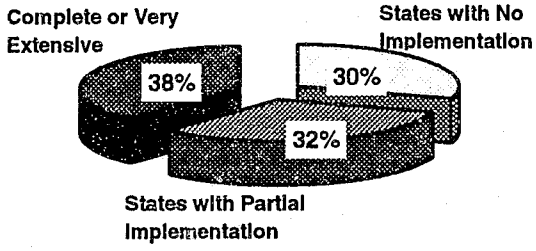
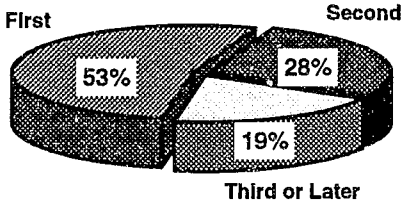


Figure 2-3: Generation of Predominant Statewide System



II.B.2. Generation of Systems

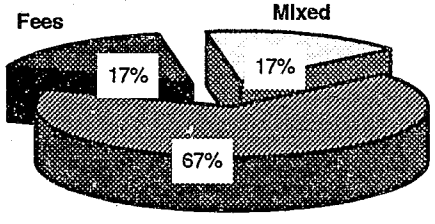
Several states that have implemented statewide systems have subsequently replaced those systems with a new or significantly revised system, either to take advantage of newer technology or to implement a more effective design to meet the needs of the courts. In some cases, multiple generations of the systems have been developed over time. Figure 2-3 shows the rough breakdown of the generation of the latest system implemented or under development, as reported by the states with statewide systems. The figures may be somewhat misleading because of the way different technical managers interpret system revisions. For example, some managers approach upgrades and revisions as a constant, incremental process. Even though their ten-year old system may be radically different today than it was seven or eight years ago, the change has been one of evolution, rather than replacement. On the other hand, some systems are more easily rewritten than revised, once the number or complexity of modifications reaches a certain level.

Despite the imprecision of defining generations, the chart illustrates that statewide systems are not static and permanent. They require constant revision and improvement to continue serving the courts effectively.

II.B.3. Funding Sources

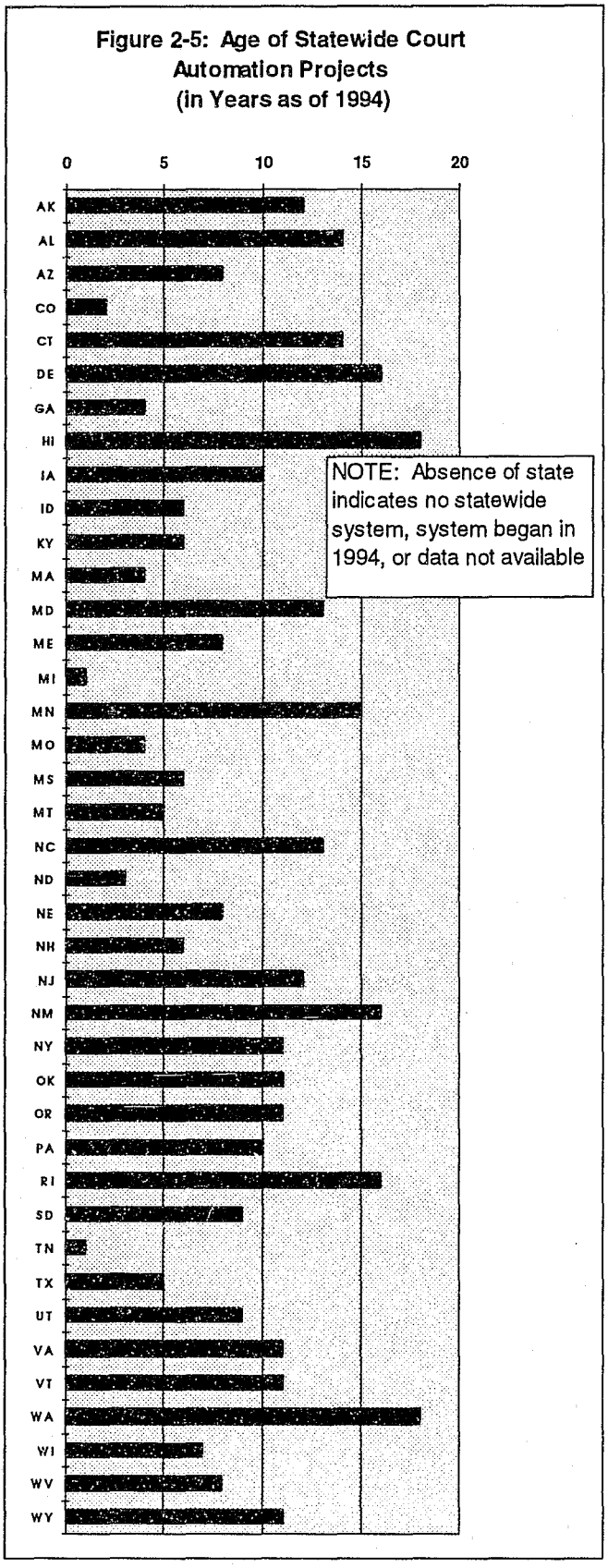
Figure 2-4 below shows the breakdown of sources of funding for statewide automation among the states that have statewide automation. Categories are defined by whether funding comes predominantly from general fund appropriations, fees or other non-appropriated sources, or a combination.

Figure 2-4: Primary Source of Funding for Statewide Automation



II.B.4. Age of Statewide Automation Projects

Figure 2-5 is a chart showing, for each state that supplied this information, the approximate number of years (as of 1994) that the judiciary has had a statewide automation project. Calculations are based upon the year that the original statewide automation project began.



II.B.5. Technical Characteristics

Based on the states in which the automation project has progressed to the point of producing a system, figures 2-6 through 2-8 indicate some of the technical aspects of the systems that have been implemented or are under development.

Figure 2-6 shows a breakdown by whether the statewide system was developed in-house, was based on procurement of a commercial package, or was custom developed by an outside software contractor.

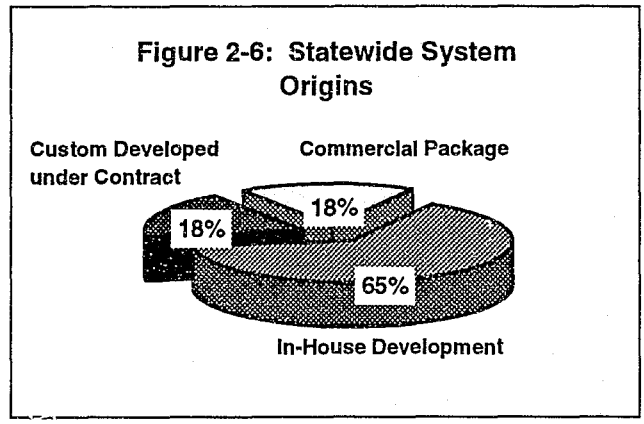


Figure 2-7 shows the breakdown of system architectures between centralized and non-centralized (i.e., distributed or local stand-alone processors) systems.

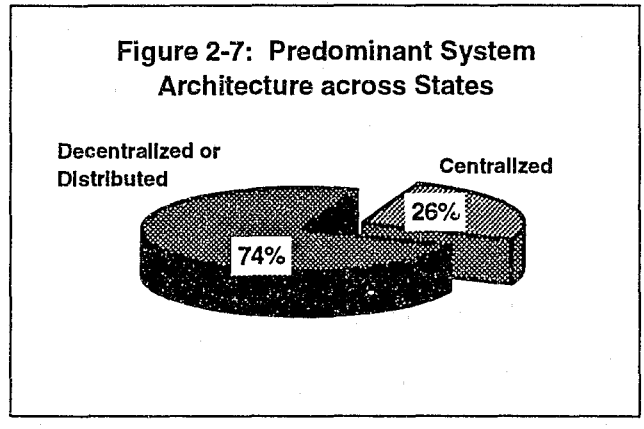
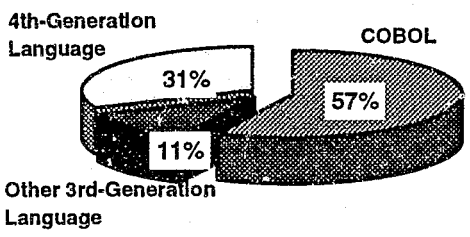


Figure 2-8 indicates the distribution of software environments used predominantly for each state's system. Software environments are classified as to whether they are based mainly on

COBOL, on another third-generation language, or on a fourth-generation or advanced language.

Figure 2-8: Predominant Software Environment across States



II.B.6. Technical Staff Size

Figure 2-9 on the following page is a chart showing, for each state for which the information was available, the approximate number of staff in the Judicial Information Systems Department (or equivalent) and the total number of personnel in the AOC. The numbers are based on full-time equivalent (FTE) positions. The breakdown of staff is highly subject to interpretation, and readers should regard this data as imprecise.

II.B.7. Electronic Public Access Systems

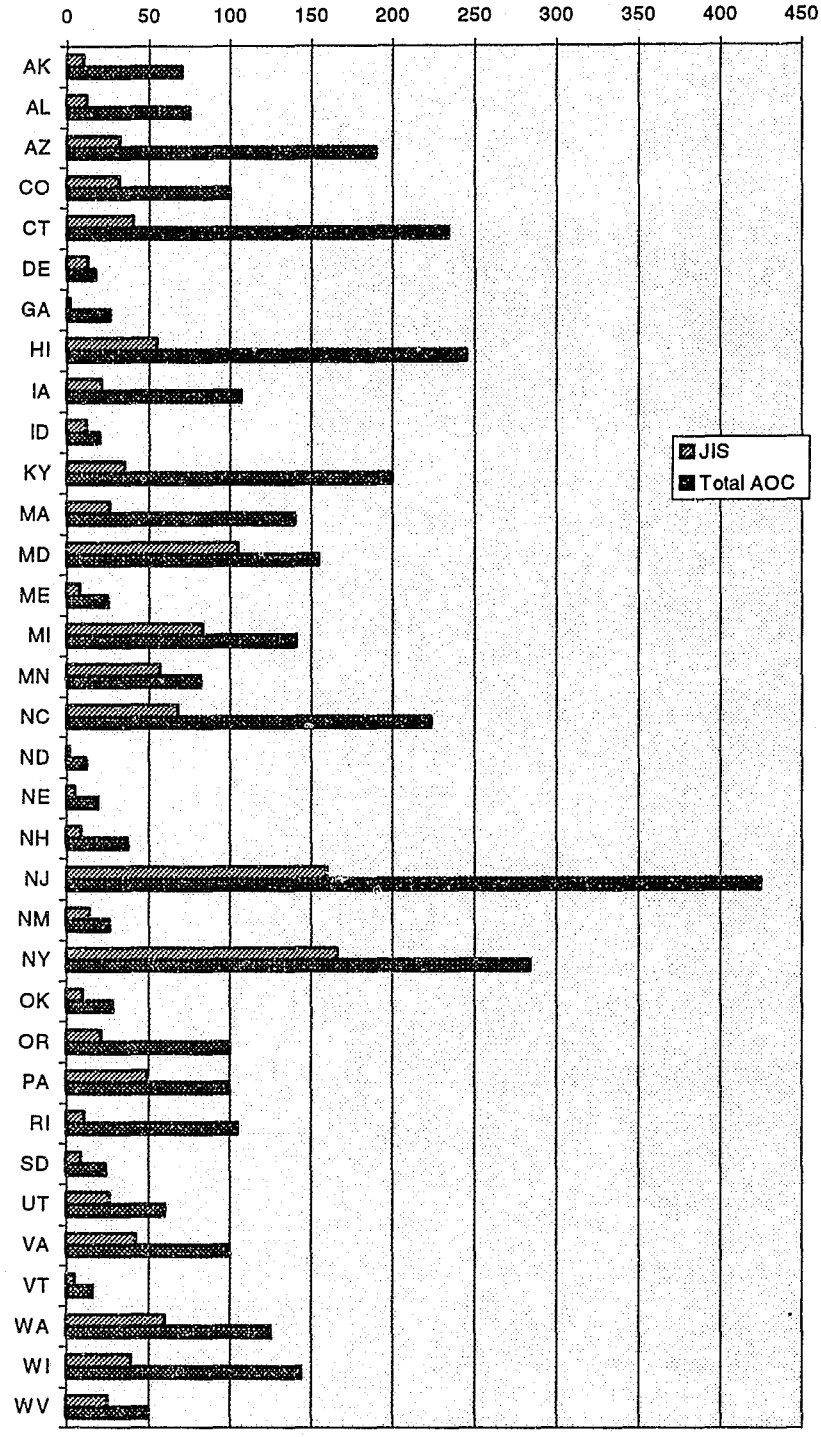
Figure 2-10 indicates which states have implemented an electronic public access system on a statewide basis. These systems provide non-court users dial-up access to the statewide court system.

Figure 2-10: Statewide Electronic Public Access Systems

State	Date Implemented	Number of Users	User Fees?
Alabama	1993	124	Yes
Connecticut	1990	135	Yes
Delaware	1991	250	Yes
Maryland	1991	300	Yes
New Jersey	Pilot		Yes
New York	Pilot		
Oregon	1993	Unknown	Yes
Utah	1992	60	Yes
Virginia	1992	500	No
Washington	1990	1200	Yes

Note: Some Kansas courts supply information to the Information Network of Kansas, a commercial, on-line service.

Figure 2-9: Number of JIS and Total AOC Staff



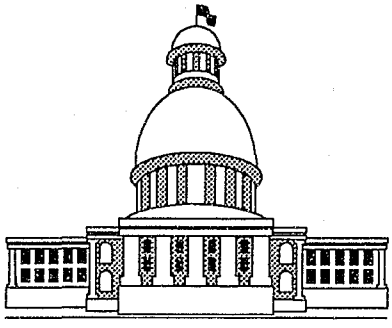
CHAPTER THREE
Why Is Achieving Statewide Court Automation so Difficult?

III.A. Complicating Factors that Distinguish Statewide Automation

Why is it so extremely difficult for a state to implement a uniform automated case processing and management information system among its trial courts? What sets this task apart from developing and implementing such a system in a single, local trial court--a formidable task itself? There are a number of complicating factors inherent in undertaking court automation on a statewide scale that are not present or are not significant in a local project. Although there are many possible ways to categorize these distinguishing characteristics, it may help to understand their negative impact if we group them as below.

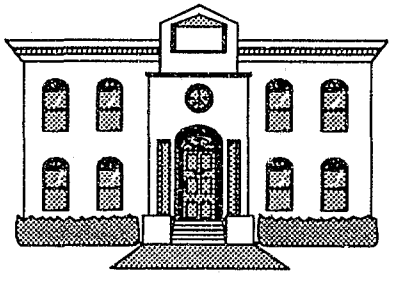
III.A.1. Competing Priorities

When a state attempts to automate its trial courts, there are immediately two sets of priorities or interests that must be accommodated: those at the state level and those at the local level. Obviously, there is considerable overlap in the goals and needs of both groups. (Otherwise statewide court automation might never have become a reality!) The differences, however, are significant and can be problematic.



State-Level Priorities

- Comprehensive, accurate, uniform, and timely statistical data
- Statewide criminal history information
- Uniformity of software around the state
- Low-cost development and implementation
- Minimized hardware and software maintenance costs



Local Court Priorities

- Operational features and functions optimized for completeness and ease of use
- High system performance for data entry and inquiry
- Customized forms and other operational outputs
- Preservation of local criminal justice information system (CJIS) functions and interfaces
- Technical staff responsiveness to problems and needed enhancements

III.A.2. Size, Complexity, and Long-Term Nature of Project

The sheer size and complexity of a statewide automation project far outstrips that of any local automation effort. The implications of the difference in magnitude are considerable and far-reaching. While there definitely are economies of scale resulting from a single, combined effort instead of 50 or 100 individual efforts (e.g., one software development effort, one training program, one set of documentation, one acquisition effort for hardware and software), the individual tasks to be accomplished within that effort are usually considerably more complex and require more time. Furthermore, many of those tasks must be repeated for each court in the state, involving multiples of time, expenses, and staff effort, even though the efficiency with which they are performed increases with the repetition.

Listed below are some of the negative implications of the magnitude of statewide automation projects.

- Personnel problems related to long-running, concentrated effort may arise:
  - Turnover in leadership can break continuity
  - Turnover in key staff can cause delays and loss of momentum
  - Committee members from trial courts may be recalled
  - The most dedicated staff and committee members may experience burnout
- Local courts may become impatient with perceived lack of progress
- Long-term funding may be in jeopardy if economy undergoes downturn
- Technology advances may make system design obsolete before implementation can occur (of course, such advances may also facilitate faster development, increased performance, enhanced capabilities, and cost savings)

While the magnitude of a statewide project generates complexity itself, additional complications result from a project involving multiple courts. The following are obvious examples.

- Complexity of developing satisfactory uniform solution for all courts

- Increased complexity of statewide system communications
- Difficulty of providing training and on-going support for remote users

III.A.3. Political and Emotional Factors

In addition to the problem of conflicting priorities, any project involving the relationship between the state judiciary and the local court communities will have to navigate the turbulent waters of organizational politics, vested interests, staff morale, and other emotionally-charged issues. Without a doubt, most local automation projects encounter many political and emotional issues as well, and there is often an inter-organizational cross-current involved. But automation of the local court by the state introduces another dimension and a whole new set of such factors into the process:

- Traditional local autonomy of politically powerful clerks and strong administrative judges, which may have established "fiefdoms" resistant to manifestations of central authority
- Judicial resistance to performance monitoring and cross-court comparisons
- Resentment of local clerks to increased state scrutiny of financial accounting
- Perceived operational differences and unique nature of local court
- Existing investment in local systems, whether established or under development (i.e., financial investment, history of effort, pride of accomplishment, etc.)
- Fear of being stuck with an imperfect system and no local control
- Resistance to allocating local personnel's scarce time to serve on statewide committees and task forces
- Mistrust caused by any previously-demonstrated insensitivity of state to local concerns, whether or not courts and judiciary were involved
- Animosity between trial courts and present or former state court administrator or chief justice
- Lack of confidence in judicial information systems staff because of previous statewide automation effort that failed

III.B. Leading Causes of Failures in Statewide Automation Projects

Many local court automation projects have been less than successful, or they have been accomplished satisfactorily only after numerous setbacks and reversals have been overcome, often at considerable additional expense and after much more time than originally planned. When the magnitude of the difference between a local project and a statewide project is understood, it is certainly not surprising that there have been numerous failures in statewide automation projects. Some states learned valuable lessons from their failures and went on to achieve successful statewide automation. Other states are still engaged in the struggle, perhaps avoiding the mistakes of previous attempts but encountering new obstacles for which they were not prepared. One of the goals of the National Center's research was to identify the common errors and omissions that can damage statewide automation efforts and even cause them to be abandoned as a total failure.

Summarized in the remainder of this section are the leading causes of failures in statewide automation projects. In this context a failure does not necessarily mean that the entire project collapsed and no system was implemented. Many projects have been dealt a staggering blow, but have been salvaged and re-directed toward ultimate completion (perhaps with somewhat reduced goals). The causes for such setbacks are also important to understand, both because what damages one project may sink another and because it is desirable to develop a strategy that avoids all known pitfalls. Every state will blaze a unique trail to a certain extent, because its combinations of circumstances and characteristics (e.g., demographics, court structure, economic climate, and judicial

leadership) are unique. It is far preferable, however, for states pursuing statewide automation at least to know what mistakes other trailblazers have made, rather than to develop their own costly hindsight through stumbling over the same obstacles.

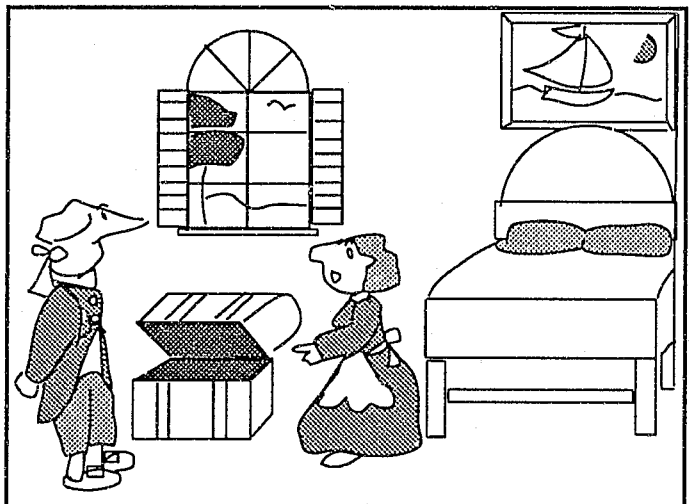
III.B.1. Errors with Catastrophic Consequences

When the collective experiences of the states are examined to determine what went wrong in some projects and how those problems were avoided in other projects, it becomes apparent that certain issues are so fundamental and pervasive that failing to address them adequately sets up a chain of consequences that usually dooms a project to failure. It may seem harsh to apply the term "error" to a situation in which project leaders did not overlook anything, but simply did not go far enough in one aspect of the process. Yet if corrective action is not taken to reinforce the inadequate component, the process will not deliver the desired result.

In building a ship, the keel that forms the "backbone" of the ship must be laid carefully, so that each section not only is present, but is sufficiently robust, aligned, and connected to ensure a solid foundation for the rest of the ship. Failing to address wholeheartedly the design and construction of any section of the keel will result in a ship that cannot withstand the rigors of the elements and the service to which it is introduced, no matter how carefully and strongly the rest of its components are constructed.

In planning and conducting statewide court automation projects, errors of omission or partial omission of the type listed below result in a flawed and weakened "keel" upon which the entire project depends. Unfortunately, such fundamental errors in judgment or execution usually are not diagnosed until much later in the process when the negative ramifications begin to emerge. By the time the underlying cause for the current problems is identified, it is usually too late to address it without essentially halting the process and starting over.

Failing to Recognize the Scope and Extent of the Project



"But Dear, shouldn't you take along more than one change of uniform, just in case the world turns out to be a little larger than you think?"

Nearly everyone acknowledges that automating the trial courts on a statewide basis is a long and complex process, requiring a substantial commitment of money, personnel, and effort. It is difficult, however, to grasp the enormity of the project, the degree to which it can consume time, energy, and budgets. In their enthusiasm and sincere desire to get a statewide project under way, project leaders can underestimate or downplay its impact on judicial branch resources, the long-term commitment of funding that it will entail, and the length of time that will be required between initial planning and full deployment of the system around the state.

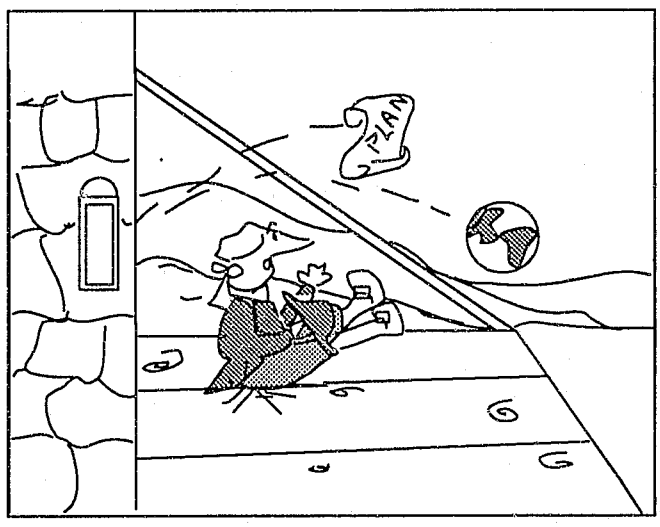
Failing to recognize, acknowledge, and commit to the scope and duration of a statewide automation project generates such a fundamental and deep-rooted flaw in the process that it is often the real reason behind other failures or mistakes that can be identified (e.g., developing an unsatisfactory design, purchasing inadequate hardware, and failing to train users sufficiently). If the degree of underestimation is great, the project ultimately may be scrapped. If the state decides to

keep it alive through an infusion of additional funding that permits backtracking and corrective action, the ironical result of this flaw will be, at best, a system that has taken much longer to produce and costs much more than one produced by a process more realistically estimated in the first place.

Even when the dimensions of the overall project are recognized, often one or more steps or components of the process are underestimated. The seriousness of the resulting negative effect varies, depending upon the nature of the project component and the severity of the underestimation. For example, allocating insufficient time for a statewide requirements analysis may result in a flawed design that takes years to correct (if indeed it can be salvaged). On the other hand, underestimating the amount of time required to install the hardware in each site may simply stretch out the implementation period--an unhappy and possibly costly effect, but not one that diminishes the ultimate success of the statewide system.

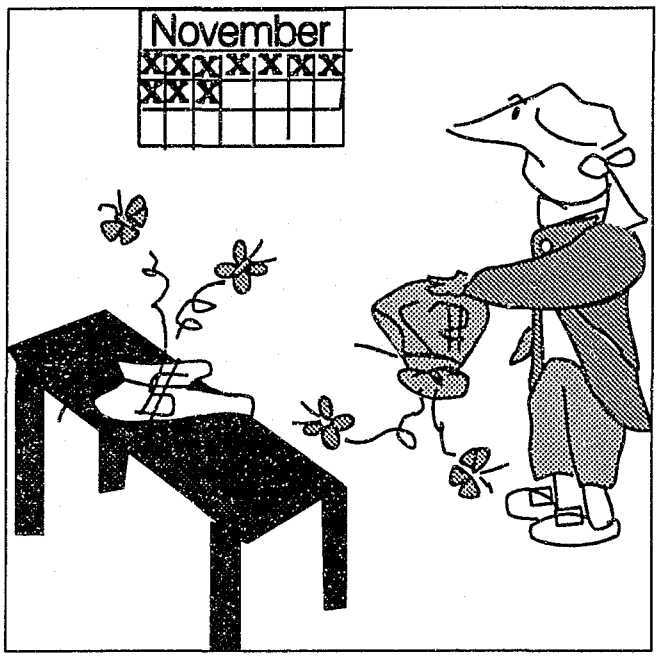
Other catastrophic mistakes or failings are described more concisely below. The issues they reflect will be discussed in later chapters.

Failing to "Sell" the Concept of Statewide Automation Initially and Maintain its Endorsement



If project leaders cannot convince both the funding body and the local courts that statewide automation is a desirable and attainable goal, the project will never move beyond the planning stages. Moreover, failing to maintain sufficient commitment to the concept to build momentum means the project will be allowed to wither and die the first time it encounters significant problems.

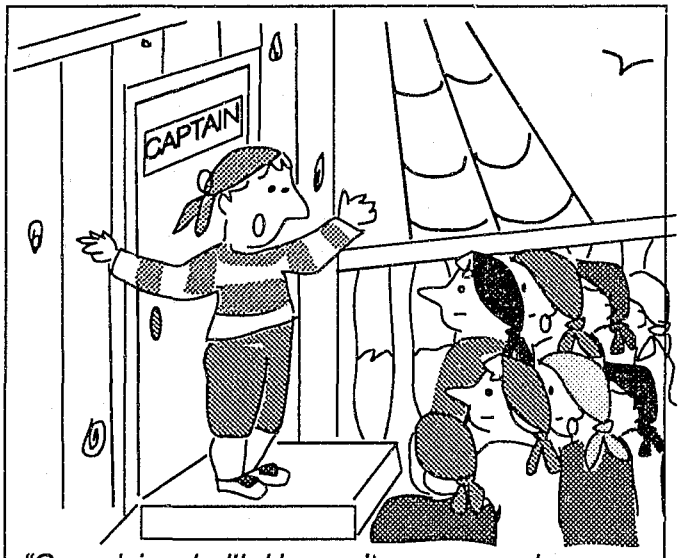
Failing to Secure Adequate, Long-Term Funding



Statewide projects require significant funding, owing to their scope and complexity. Starting a project with inadequate funding usually means slow progress at best (and lack of visible progress may, in turn, jeopardize future funding). Often it means that project leaders attempt to abbreviate essential steps or sacrifice the quality and effectiveness of certain components of the statewide system, especially if they succumbed to the temptation of overstating the anticipated results in order to secure any funding at all.

Even if the initial funding is adequate to launch a project, project leaders unable to obtain a steady flow of funds throughout the subsequent phases will see their project begin to fall apart.

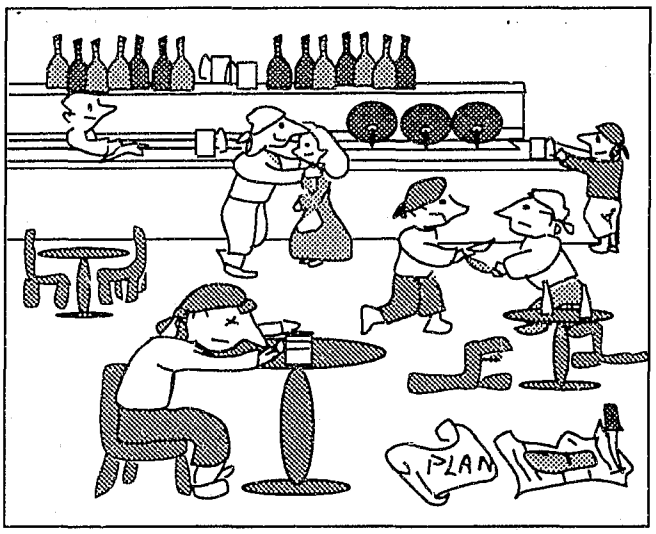
Failing to Involve Users Early and Extensively



"Our advice, hell! He won't even say where we're going! 'Trust me, you're gonna love it,' he says!"

No statewide project has succeeded without the heavy involvement of the potential users of the system. Neglecting to obtain the input of court personnel dooms the project to failure for two reasons: 1) the system will be designed or specified in a vacuum, removed from the realities of the environment in which it ultimately must function; and 2) the project and resulting system (if there is one) will not be "owned" by the court users and will encounter damaging hostility.

Failing to Establish Proper Committees and Leadership

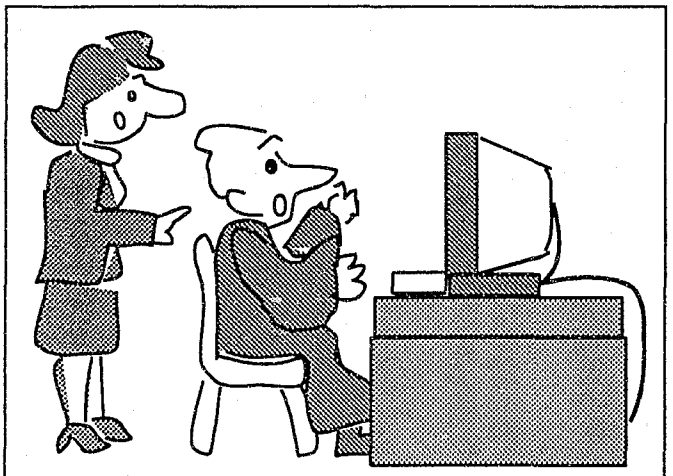


Effective steering committees, detail-level committees, and other working groups form the pillars of support for a statewide automation project. If members are not carefully selected on the basis of criteria that encompass knowledge, ability, and attitude, the committee cannot contribute the necessary guidance and expertise to the project. Failing to provide adequate statewide representation can result in a skewed view of the planned system that will not provide a satisfactory solution. Finally, regardless of the quality of its membership, committees without skilled and effective leadership will thrash about in chaos when faced with the complexity of a statewide automation project.

III.B.2. Other Damaging Mistakes and Problems

Each of the following set of pitfalls may significantly damage a statewide automation project, but its effect alone would not usually be fatal. Many states have stumbled over one or more of these problems, but have managed to overcome the setback eventually. Combinations of such failings. however, can erode the credibility of a project and destroy all chance for success. Moreover, leaders of projects that are already on shaky ground cannot afford to overlook even one of these potential traps.

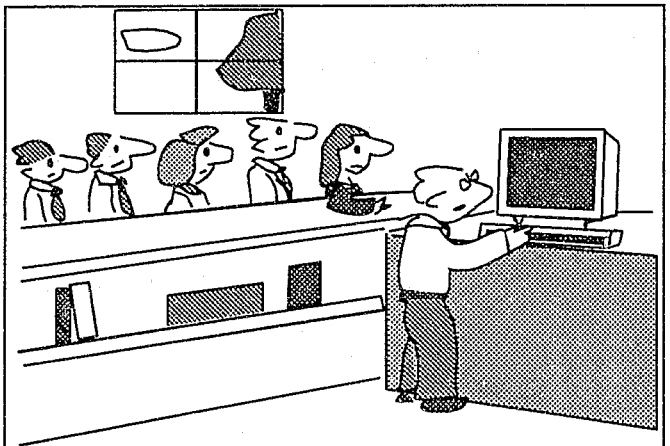
Failing to Manage User Expectations



"Keyboard?? After we spent 7 million dollars, you mean I can't just say the case number?"

One of the most challenging aspects of a long-term, statewide project is keeping all players in touch with reality. Because it is such a complex project involving so many people, misunderstandings and unreasonable expectations are very likely to occur. If project leaders initially oversold the benefits and underplayed the difficulties in an attempt to gain support for the project, user expectations will be even more of a problem.

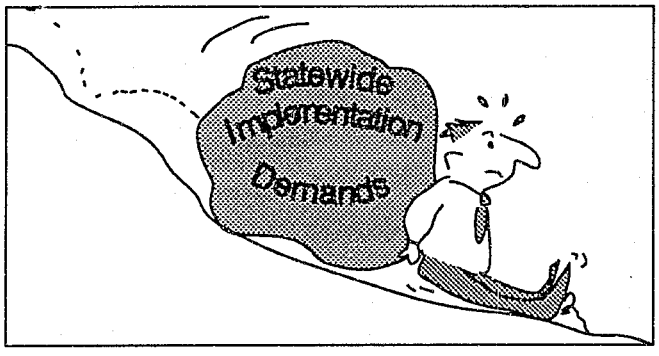
Failing to Provide Adequate Training



"Just a minute, folks...I think I've got it figured out!...No, that's not it either...."

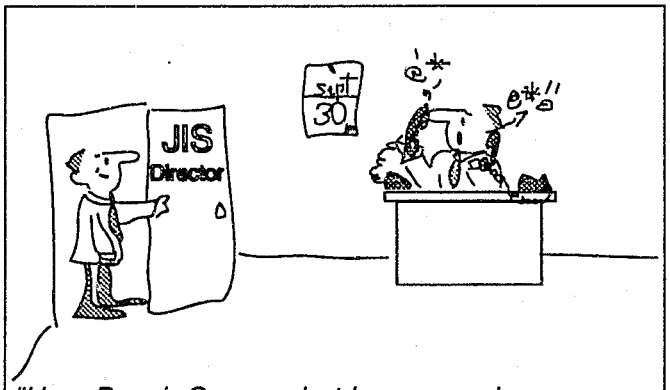
Inadequate training on the proper operation of the statewide system can undermine the confidence of both the court users and the general public. If the initial and ongoing training is not sufficient, moreover, even though users may be able to get the system to do what they want done, they may inadvertently follow improper procedures that interfere with the accuracy of case tracking and reporting capabilities.

Failing to Control Implementation Pace and Priority



Once the system begins to be implemented, pent-up demand and political pressures from local courts may tend to drive the implementation pace excessively. When implementation teams, trainers, and court staff are not given adequate time to prepare for and conduct the implementation process in each court, problems with facilities, hardware, software, and procedures multiply and morale suffers.

Failing to Test Adequately Before Deployment Around the State



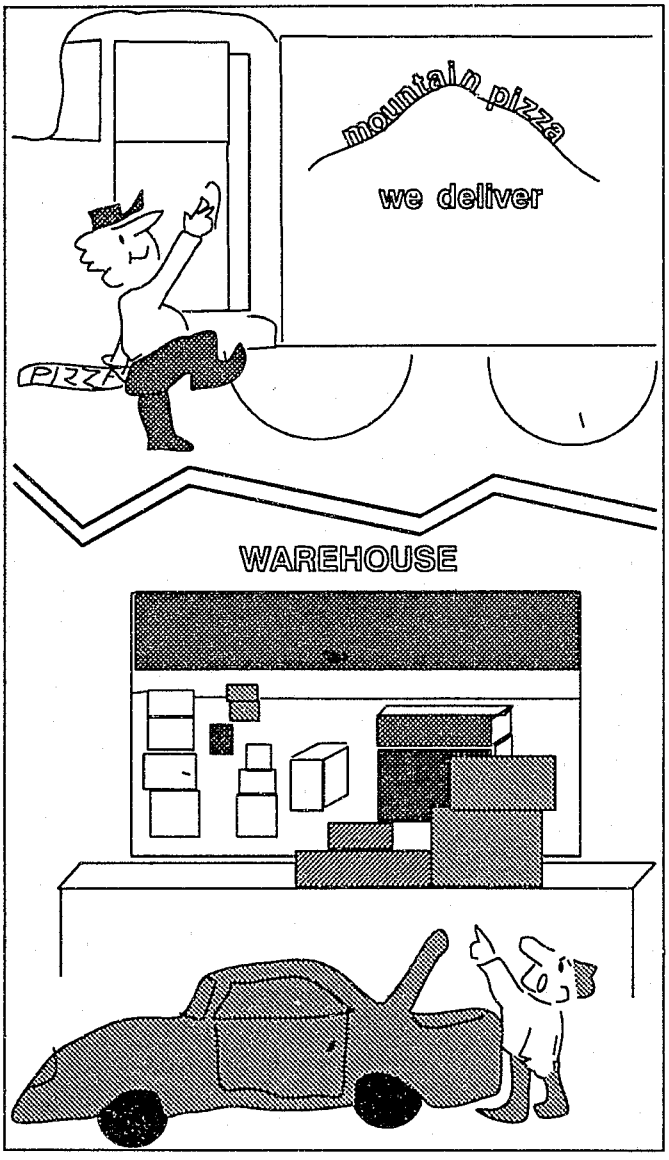
"Hey, Boss! Guess what happens when somebody tries to dismiss a small claims case on the last day of the quarter!"

Deploying a statewide system in multiple courts before it has been adequately tested can amount to political suicide. Recovering from serious flaws discovered only after implementation in a production mode is extremely difficult and disruptive for both local court personnel and the statewide project team. In addition to the extra work it creates, this situation severely damages the credibility of the project and creates negative publicity that can linger for years after all the flaws have been corrected.

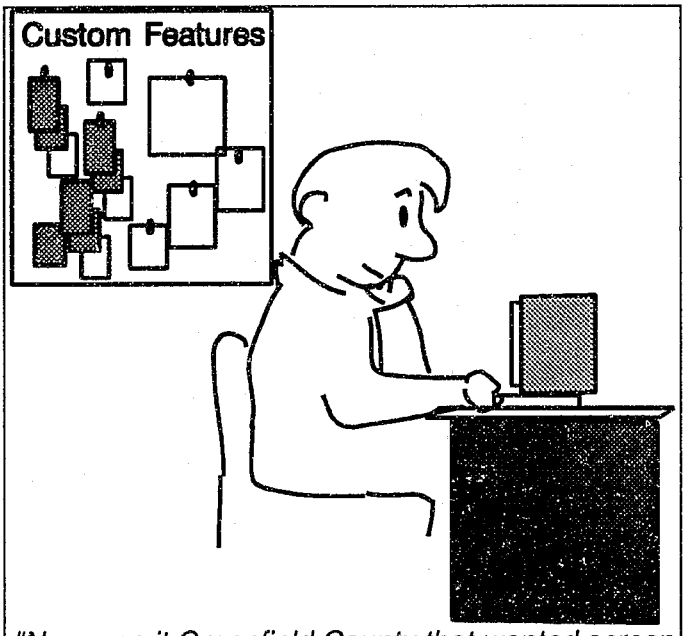
Developing Rigid System for One Size Court That Is Ineffective in Other Courts

Some states discovered that the model system design upon which they based their statewide system was not well suited to handle the courts at one extreme, or perhaps even both extremes, of the size spectrum. For example, they found that the system that was quite effective in the larger courts, with high volume operations on repetitive sets of data for different cases, was too cumbersome for the smallest court. Just as using an "18-wheeler"

to deliver take-out pizza is possible, but certainly not practical, such systems are very inefficient in the small courts. Conversely, a system optimized for flexible operation in smaller courts allows one user to easily handle all procedures for a single case; but that design cannot accommodate the high-volume, specialized workload needs of the larger courts. The analogy here might be trying to use a sports car for hauling bulk cargo. Retroactive modifications after development and implementation are much more difficult and disruptive. Furthermore, the frustration of users and court managers can adversely affect relations between the courts and the AOC.



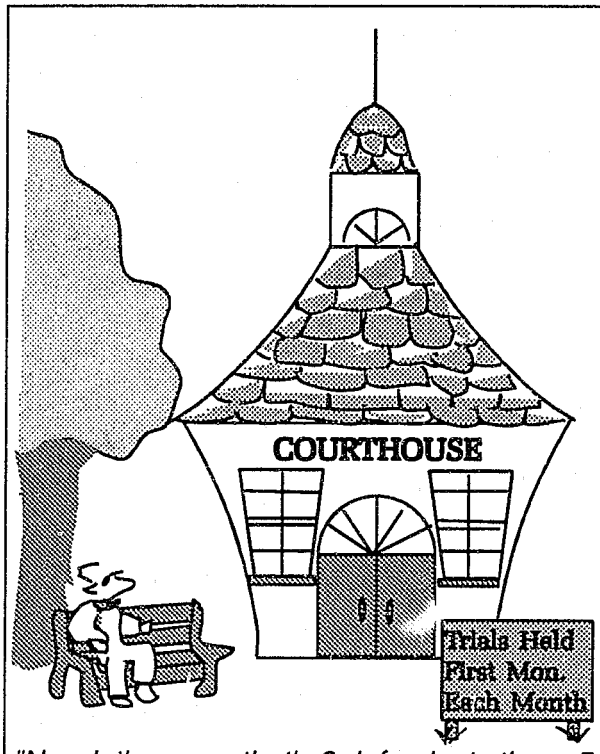
Being Too Lenient in Customizing System for Each Court



"Now was it Greenfield County that wanted screen highlights in blue or Blue Hill County that wanted highlights in green?"

In their effort to deliver a system that will please each local court, some project teams have found themselves becoming custom programming shops. It is important to accommodate legitimate differences between courts in the system design. It may also be necessary to make a few concessions to obtain the cooperation of some courts. However, excessive flexibility and, especially, unique features for individual courts, can destroy the integrity of a uniform statewide approach and generate a maintenance nightmare.

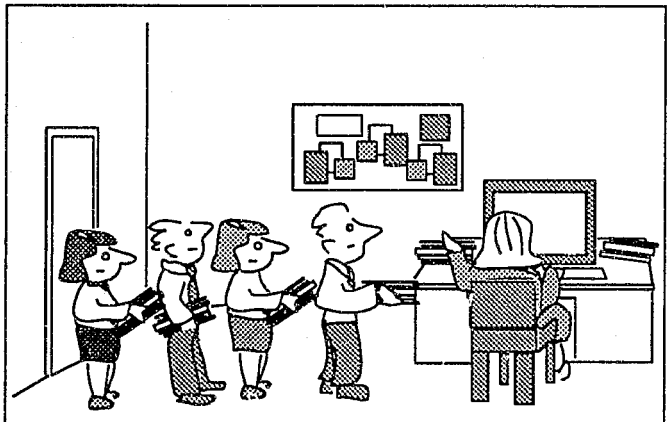
Failing to Enforce Accounting Procedures and Statistical Definitions and Procedures



"Now let's see.... that's 3 defendants times 5 charges times 4 counts equals...60 cases!"

With manual accounting, case processing, and statistical reporting systems, it is highly advisable to enforce uniform, standard procedures for handling transactions and tallying cases. When a statewide automated system is implemented, it become essential for local courts to adhere to the specified definitions and operational procedures. Without enforcement of proper case classifications, docket codes, financial procedures, and other standards, the accuracy of financial and statistical information reported at the state level cannot be guaranteed.

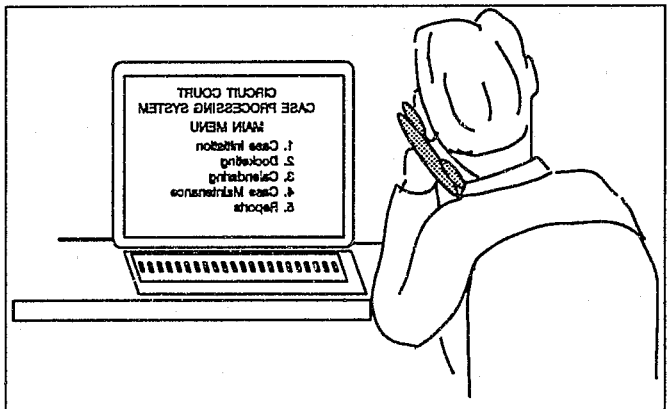
Underestimating Hardware Requirements



"I'm hurrying, I'm hurrying!...Only 12 more docket entries, then it's your turn!"

In their conscientious efforts to stretch marginal budgets as far as possible, some project leaders have underestimated the amount or capabilities of the computer hardware needed for the statewide system. Many of the earlier projects failed to allocate enough computer workstations and printers to each court, resulting in inefficiencies, disgruntled court staffs, and covert reliance on paper records. Some more recent projects failed to recognize the demands of sophisticated software on computer processor power and storage capacity. A system that cannot maintain fast response time and provide court staff with fingertip access to information will not be accepted with enthusiasm.

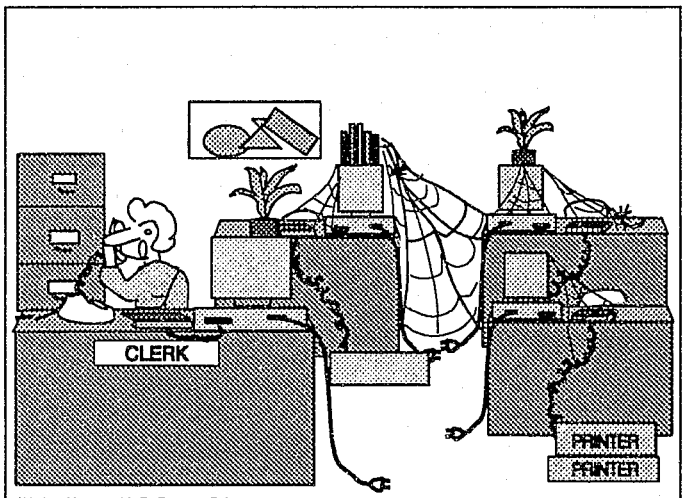
Being Forced to Take Low Bid on Hardware or Software Instead of Using Most Qualified Vendor



"What do you mean: 'Don't worry about it, the mirrors will be here next week'?"

While many states have been able to procure hardware, software, and consulting services on the basis of qualifications before costs, some statewide projects have suffered because the bidding process forced some unfortunate compromises to be made.

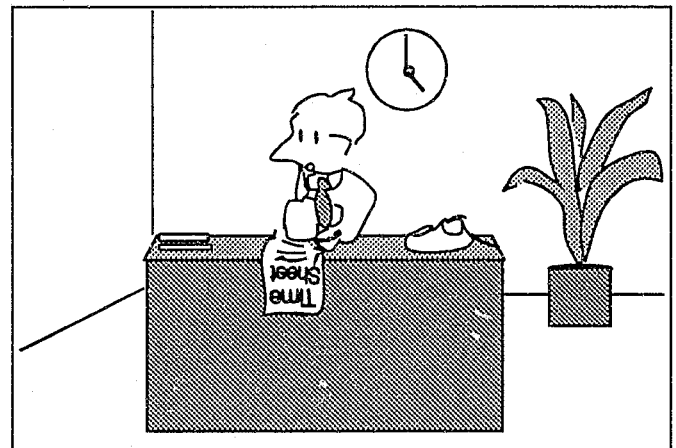
Installing Equipment in Courts Prematurely



"Hello, JIS?... Since you guys are so good with equipment, do you suppose I could get you to install some electric typewriters, a pencil sharpener, and a copying machine?"

When software development delays occur, idle equipment can be a daily reminder of the delay, promoting a perception of incompetence. Court personnel may begin to joke about "expensive paperweights" for a still-manual process, undermining enthusiasm for the whole project.

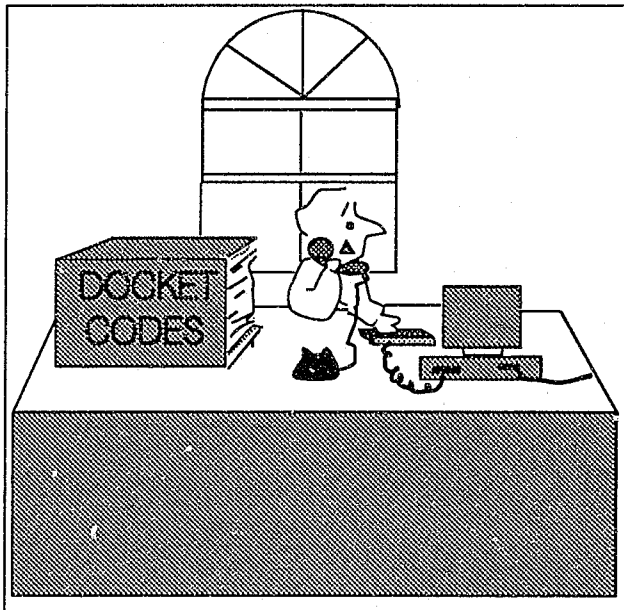
Trying to Move Too Fast on Too Many Fronts, Diluting Resources



"Let's see now... I spent 4 hours on the civil docketing system...2 hours on the judgment documentation...5 hours on the criminal menus...3 hours on the small claims help screen....."

Some project leaders have found their staff, their committees, and themselves overwhelmed with the number of tasks in progress at a given time. Tackling too many endeavors at once (e.g., simultaneously developing multiple modules, planning budgets, developing training programs, developing hardware specifications, issuing RFPs, negotiating with vendors, and handling public relations) increases the difficulty of coordinating, scheduling, and allocating resources. While every statewide project requires many activities to progress in parallel, seasoned veterans suggest trying to focus efforts on one or two major components of the project at a time.

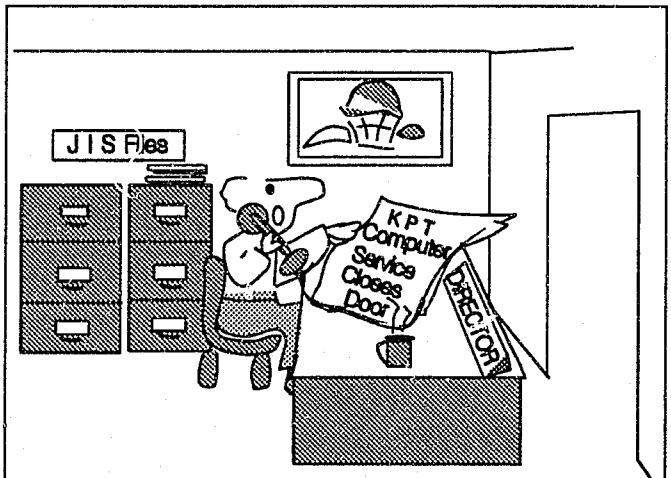
Addressing Lack of Uniformity with Excessive Flexibility



"You want a docket code that reads what now?....Yeah, I got it. Hey, no problem! Whatever makes you happy!"

Several statewide systems have suffered from permitting the use of too much free-text where codes are needed for system-driven functions and statistics, allowing too much local control of code tables, and providing too few data entry edits.

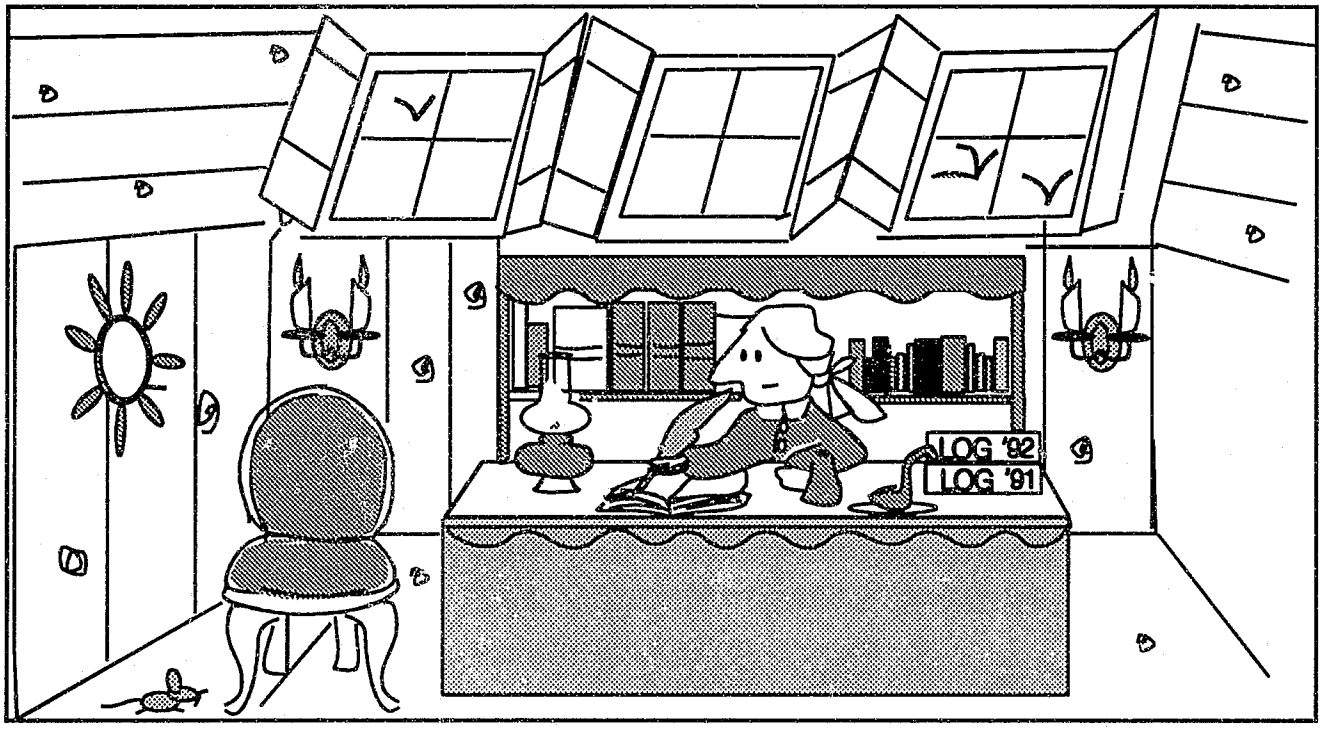
Vendor Bankruptcy



"Good morning, Mr. Chief Justice. Uh..., Sir, about that implementation schedule we discussed yesterday...."

Vendor bankruptcy is usually an externally-generated problem outside the control of the project leaders, except to the extent that vendor stability was not adequately investigated and monitored. On the other hand, a poorly-managed statewide automation project can diminish a vendor's willingness to ride out tough times and may contribute to the untimely demise of the vendor.

CHAPTER FOUR
Summary of Issues in Managing the Process of Statewide Court Automation

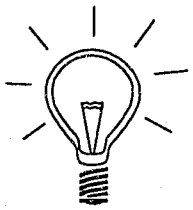


Because statewide court automation is such a mammoth and complex endeavor, it involves a myriad of topics and issues that can be discussed. There are many different ways in which the ideas can be organized, depending somewhat upon the perspective from which they are viewed and the purpose for the discussion. During our examination of how different states have managed the process of statewide automation, with the goal of providing guidance in developing effective strategies, the universe of facts, ideas, and observations gradually resolved into a set of major issues common to all statewide automation efforts.

Not surprisingly, there is considerable overlap among these issues. As with any orchestrated undertaking, there are many interrelationships among decisions made and tasks performed throughout the course of the project. Correspondingly, it is difficult to discuss one issue in isolation, because different aspects of that issue are related to other issues as well. For example, it is almost impossible to talk about funding issues without mentioning the importance of convincing the funding body that statewide automation is a worthy concept. At the same time, when discussing the need to "sell" the concept of a statewide approach, it must be

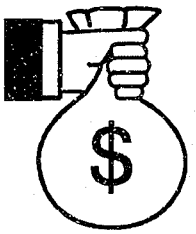
noted that the local courts have to be sold on the idea as well, both at the outset and continuing after system implementation. Part of keeping the local courts enthusiastic and satisfied is to provide adequate training and ongoing support. Training, in turn, must be considered in any discussion of issues surrounding deploying a developed system around the state.

While grouping of topics and sub-topics is somewhat nebulous, the major issues have been identified as those listed below. To help impart a more natural organization to the material, the issues are presented in approximately the same order in which they would be addressed in the course of planning and conducting a statewide court automation project. Each issue will be briefly described here. Then the remaining chapters will be devoted to treating each issue in more detail.



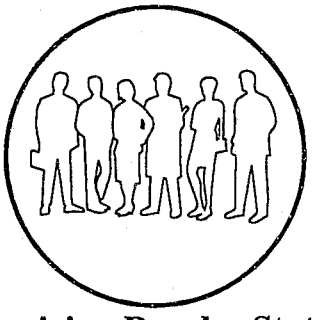
IV.A. Selling the Concept of Statewide Court Automation

One of the most important, fundamental, and pervasive issues that is unique to a statewide court automation project is the necessity of promoting the concept of a statewide approach in lieu of letting each local court decide for itself whether it wants automation and, if so, how to acquire it. The scale of a statewide project and the formidable set of obstacles inherent in the process make it necessary to generate widespread and long-term support for the overall idea. This issue must be addressed early and continuously throughout the project. States that have been successful with their automation projects have devoted considerable effort to this "public relations" side of the process. *(See Chapter Five.)*



IV.B. Funding Statewide Projects

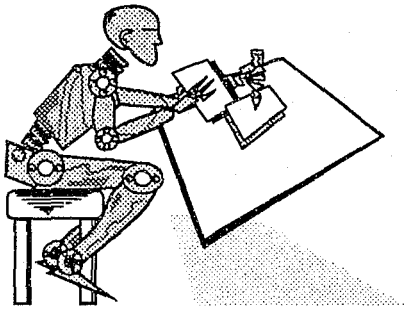
Perhaps the first thing that most court and technical managers think about when considering an automation project is how to fund it. Indeed, this may well be the root issue in most automation projects, for without adequate funding the compromises and shortcuts necessary to keep the project alive usually lead to an unsatisfactory conclusion. Statewide automation requires such a concentration of funding and such a long-term commitment of funds that shortcuts in the process are very tempting. Yet the implications of inadequacies in the process or of having to curtail the deployment before it is completed are so catastrophic that it is essential to ensure adequate funding before a statewide project progresses beyond the early planning stages. *(See Chapter Six.)*



IV.C. Organizing People--Statewide Committees and Task Forces

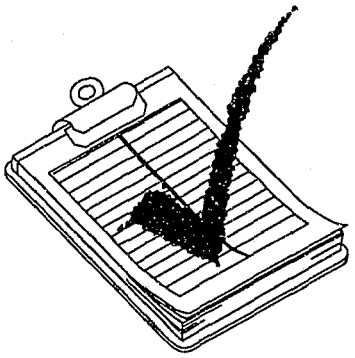
No statewide automation project can succeed without the heavy involvement of key persons outside of the judicial information systems staff, and even outside the administrative office of the courts. The experiences of the states that have tackled statewide automation have demonstrated the necessity for establishing effective committees,

task forces, and other types of working groups of knowledgeable individuals from the trial courts. In addition to involving a wide range of people including judges, court administrators, and different levels of clerk's office staff, it is important to recruit them from different courts around the state. Committee structure, composition, leadership, and responsibilities must all be carefully considered. *(See Chapter Seven.)*



IV.D. System Requirements and Design Considerations

Although there is much in common between the analysis and design phases of a local court automation project and those of a statewide project, the statewide project involves an additional dimension. In a local project, each office or "user department" entails a single set of requirements, which must be identified and analyzed, and for which software system components must be designed or specified. In a statewide system, on the other hand, each of those offices or departments exists, in one form or another, in every court around the state. No matter how religiously the courts subscribe to the concept of uniform procedures, there are operational differences of varying significance between individual courts. Furthermore, there may be considerable difference between the smallest and largest courts in their organizational structure and operational procedures. The task of melding all of these subtleties into a single, uniform software system is a challenging one. *(See Chapter Eight.)*



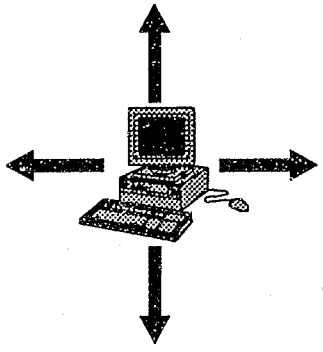
IV.E. Testing and Piloting Statewide Systems

Implementing software in a single, local court before it has been thoroughly tested, "de-bugged", and fine-tuned can be problematic, frustrating, and expensive. Replicating that flawed software and implementing it around the state can be disastrous! Even software that performs satisfactorily in one court may turn out to be inadequate in other courts under different conditions. The use of one or more pilot courts to work with the developers in perfecting the system is imperative in a statewide project. Selecting those courts carefully, defining their extensive role in the overall process, and developing an adequate set of testing procedures, are all essential to the success of the system that ultimately is deployed among the trial courts. *(See Chapter Nine.)*

IV.F. Training

While training court staff in the use of a new automated system is important to any court automation project, there is a unique set of concerns to be addressed in developing an effective statewide training program. The training staff at the admin-

istrative office must be able to cover the entire state in an orderly and effective process, coordinating with the hardware installation and software implementation schedule. Furthermore, the training they provide must be adequate to ensure that local court staff will be able to function on the new system with comfort and competence, without a resident technical or training staff immediately available. Also, the trainer furnishes a vital liaison between the local court and the administrative office. *(See Chapter Ten.)*



IV.G. Statewide Deployment

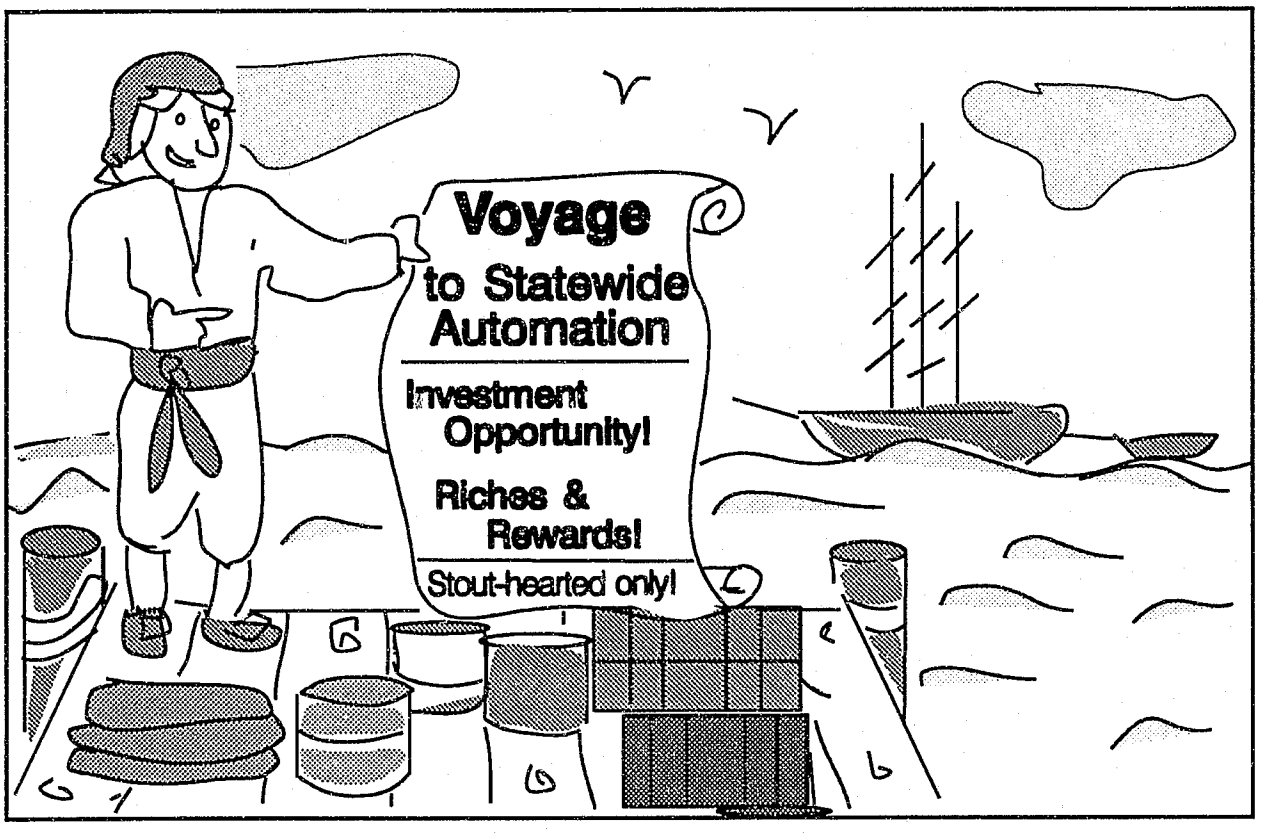
Like a carefully-rehearsed dance number in a Broadway show, implementing an automated system in all the trial courts around the state is a process that must be meticulously planned and coordinated. With limited resources, the administrative office must be able to progress not only as rapidly as possible, but in the most cost-effective manner as possible. There are many factors that must be weighed in determining even the sequence in which each court will be addressed. Moving too fast can strain staff capabilities and increase the likelihood of user dissatisfaction in one or more local courts. Moving too slowly, on the other hand, can result in impatience among the courts, idle hardware, and multiple versions of installed software. *(See Chapter Eleven.)*

IV.H. On-Going Support

"Service after the sale!" has long been a slogan of businesses that realize the importance of maintaining customer satisfaction after an appliance has been installed or an automobile has been delivered. Neither the operation of a court nor the operation of computer hardware and software is static. In the court laws, rules, and procedures change over time, and staff turnover occurs in the most stable of offices. Computer application software must keep pace with changes in requirements, and it is often enhanced with improved features and functions regardless of new requirements. Computer hardware and operating system software is constantly being upgraded by its manufacturers, sometimes with corresponding changes in its appearance or user interface. All of this dynamic process requires a responsive posture from the judicial information systems staff and an effective program for maintaining good rapport with the end users. *(See Chapter Twelve.)*

In the remaining chapters of this report, each of these fundamental issues will be discussed in more depth. The different aspects of each issue will be explored, sometimes in the context of problems that can be encountered as well as the tactics that some states have used to ensure that each issue is successfully addressed. Where applicable, the interrelationships among issues will be pointed out, along with their implications for the overall process.

CHAPTER FIVE
Selling the Concept



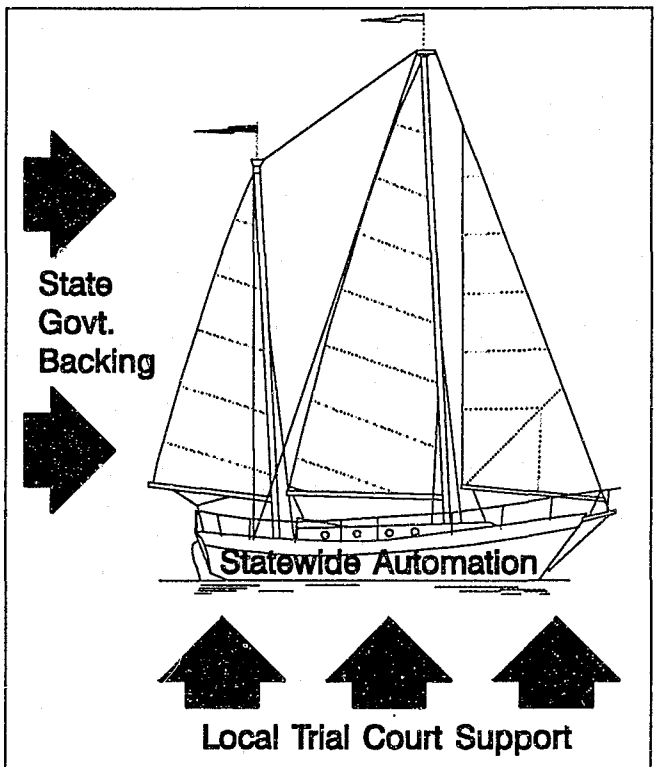
V.A. The Primary Challenge

Of all the lessons that could be extracted from the collective experience of the states that have tackled statewide court automation, perhaps the first lesson that should be taken to heart by a technologist--even an experienced technologist--can be summarized in this way: **Do not underestimate the overarching importance of effective marketing and public relations throughout the entire life of the project.**

In their concern for the mechanics of project planning and management, the complexities of technical decisions, and the development and implementation of a well-designed system, project leaders often fail to recognize the extent to which marketing must precede and permeate every stage of the process. State court administrators usually are more cognizant of this issue than are technical managers, especially if they have several years of court management experience; but they too can fail to give it the necessary emphasis. Before the first dollar of funding is sought, even before any significant staff effort is expended on project planning, the state court administrator, JIS director (if there is one at that point), and other key persons initially interested in statewide automation must begin selling the concept of a statewide system. Then throughout each step of the project, even after the system has been implemented in every trial court, project leaders must continue nurturing the favorable perception of the project among the court community and the legislature. As one project leader put it when asked to sum up

his strategy: "Sell, sell, sell!" is the operative phrase.

As a basis for this essential marketing orientation, project leaders must adopt a philosophy reflecting an awareness that the purpose of an automated statewide system is to serve the local courts, the AOC, and (more indirectly) the legislature and other state and local agencies. All of these "customers" must be heard and must in turn be genuinely convinced that the product being planned, developed, and delivered to them is what is needed. If they become committed to the concept and have faith in the effort that the project team is making, these entities will help ensure that obstacles are surmounted and that the project will succeed. Without this degree of understanding and commitment from all levels, the best orchestrated and most technically sound project will face an uphill struggle.



A sailing vessel depends upon two major forces to make it effective: 1) the pressure of the water, giving it buoyancy and directional control, and 2) the thrust generated by the wind against the sails.
A statewide automation project relies heavily upon both the support of the local trial courts and the financial and political backing of the stage legislative and executive branches.

V.A.1. State Government

The expenditures for the time, effort, acquisitions, and other costs associated with a statewide automation project are so great that the judiciary must seek funding beyond the normal judicial budget. Regardless of whether new fee-based revenue can be established, federal seed monies can be tapped, or local governments can contribute to the budget, a statewide project almost invariably will require the backing of the state legislature and the executive branch. Legislatures often balk at the prospect of appropriating relatively large sums of money for a new project in an area of government that appears to have been operating relatively successfully without it. Where local government has filled much of the automation needs of individual courts, the legislature may be even more reluctant to approve a state-level project (especially when a few powerful, elected clerks with large investments in local systems are opposed to it). If this body cannot be convinced that statewide court automation is a sound and appropriate concept to pursue at this time, the project will never be launched. Moreover, if the judiciary cannot produce evidence of sound planning from the outset and demonstrate progress according to plan as the project unfolds, the legislature will not remain committed to funding over the long haul. Consequently, the project will wither and become ineffective, or die altogether.

V.A.2. Local Courts

The other side of the marketing coin consists of the local trial courts. Depending upon a number of factors such as the state court structure, the extent of state funding for trial courts, the demographic characteristics of the state, the current

economic situation, the local political structure, and even the personalities of current state leaders, it may be more difficult to sell the concept of a statewide court system to the trial courts than to the legislature. Local courts may oppose a statewide system in principle for a number of reasons. Even if they are willing to accept the general concept, they may be skeptical of a particular approach or planned solution that the state proposes. Finally, even if they are supportive of the project in the beginning, problems, delays, and disappointments encountered throughout the long and strenuous process of implementing the concept may cause them to lose confidence in the project team and withdraw their support, perhaps even becoming outspoken critics.

State judicial leaders must devote ample time and energy to the marketing and public relations activities needed to bring the trial courts on board as solid, committed partners in a statewide project. Then they must continue those efforts to maintain local court support throughout the process. As will be discussed later, the substantive strategy behind these activities should be to **make certain that the real ownership of the statewide system, along with the responsibility for both shaping its creation and determining its ongoing success, becomes fully vested in the collective local courts.**

V.B. Improving the Starting Position

V.B.1. Establishing High-Level Leadership and Backing

If a statewide court automation project is going to acquire the critical mass it needs to begin moving forward with assurance and be able to sustain that forward motion in the face of the inevitable array of obstacles, it is essential to establish and demonstrate the backing of high-level leadership. Within the state judiciary, at a minimum the chief justice, state court administrator, and some of the more powerful administrative judges among the trial courts must stand firmly behind the concept of statewide automation and demonstrate their commitment to the project. Other influential members of the supreme court are also important to the image of a united judiciary, even though the project may not directly affect the supreme court. Especially if the chief justice is not a technology enthusiast, it can be very effective to designate a member of the court who is a strong proponent of technology to help lead the preliminary efforts to organize the project, thus lending the weight of the supreme court to the endeavor.

In local automation projects, it is almost essential to have a high-level "champion" clearly identified to provide leadership and backing. This individual, commonly the administrative judge or the clerk of court, provides the power and authority to initiate the project and sustain it through tough times. While a state-level project requires more widespread backing and a less individualized source of leadership, it too can benefit from the concept of a project champion. Because of both the real influence of the chief justice and the symbolic image of the office, in many states the chief justice became the designated champion of the statewide automation project. If the personality, rapport with the legislature or the trial courts, or other factors would make the current chief justice ineffective as a champion, however, that role can be assumed by another justice, or possibly even by a strong, influential administrative trial court judge.

The chief justice has many opportunities to promote the concept of statewide automation and show the commitment of the supreme court to the project, regardless of whether he or she assumes the role of champion. In addressing legislative committees, the judge's association, and the press,

the chief justice can publicize the project, describe the potential benefits of statewide automation, and summarize the court's plans. Including the automation project in the chief justice's written remarks in the annual report of the judiciary further demonstrates the seriousness with which the chief justice regards the project and the firm backing of the supreme court.

It is, of course, also helpful to have the backing of leadership outside the judiciary. If, for example, the governor, the attorney general, or a powerful legislator becomes convinced that the concept of statewide automation is a worthy one, their backing adds significantly to the credibility of the project, broadens the base of support, and enhances the sense of commitment at the state level.

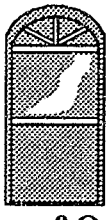
V.B.2. Establishing Initial Credibility

It is often difficult to convince someone of the value of a concept that exists only in another's mind or as a proposal on paper. It is especially difficult to convince a funding body to appropriate monies for such an abstract concept. Rather than proposing an automation project that exists only as a concept for development, state judicial leaders may be more successful if they can establish the reality of the project before requesting any funding for it. To the extent that it can be made to appear as the continuation of work in progress, an automation project carries much more credibility and apparent value.

More than one state court administrator and JIS director have stated the advisability of conducting preliminary work before attempting the formal launching of a statewide automation project. Conducting exploratory efforts within the existing judicial budget, these leaders were able to lay the groundwork needed to develop a sound long-range plan and present convincing evidence of tangible accomplishments before seeking designated state funding. Such activities might include conducting a preliminary statewide requirements analysis, for instance, through the use of court surveys, interviewing personnel and sampling data at one or two designated courts, and forming an ad hoc committee of volunteers from several courts to obtain their input. Then, combining a proposed project and long-range plan with a preliminary requirements definition document as support, the judiciary can present a convincing case for the funding needed to continue the work.

When additional, project-specific funding is sought, it is usually good marketing strategy to pursue that funding in increments, rather than asking for a large sum initially to cover a range of planned activities. Many veterans of statewide projects mentioned the wisdom of starting with a modest request for funding a small, well-contained project. At the same time that limited funding is being sought, however, it is important to acknowledge the long-range vision and the implications for future funding if the initial project is successful. (A more complete discussion can be found in the following chapter on funding issues.)

One final caveat has been cited in connection with establishing early credibility and momentum. Despite the absolute necessity of good publicity for the project, seasoned project leaders warn against drawing too much attention to the preliminary efforts discussed above. They suggest moving quietly until the scope of the project has been assessed, potential obstacles have been determined and a strategy developed for overcoming them, and--perhaps most importantly--some identifiable success and tangible results have been realized. Premature publicity can cast the project in a bad light and undermine the credibility that its leaders are working hard to establish.



V.C. The Window of Opportunity

Mariners of old paid close attention to environmental conditions in planning a voyage. Recognizing the difficulty of their undertaking even in the best of circumstances, they were careful not to overlook any factors that could increase the odds

for success. For example, they knew to avoid embarking on any voyage during certain times of the year, because normal weather patterns produced frequent storms and headwinds. During other times of the year, favorable winds and currents could be anticipated for a voyage in a particular direction, while a destination in another direction might be easier to reach a few months later. In addition to these global conditions, local wind and sea conditions often determined the particular day of departure. Finally, the status of the tide might determine the very hour when it was best to cast off or weigh anchor. While monitoring the conditions, of course, the savvy skipper would do all within his power to prepare his ship, his crew, and his rulers or financial backers for the difficult and uncertain days that lay ahead.

In planning for statewide court automation, state court administrators, judicial information system directors, and other project leaders must recognize the importance of favorable conditions. Like these wise mariners, and like the marketing strategists of today's commercial sector, they must be sensitive to the need for proper timing. While keeping a "weather eye" on their state's economic, social, and political outlook, they must take any action they can to create a more favorable climate in which to launch the project. Leaders in states that enjoyed success in their automation efforts almost universally cited good timing as one of the critical factors that enabled them to receive the endorsements necessary to move ahead with the project. Although most of them modestly attributed much of their success to good luck or a fortuitous turn of events, they also acknowledged the importance of recognizing opportunity early and being prepared to take advantage of it.

V.C.1. Seizing Opportunities Presented by Upcoming Changes

State judicial leaders often can take advantage of impending changes to help justify a statewide automation project or remove some of the existing obstacles. For example, if the state is embarking on a court unification initiative or a major restructuring of its judicial system, a long-range automation project can sometimes be tied into the overall plan. Even when the basic court structure is not changing, new accounting mandates affecting all the courts can supply considerable leverage for the concept of a statewide automated system that incorporates a comprehensive financial component meeting the new requirements. Similarly, implementation of court forms standards can pave the way for a uniform statewide automated system by laying the groundwork for uniform procedures and data formats.

Sometimes a forthcoming event at the local level can be a catalyst in generating statewide momentum. For example, when a large urban court representing a significant portion of the state's caseload announces its plans to develop or revamp a case management system, it presents the opportunity to galvanize the state into action by making that court a pilot site, or otherwise engaging it in a joint effort with the state AOC.

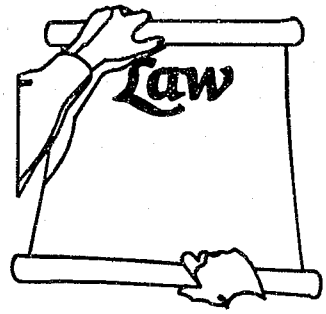
V.C.2. Taking Advantage of Changes in Leadership

A change in leadership can sometimes offer the opportunity to mobilize a statewide automation effort. For example, the legislature may appoint a new appropriations committee chairperson who is sympathetic to the needs of the courts and understands the advantages of uniform court technol-

ogy. A new governor may be elected on a platform of improved government efficiency, improved criminal justice, or other orientation that would make him or her supportive of statewide court automation.

Within the judicial branch, a new chief justice can often become the cornerstone for a statewide automation project, especially if he or she is a technology proponent with the personal charisma to generate support for the project around the state. Appointing a new state court administrator can also provide improved opportunity for change. During the "honeymoon" period, the administrator may be given the latitude to undertake such an ambitious project, with the legislature, the supreme court, and even the trial courts willing to cooperate and extend him or her the benefit of any doubts.

Finally, even a change in leadership among the trial court clerks' association can result in a shift in this powerful group away from a posture of opposition to statewide automation toward an attitude of cooperation with the state judiciary. State judicial leaders must be sensitive to the advantages to be gained from such changes in leadership and organizational dynamics, and they should move quickly to capitalize upon the improved circumstances.



V.C.3. Gaining Leverage from Current State Issues, Programs, and Events

Judicial leaders must remain alert to the possible implications of current events in their state, regardless of which branch of government initially is directly affected. For instance, a recent decision to fund expanded technology in the legislative or executive branch can make it more difficult for the legislature to ignore a request for similar funding in the judicial branch, even if the appropriation cannot be made until the next funding cycle. While some technology programs approved for funding in other branches may have no bearing on the courts aside from the commonality of using technology to improve operations, others can easily be shown to have a complementing need in the courts. For example, the executive branch may secure the backing of the legislature to overhaul automated criminal history repositories and improve linkages to law enforcement agencies throughout the state. The judiciary should gain leverage from that event by arguing that since the courts are the providers of disposition information, it would be only logical to include them to a certain extent in such an effort. It may be able to demonstrate the wisdom of developing a statewide criminal case processing system for the courts that would capture the information needed by law enforcement and corrections agencies and pass it to them in a timely and efficient manner.

Occasionally, jumping on the technology bandwagon can be problematic. In one state, for instance, the legislature appropriated a significant sum for an executive branch project that terminated in disaster. Having been burned once, the appropriations committee was understandably reluctant to fund another large technology project. In general, though, the establishment of a precedent is advantageous. The judicial branch should carefully prepare to demonstrate equivalent need and justification.

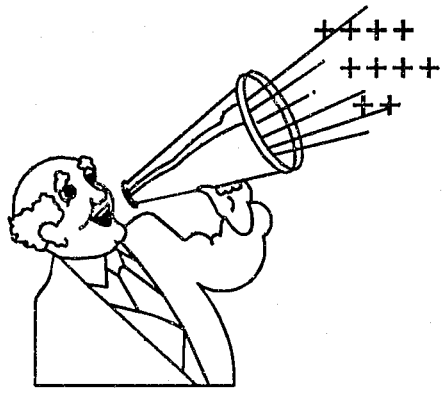
State courts have sometimes been able to ride the coattails of key issues making the headlines in

their state. Whether such issues or programs originate with the public or within the government, by rallying behind a "war on drugs" or "make our streets safe" campaign, for example, courts may be able to demonstrate convincingly the role of

statewide court technology in addressing the issue. Popular causes, especially during election years, carry considerable weight with legislative bodies, who may favorably regard a well-planned project that can be shown to be a tangible implementation of the broader initiative.

At times it can even be possible to convert criticism over perceived weaknesses in the judicial system into leverage for promoting the concept of statewide court automation. In one state, for instance, the legislature complained that it could not get reliable caseload statistics for the trial courts around the state, and it cited that weakness as part of the rationale for rejecting the judiciary's request for additional judgeships. Instead of denying the existence of the problem, however, the judiciary acknowledged the difficulty of collecting statistical data and used the legislature's admonishments to strengthen its position when subsequently proposing a statewide automation project. Complaints by the state comptroller or auditor regarding the lack of uniform, robust accounting procedures or low fee and fine collection rates among the trial courts can likewise be turned into arguments in support of statewide automation.

Timing can be critical in taking advantage of other types of situations that may arise. For example, a state judiciary that has been quietly exploring the possibility of launching a statewide project should sharply accelerate its efforts if it gets wind of a potential surplus in the state budget. In times of surplus, especially unexpected surplus, often the first agency that lays out a feasible, well-planned request reaps the benefits of a funding body suddenly able to disburse additional appropriations.



V.D. Promoting the Benefits of Statewide Automation

A primary strategic component for selling the concept of statewide automation initially is to educate all involved parties about the benefits it provides. [*Readers should note that this research project did not attempt to assess the need for, or benefits of, statewide court automation. In states that have automated to any significant degree, there is little controversy over this issue, even among critics of the process itself. Nevertheless, promoting those advantages is an important component of generating initial support and enthusiasm for statewide automation.*] Early marketing efforts for a statewide project should include providing information about the benefits of court automation in general and statewide automation in particular. An overview or summary statement, such as the one appearing below, can be used as the basis for communicating this information in different ways.

Reasons for Automation of the Courts

Courts must be equipped with the tools necessary to conduct the business of the courts in a businesslike manner. As a statewide enterprise, the courts are probably larger than most banking institutions in the state, handle more transactions than most businesses, and yet may be the least computerized. Automation of the clerical functions of the courts will allow the courts:

- To get information necessary for good management decisions
- To reduce or eliminate repetitive, duplicative tasks
- To reduce case processing times
- To reduce costs
- To use resources more effectively
- To improve the enforcement of court orders and increase revenue
- To improve public service and therefore confidence
- To improve the quality of justice
- To reduce public liability for wrongful arrests and detentions
- To improve criminal history information

Additionally, many states are placing increased emphasis on the need to collect accurate, timely, and consistent court information for statistical, management, and research purposes. At the same time, pressure is increasing to improve the reporting of criminal conviction information. The best mechanism to enable the courts to compile and report both types of information is a statewide court information system. Moreover, to ensure the reliability, accuracy, timeliness, and consistency of such reporting, it is essential to base the statewide information system on an integrated and complete case processing system designed to meet the day-to-day operational needs of the local courts. Such a system then provides for the reporting of management, statistical, and criminal conviction information as a by-product of the routine case processing activities in the clerk of court's office.

Advantages of a Statewide Approach to Court Automation

- Consolidates court automation into only **one** development effort rather than individual development efforts in each of the state's judicial districts, counties, or individual courts, thereby increasing efficiency and economies of scale:
  - one software development/modification cost
  - one software maintenance/enhancement cost
  - one training program development cost
  - leveraged buying power for hardware
  - better maintenance rates on hardware
- Provides standardized data for better management information
- Improves and standardizes electronic data interchange and reporting between the local court and
  - motor vehicle registration and driver licensing agencies
  - community corrections and state detention agencies
  - local and state law enforcement agencies
  - other courts
  - the administrative office of the courts
  - the private bar
  - the public
- Extends benefits of automation to rural courts that may not be able to afford them otherwise.
- Improves quality throughout system
- Promotes perception of one court of justice
- Provides better public service
- Improves public access

How Statewide automation Benefits Specific Agencies

Legislature

- Statistical information will be available to better understand the impact of policy decisions in areas such as:
  - number of judicial positions
  - court revenues
  - distribution of revenue between city, county, and state
  - system costs

Supreme Court

- Management information will be available to help manage the courts in areas such as:
  - number and distribution of judges
  - size and age of pending caseloads
  - trends in casetype filings
  - effect of policy and rules changes
  - enforcement of court orders and judgments

Clerks of Court

- Gives the clerks a modern tool for supporting case processing
- Eliminates many repetitive and redundant tasks requiring significant clerical effort
- Relieves the pressure for adding staff to meet caseload increases
- Enhances staff's job satisfaction and sense of professionalism
- Improves public service by reducing lines and providing better access
- Improves communications and promotes electronic reporting to other agencies
- Improves collections of fines and fees

Private Bar

- Improves access to information on case status
- Facilitates remote access for inquiry and filing, if desired

Public

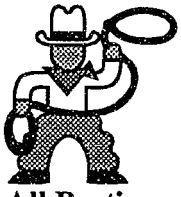
- Improves access to the courts and to information about cases
- Improves public confidence and image of court efficiency
- Can reduce cost for litigants

Law Enforcement/Corrections

- Provides automated reports on jail/custody status
- Reduces instances where defendants are held in custody beyond the time authorized by law
- Improves coordination of appearances for law enforcement witnesses and prisoners
- Allows law enforcement to know of outstanding warrants
- Automates criminal case disposition reporting

V.E The Marketing Campaign

The process of selling the statewide automation concept must encompass all affected parties, whether they will be system users, beneficiaries, or facilitators. In addition to providing information about the nature of the system, the development and implementation process envisioned, and the overall benefits of the project, a shrewd marketing campaign should address each type of party in a more targeted manner. It should also employ every available vehicle to educate and to establish a dialogue with all persons who will be affected by the project or have any influence on its success.



V.E.1. Including All Parties

There are a number of different groups that need to be "sold" on the idea of a statewide court system. Addressing each one during a marketing campaign is a necessary part of fashioning the broad-based support and commitment that can carry the project forward to successful conclusion. In most instances the legislature, as the funding body, must be convinced that the project is more worthy of funding than competing budgetary requests. The state bar, while being secondarily affected by an automated system, can be quite influential in enhancing or diminishing the general atmosphere of support for the project. Prosecution and other law enforcement agencies must be convinced that the system resulting from the automation effort will benefit them rather than only place additional burdens upon them. Finally, local courts may well be the most important entity to convince that a statewide effort is a good and positive thing. Key players at the local level include both clerks of court and judges.

Because case processing systems are centered on automating the operation of the clerk's office, project leaders sometimes overlook the pivotal role of judges in the process of marketing a statewide project.

Even though judges usually are only peripherally involved in many system design decisions, their support and enthusiasm for a statewide project can be extremely influential, both in securing initial funding and in maintaining political momentum throughout the long planning and implementation process. In hindsight, some states indicated that they should have spent more effort up front in educating and involving judges in the project and ensuring their support.

"He never really says anything, but I get the feeling he's not too excited about the statewide automation project."

It is especially important that presiding or administrative judges understand the need for automation and express support for the project, both at state forums and in their own courts. For individual trial court judges, the fundamental mission of the marketing effort should be to allay any fears or

clear up misconceptions. In the experience of most states, judges as a whole demonstrate only mild interest in an automation project. However, misconceptions or lack of information can generate negative sentiments. Judges must be given ample opportunity to learn more about the project and to clear up any concerns they may have. Whether or not they care personally about the details of the future system, they can convey a subtle but powerful message in their home courts through their attitude toward the project.

V.E.2. Personalizing the Message

In addition to informing each group about the aspects of the project that will most directly involve that group, perhaps the best tactic to convince each group that the project is a good idea is to highlight the specific benefits to be gained by that group. Some of these can be extracted from the summary shown earlier. But other, less tangible or less formalized advantages of a statewide system can be pointed out to a more singular audience.

For example, **clerks** are well aware of the advantages of a state-funded system, as well as the desirability of replacing many labor-intensive manual operations. The prospect of doing away with logging cases and filling out bothersome state statistical reports and disposition forms, however, can be even more enticing. Furthermore, they may not have considered the potential of public terminals and remote electronic access to sharply reduce the time required for their staff to provide information, especially to high-volume users such as law firms, credit agencies, and title companies.

Judges may be only mildly enthusiastic about having immediate access to case and calendar information in a variety of formats. However, judges who sit in more than one court around the state may be quite interested to learn how the system can improve uniformity among their courts and make case and scheduling information in one court available from another court. They may be even further intrigued with the possibility of remote access from their homes via a laptop computer on which they can also enter their case notes. Especially in rural courts where budgets may have prohibited computer resources for judges, the prospect of piggybacking office automation and legal research capabilities on the equipment installed for the statewide system can also generate a favorable reaction.

The **state attorney's office** and **local prosecutors** can be shown how the system will make instantly available case, calendar, and other court information from anywhere in the state. Local **law enforcement agencies** can be shown how their offices will benefit from improved disposition reporting, improved court handling of warrants, and better control over release of evidence. Another selling point with law enforcement is the advantage of immediate access into case scheduling information needed for arranging prisoner transportation and tracking officer court duty.

Of particular interest to the **bar** should be the benefits of more standardized procedures around the state, more efficient processing of cases, and the promise of remote access to court information (which, ideally, would be planned for and designed into the statewide system from the outset), first for inquiry and perhaps later for electronic filing.

In addition to the general (and somewhat vague) goal of improved efficiency and effectiveness of the state judicial system, the **legislature** may see as the primary benefits of the project the resulting accurate workload statistics and accurate, consistent financial accounting around the state. The potential for enhancing the collections of outstanding fines and fees should certainly be high on the list of justifications. The project may be viewed even more favorably, however, when it is seen as increasing the state's ability to comply with federal highway safety, criminal history, drug enforcement, child support, and other programs, thereby avoiding problems and insuring federal funds.

V.E.3. Increasing the Comfort Level

Along with promoting the benefits of the statewide project to each group, it is important to listen carefully to concerns and to reassure each group about its specific doubts. For example, local courts are especially concerned about hardware or software failures in a system over which they have limited control. In addition to system downtime, clerks worry about security and integrity of the computerized files. Perhaps more than anything else, court managers fear being forced to use a system that does not conform to the way in which they want to run their offices. Clerical staff below the supervisory level may harbor fears about their job security, increased workload, and their ability to adapt to new ways of doing things. Judges tend to be a bit nervous and resentful over the perception of increased state monitoring and control over their caseload.

In the early stages of a project, it will be impossible to give the specific design or procedural details necessary to support a response to each of these concerns. Nevertheless, it is crucial to provide general reassurances and specific, if hypothetical, examples where possible to address each issue. As time goes on, part of the continued marketing effort is to refine the information available to increase the comfort level of each group.

V.E.4. Techniques for Delivering the Message

Good marketing depends on getting the message out to all involved parties. Leaders of statewide automation projects must take advantage of all available methods to communicate effectively with the different individuals and groups that need to be sold on the concept. Veterans of this process have found several techniques to be helpful for reaching different audiences. These include establishing a dialogue between individuals, recruiting supporters to spread the message further, using associations and publications to reach large groups of people, and tapping the experience of other states to testify to the practical value of statewide automation.

V.E.4.a. One on One

In the experience of most project leaders, there is no substitute for one-on-one dialogue between key individuals at a high level. During the formative period of a statewide project especially, the state court administrator must personally contact key legislators, trial court judges, and local clerks on a frequent basis. Often, the chief justice or another influential justice may need to meet with selected individuals to discuss the court's needs and generate support for the project. Delegating these key contacts to the JIS director or other project staff is not as effective, although the JIS director certainly must do his or her share of personal marketing as well, especially among individual clerks of court.

It takes time to establish the good rapport and trust between judicial leaders and legislative leaders necessary to carry off a statewide court automation project. Veterans of this process cite the importance of always being honest about problems, estimated time and effort required at each stage, and expectations for the project. Without such uncompromising candor, long-term faith in the judiciary's efforts and continued solid backing for the project will quickly erode. Private, informal meetings between leaders of each organization provide the best setting for frank, effective communication.

V.E.4.b. Mobilizing a "Sales Force"

Clearly, the marketing effort must extend beyond the project leaders and other key individuals at the state level. It is essential to begin recruiting enthusiastic judges and clerks at the local level to help generate support for the project. Particularly when they are individuals who are respected or admired at home and around the state, through simply speaking out in favor of the project such judges and clerks can

- improve project credibility among their colleagues in other courts
- increase enthusiasm for the project within their own courts
- influence legislative representatives from their areas.

Later, as the project nears the initial implementation stage, the AOC trainers will begin to play a crucial role in the marketing process. Project leaders in states that had already achieved statewide deployment of an automated system pointed out that their trainers usually made extremely effective salespersons for the system. By employing as trainers individuals with good social and communications skills and a thorough knowledge of court operations (both of which are essential characteristics of a good trainer), and then thoroughly familiarizing them with the automated system, the AOC can create a ready-made public relations team that quickly builds enthusiasm for the system at the end user level across the state.

V.E.4.c. Collective Marketing: Using Associations

Project leaders should take every opportunity to promote the project to a concentrated and specialized audience by getting on the program at state association meetings. This activity may require a good measure of courage during circumstances in which there is strong opposition to the project from a particular group, as the experience can resemble walking unarmed into the enemy's camp. In general, however, such conferences or annual meetings offer the chance to address the specific issues of interest to the group, to explain the process and describe the planned system, and to dispel any misconceptions or unfounded concerns. Depending upon the type of group and the nature of the meeting, the presentation may best be given by the chief justice, the state court administrator, the JIS director or staff, or by a member of the association itself who is on a project committee. Examples of associations and conferences that should be addressed include:

- judicial conferences
- clerks' association
- law enforcement conferences
- state attorneys' association
- public defenders' association
- bar association.

V.E.4.d. Publications

Newsletters and journals among the different justice-related organizations offer an effective means to publicize a statewide project. In addition to carrying news articles or interviews discussing plans for the system, such publications can be used to circulate regular bulletins or columns listing milestones that have been passed and highlighting particular accomplishments. Existing publications that can be tapped to deliver information about and generate support for a project within a state include

- judicial newsletters
- judges' journals
- clerks' association journals or newsletters
- bar journals

- law enforcement journals
- local newspapers.

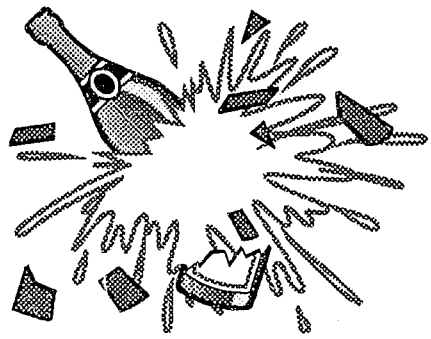
As the project matures, judicial newsletters can provide a forum for discussing certain features of the system or describing procedures that have been developed by one court to solve a problem that may also be encountered in other courts. In several states, the JIS departments created a newsletter dedicated to the statewide system and distributed to all trial court personnel. This type of periodical can be produced through a joint effort by the AOC and individuals selected from the trial courts to serve as an editorial board, with submission of articles solicited from all over the state. It can be helpful in distributing to the users official communications from the JIS staff related to new system features or procedures. Perhaps its most important purpose, however, is to foster a stronger sense of community among the trial court users as well as between the courts and the AOC. With an upbeat, somewhat informal tone, moreover, it can help sustain a positive and enthusiastic attitude toward the automated system and the overall project.

V.E.4.e. Field Trips and Testimonials

Veteran project leaders frequently cite another mechanism that has proven to be very effective in selling a statewide project. The experience of other states with successful systems can be referenced as proof of the concept and as a source of real-world information. Project leaders in the prospective state can apply this resource in two ways. First, they can invite court managers and end users of an existing system in another state to make presentations to groups of court leaders or staff in the prospective state. The visitors can describe the way in which the system operates in their court in terms that court personnel understand. Not only can they talk about the benefits that have resulted from the automation project, but they can answer questions about their system and its impact with unchallenged authority and credibility. This approach can be very useful during the early stages of a statewide project. Guest presentations can be given, for example, at judicial conferences or at meetings of the clerks' association.

The second way to employ the example of other state systems is to take a group from the prospective state to visit one or more courts in an automated state for a first-hand look at the operation of a statewide system. Obviously, for cost and logistical reasons, the group to go on each such "field trip" must be relatively small and, therefore, should be carefully selected. For key individuals who will be involved in or have influence over the statewide project, however, spending a day observing a system in actual use and talking with judges, administrators, and clerks in the court can be more enlightening and convincing than can any hypothetical discussion or presentation by project leaders in their own state. It may also be helpful for some of these persons to visit the AOC in the automated state to view the system's administrative and support environment and to discuss its impact at the state level.

During the implementation phase later in the project, the field trip mechanism can be used very effectively within the state. Once the pilot site has been implemented, personnel from other courts scheduled to receive the system in the near future can visit the pilot court to observe and discuss the operation. As the implementation progresses around the state, each court can easily send a representative group to visit a nearby court that has already become automated. Witnessing the system can do wonders for allaying fears and generating enthusiasm among the courts waiting for implementation. Almost as important, however, is the fact that it can help bring expectations in line with reality.



V.F. The Shakedown Cruise

Once the project actually gets under way, with funding approved for at least the initial phases, the effective progress of the project itself becomes critical to the marketing effort. It is essential to make no major false steps during the early phases and to demonstrate positive results that establish credibility and promote a sense of cooperation among the courts.

Two key factors involved in making a smooth start are selecting the most appropriate initial application and involving court personnel early in the process.

V.F.1. Selecting the Initial Application

Several experienced project leaders suggested that the initial software application or other subproject should be one that is chosen deliberately for its potential to accomplished a desirable goal and to generate continued support for the overall project. In choosing the initial application or subproject, project leaders and committees must consider how best to balance a number of factors:

- greatest need or desire among the courts
- public interest or pressure
- quick payback in terms of staff time savings, increased revenue, etc.
- ease of development and implementation
- availability of good commercial or transferable software
- experience and skills of technical staff.

No matter how great the need or public pressure, the initial application should not be one that promises to be technically complex, difficult to define, or controversial in nature. Even if the general type of application has been pre-determined as a condition of funding, project leaders must confine the scope of the first effort to something that they can manage with confidence. Suppose, for example, that the legislature insists that the first application to be implemented is an automated financial system that will address the highly publicized weaknesses of the current manual procedures among the trial courts. Rather than attempting to develop the entire financial system with all its complexities and required linkages to the future case processing software, project leaders may be able to segment the cashiering functions as a preliminary, front-end application that can be developed or acquired relatively quickly and safely and identified as accomplished.

V.F.2. Involving Court Personnel Early and Heavily

Local court involvement, from project initiation on, has been cited almost universally as a key component for success. Heavily involving court

personnel in the project is essential to ensure that system requirements are properly identified, that the design of the system is practical, and that the operation of the system and accompanying procedures is flawless and effective once the development is complete. But integrating court personnel into the whole process is also a necessary and effective marketing strategy. Individuals from the chief judge to the lowest assistant deputy clerk must be made to feel that their input (information, suggestions, and criticism) is both welcome and desired, and that it will be heard and carefully considered. Mechanisms should be established to acknowledge input and to notify the person when action has been taken on the suggestion or reported problem.

In addition to building confidence that the system will accurately reflect the needs of the courts, early and continued involvement in the process engenders a sense of ownership among the participants. The feeling of grass roots ownership can be very instrumental in overcoming any sentiment that the AOC is imposing its own desires or misguided solutions on the local courts. One primary method for securing the involvement of court personnel is to establish an appropriate project committee structure. As discussed in a later chapter, committees at policy and operational levels not only must be composed of a representative mix of experienced court personnel, but must also be given the responsibility and authority for shaping the project and the system it produces. Strategic use of committees helps ensure the support of the courts and other groups or organizations represented. Project leaders must also make certain that the process is open to all persons who will be affected by the system and that adequate channels are available for receiving their input.

V.G. Overcoming Local Resistance

Despite the best efforts of judicial and project leaders, there will be some degree of resistance to a statewide project from some of the local courts. The resistance will be more vigorous among courts that are able to implement their own local systems, especially if they have in fact invested considerable, time, effort, and funds to procure or develop an automated case processing system. In addition to the techniques already discussed throughout this chapter, several states have offered the following insights regarding their experiences in overcoming local court resistance.

V.G.1. State Funding--The Big Carrot

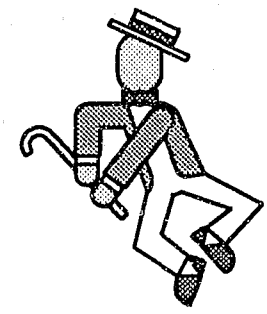
To the extent that state funding is available to cover all costs associated with the statewide system, the system will have tremendous appeal to financially-strapped counties, to courts where local government is not sympathetic to court needs, or to courts that do not desire to be supported by the county MIS department and cannot afford their own system. Even where local government can and would otherwise support local court automation, it becomes increasingly difficult for county commissioners to justify spending county funds on something that the state is offering for free.

V.G.2. The Force of Reason and Non-aggression

Most states have found it advantageous to play a waiting game with reluctant local courts. Especially in the earlier stages of the project through early implementation, they have taken the position that the statewide system is available on a voluntary basis. While posing no threat to any planned or existing local systems, project leaders encouraged the local courts to get involved in the planning process in order to be able to tell the state what they would like the system to do. Even in states where the legislature or the judiciary established a long-term policy that included eventual 100% deployment of the statewide system, most AOCs espoused a less threatening philosophy to courts with local systems. They told the courts, for example, "You don't have to use the state system until your own personnel have determined that it is better than the local system." In most cases their experience demonstrated that through visits to other courts the staff ultimately became convinced that the state system offered more overall advantages.

V.G.3. Flexibility: The Two-edged Sword

A few project leaders in automated states mentioned one tactic for overcoming local resistance that they regretted having used, even though they felt at the time as though they had no choice. In the early stages of the project, faced with strong opposition to a uniform solution that would have forced local courts to abandon some of their individual practices and procedures, they promised to accommodate many local desires, even if they complicated or reduced the effectiveness of the statewide system. Once the precedent was set, is was difficult to back off from such a position. In retrospect they offer a strong word of caution: while it may be necessary to make some concessions to strong local courts in order to get in the door, the effects of these design decisions can haunt the system forever. Common examples of seemingly innocuous concessions include providing custom calendar functions for different courts, custom accounting functions or formats, numerous custom variations of output reports. A particular insidious area to lose control over is docket codes. Allowing courts to use too wide a range of docket codes or to have custom codes freely added to the system can cripple the system's ability to provide consistent case tracking, event-driven automatic features, and accurate statistics.



V.H. The Continuing Challenge of Salesmanship

Although securing the initial endorsement of the concept of statewide automation requires the most concentrated effort, judicial and project leaders must continue to pay attention to the need for good salesmanship. Throughout the planning, development, and implementation process, marketing and public relations activities must go on to ensure the unwavering support of the funding body and the entire courts community. Setbacks, delays, cost overruns, and outspoken critics all work to dampen enthusiasm for the project. Because of the long duration of most such projects, there is a greater opportunity for other hot issues to compete for funding even while the ultimate beneficiaries of the system begin to grow impatient and discouraged over the length of time between concept and reality.

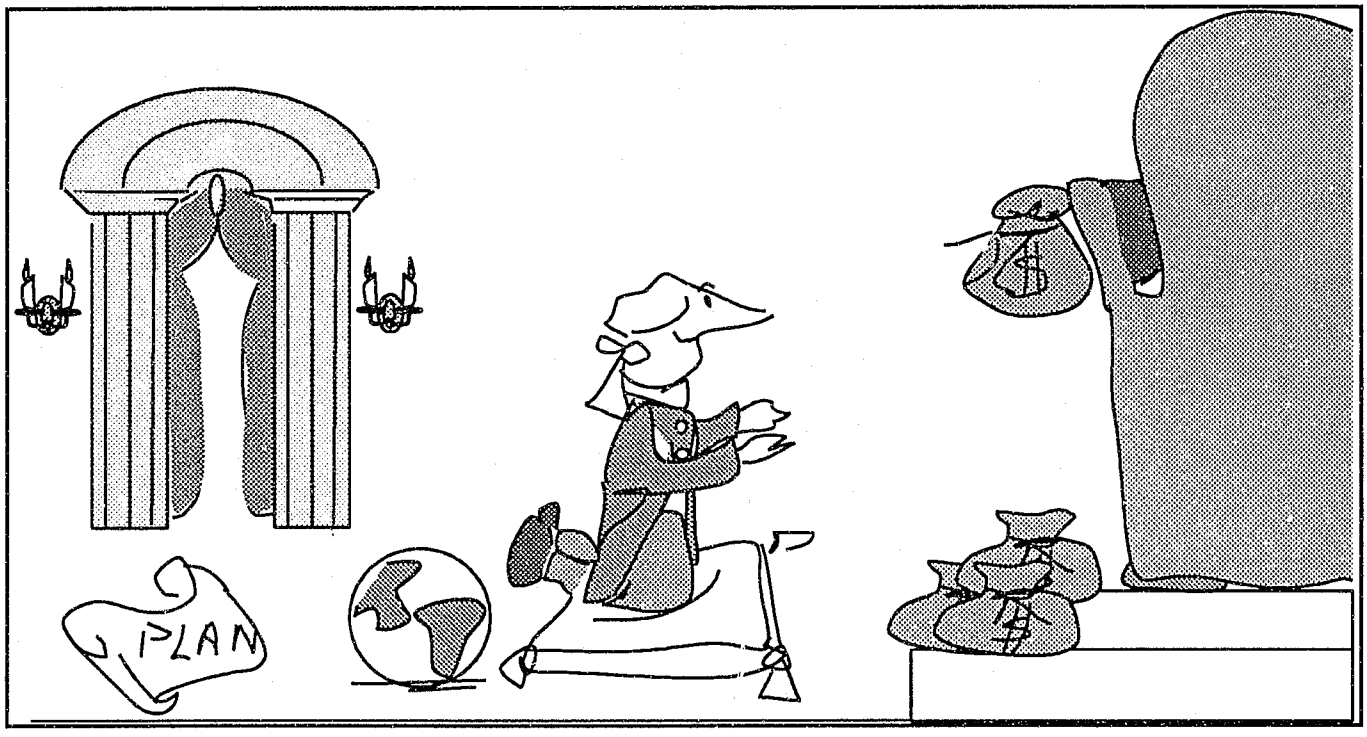
In addition to employing self-reinforcing tactics such as structuring the project to produce demonstrable, if incremental, benefits as soon as possible, project leadership must be careful to publicize progress and to highlight benefits already realized. It can be helpful to have the JIS staff demonstrate portions of the system to the legislature as they are completed. At the appropriate time, the state court administrator can invite the

judicial appropriations committee to view the system implemented in the first pilot court.

In general, if the project team can win the continued support of the local courts, the funding body will not lose patience. It is almost impossible to over-stress the importance of establishing a feeling of loyalty and good rapport between the project team and the local courts. In addition to sound planning and project management, good human relations skills and two-way communications are required to forge this bond. If the necessary investment is made, the resulting positive relationship can carry the project through the often turbulent period of statewide deployment and support.

An example of the kind of investment needed is the practice, cited by several project leaders, of having the state court administrator or the JIS director personally visit each court before the statewide system is implemented there. The personal visit helps impress upon the local court personnel the commitment that the AOC has to the project and the importance it attaches to each court. It also provides the opportunity for someone with authority to explain the state's plans and reassure court managers and staff about the process.

CHAPTER SIX
Funding Statewide Automation Projects



VI.A. Funding is Fundamental

Funding is a key issue for any type of automation project. In the first place, most projects cannot begin without assurance of at least enough funding to permit preliminary activities to be carried out to some point of completion. Furthermore, while it is possible and usually desirable to take a phased approach to projects of any complexity, it is not advisable to embark on a substantive project without reasonable assurance of sufficient funds to complete it--even if those funds are made contingent upon successful completion of each previous phase.

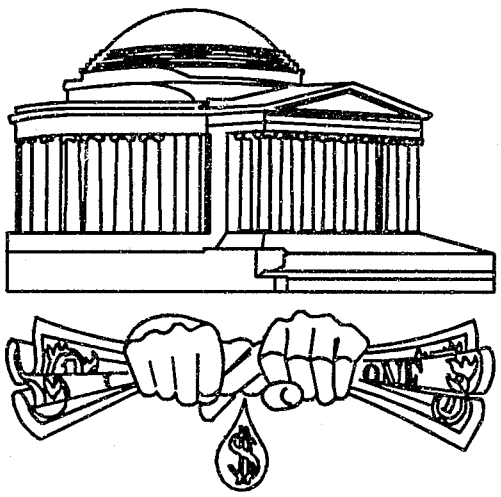
Statewide automation projects have such far-reaching implications that securing adequate funding for them is of paramount importance. At the same time, they are such a massive undertaking that obtaining funding can be a substantial project on its own. After years of generally predictable, perhaps slowly increasing budgets for the judicial branch, a statewide automation project suddenly interjects a substantial jump in the level of expenditures. Even though judicial budgets are small compared with the executive branch departments, the percentage increase can quickly raise a red flag, making justifying this unprecedented foray an uphill battle. Furthermore, the increased funding level is not a one-time expense that might be handled out of a budget surplus or temporary funds transfer. The project requires a long-term financial commitment, possibly in the face of initially strong opposition among some of the more influential counties in the state.

In this chapter we will examine some of the common approaches to funding taken by states who have pursued statewide court automation. In addition to the different funding options that can be explored, some of the tactics that have been

used successfully to secure and maintain adequate funding will be discussed.

VI.B. Funding Alternatives

Through good and bad economic times, state court systems have had to explore a variety of sources for funding their automation projects. Each source has its advantages and drawbacks, and many are so limited that they can be considered only as preliminary or supplemental resources to be tapped. As the political and economic situation varies from state to state, and as conditions change over time within a given state, state court administrators and other judicial leaders must craft an approach to funding that seems to be most appropriate overall. Then they must remain alert and nimble between funding cycles, so that they can quickly shift their approach if the situation warrants.

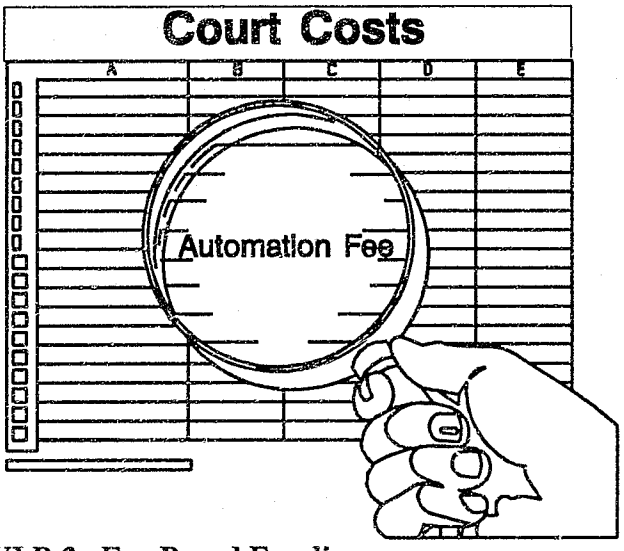


VI.B.1. Legislative Appropriations

The most common source of funding for statewide automation projects is budget appropriations from the state legislature. These may take the form of a separate appropriation for the automation project in addition to the normal judicial budget, or they may be an increased judicial branch appropriation for a total budget that includes court automation as a line item. Several states have launched their projects with a special appropriation and then maintained them with an increased overall budget for the judiciary.

Funding through legislative appropriation from the state's general fund has numerous advantages. It places the responsibility for funding the project in the hands of the elected legislators, who are also responsible for keeping most of the state's other government functions running. It avoids associating the level of funding with the revenue generated through the courts. Therefore, like the number of judgeships allocated, funding for the automated system should, in theory, be considered on the basis of importance and necessity, regardless of the court revenue picture. Funding through the state's general fund--especially when it is funneled through the judicial branch's normal budget--imparts stability and permanence to the automated system, making it less susceptible to targeted budget cuts.

On the other hand, funding through legislative appropriation subjects the project to more direct dependency on the legislature. If this alternative is selected from the outset, it means that the judiciary has to mount an effective campaign to convince the legislature that the project is worthy of funding in the first place, when only the concept exits. Then project leaders must demonstrate continued progress during the formative stages of the project when it is under closest scrutiny by the legislative budget committee. In tough economic times when legislators are faced with competing demands for dwindling resources, it is extremely difficult to obtain funding for a major new project. Moreover, if a recently-launched project encounters problems and delays, such economic conditions make it hard for the legislature to justify indulging it further.



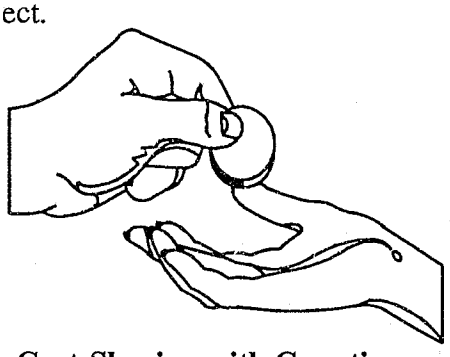
VI.B.2. Fee-Based Funding

Many states have turned to court revenue generated through fees and fines as a means to fund an automation project. This approach is sometimes taken simply to avoid the disadvantages of direct dependency on the legislature. More commonly, however, it is taken because there is no other way to get the project off the ground. It is usually much easier to receive the blessing of the legislature for a judicial project if the legislature can be assured that the general budget will not be affected. There is also a certain appeal to the argument that through fee-based funding the users of the courts will be paying for a system designed to improve the courts.

Fee-based funding does offer a number of advantages. If special funds already exist to capture a portion of court fees for specific purposes, it is usually relatively easy to tack on one more special filing fee or court cost designated for a court automation fund. Even a modest fee can generate significant revenue over time. Furthermore, the AOC usually has fairly wide control over how the funds are used within the designated program. This latitude permits project leaders to respond quickly to unanticipated expenses and the need to redistribute project monies among categories when projections do not quite match reality (of course, that never happens in automation projects).

There are some significant disadvantages to fee-based funding as well. In fact, some state court administrators are strongly opposed to this approach. If the state court system currently is funded completely through legislative appropriations, introducing fee-based funding for the automation project can be tantamount to opening Pandora's box, by providing a means for the legislature to sidestep other judicial budget issues. For example, future requests for expanded funding for other court needs may meet with legislative reluctance and the suggestion that an additional fee be established for the requested purpose. Once a state starts down the path of special fees, it is common to see the fee structure become so complex that it requires a fairly sophisticated financial system to account for it. In addition to the complexity, as more and more agencies jump on the bandwagon and tack on their own special fees, court costs may reach a level that places an undue burden on citizens who are forced to use the courts.

Several states have taken a sort of hybrid approach to fee-based funding, capitalizing on some of the advantages while avoiding some of the disadvantages. For example, a temporary special fee may be established with the legal provision that it be removed by a date certain. This approach can be used to get a statewide automation project launched, especially if it is coupled with the guarantee of legislative funding once the project proves itself to be worthwhile. Another variation is simply to increase an existing filing fee by the amount needed to generate revenue matching the increase in the judicial budget requested to fund the project.



VI.B.3. Cost-Sharing with Counties

As mentioned in an earlier chapter, it is much easier to gain acceptance for a statewide system

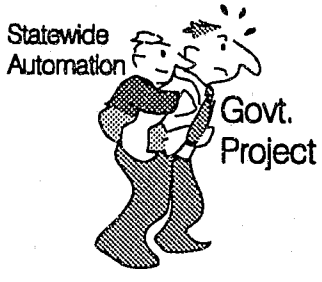
among the local courts if the state can make the system available at no cost to the county. Despite this strategy, however, some states have managed to overcome funding limitations for their statewide project in part by sharing some costs with the counties who want to receive the system. This approach seems to be most effective in the early stages of the project before the system has been completed, or at least before it has reached widespread implementation. The first few courts who want the system badly enough to be pilot sites may also be able to convince the county government to put up some of the money needed. Although other breakdowns have been used, most commonly the cost-sharing takes the form of the county providing the hardware and associated installation costs, and the state providing the software, implementation, training, documentation, and software maintenance.

The advantage to the state is that implementation can progress more rapidly, without waiting for the budgeting cycle to catch up. As the pilot courts begin to spread the word about their use for the system, acceptance and demand among the courts increase with resulting pressure upon local representatives for continued legislative funding. The advantage to the local courts is that they receive a functioning system much sooner, and at a fraction of the cost of acquiring their own software.

Although the practice of cost-sharing has been necessary and effective in some states, the usual pattern for them has been to phase out the county's contribution and assume mostly full state funding for the system as statewide deployment spreads.

VI.B.4. Piggybacking with Other State and Federal Projects

In a few states, the judiciary has been able to leverage its court automation project off other projects being planned or conducted in the state, sometimes



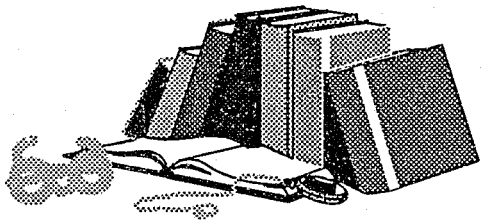
with federal "seed" monies. For example, automation for child support enforcement has been mandated and partially funded by the federal government in recent years. For some states, particularly those in which the courts are heavily involved in child support case processing, this effort has provided the first real opportunity to approach court automation on a statewide basis. Especially with the prospect of federal matching funds (although some state court systems have been reluctant to accept federal dollars and the accompanying strings), the courts have been able to secure state funding to begin planning for statewide court automation, or even to pursue developing or acquiring a system. Other states have explored initiatives to improve criminal history reporting as a means to obtain funds for increased automation of the courts. Still others have obtained small amounts of funding through highway safety programs and prison reform programs.

It is important not to overlook any potential source of funding, even though any undesirable consequences associated with it should be examined. For example, if the governor launches a "get tough on crime" program to improve law enforcement and corrections, the judiciary should be quick to point out the necessity to include court technology improvements in the initiative. Similarly, a crackdown on DUI offenses can provide a forum for bringing attention to the need for statewide traffic and criminal case processing systems. Recent and pending federal legislation concerning enforcement of drug laws, handgun control, and other criminal justice issues should provide many opportunities in the near future for states to champion the cause of statewide court automation.

VI.C. Funding Tactics

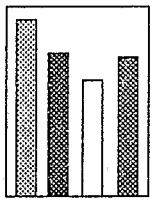
State judicial leaders have employed a variety of tactics to help secure adequate funding for their court system's statewide automation project. Although some states had more of a struggle to obtain funding than others, owing to different circumstances at the time the projects were begun,

virtually all states that managed the process successfully shared some of the tactics in common. While alternative funding sources can reduce somewhat the direct dependency on the legislative body, most statewide automation projects do require the legislature to be convinced that the project has merit and deserves to be funded. For that reason most of the tactics observed from the experiences of states with successful court automation are related to obtaining legislative funding.



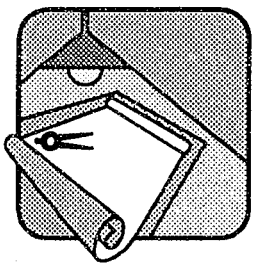
VI.C.1. Conduct Preliminary Work Before Seeking Appropriation

Many state judiciaries have found it beneficial, if not essential, to find some way to carry out certain preliminary project tasks before approaching the legislature with their funding request. The idea is to establish solid footing for justifying the request. For example, some states have assembled a volunteer task force to conduct preliminary investigation and planning activities with the assistance of existing AOC staff operating within the current judicial budget. Such a team might develop a high-level needs assessment, for instance, or survey existing local court automation around the state to determine its capabilities and common characteristics. Having accomplished this work, the judiciary is then in a knowledgeable position to describe to the funding body the need for the project and the general dimensions of the proposed endeavor. Perhaps as importantly, it will then be in a posture of requesting funds to continue work in progress, rather than to initiate a new program or project of an unprecedented nature.



VI.C.2. Compare Cost of Statewide Approach with Local Court Automation

Even on the face of it, it seems logical to assume that a statewide project resulting in a single, uniform automated system would be significantly more cost-effective than having each local court develop its own system independently. Nevertheless, some states have found it helpful to conduct at least a cursory comparative analysis of the two approaches to attempt to quantify the differences. The study should be as objective as possible, acknowledging the fact that many of the smallest courts would feel relatively little pressure to automate on their own; that development of a suitable uniform solution requires considerably more effort that developing a single-court solution; that travel and communication costs are involved in a statewide approach; and other such considerations. An honest and fairly comprehensive (even if not detailed) analysis can be a powerful and persuasive factor in convincing the legislature of the wisdom of the statewide approach.



VI.C.3. Develop a Solid Long-Range Plan

Substantial funding should not be requested from the legislature until project leaders have developed a strategic technology plan for the state

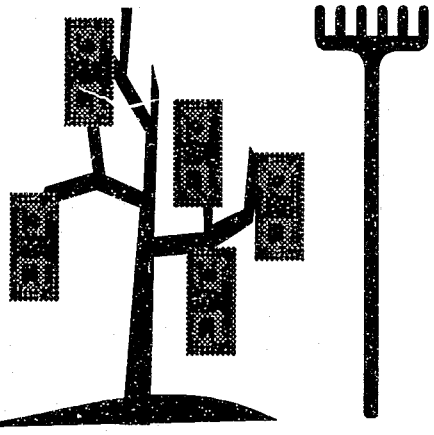
court system. The plan should reflect the true scope and duration of a statewide automation project. It should extend at least five, and preferably, ten years into the future. In addition to the necessity of this planning activity for the actual conducting of the project, the existence of a sound long-range plan imparts a sense of permanence and practicality to the project as it is being considered for funding.

Once initial funding has been approved and the project is well underway, the plan should continue to be the yardstick by which progress is measured and the future stages are explained to the legislature during each funding cycle. Certainly, the plan should be flexible and designed to be modified as needed over time, as well as expanded with more detail as the project approaches each subsequent stage. When approaching the legislature for continued funding, however, it is important to mark each milestone that is passed and highlight each accomplishment to demonstrate that the project is moving according to plan.

VI.C.4. Request a Meeting with Judicial Appropriations Committee Chairperson or Key Member

At whatever point the judiciary is ready to submit its request for funding to the legislature, the state court administrator should request an advance meeting with the chairperson or some other key member of the judicial appropriations committee. The meeting should be of a fairly informal nature. Its purpose is to facilitate a discussion of the proposed automation plan and forthcoming budget request before its formal submission. The particular circumstances of each state, including the depth of knowledge and the personal relationships of individuals in the judiciary and the legislature, should dictate exactly which of those individuals should attend the meeting. In some states, for example, the state court administrator and the JIS director have made an informal presentation to the committee chairperson along with one other key member known to be an advocate for the courts.

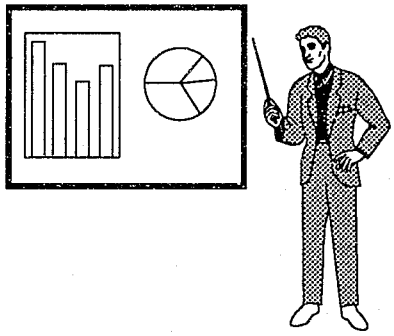
This meeting gives the project leaders the opportunity to feel out the receptivity of the committee and to explain the project in an informal dialogue that can help avoid any misconceptions caused by missing information or ambiguities. If the right atmosphere exists, the committee chairman or other member can often be very candid about potential legislative opposition, weaknesses in the proposal, and suggestions for ways to strengthen the court's position or strategy. Besides the opportunity to incorporate such revelations and suggested improvements into the proposal before its formal submission, an advance meeting can ensure that the plan and budget request will seem familiar and understandable to these key individuals when it does come under formal consideration.



VI.C.5. Cultivate Long-Term Funding Rather than Large Initial Appropriation

In attempting to launch their statewide automation projects with enough funding to build momentum rapidly, several states requested large initial appropriations, or even a one-time appropriation for a budget that would carry them all the way through implementation across the state. Typically, their legislatures responded with a much smaller initial appropriation than was requested,

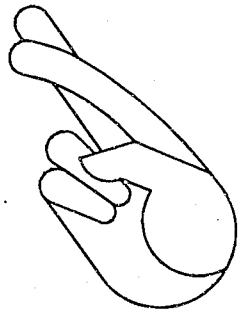
coupled with provisions for continued funding in the future contingent upon accomplishments and justification for subsequent phases. Project leaders were understandably disappointed by this response and had to adjust their plans accordingly. Moreover, at least one JIS director, in looking back at the history of his state's project, maintained that he could have moved somewhat faster with more initial funding. In retrospect, however, most state court administrators, JIS directors, and other key project leaders acknowledge that a massive initial budget could not have been spent wisely. Metered funding forced them to go more slowly and plan carefully. They were also better able to back away from mistakes before investing too heavily in them.



VI.C.6. Keep Funding Body Informed of Plans and Progress

Until it is time once again to request funding, it is easy to overlook maintaining communications with the legislature. Addressing this need, however, is an essential part of a strategy designed, as one seasoned state court administrator put it, to "cultivate a long-term relationship with the legislature." Those responsible for seeing that the state's resources are allocated properly should be kept in touch with the results of their appropriations. It is highly advisable to maintain close ties with the judicial appropriations committee throughout the life of a statewide automation project, keeping it informed of progress, problems, and any anticipated change in plans.

Project leaders should be open and honest about difficulties encountered, especially when they have a direct impact on the project budget. Appropriations committees are much more likely to be supportive if they are kept "in the loop" as the project unfolds. With an understanding of the problems and needs, they can begin planning for the next budget cycle along with the AOC. Periodic reports and meetings can help maintain a desirable rapport with the legislature as well as providing information. Needless to say, along with the disclosure of problems and additional needs, it is very wise to share with the legislature successful accomplishment of project tasks, accounts of positive feedback from local courts, and other instances of good news.



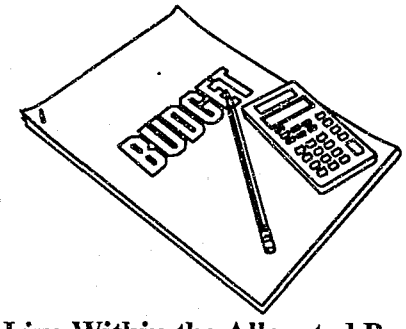
VI.C.7. Don't Promise More than Can be Delivered

When requesting funding for a project as important as statewide automation, there is a natural, almost unconscious temptation for judicial and project leaders to build up the expected results beyond a safe and conservative level. Recognizing the need to make the product of the effort as appealing as possible and to convince the funding body that the investment of funds will be worthwhile, they may promise to accomplish more than is reasonable to expect within the allotted time and budget. Occasionally, they may be pushed into this position by the legislature as it tries to hold down expenditures, or perhaps tries to find a way to dovetail the project with some other initiative under consideration.

Promising more than can be delivered is a recipe for disaster. The most probable result is that the judiciary will be unable to achieve the inflated goals, causing the project to look like a failure and damaging the project leaders' credibility with the funding body. Even if somehow the goals are met within the time and budget constraints, undesirable compromises may have been necessary. The proj-

ect staff and committees may have been forced to shortcut critical steps or accept a lower quality solution. Furthermore, the added stress and frustration may have a damaging effect on the attitude (and possibly health) of the AOC staff and working committees that casts a shadow over the remainder of the project.

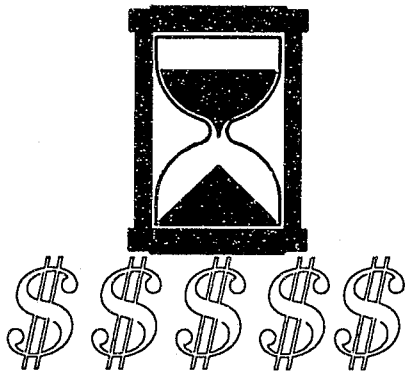
It is generally advisable to be realistic, but fairly conservative in estimating what can be accomplished. Murphy's law most definitely applies to statewide automation projects! When project leaders can demonstrate at the end of a budget cycle or a project phase that they accomplished what was planned, their credibility with the funding body (as well as with the court community across the state) is established more firmly. All other things being equal, they will find it easier to obtain continued funding for the next phase. Furthermore, if the project team manages to make swifter progress than anticipated or to accomplish even more than planned, they will appear almost as heroes.



VI.C.8. Live Within the Allocated Budget

In addition to promising no more than can be delivered, several statewide project leaders cited the importance of staying within the budget appropriated. Returning to the legislature for an emergency appropriation when estimated expenses prove to be less than reality carries with it extremely negative implications. Even more than failing to accomplish as much as planned, having to ask for more money between budget cycles destroys a project's credibility and may create a stigma that works against it from that time forward. Consequently, experienced judicial leaders advise that if at all possible, it is better to curtail some activities or delay one or more steps in order to stay within the allotted budget than it is to come back for more money.

Two techniques were cited to help avoid this undesirable situation. The first, of course, is to calculate the projected budget carefully, estimating as accurately as possible each expense and taking pains to avoid overlooking any item. The second is to build into the budget a small cushion to absorb some contingencies without disrupting planned activities. This cushion can be in the form of a slightly more generous estimate than strictly necessary for one or more items. An alternative is to make certain that the budget contains funding for an activity or purchase that can be sacrificed if necessary without any significant impact on the project.

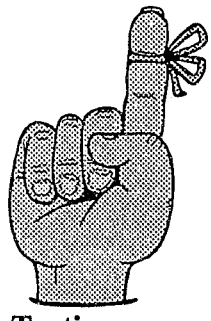


VI.C.9. Spread Hardware Costs Over Multiple Years

Regardless of the source of funding, certain tactics can be applied to make the financial burden more manageable. One such tactic cited by some of the states with automated systems is to try to even out the impact of hardware costs by spreading them out over several years. Whether a centralized, distributed, or decentralized system architecture is adopted, computer hardware constitutes a substantial expense in the overall budget. It is helpful if the costs can be absorbed over several budget cycles to keep the appropriations as even as possible. One technique for spreading hardware costs is to finance it over, for example, a five-year period. Although the total cost will usually be

somewhat higher, it is easier to fund in that manner. Moreover, the state may be able to arrange financing on very favorable terms for such a short loan duration.

If this approach is taken, it is important to avoid getting locked into long-term financing of hardware that is becoming obsolete or has been outgrown by processing demands. With computer processing power per dollar nearly doubling every 18 months, hardware replacement cycles may be as short as 48 months (and even shorter at the PC level!). Payments should be spread out only enough to meet realistic budget limitations. Rather than financing a purchase, some state court systems have leased the necessary hardware directly from the manufacturers or from third-party agents. Leasing can be attractive if it is flexible enough to give the courts an easy upgrade patch as newer technology becomes available or as more powerful hardware is required. Unfortunately, some states have been trapped in unfavorable leasing agreements that made it prohibitively expensive to replace obsolete equipment before the end of the (long) leasing period. The debate over leasing versus purchasing is a continuing one. Project leaders should examine each alternative carefully to work out the best arrangement for their situation.



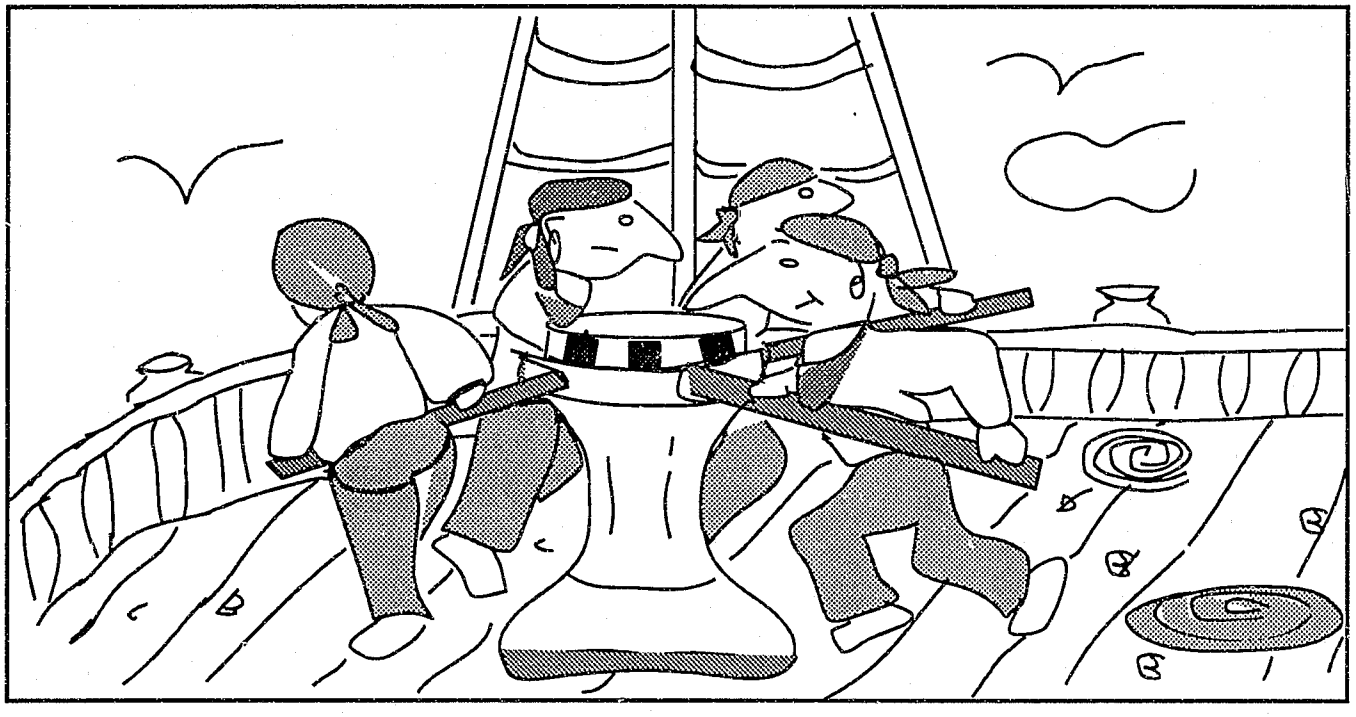
VI.C.10. Subtle Tactics

In addition to the common tactics described above, some judicial project leaders acknowledged the necessity to be politically astute in managing the automation process, especially with respect to funding. Through careful timing and seizing upon opportunities that arise, funding for automation occasionally can be given a little extra nudge. One such example is to initiate a push toward statewide automation just as the state is coming out of a period of recession into a strengthening economy. As revenue projections improve, a statewide automation project is more likely to be viewed favorably. Moreover, if the preliminary work mentioned earlier has been accomplished and a sound long-term automation plan developed, the project may be able to get a jump on competing demands as unallocated revenue begins to become available.

Another example cited is related to the post-development period when the judiciary must seek funding for statewide implementation. Although the order in which the automated system is implemented in different courts depends on a number of factors, there have been instances where the counties in which key members on the judicial appropriations committee resided happened to be among the first to receive the system.

Funding for statewide automation is a complex issue. There are many ways to approach it and many tactics that can be employed in putting together an effective funding strategy. Some state court administrators and JIS leaders have become highly skilled in the whole budgeting process. The overarching principle that seems to emerge from the collective experiences of the states is one of careful and conservative planning, combined with open and honest communication with the funding body. Once the judiciary secures initial funding, demonstrated, incremental success tends to maintain a commitment to funding.

CHAPTER SEVEN
Organizing People: Statewide Committees and Task Forces



VII.A. Introduction

No statewide automation project can be conducted successfully unless the energy and talents of appropriate combinations of people can be harnessed. It is essential to draw upon the courts themselves to assemble the teams of people needed to plan, develop, and implement a system for the courts. No matter how able the staff in the administrative office or its JIS division, and no matter how much outside expertise can be secured under contract, a statewide effort cannot succeed unless it includes the extensive involvement of trial court personnel. Whether these teams are called committees, work groups, task forces, or other names, states that have succeeded in implementing statewide systems have given much thought to their purpose, structure, and composition. Committees are important at every step in the process, from preliminary planning through statewide deployment of a system. In fact, most states continue to use some types of committees even for mature and stable systems, although their level of activity may be lower than during more transitional stages.

VII.B. Strategy of Using Committees

There is far more strategy involved in the use of statewide committees than that of simply pulling together the bodies needed to carry out the required work. Committees, task forces, and various other work groups perform a number of functions critical to the success of a statewide project:

Capture Court Expertise

Assembling committees of people from the trial courts ensures that the project taps the expertise in how courts really operate. This knowledge is necessary for many different types of decisions

from policies about electronic dissemination of information down to what data fields should appear (in which order) on a particular screen.

Ensure Representational Input on Statewide Issues

Committees and task forces provide the means to determine an accurate statewide view of issues affecting both the design of the system and the way in which the entire project is carried out. In order for a statewide system to be successful, this cross-sectional viewpoint is as important as the knowledge of how a particular court operates.

Promote Buy-in of Local Courts and Other Represented Parties

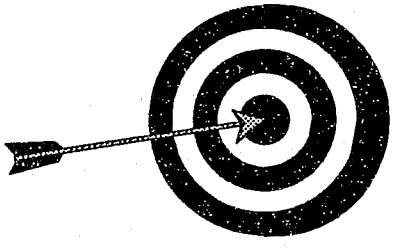
By establishing committees that are representational of the local courts, project leaders can help foster a sense of ownership among the courts for the project and its product. If courts (and other agencies, where appropriate) feel that they are participating in the project through selected representatives and have a voice in how the process unfolds, they are much more likely to view it as their own project, rather than one being conducted by the AOC to foist a system upon the courts. Not only will this sense elicit more valuable input from the courts around the state, but it will greatly enhance their acceptance of the decisions that are made and of the system that ultimately will be implemented.

Enhance Positive Publicity for the Project

Committees of dedicated court personnel provide a ready-made public relations operation for a statewide project. Inevitably, when individuals serve on genuine committees whose activities are an integral part of the automation effort, they become staunch advocates for the process if not the product. These individuals usually are very enthusiastic in conveying their own beliefs in the effort to others with whom they normally come into contact. In addition to promoting the project in their home courts, when such individuals are generally acknowledged for their competence and respected around the state, their influence can be considerable even outside their own courts.

Shift Responsibility for Success Away from the AOC and JIS Staff

If committees and task forces are set up and used appropriately, they provide the means to vest the responsibility for the project in the courts as a whole. Decisions affecting the project at each level can then be made by the corresponding committees, with information and advice provided by the JIS staff. Rather than bearing the full responsibility for the success or failure of the statewide project, then, the AOC and its JIS division become what they ought to be--a service organization for the state court system.



VII.C. Tactics to Enhance Effectiveness

There are many tactics commonly applied by states to make the most effective use of statewide committees. Most states have used different types of committees for different purposes during the course of their statewide projects, with the structure and composition of each tailored to fit the need. Generally speaking, there seem to be three major types of committees established: planning committees, policy-level committees, and working committees at the detail level. Although each type of committee has unique characteristics (which will be discussed later), certain principles apply to all three.

VII.C.1. Choice of Leader

Statewide automation committees must grapple with extremely complex and diverse issues. Perhaps their most distinctive feature is the continuous necessity to resolve differences, reach compromises, and produce results that not only are acceptable to all (or nearly all) parties represented, but are also feasible to implement. Because of this characteristic, the choice of committee leadership is unusually important. Chairing a statewide automation committee is no place for a figurehead or a political appointee without merit.

In addition to simply facilitating meetings and making sure that the work gets done, the chairperson of a statewide committee must have tremendous skills in human relations. He or she must be able to foster a sense of commitment and a spirit of cooperation and teamwork among the membership. It is also important for the leader to be respected for his or her knowledge of the courts (although not necessarily the operational details) and objectivity. The appointment of an inadequate committee chairperson, whether for political reasons or because of insufficient information, can hopelessly bog down a committee of even the most talented people and render it not only ineffective but in danger of damaging the credibility of the entire project. States that have been successful gave much thought to their selection of leaders for key committees.

Working committees must be representational, but should be kept small enough to work effectively and achieve compromises

"Very well then... if there are no more objections or suggestions, let's move on to Item 2."

VII.C.2. Size of Membership

Statewide committees must be sized carefully to strike a balance between being too small to be representational and too large to work effectively. It is important to appoint a sufficient number of members to achieve an accurate cross-section of all parties affected by its decisions. If too many people are involved in the working sessions of the committee as a whole, however, it becomes too cumbersome to discuss the issues and overly difficult to reach necessary compromises. The more detailed the work of the committee and the more exacting its decisions have to be, the more critical the question of size becomes. To maintain this delicate balance, many statewide committees rely on AOC staff to perform some of the "legwork" and analysis needed to streamline the decision-making process. Another tactic often used is to convene from time to time sub-committees or temporary task forces of appropriate court personnel from around the state with the skills and knowledge to perform specific assignments for the committee. Most participants in these temporary work groups are not permanent members of the committee at large.

VII.C.3. Composition of Membership

Obviously the composition of committee membership will vary from one type of committee to another. Just as the choice of leadership for any statewide committee has been shown to be critical

to its success, states that enjoyed the benefits of productive committees that made sound decisions were the ones that took great care in who was selected to serve on each type of committee. It is essential, of course, to select individuals from around the state who are widely respected for their knowledge of the courts, in the particular operation of the court and at the level of detail appropriate for the type of committee. They should also be persons who have demonstrated their ability to accomplish tasks, and who are able to work well as part of a team.

Achieving the proper balance among the membership was cited as being very important. Project leaders should try to form committees that reflect a broad representation of different aspects of the courts (e.g., judges, clerks, court administrators), different types of courts (e.g., limited and general jurisdictions), different sizes of courts, different geographical or cultural regions, and different levels of familiarity with court automation. Depending upon the type of committee and the scope of the system being planned, committees may need to include representatives from other agencies, such as law enforcement, corrections, state attorney, public defender, and department of motor vehicles. It is often helpful to include a bar representative as well.

There is another aspect of broad-based composition that may be overlooked. While it is desirable to select people who work well with others, it is advisable to avoid forming a committee of persons who are too similar in their viewpoints. In fact, several states stressed the wisdom of including on committees persons known to be skeptical of the entire project, or even to strongly oppose it. Those more dissident members will be quick to point out flaws in logic or information that may be overlooked by more single-minded or enthusiastic members. Moreover, if during the course of their involvement such skeptics can be convinced of the merits of the statewide project and the system that is being planned, they become extremely effective spokesmen among their colleagues across the state.

VII.C.4. Responsibility and Empowerment

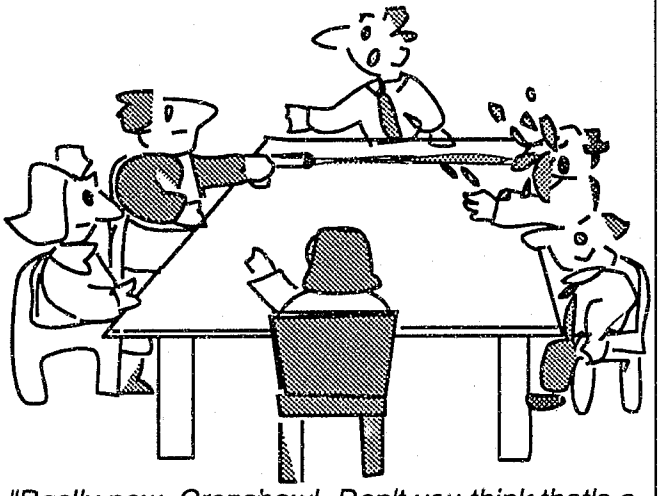
A key tactic in the effective use of statewide committees and task forces is to vest real power and authority in those committees. Committees should be held responsible for performing the work for which the expertise of its members is needed. Furthermore, with the exception of special committees, task forces, or other groups that are constituted solely as advisory bodies, they should have the authority to make final decisions about matters for which they are responsible.

This approach has several advantages. In the first place, it ensures that the committee views its work as essential, realistic, and of great value, rather than merely an academic exercise or an exploratory effort that produces only suggestions and recommendations. Knowing that the results of their work will definitely and directly affect the direction of the project and the nature of the system that ultimately results imparts a sense of dedication among the members. Each member will tend to give serious thought to all committee decisions. Not only will they be more likely to attend all meetings, but they will continue working on the issues between meetings. As one charter member of a statewide committee put it, "Knowing that the ideas and decisions you're developing and voting on today are absolutely going to determine the system you'll be using tomorrow makes you a little less concerned about the long hours and hard work it takes!"

With the realization that they are acting on behalf of large numbers of court personnel, committee members are likely to solicit input from con-

stituents in their home court and surrounding courts. In addition to enhancing the quality of the committee's work and the appropriateness of its decisions, such communication between committees and the court constituency helps generate the sense of project ownership among the local courts. Finally, giving committees the authoritative backing to make final decisions also greatly expedites progress once those decisions have been made.

VII.C.5. Development of Effective Working Relationships



"Really now, Crenshaw! Don't you think that's a rather strong reaction to Judge Hindley's suggestion?"

One of the greatest hurdles to overcome in establishing effective statewide committees is that of achieving a smooth, harmonious working relationship among a group of people from different backgrounds and locations. It is imperative that committee members work past their political and personal differences, to focus on the difficult tasks at hand. Many states have noted that not only the pace of their automation project, but also the extent to which the resulting system proved satisfactory, were directly affected by how smoothly key committees operated when they met. Their experiences make it clear that project leaders must do all in their power to develop policies and guidelines (not necessarily formal or even written, however) that will foster good working relationships within committees, in order to make the best use of the time and expense invested in committee work.

VII.C.5.a. Frequency and Duration of Meetings

An important consideration in developing a smoothly-functioning committee is to balance the frequency and duration of meetings. Both frequency and duration will vary by the type of committee and the particular stage of project. For example, after the initial intensive planning period, policy committees usually meet less often and for shorter periods of time than do detailed work forces. For each committee project leaders should work with the committee chairperson to monitor the operation of the committee and establish the meeting characteristics. Committees need to meet frequently enough to develop continuity in their work and minimize startup time for each meeting. Frequent meetings also help maintain the sense of familiarity and comradeship among members, thus promoting effective and objective discussions. At the same time, ideal meeting frequency must be balanced against the real world of other responsibilities, and the time and expense of travel.

Similarly, the duration of committee meetings must be carefully balanced. Meetings should be sufficiently long to enable the committee to get deeply into the subject matter, reach an understanding of the issues currently pending, and settle those issues or make the decisions necessary to advance the project to the next step. Overly long meetings, on the other hand, rapidly become counterproductive. They increase the likelihood that outside responsibilities will begin to interrupt some members and interfere with the focused effort of the committee. Furthermore, if excessively lengthy meetings become the norm, there is a much greater danger of diminished commitment and "burnout" among the members, most of whom will be volunteers from the courts who must continue to maintain their other responsibilities.

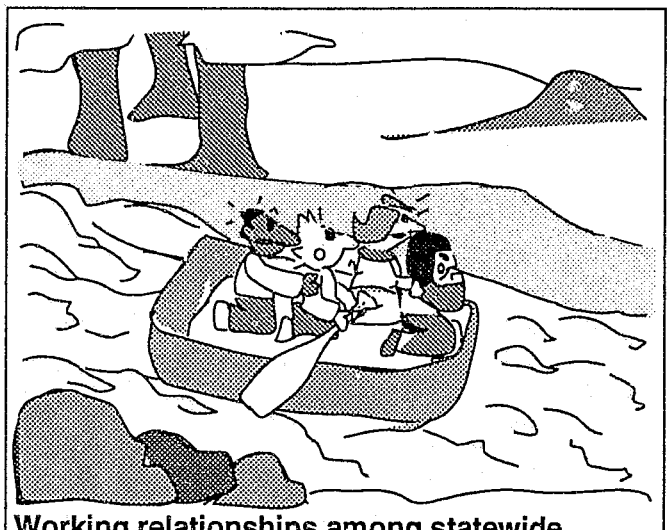
A common-sense approach that is often taken is to adopt a policy of flexibility. For each committee a baseline schedule for meetings should be established, according to the nature of its responsibilities and the expected intensity of the work to be accomplished. However, committee chairpersons should be able to call special meetings when urgent or complex issues must be resolved. By the same token, they should have the freedom to cancel regular meetings if there is little pressing work to be done at the appointed time. Small committees can often make good use of telephone conference calls, especially when urgent but straightforward issues must be decided.

More specific information on meeting characteristics can be found in the discussion of each type of committee later in this chapter. For all types of committees, the extent to which the members and their leaders prepare for each meeting has a significant effect on both the frequency and duration of those meetings. Advance preparation, in turn, requires a serious commitment by the courts from which committee members are appointed.

VII.C.5.b. Climate for Effective Working Relationships

Committees or special work groups that must meet for hours or days at a time to grapple with complex or controversial issues are particularly vulnerable to burnout or increased hostility, especially if they are laboring under the pressure of deadlines. In some states, project leaders have adopted measures to enhance the climate for important work sessions and promote a closer working relationship among committee members. For example, specifying casual dress and providing a meeting place with comfortable chairs and well-lighted tables can improve the working conditions. Making sure that coffee, soft drinks, and snacks are close at hand fosters a more pleasant and congenial atmosphere, even while it serves the more pragmatic purpose of encouraging each member of the group to stay in the meeting room and participate in the discussion. Some statewide committees have held week-end retreats to which they bring their families, combining several hours of uninterrupted work with social interactions during meals and evening events. Providing the opportunity to relax in a social setting with other members of the committee can help build a sense of community and trust that dissolves barriers and significantly improves the way the committee works.

Project leaders and committee chairpersons must be sensitive to changes in the overall temperament of a committee. While it is important to forge through tough issues and reach some type of resolution, sometimes a committee can become mentally and emotionally fatigued after continually grappling with difficult or controversial issues. Frustration over lack of progress and inability to reach compromises can create hostilities that sharply reduce the effectiveness of the committee. If this situation is allowed to continue, permanent damage to relationships among individual members can occur. Leaders must constantly monitor the emotional climate of committees under stress. When they sense that the committee's stamina is reaching the point of exhaustion, they should impose a break in the proceedings, even when deadlines are looming and decisions are still pending. An interlude of anywhere from a few minutes to several days, depending upon the severity of the impasse and other factors, can enable



Working relationships among statewide committee members often can be enhanced through social activities.

the members to step away from the situation, recharge their energies, and tackle the problems with a fresh start.

One statewide project leader took even more aggressive action when his state's hard-working design committee reached a virtual stalemate after many long meetings. He called a halt to their increasingly frustrated efforts, piled everyone into vehicles and took them white-water rafting. In retrospect he and members of the committee agree that shifting the situation so drastically and involving everyone in a new, focused experience far removed from the work they had been doing marked a real turning point in their working relationships. As a result of the bonding that took place through their expedition, the committee was able to work together much more effectively and made considerably better progress toward a successful system.

VII.D. Types of Statewide Committees

Most states that have conducted successful statewide automation projects have used several different types of committees or work groups to accomplish different purposes. These different bodies have been labeled with a variety of names, but they generally fall into three main classes:

- ☞ Temporary task forces for preliminary planning
- ☞ Permanent policy-level committees
- ☞ Detailed working committees

Each type of committee has its own purpose, responsibilities, and duties. The structure, leadership, and composition of each must be designed to facilitate its purpose and duties. While there is often some cross-over in the type of persons assigned to each committee (in fact, the same person may occasionally serve on two different types of committees, either concurrently or at different times), the general composition of each type of committee will be different. In particular, policy-level committees and detailed working committees require different types of members.

VII.D.1. Preliminary Task Force

Many states have used some type of preliminary committee or task force to perform the initial groundwork for a statewide automation project. This step can be an effective, low-key way to launch a statewide project without requiring special funding, creation of staff positions, or even a commitment to carry out the project. Such bodies are often informally constituted by having the chief justice or state court administrator appoint a small group of hand-picked volunteers, usually after quietly soliciting suggestions from judges, clerks, and trial court administrators around the state. The appointment usually is for a temporary period of time, which may either be specified or left indefinite. As a rule a preliminary task force is relatively small, consisting of a mixture of judges, clerks, court administrators, and MIS directors (preferably who understand automated court systems through prior experience or may even have one implemented in their county).

Different states have used different approaches to creating a preliminary task force. In one state the state court administrator asked all counties with automated case processing systems to lend

their key court automation person (defined as more of a user analyst than strictly a technical analyst) to serve on a state-level task force for 12 months. This approach immediately captured a base of knowledge about all existing court automation in the state. It also established a channel for local court input and guaranteed that automated court system expertise was included on the task force. Finally, because the court automation personnel from each county had much in common despite the differences in court characteristics from county to county, this technique automatically began to create a sense of community among the courts.

Whatever its origins, such a preliminary task force serves as an advisory body to the AOC or supreme court, not as a policy-making body. Its purpose generally is to investigate the whole issue of statewide automation, assessing the status of local trial court automation within the state and looking outside at what other states have done. It may also be charged with briefly exploring the availability and general characteristics of commercially-developed court software.

Example of Preliminary Task Force Composition

- ☑ **JIS or statewide project director (possible chair)**
- ☑ **General jurisdiction administrative judge (alternative chair or co-chair)**
- ☑ **Limited jurisdiction judge**
- ☑ **Clerk of court**
- ☑ **Chief deputy clerk**
- ☑ **Trial court administrator**
- ☑ **2 Local court MIS directors**

In fulfilling its purpose, the task force may enlist the voluntary help of other qualified persons in the courts community. In addition, its members may be able to use their own staffs to perform some of the legwork (subject to their court's policies and resources) needed during its investigative and planning activities. If authorized to do so, the task force may engage a court technology consultant to help with its investigation. Regardless of the level of detail with which the task force pursues its purpose, its focus usually remains advisory only. Through oral and written reports, it summarizes the issues to be addressed, recommends whether statewide automation is feasible for that state and should be pursued, and recommends a preliminary plan of action.

Although some members of this preliminary task force may end up serving on the permanent policy-making committee, it is important for the task force to be created as a temporary, preliminary body of deliberately limited duration. This emphasis can encourage people to serve who cannot undertake a long-term commitment. It can also ensure that the permanent committee will require re-thinking before its structure and membership is determined. Finally, it can ensure that any members of the original group who turn out to be non-contributing or even damaging to its effectiveness do not automatically have a seat on the permanent committee.

An additional benefit of the preliminary task force can be its subtle marketing efforts. As part of its investigation, individual members may visit most of the courts in the state to discuss the prospect of statewide automation with them. In addition to gathering valuable information, these visits furnish the opportunity to plant positive seeds, listen to concerns, and allay fears and suspicions.

VII.D.2. Policy-Level Committee

Virtually every state that has undertaken statewide automation has established a policy-level committee in one form or another. These bodies go by many different names, such as steering committee, oversight committee, policy committee, and [*name of automated system*] board. In some states, technically, the role of these high-level committees is to recommend policy which is then formally adopted by the supreme court and put into force. In keeping with the general principle of vesting responsibility and authority in its

committees, however, most state judicial systems acknowledge that the established policy-level committee is in fact a policy-making body whose decisions have the authority of the supreme court behind them.

The composition of policy-level committees varies from state to state, both in number and type of members appointed. Within a given state, it may also vary over time as the level of activity and type of issues to be addressed change during different stages in the life of the automation project. In general, the committee will be composed of court-related persons at management-level positions or with broad knowledge of legal and political implications. Typically these committees will include administrative judges from the trial courts, clerks of court, trial court administrators at the local or district level, a supreme court justice (other than the chief justice), and perhaps an intermediate appellate court judge. Often they include a representative from the bar. If the statewide system encompasses criminal case processing, the state attorney, public defender, and department of corrections may be represented as well. Neither the chief justice nor the state court administrator usually has a direct role on the committee.

Example of Policy-Level Committee Composition

- ☑ **Supreme court justice (committee chair)**
- ☑ **2 General jurisdiction administrative judges**
- ☑ **2 Clerks of court**
- ☑ **2 Trial court administrators**
- ☑ **Bar appointee**
- ☑ **State attorney appointee**

Staff to Committee

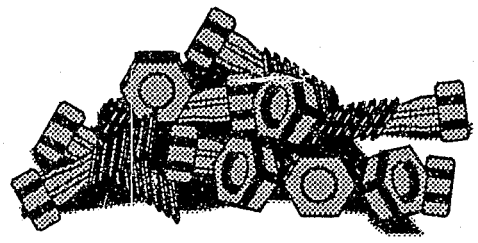
- **JIS director**
- **AOC Legal department head**

Although the JIS director may sit on the committee, it is much more common for that key individual to serve as staff to the policy-level committee. In that capacity he or she provides information, clarification, and advice in the form of both formal and informal recommendations to the committee, but does not have a vote in its decisions. Moreover, through the JIS director, much of the legwork (i.e., research, analysis, and drafting of policies and procedures) for the committee can be performed by the JIS staff or other AOC staff.

Policy-level committees serve a number of different functions, which may vary somewhat from state to state. They act as a sounding board to review ideas for expanding or modifying the automated system (usually at a conceptual rather than detailed level), to assess the impact on the system of pending legislation or court rules, and to explore the implications of any potential interface between the courts and other agencies. They develop policies regarding the operation of the system with respect to such issues as privacy and public access, cost sharing between counties and the state, and hours of operation. As part of its policy-level responsibilities, the committee usually is charged with setting priorities for such things as development of major new system modules, significant enhancements to existing software (which have been approved by a detail-level committee), and implementation among additional non-automated courts. In some states these high-level committees serve as a board of review for disputes arising from working committees in which a compromise cannot be reached or for situations where the JIS technical staff strongly recommends against a decision of the working committee. Finally, the high-level committee performs a valuable function as a liaison body between local officials and state-level officials.

The meeting characteristics of policy-level committees varies widely, depending upon the ex-

act nature and responsibilities of the committee and the particular stage of the automation process. Although they generally meet less often and for shorter periods of time than detail-level working committees, during the early stages of planning and development, policy committees may need to meet regularly and frequently. It is common to find such committees meeting every month (or even biweekly) during the formative stages of a statewide project, usually for a half-day or perhaps a full day. Once the system has been implemented and stabilized, however, it is more typical for them to hold only two to four meetings a year, with occasional special meetings called when necessary. At that point it is often possible to schedule regular meetings to coincide with judicial conferences or other statewide meetings which most of the committee members would be attending anyway.



VII.D.3. Detail-Level Committees

The real workhorses of a statewide automation project (apart from the JIS staff, of course!) are the detail-level committees. There are many different types of detail committees, several of which are sometimes in existence concurrently in a given state. Whether they are called detail committees, working committees, task forces, operational groups, or other name, these bodies furnish the "nuts and bolts" knowledge and expertise that is critical to the success of the system design and operation. An overview of some of the different types of detail committees encountered in statewide projects is presented below, including a discussion of tactics that can make these primary committees more effective.

For purposes of clarification, each type of committee will be discussed individually. It is important to note, however, that most states assimilate the functions of the described committees into a smaller number of actual committees, some of which will have slightly broader duties and responsibilities. The last thing that a statewide automation project needs is to become mired in the bureaucracy of too many committees with overlapping or competing responsibilities. Each state must carefully craft the way in which it organizes its detail-level committees, so that their purpose, scope, and authority are clear, so that their procedures can be streamlined to accomplish their work with maximum efficiency, and so that their efforts can be easily coordinated by project leaders.

Because detail-level committees perform the work that must be done before the project can advance to the next step, it is imperative that they be able to pursue this work without delay. Particularly in states where a system is to be developed from scratch or heavily tailored from a commercial product or public domain software, the committee should be able to stay ahead of technical staff after the initial work has been completed. It is wise to avoid the situation described by one frustrated JIS director, who complained that his staff's work on the system had "slowed to the pace at which things were moving through the committee." It is both demoralizing and costly to have permanent staff idled because committees cannot schedule meetings or obtain the necessary time commitments from their appointed members to accomplish their duties. High-level backing for the project is important to avoid these problems and can be instrumental in correcting them when they do occur. For example, a polite letter from the chief justice to the administrative judge, court administrator, and clerk of court, requesting their assistance in making committee members appointed from their trial court available as needed, can be surprisingly effective.

VII.D.3.a. Detail Design Committee

Perhaps the most common type of working committee created in statewide automation projects is a representational body charged with ham-

mering out the requirements and specifications for the design of a uniform statewide system. The exact nature of this committee depends upon the approach taken to acquire a system. If the state plans to build its own software, then this committee will have a long and close relationship with the JIS staff throughout the project. If the state plans to purchase an existing software package and have the vendor tailor it to fit the requirements of that state's courts, then the committee will likely move from the requirements stage to one of evaluating potential packages, and finally to working with the vendor to adapt the chosen package.

VII.D.3.a.(1). Composition

The composition of the detail design committee is critical to the success of the project and must be carefully determined. The committee should be composed of people respected throughout the state for their excellent working knowledge of their operations. For example, such committees often contain one or more chief deputy clerks from well-run clerk's offices, and section supervisors with many years of experience. If the judicial system includes trial court administrators, then one or more experienced and effective trial court administrators should be appointed to the detail design committee. They can contribute a good overall knowledge of the court, a professional manager's perspective, and a fairly objective understanding of needs in the judicial area. Sometimes these committees include a representative appointed from other agencies, such as the state attorney, public defender, department of motor vehicles, or department of social services. In other states, the AOC may invite the other agencies to participate in specific meetings when issues involving a particular agency are being discussed, or AOC staff may consult with the other agency and report the results to the committee.

Perhaps more than any other committee, the detail design committee must represent courts of different sizes and other distinguishing characteristics. The requirements definition and system design that result from this committee's work must reflect an awareness of the universe of needs and the best set of compromises for a uniform system.

The detail design committee should be composed mostly of strong proponents of the project, who are willing to work hard and are flexible enough to hammer out compromises where needed. It is also beneficial to include critics of the project, however, so long as they are willing to participate fully (it is not constructive to have erstwhile members of the committee standing on the sidelines criticizing the process without knowing what is really taking place). It is necessary to draw such skeptics or opponents into the process to get their ideas. They will serve as an excellent reality check by pointing out obstacles, flaws, and differences between the ideal and the real. Furthermore, if they become convinced that the system design addresses their concerns and will work, then not only will they become very credible proponents, but their turnaround will be an indication that the system is likely to withstand the attacks of most other critics.

Example of Detail Design Committee Composition

- ☑ **Trial court judge (committee chair)**
- ☑ **JIS director (may delegate analyst)**
- ☑ **Lead systems analyst**
- ☑ **Chief deputy clerk (large court)**
- ☑ **Chief deputy clerk (medium court)**
- ☑ **Clerk (small court)**
- ☑ **2 Clerk's office division supervisors**
- ☑ **Trial court administrator (large court)**
- ☑ **Trial court administrator (medium court)**
- ☑ **AOC statistical analyst**

Different subcommittees or task forces with additional personnel may be convened from time to time to work on specific design areas and report to the Detail Design Committee.

VII.D.3.a.(2). Leadership

The leadership of a detail design committee is nearly as crucial an issue as its membership. In the experience of most states, it is best if the AOC's JIS director does not chair the committee (except perhaps during its formative period); however, the JIS director should serve as an advising member of committee. Some states have found that a strong, well-organized, and widely-respected trial court judge often makes a good chairperson for the design committee. This role is not an easy one for a judge to assume because of differences in orientation. Most judges do not understand the details of case processing, nor do they have a real interest in a detailed system design. Furthermore, a judge in this role must be extremely careful not to let his or her inherent authority stifle the full participation of all committee members, regardless of rank or position in their home courts.

If a suitable and willing judge can be identified, however, his or her appointment as chairperson has several advantages. In the first place, such a judge commands the respect needed to keep order and discipline throughout the difficult tasks facing the committee. An influential judge can also be instrumental in securing the willingness of court managers around the state to send their committee representatives to meetings and work sessions as needed. Finally, the judge's authority and stature can be helpful in setting things in motion once the committee decides what is needed.

Besides the advantages of the inherent respect and authority, judicial leadership on this committee fosters a sense of involvement among judges around the state. Other judges know that the system design will not run counter to their needs, and they are more likely to be strong advocates for the project in their own courts. In reality, the vast majority of the design issues of a case processing system do not affect judges. Therefore, despite the implicit influence of the committee chairman, a judge in this position can be quite objective in helping settle disputes over the design without a personal stake in the details of how most of the system operates.

VII.D.3.a.(3). Structure

The structure of detail design committees can vary according to the nature of the project and the approach of project leaders. Some statewide projects were launched with the idea that system development for all case types would occur as a unified effort. Others have taken a phased approach in which, for example, the development and implementation of a criminal case processing system would be completed before a civil system development effort would begin. It is possible, therefore, to constitute separate design committees at different times for different system modules, with perhaps no overlap at all in the people who serve on those committees.

An approach that a few states have taken is to establish a single detail design committee that remains fairly constant throughout the planning and development stages (with the exception of normal attrition and turnover of members). Then as they are needed, specialized sub-committees are formed to address specific system modules (e.g., small claims processing) or to develop the specifications for particular system components (e.g., calendaring). The sub-committees may be chaired by appropriate members of the whole committee, and other committee members may serve on them as well. However, the sub-committee may recruit additional persons from the trial courts who have the specialized knowledge needed for that sub-committee's purposes. As the specification or design of each module or system component is completed, the corresponding sub-committee is dissolved. One state that used a structure similar to this one called its sub-committees "operational review committees" ("ORCs").

VII.D.3.b. Statistics Committee

This detail-level committee may be a sub-committee of the detailed design committee or it may stand on its own. Whereas the main thrust of the detail design committee is to focus on the requirements and design of the features and functions needed to support the day-to-day operational needs of the trial courts, the statistics committee

brings a different perspective to the process. Initially, this type of committee is set up to determine what state-level statistics must be collected. It must then work with the design committee (or the detail design committee as a whole if the statistics committee is a sub-committee to it) to ensure that the operational design will furnish the data needed for generation of statistical information.

At a minimum, a statistics committee should include an experienced administrative judge, a court clerk, a chief deputy clerk or department head very familiar with the originating data and procedures necessary to compile statistics, the director of the AOC's statistics section (assuming he or she is a statistical analyst), and a technical analyst from the JIS staff. The committee will probably need to meet frequently during the initial planning and design period. Moreover, considerable work must be done by individual members between sessions. Fortunately, such a small, specialized group can conduct much of its business by mail, telephone, fax and telecommunications.

After the system has been developed and implemented, the statistics committee may continue its existence with a slightly modified set of responsibilities. Its on-going function may be to review statistical policies, procedures, and practices to ensure the integrity of state-level statistics over time. In this capacity the committee may rely mainly on the AOC's training staff to perform the periodic audits of local court practices in the use of the system. The trainers, who generally maintain the closest contact with system users in their assigned courts, can keep the statistics committee abreast of practices that may affect the accuracy or consistency of statistical data. They may also serve as staff to the committee when the committee is working on revisions or corrections to a problem, or when it is discussing how to accommodate new statistical requirements.

An example of an important function of a statistics committee (however it is constituted) that some states have ignored until problems had already manifested themselves is that of controlling the proliferation of docket codes. In most systems, valuable case tracking and statistical data are driven by a table of docket codes used to record case events. During the design process, a statistics committee should help develop the coding scheme that will accommodate both operational and management needs, by identifying the linkages between the statistics to be generated and the case events that must be recognized by the system to produce those statistics. After implementation, all requests for changes or (more likely) additions to the code table should be reviewed by the committee to protect the integrity of the code-driven functions.

VII.D.3.c. User Groups

Another detail-level committee that comes into existence only after the system has been implemented around the state is most commonly called a user group. As the name implies, these bodies are composed of representatives from among the end-users of the system throughout the local courts. Their general purpose is to provide a forum for discussion of common issues related to the operation of the system in the courts. Users bring problems, complaints, suggested improvements, and desired enhancements to the table for consideration by the corporate body of users, with assistance and advice provided by the JIS staff.

For many reasons it is important to have every user in every court in the state represented through a user group. Except in states with a very small number of trial courts, full representation usually necessitates at least two, and possibly three, levels of user groups. In mid-size and larger courts, where the clerk's office is organized into separate departments, it is desirable to establish some type of local users group, made up of at least one person from each department or office throughout the court. The designated in-house system "expert" should be included in this group regardless of whether he or she chairs it. Local users groups typically meet monthly for an hour or two.

Next, some states set up a district-level users group, according to the manner in which the state divides its courts into judicial districts or circuits. At the district level, each court has representatives

(typically two) who meet regularly to discuss common problems and suggested improvements, and to share ideas about effective techniques or ways to work around system limitations that an individual court or user has discovered. It is helpful to have the designated trainer or liaison staff from the AOC participate in the meetings of the district-level users group. District groups typically meet at least monthly during the early implementation period, then taper off to bimonthly or quarterly meetings as the system matures.

Finally, each district usually elects a small number (e.g., one or two) of representatives to sit on the state-level committee. The state-level user's group generally meets less often, perhaps on a quarterly basis, depending upon the system status and level of activity in the district groups. This group considers problems and suggestions that have made it through the screening process of the lower-level groups or cannot be handled less formally. It is important to have the JIS director and/or other designated representative of the technical staff attend these meetings. While there is no need to have all the trainers present (as they collectively can compare notes about problems in their districts), it may be very useful to have one of the training or liaison staff attend state-level user group meetings. Because it is essential to keep ownership of the system vested with the users, the users group at the state level should be chaired by a local court representative as well.

VII.D.3.d. Change Committee

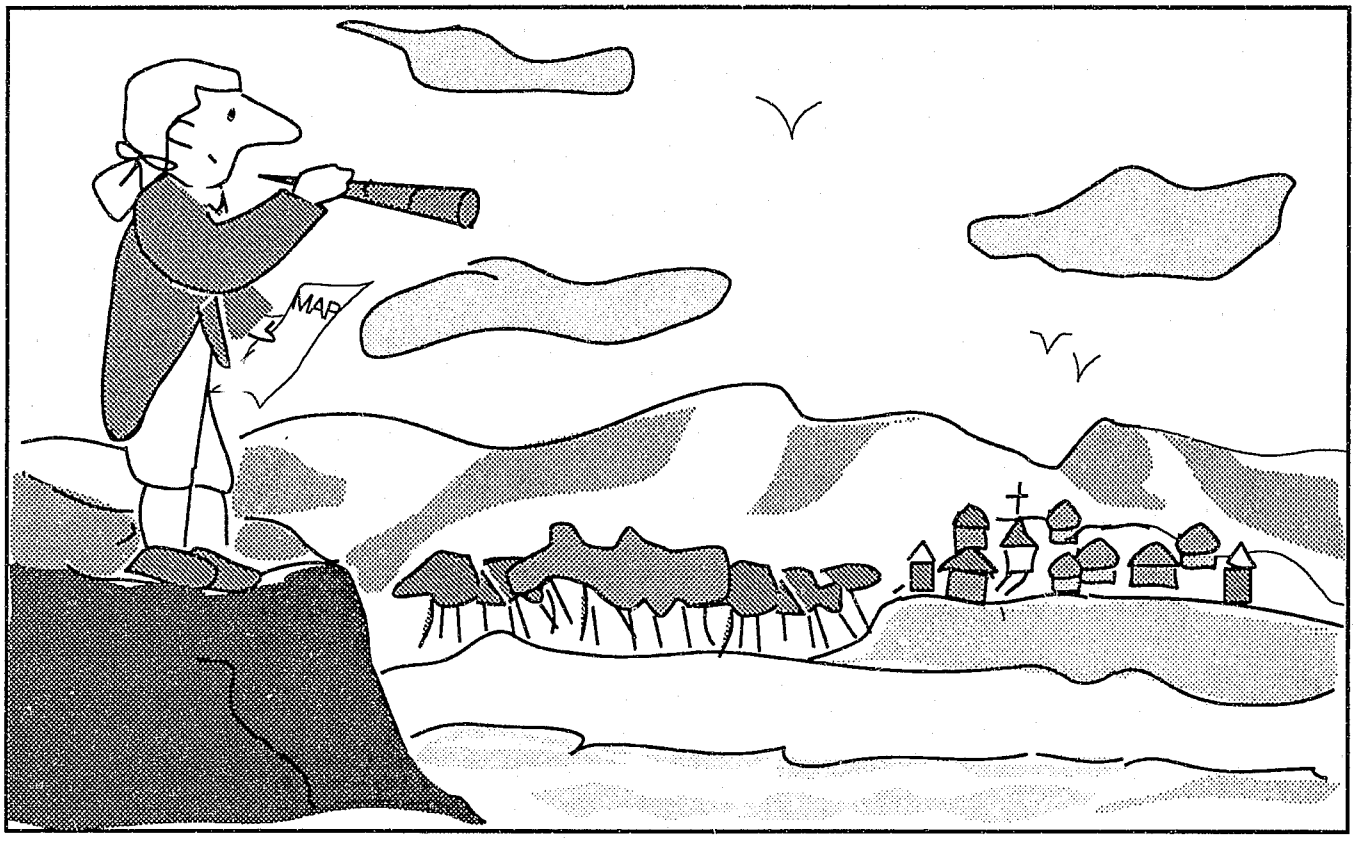
A few states have set up working committees whose primary purpose is to review requests for substantive system modifications arising from the courts. Such committees include personnel from the local and state level. They should have knowledgeable individuals from among system users and court managers at the local level, and judicial analysts and technical staff at the state level. In considering requests for changes to the system, it is imperative that the full implication of such changes be assessed. The analysis should include the technical complexity and effort required to implement and maintain the modification, the effect on court procedures, the effect on statistical and other management information, and the impact on computer resources (i.e., processing power, storage capacity, and communications).

The frequency with which a change committee convenes is usually driven by the pace at which requests for consideration are made to it. Because the system and the process by which it is managed should continually demonstrate responsiveness to its users, the committee should not allow a request to remain pending for too long. It is also helpful to establish a mechanism to immediately notify the requesting court that its request has been received by the committee and will be considered. Once action has been taken, the court should be notified of the decision of the committee and its reasoning.

The name and characteristics of change committees vary among the states. Moreover, in many states these crucial functions are handled by other committees or combinations of committees, with input from AOC judicial analysts and technical staff. Regardless of its form, however, it is absolutely essential to provide some formal mechanism by which substantive modifications or enhancements to the system can be requested by the courts and reviewed by a knowledgeable, representative body empowered to make the final decision about their implementation. It is also essential not to bog down this mechanism with trivial requests that could be handled more directly or informally.

CHAPTER EIGHT
Analysis and Design: The Statewide Perspective

The Sum of All Differences



VIII.A. Introduction

Determining the requirements for any type of automated system is a major phase of the overall project. If performed correctly, it should consume a significant amount of time and staff resources, and it should involve a substantial degree of participation among the potential users of the system. Defining the requirements for a system lays the essential foundation for developing the system design or for determining the selection criteria for a software package that can be acquired and modified. The requirements analysis and design specification processes, therefore, are closely linked and are central to the ultimate success of the implemented system.

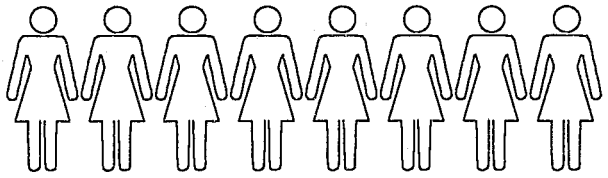
It is challenging enough to undertake the analysis and design of a case processing and management system for a single trial court. Pulling together the right combination of technical experts, court procedural experts, and managers able to determine the system requirements accurately and clearly is not easy. It takes careful planning and painstaking effort to analyze the existing manual system, identify the needs and purposes behind the procedures, define the data requirements for accomplishing the work of the court, and translate those requirements into a design for an automated system. Even in a single court, there are conflicting needs and priorities, failures to distinguish between a procedure and the reason for that pro-

cedure, and disagreements over the best way to accomplish a task. Many a local court's automated system has been less than satisfactory because the analysis and design phase was not handled well. Obviously, a statewide court automation project presents all of these challenges, which have been well documented in other works.

The additional challenge in conducting a statewide project, however, results from the necessity to develop design specifications for a single system that meets the requirements of all the trial courts in the state. The task of identifying the true differences in system requirements among the different courts and funneling them into a uniform system design is not only technically challenging, but it also presents a host of political, psychological, and organizational hurdles to be overcome. The structure of the court system, the status of standardization, the status of local court automation, and the political climate are some of the factors that determine how great this challenge is for any particular state.

Regardless of the circumstances, statewide analysis and design issues have been among the major issues that had to be tackled in every state that has pursued statewide automation. Although extremely important, the analysis and design issues unique to statewide projects are fairly narrow, and somewhat obvious. Perhaps for that reason, most project leaders had relatively little to say about this subject except to comment on how difficult this part of the process was and to underscore the importance of recognizing and dealing with the challenge. Some learned the hard way how sticky the consequences of inadequately addressing this issue can be. The lessons they learned and the tactics others used to meet the challenge are described briefly in this chapter.

VIII.B. The Uniformity Factor



The most obvious factor that determines the level of inherent difficulty associated with the analysis and design phase is the degree of uniformity among the trial courts that exists when this phase of the project begins. In states where uniformity had already been addressed, either separately or as part of the preliminary stages of the automation process, the effort of developing specifications for a statewide system was greatly reduced, and the work generally proceeded much faster. Some states, for example, had already implemented a court unification program. Others had adopted uniform forms and procedures developed by statewide committees and AOC staff, even though the basic structure of the state court system was not changed. Even the systematic collection and reporting of uniform statistical data from each trial court was instrumental in promoting uniformity among the courts, whether that process was manual or somewhat automated.

In anticipation of future statewide automation, one state initiated a program to develop a uniform manual system to be implemented in all the trial courts. This fairly ambitious project involved both AOC staff, trial court personnel, and an outside consulting organization. The team studied a sampling of courts around the state to determine their common operational needs, and then designed a recommended organizational structure and set of procedures to be used by all courts. In re-engineering the manual procedures that were in

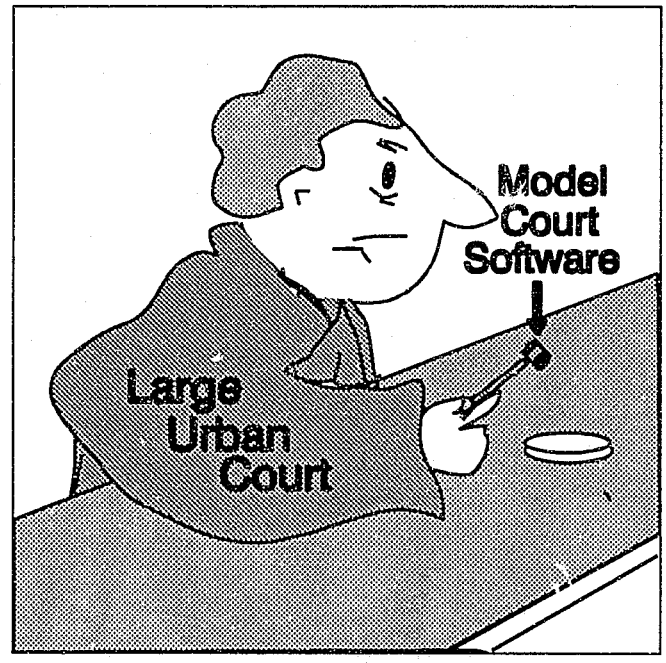
place in most courts, judicial leaders hoped to achieve a more effective interim manual operation and to establish a firm foundation for an automated system. As it turned out, the statewide automated system eventually overtook the implementation of the revised manual system around the state. Nevertheless, the project not only simplified the transition to an automated system in courts that had implemented the new manual system, but the exercise was extremely helpful to the analysis and design phase of the automation project. The preliminary work contributed significantly to the pace with which the automated system was developed and implemented.

A few states have taken almost the reverse approach. After years of attempting various reform efforts and having the work of forms revision committees and procedural standards committees met with lukewarm acceptance among the trial courts, judicial leaders have sometimes been able to use the statewide automation project as leverage with which to force the issue of uniformity. Although it increases the complexity of the design and implementation phases, this tactic does result in a uniform mechanism that forces the trial courts to operate more nearly in the same way across the state. Even if the system is offered on a non-mandatory basis, the overwhelming advantages it provides are seldom resisted for long by even the most fiercely independent courts. Of course, if those courts can be drawn into participating in the design specification process, the system is more likely to accommodate their needs and they are more likely to be supportive of the system, even if it requires some compromises on their part.

VIII.C. The Model Court Trap

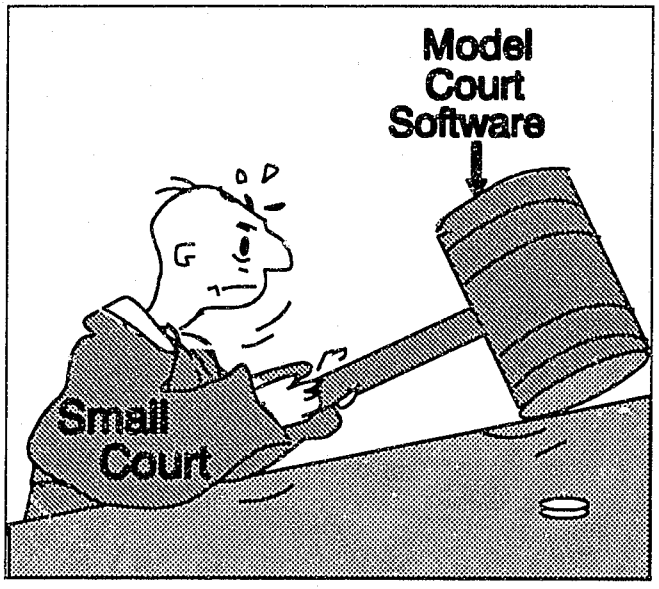
A serious trap to which some states have fallen victim is that of designing or procuring a system that works extremely well for courts of a particular size or nature. This situation may arise when the project leaders base the statewide system on a system operating very successfully in a single local court. Although they may take pains to study the requirements of other courts and modify the system design to reflect those other needs and desires, the basic orientation of the system may be inappropriate for a significant portion of the courts around the state. The most common problem is that the system cannot fit the needs of courts at the opposite end of the size spectrum.

A system oriented toward a large trial court, for example, should reflect the fact that its users are organized in separate divisions and departments and the court may even operate in multiple locations. That system will be most effective if its screen formats, menu structure, and general operational flow are optimized for users who are processing a high volume of a single type of transactions. For instance, one deputy clerk may be responsible for entering a stack of warrants into the system, another for setting the calendar for all criminal misdemeanor hearings, and a third for making the docket (register of actions) entries for all filings in major civil cases. That type of user needs a system designed to minimize the time and effort required to enter one type of information for many different cases.



A system oriented toward a small court, on the other hand, should reflect the fact that its users are generally responsible for a wide range of activities

rather than a specialized set. Their work flow usually involves handling a relatively low volume of any particular type of transaction, but handling all types of transactions for a given case. They must also respond quickly to a stream of different transactions for multiple cases of different case types. The ideal system for this environment must make it quick and simple to jump between functions, enter and retrieve all information pertaining to a single case, and access any system feature for any type of case from any workstation. It also should be designed so that any routine system maintenance or backup activity can be carried out by the same clerk who takes in filing fees at the counter or prints out the week's calendar.

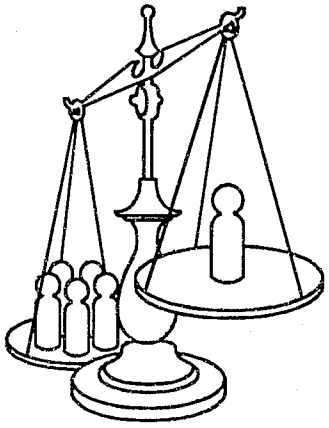


Systems that originate from either extreme are very difficult to modify so that they effectively accommodate the needs of the other extreme. Even systems designed for a specific middle-sized court can be difficult to adapt for very large or very small courts. Some states were optimistic in believing their model system that emerged from the design process could be readily tailored for the largest or smallest tier of courts. They ended up expending tremendous effort to solve the problems.

There is real merit in considering a successful local court system (whether developed in-house or purchased commercially) as the starting point for a statewide system. It is crucial, however, to address at the outset the question of how to serve the whole range of trial courts. The analysis phase must not be abbreviated at the expense of resolving these different needs.

Whether starting with an existing system or designing from scratch, project leaders and design committees must grapple with how to make one system fit all sizes of courts. They should assess, for example, the possibility of evolving the basic design into two offshoots: one for smaller courts and one for larger courts. In addition to this approach, or instead of it, it may be practical to build into the system considerable flexibility in its user interfaces. For example, the system could be laid out with specialized data entry screens for high-volume procedures that can be "turned off" or bypassed by smaller courts. Correspondingly, large courts may be able to ignore the general purpose screens, perhaps even dropping them from the menu screens of users who do not need them. Many of the more recent court software packages have such designed-in flexibility.

Obviously the parameters of this problem will vary depending upon the characteristics of each state. Where the vast majority of courts are small and there are only two or three urban centers around the state, it may be easy to design or specify a single system and then deal with the three exceptional courts separately. States with a large number of courts of widely diverse sizes may need a more elegant solution. Regardless of a court system's characteristics, however, these are important considerations that cannot be ignored in the early stages of the project without serious negative consequences later.

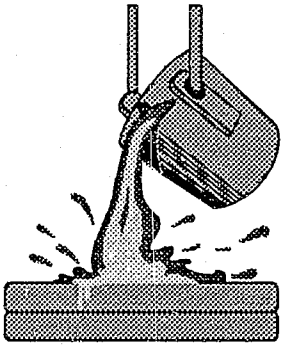


VIII.D. Achieving a Realistic Design Balance

There is a particularly insidious problem facing detail design or requirements specification committees, whether the approach is to build, buy and tailor, or just find the best off-the-shelf system. With the best of intentions, the committee and project leaders establish the very practical goal of specifying a relatively straight-forward system that can be easily developed or readily acquired and implemented quickly. Somehow during the process of identifying and specifying the requirements, the lean and practical system originally envisioned rapidly escalates into an elaborate system that can be all things to all people.

One of the main reasons for this problem is that everyone on a design committee has certain features and functions that they consider important, or that the people they represent consider important. While many of these "requirements" are overlapping and can be hammered into a generic core set of features and functions, others are less universal in nature. The committee is charged with resolving conflicts and coming up with a design that satisfies everyone. It is also under pressure to preserve the enthusiasm of all the local courts throughout the long process. Many times the committee unwittingly seeks the path of least resistance by agreeing to include features and functions that may be neither essential to any court nor universally desirable, just to maintain the harmony and spirit of cooperation among the membership--and to avoid bogging down the effort in long, often heated debates. Unless the committee is willing to "bite the bullet" and grind through the process of carefully deliberating the merits of every requirement, the requirements definition can emerge resembling a compilation of every member's wish list.

It is essential to control the scope of the design requirements. One tactic that has proven to be helpful is to have checklists of features and functions from existing systems available for comparison. The JIS staff or a technical consultant should be able to estimate the additional complexity and cost of each feature and function that seems outside the common set. Many of these wishes can be relegated to a list of "future desired enhancements", and the evolving design can be monitored to make sure it can have these capabilities added later.



VIII.E. Additional Tactics to Achieve a Uniform, Statewide Solution

There are other tactics that have been successfully employed to ease the burden on analysis and design teams charged with forging an acceptable statewide system design from the melting pot of individual trial court requirements. Once the core requirements for data elements, screen designs, and general system functions have been established and the question of accommodating different sized courts has been addressed, many of the remaining impediments to an acceptable design revolve around system outputs. Individual courts (especially their judges and clerks of court) can be very particular and sensitive about how their calendars, notices, and other documents are structured and formatted. Moreover, court managers

vary in what management and statistical information they want from the system for local purposes. Rather than continuing to butt heads over these issues, some states have found ways to sidestep them through the approach taken to system capabilities. While they can be effective, some of these tactics can also be problematic.

Some systems include the capability for local **ad hoc query and report generation.** Typically, the system is designed with a standard complement of inquiry screens and reports that are accessed from menu screens. When courts then want special reports, need to answer unusual one-time requests for statistical information, or need to locate a particular case by non-indexed data fields, they can use these additional capabilities to obtain the needed information or printed output, without the need for the JIS staff to write special programs. If they desire to have customized reports supplement or replace the standard, built-in reports, they can permanently store the custom report parameters for ease in generating that report as needed.

The downside of ad hoc query and report capabilities has to be recognized as well. In addition to the software costs, there is the time and expense associated with the additional training that the JIS staff must provide to local courts who use the capabilities. Another factor is the impact on computer resources. Ad hoc queries and reports generated on-line consume significant processor power and data storage access cycles. Complex queries often involve reading through the entire data base, sometimes more than once. While these activities are occurring, the routine tasks of entering data, retrieving case information, and producing normal system outputs can be slowed noticeably. Some states have controlled such problems by permitting ad hoc query and report generation only during off-peak hours.

As an alternative to placing these capabilities directly in the hands of the users, some states have restricted their use to central or regional computer centers. Although local users still must request special output and wait for it to be developed, this compromise enables technical staff to respond quickly to special requests, drastically reduces the cost of producing the custom output (compared with traditional coding required for report programs), and controls the impact on computer resources.

Another tactic that increases flexibility of a statewide system is the use of **plain paper** for all or most output instead of special, pre-printed forms. With laser printers installed in the courts, almost any type of form or report can be produced on plain paper, even if it contains specialized designs, logos, or graphics. (Multi-part forms are an exception, of course, but most automated courts have eliminated them by using photocopies and computer-based audit trails.) In addition to reducing the cost of printing and the clerical effort required to mount and demount special forms, the plain paper approach permits each court to have its name, logo, and other designs appear on each output in attractive, high-quality print. It also facilitates easy changes to forms designs when the requirements change. Finally, printers throughout the court can be standardized, regardless of their purpose.

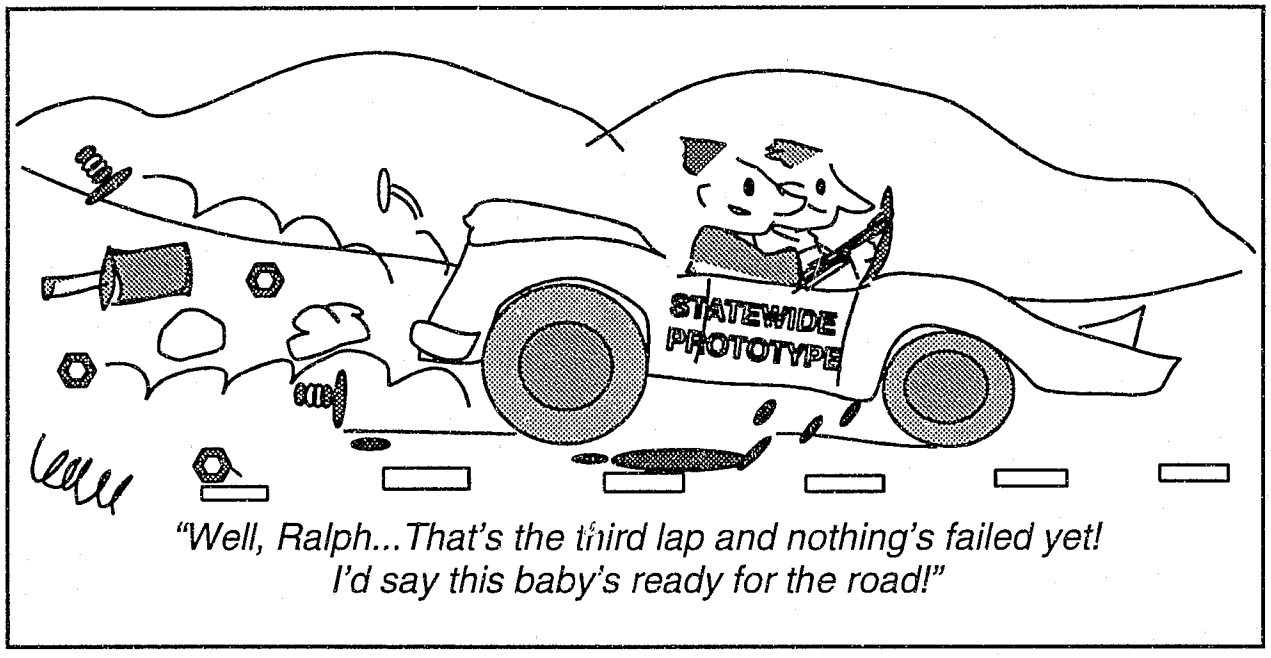
Perhaps the ultimate flexibility in system output can be achieved when local PC-based word processing and other office automation software is linked to the court database. Although it adds complexity to the system, this approach permits courts to have tremendous control over the format and appearance of their documents. They can add verbiage to standard forms, and change the wording as needed, for example, to suit each judge. Furthermore, data extracted through standard report programs or ad hoc queries can be downloaded to spreadsheet and presentation software on the PC to enable court managers to produce charts and graphs that would be impractical to request from the JIS staff.

These and other tactics to make a single, uniform solution less confining to the local courts should be evaluated carefully by planning and design committees, with guidance from JIS technical staff. Costs, complexities, and potential problems must be weighed against the benefits to decide the

best course of action. In their sincere desire to deliver a system that will be universally embraced by the trial courts, project leaders and committees must not lose sight of the primary goal of implementing a solid system that will handle **most** of the day-to-day operational and management needs of the courts, provide the state with the information it needs, operate reliably, be reasonably easy to maintain and enhance over time, and be as cost-effective as possible.

CHAPTER NINE
Testing and Piloting Statewide Systems

Once more, with feeling!



"Well, Ralph...That's the third lap and nothing's failed yet! I'd say this baby's ready for the road!"

IX.A. The Bridge Between Theory and Practice

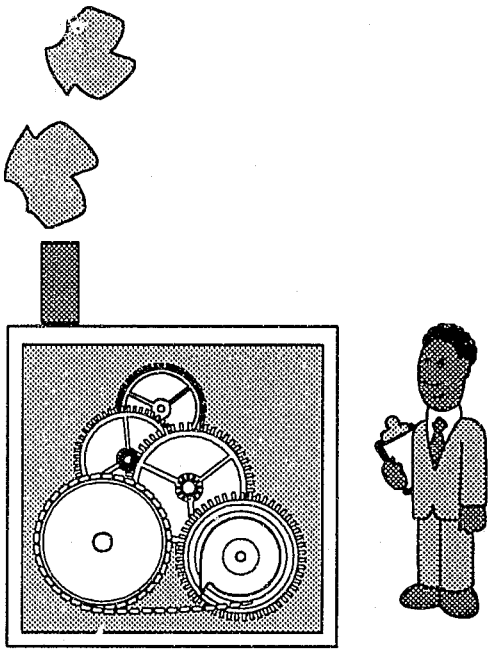
There is a critical transition period between the development of a statewide automated court system and the placement of that system into actual operation in the trial courts around the state. Unfortunately, by this point in the project it is not unusual to find a statewide project somewhat behind schedule, either because of specific setbacks or simply because the difficulty and complexity of the whole process was underestimated. After many months of planning and analysis, followed by many months of design and development or extensive tailoring, the funding body, the trial courts, and even the state judicial leaders may be becoming impatient and frustrated with the progress being made. Under the pressures to complete (or perhaps even to begin) the implementation process with minimum delay and minimum additional cost, project leaders can be tempted to shorten the transition period more than is prudent.

An automated system that has just been developed is in many ways the embodiment of a theory that has yet to be proven in the real world. No matter how much care and intelligent effort has been put into the analysis, design, and programming that produced the system, it cannot be declared a success until it has been thoroughly exercised in the real world of daily use. It must be operated under the variety of circumstances and

situations that exist in the courts, to see if it can handle properly the requirement to capture the essential facts about people and cases and reduce them to a set of codes, data fields, and procedures. The testing phase of any automation project must be designed to prepare the system as completely as possible for that real world of operation, so that any significant design flaws will be discovered beforehand, and so that the instances of failure or improperly handling any situation following the system's implementation will be minimal.

Nearly all of the issues involved in testing any large-scale case processing and case management system in a single court apply to a system developed or acquired for a statewide automation project. In a statewide system, however, there are additional dimensions that must be given careful consideration. The task of analyzing the requirements and designing a single, uniform system for all the trial courts is considerably more difficult than the corresponding task in a local court automation project. The same quantum leap in complexity comes into play when the completed statewide system must be tested for acceptable operation across the range of courts. Some state systems have suffered because the testing and piloting phase was not sufficiently well planned and executed. Conversely, those states that enjoyed a smooth transition between development and implementation invariably attribute much of their success to the manner in which they conducted the testing and pilot phase of the project.

In the remainder of this chapter, the key points about testing and piloting court automation projects from the statewide perspective will be discussed. Within that framework the tactics used by some states to increase the effectiveness of this critical transition phase will be described.



IX.B. Pre-Pilot System Testing

Before the developed or tailored system is implemented in the first pilot court, there are a number of tactics that project leaders can use to maximize its readiness for pilot testing. The pre-pilot testing period is invaluable not just to detect design flaws or programming bugs, but to hone or fine-tune the system while it is still in the hands of only the development team and is fluid enough to be modified easily.

IX.B.1. Prototyping

Many recent software development efforts have included the use of powerful tools for building prototypes of system modules. Such tools give technical staff the ability to create screen and report mock-ups very quickly. Moreover, they can link screens together through system menus, create preliminary databases tied to data fields on the screens and reports, and even build in data editing

capabilities and other automatics functions. These capabilities enable the development team to create the outer shell of a system that closely resembles how the completed system is expected to look to its users and even, to a limited extent, how it will operate. The real benefit of a prototype system is that it permits members of the design committee to review in a very realistic manner the embodiment of their analysis and design efforts. With the committee's statewide and multi-level representation, such a hands-on, interactive review can quickly identify discrepancies, misconceptions, and omissions that may have occurred between the work of the committee and that of the technical staff. A working prototype system is far more effective for this purpose than is a design on paper. It facilitates an iterative development process, in which the design is continually fine-tuned to the requirements as actual development occurs.

IX.B.2. Testing by Expert Users from Multiple Courts

As system modules are completed, project leaders should bring in experienced court personnel from around the state to exercise the system's features and functions. A small number of veterans at the "nuts and bolts" level should be identified from different offices and divisions in different courts to review the appropriate parts of the system. Preferably, these individuals should not be members of the design committee, because it is important to obtain feedback from future users who are completely unfamiliar with the system. After a brief orientation to the operation of the system, their reactions to it should be carefully noted. Their "mistakes" or misunderstandings as they try to use the system often reveal weaknesses that are not apparent to the developers. Many times a naive user will "crash" a system by performing some action or sequence of steps that had not occurred to the technical staff during their own testing procedures. It is also important to select the user experts from courts with extremely different characteristics (e.g., size and organization), to help ensure that the design has not fallen victim to the "model court" trap.

IX.B.3. Creating Realistic Test Data

In addition to realistic testers, it is essential to exercise the system with data that are as realistic as possible. To acquire such data, many project leaders have collected samples of actual case and financial information from a variety of courts around the state. Even though it is sometimes necessary to modify case numbers and other data in order to create a single, consistent database, the range of data characteristics and case situations represented in the consolidated set of information will be fairly realistic if the sample is large enough. Converting the paper-based case and financial data to an electronic database version may require a joint effort of technical and court staff. In addition to revealing potential design problems that must be overcome, this exercise will be of great value in helping to establish a conversion methodology to be used in each court during statewide implementation.

IX.B.4. Projecting Computer Resources

Another important part of pre-pilot testing is to determine in detail the completed system's requirements for computer resources. Resources that must be considered include processing power, data storage capacity, and communications capabilities. While it is possible to predict the size of databases and the general storage requirements that result on the basis of the system design, other capabilities are difficult to project until the system is fully functioning with realistic data. Furthermore, even storage capacities may need to be adjusted if system testing reveals, for example, the need for additional editing tables, indexes, or data relations. In order for project leaders to begin specifying the computer resources that must be acquired for each court, it is important to have some early indication of processing and storage requirements of the development version of the system. These can then be applied to the caseload

and staffing characteristics of each court to arrive at a rough estimate of the computer resources needed around the state.

IX.C. Selection of Pilot Courts

The choice of a suitable pilot court is not a simple process. In many ways the pilot court's experience with the new system will shape the future of the system in terms of its quality and its acceptability by other courts. An ideal pilot court will work closely with the development team to test and perfect the system. The managers and staff will then serve as enthusiastic proponents of the system and welcome visiting personnel from other courts who wish to see the system in operation and talk with the users. Several factors have been highlighted by different states for inclusion in a criteria for selecting appropriate pilot courts.

IX.C.1. Enthusiasm, Understanding, and Cooperation

Perhaps the most universal requirement for a good pilot court is that the judges, court managers, and staff express an enthusiastic, positive attitude toward the system. As one project leader summed it up, "They should almost beg for the system." Overwhelming enthusiasm will be necessary to generate the momentum needed to sustain the court through the inevitable frustrations of shaking down a new system. It is also important, however, for potential pilot sites to understand and accept the dimensions of their participation. Their personnel will be required to put in extra time and effort, not only to learn the system and convert from their manual procedures, but also to monitor and report problems and work with the technical staff toward solutions and improvements. The court must be willing to cooperate fully in the testing and debugging process.

IX.C.2. Recognized Competency of Staff and Managers

State project leaders also concurred strongly that any court selected as a pilot site must be one that has a history of operating well. A court that is generally acknowledged as being well-managed, current with its caseload, accurate with its statistics, and respected by the bar and the general public offers many advantages to a pilot project. Obviously, the system will not have to overcome existing weaknesses in procedures or information. Managers and staff who have a clear understanding of their operation are in a better position to judge the effectiveness of system functions, to suggest improvements where needed, and to adapt to new ways of accomplishing their work. Finally, because of the court's position of respect among its peers around the state, the opinion of its leaders and staff about the value of the automated system will carry considerable weight and enhance the project's credibility.

IX.C.3. Participation in Statewide Project Committees

Although it was not cited as an essential factor, the history of statewide automation projects reveals that pilot courts are often selected from among those with leaders or key staff who served on a project committee at either the policy or detailed level. This observed phenomenon may have stemmed from the fact that many of the characteristics for a good pilot court are the same ones that make it likely to have one or more of its personnel appointed to statewide committees. Nevertheless, some states deliberately made this connection a part of the criteria for a pilot site. They felt that a court that had been represented on committees would have a better understanding of the issues

involved in accomplishing the project and would be attuned to the level of effort and the types of compromises necessary to produce an acceptable statewide solution.

IX.C.4. Existing Manual Operation

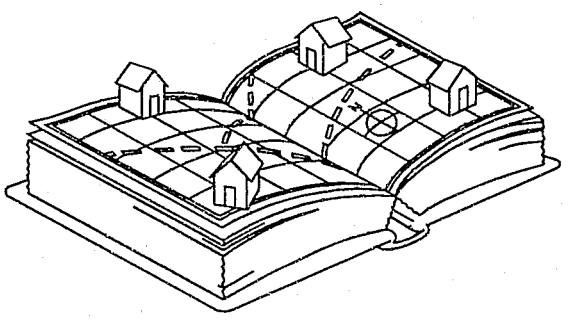
Some project teams found it desirable for the initial pilot court to have very limited existing automation, if any at all. Project leaders cited the advantage of not having to overcome preconceived notions of what an automated court system should be and how it should operate. By starting with a clean slate, court personnel are better able to view the system objectively, despite the initial hurdle of visualizing a totally new approach to conducting their work. Particularly where a court may have a significant investment in a local system, the state system can be regarded inherently as an inferior competitor. In the somewhat unusual situation in which a local system is being modified and adopted as the statewide system, there is certainly merit in trying out the modifications or enhancements in the donor court. Even in that case, however, another pilot should be selected from among the manual courts.

IX.C.5. Logistics for Support

A practical concern that should be included in the selection criteria is that of the location and accessibility of the pilot court. During the pilot phase the JIS staff will need to work closely with court staff and respond quickly to problems or failures that may arise. For that reason an initial pilot site should be a court that is relatively near the state capital (or wherever the JIS department is located). Project leaders, trainers, and technical staff will need to make frequent, sometimes prolonged, visits to the pilot court, especially during the early implementation period. Court managers and staff, conversely, may need to meet with AOC staff off and on during this time frame. It is important to keep the travel time and expense to a minimum, not only to reduce costs but to avoid inhibiting this valuable interchange. Unless the state operates its own telephone network, another consideration is the savings in long-distance telephone calls that might be realized.

IX.C.6. Political and Public Relations Implications

In the real world of state court systems, automation project leaders cannot afford to ignore the political and public relations factors that may exist. Although it was not placed near the top of any lists, several key players in statewide automation projects mentioned the importance of taking such factors into consideration when making the final selection of a pilot site. For example, a court is seldom selected to pilot a statewide system if the clerk of court or the administrative judge is unpopular among his or her peers around the state, even if that person is acknowledged as being highly competent. Personalities and ethical reputations are important when a court is to serve as a reference point in the evaluation of a system's worth and desirability. As another example, a court in close running for selection as a pilot site may be given the edge if it represents the home county of a key legislator or other influential party whose heightened awareness could be helpful to the project. It is also an advantage if the pilot court has individuals who are active in state associations that can provide a forum for publicizing the project.



IX.D. Use of Multiple Pilot Sites

Most states have used more than a single pilot site, whether or not the second and subsequent sites were officially designated as pilots. There is little doubt that the initial pilot site is the most critical to be selected properly and to demonstrate

testing and acceptance of the new system. However, it is also essential to choose the next few sites carefully and use them to perfect the system and its related activities, such as a training program and a standard set of implementation procedures. In fact, there are a number of sound reasons for employing multiple pilot sites, including the following:

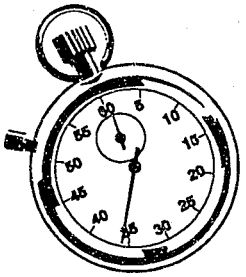
- To test a tiered approach when the system is designed with different features for small, medium-sized, and large courts
- To ensure proper operation of a uniform system in courts of different sizes
- To enable testing in courts with and without previous court automation experience
- To establish a safety net of secondary testing, preferably in courts with different characteristics, even if size is not a major factor

While some states did not formally identify their second and third implementation sites as pilots, there are some advantages to making this distinction, even if these courts are not unique in their characteristics. The pilot site designation fosters an atmosphere of importance in those courts that helps generate more complete participation in the testing process. It also encourages more freedom to experiment with the operation of the system and to test its limitations. The feedback from this process can be quite valuable. Awareness of the pilot status also improves tolerance for early system glitches, especially if the role of a pilot court is carefully explained to the staff. Finally, referring to the second and third (and perhaps even the fourth) court as a pilot site can reduce impatience and forestall jealousy among the remaining courts, who may begin vigorously competing for implementation order once the system has been released for statewide deployment.

The coordination of multiple pilot sites is necessary, both to avoid problems and to maximize their effectiveness. In general, states have found it important to allow their training personnel and technical staff to recover from the initial pilot site experience before the system is implemented in the next site. In addition to the stress of the intensive and difficult effort, the initial pilot implementation provides a high level of feedback and adjustments that must be incorporated into training programs, implementation procedures, and system documentation before they are used in the next court. It is also necessary to coordinate site preparation and hardware installation among the multiple sites.

Some states have used multiple pilot sites in a phased approach to system development and implementation. For example, after testing the first completed module in the initial pilot court, they may implement the revised version in the second pilot court and introduce the next module in the initial pilot court. Then, the first module (perhaps with further refinement from the experience gained in the first two courts) is implemented in a third court, the second module is rolled into the second court, and a new module introduced in the initial pilot court.

Such an approach seems complex, but it has advantages. It limits the initial flurry of problems and revisions to a single court (which can be chosen for its suitability as a primary test bed). Because the problems and their fixes should drop off sharply after the first few weeks of implementation, revisions to a given module after implementation in the second and subsequent pilots should be manageable. This avoids the undesirable situation of having to install numerous revisions and patches in multiple sites (which often happens when a new module is introduced into all pilot courts at the same time). It also offers the chance to subject the system to a wider and wider set of circumstances and data combinations.

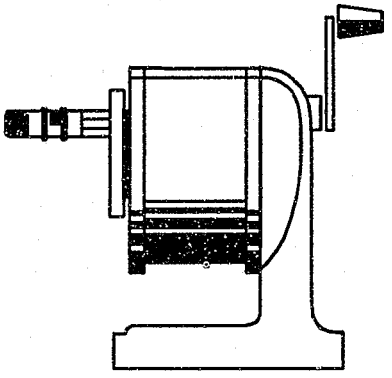


IX.E. Duration of Pilot Phase

There is no definite answer to the question of how long the pilot test phase should last. The simplistic answer is that the system should remain in the pilot phase until, but only until, it has been thoroughly debugged, fine-tuned, and stabilized. The difficulty, of course, is that this point of readiness is indefinite and subjectively determined. When systems are developed and implemented in modules, or even components of modules, as they commonly are, it becomes even more of a gray area. Some software components are more complex than others and take longer to exercise fully. Introduction of some modules (e.g., a financial sub-system) involves linkages to existing modules that may affect the stability of those modules. While it is necessary to schedule the starting and ending dates for the pilot phase as accurately as possible and establish them as milestones on the project plan, the end of the pilot phase must be driven by the actual performance of the system in the pilot court or courts.

Project leaders and oversight committees must strive for the proper balance between system perfection and the need to achieve statewide deployment as soon as possible. When making the decision to declare the pilot phase completed, it is helpful to arrive at a general consensus of all the involved parties, including project leaders, technical staff, oversight and review committees, and the end users and managers in the pilot court itself. Consensus is important to maintain a united front and avoid finger-pointing in the face of any subsequent criticism either for delaying too long or for moving too fast. Political pressures, relationship of actual progress to projected schedule, budget condition, and other factors influence the point at which consensus is achieved.

Despite all pressures to move as rapidly as possible, it is crucial to the ultimate success of the project to spend long enough in the pilot phase. The penalties for moving too quickly far outweigh the disadvantages of moving slower than absolutely necessary. Many individuals who were heavily involved in statewide projects expressed the belief that their state moved too soon into statewide deployment of a system that had not been thoroughly piloted, causing widespread problems that took excessive time, dollars, and public relations efforts to overcome. In addition to design flaws and programming bugs that simply had not been encountered in the relatively brief pilot implementation, such problems included unsatisfactory performance in courts of different sizes, inaccurate "rolling forward" of data or totals from one accounting period to another or from one statistical period to the next, inadequate backup and recovery procedures, and inadequate system security. These instances of fallout from inadequate pilot phases serve to emphasize the value of multiple pilot sites and the importance of adequate planning in projecting the schedule for the pilot phase.



IX.F. Increasing Effectiveness of the Pilot Court's Experience

Project leaders should make the most of the state's investment in testing the system in a pilot court. The sacrifice of court staff's time and effort, as well as the JIS staff's expenses during this crucial time period should yield the highest return possible in terms of perfecting the system and pre-

paring for statewide deployment. Several tactics were cited by key personnel in different states as being useful to help maximize the benefits of the pilot court testing.

IX.F.1. Install Test Database

Many states initially set up their pilot court systems with a database containing test data. This approach provides a good training vehicle for acquainting the court staff with the features and functions of the system. They can be given mock case scenarios and led through the procedures for updating the corresponding records in the database. After the initial orientation to the system, the test database enables court staff to experiment with all aspects of the system without fear of corrupting real court records. They can add new cases freely with any combination of characteristics and information. Not only does this activity rapidly increase the staff's level of competency and comfort, but it also exercises all the system functions and helps reveal any deficiencies.

IX.F.2. Parallel Test with Production Data

Following the initial period of training and experimentation with the test database, during which any needed system revisions can be made and tested, most projects include a period of testing the system on real case data in parallel with maintaining those records in the manual system. Maintaining dual systems places a tremendous burden on court staff. It is important to run a parallel only long enough to ensure the stability and accuracy of the system. When it can be determined that backup procedures as well as basic data entry and update functions are operating reliably enough to protect and preserve the "production" database, the manual record keeping procedures can be eliminated. As a measure of safety during the remainder of the pilot period, many courts adopt the practice of printing out the case records after each update and storing the most recent printout in the paper file.

Using real data as early as possible after each module is implemented in the pilot court and tried out on the test database is advantageous. It proves that the system is capable of handling the range of cases that must be processed in that court. It helps court staff make the mental transition from regarding the automated system as an addition to seeing it as a replacement for the manual system. As they see their case information stored and retrieved electronically, they realize that the system really can support their operational needs. At the same time this transition builds the court staff's level of confidence in the system, it increases their stake in testing the system as completely as possible. They will be much more likely to invoke all on-line features and to run and examine the full complement of printed forms, reports, and other system outputs.

IX.F.3. Monitor System Performance with Production Data

As production data is loaded onto the system, it is important to monitor system performance and storage capacity carefully to ensure that preliminary projections were accurate. JIS staff should make certain that the system is operated with sufficient caseload and a full complement of users through several peak usage periods, while monitoring CPU utilization rate, data access times, system response time, and print queues. If performance drops below projections, it may be necessary to resize the computer hardware for subsequent sites before installation. Obviously, an analysis of bottlenecks should be performed to determine, among other things, any needed modifications to the database design or functional modules.

IX.F.4. Other Considerations During Pilot Testing

As system usage becomes more and more realistic in the pilot court, it is important for technical staff and court staff to keep in mind any known differences in organization, policies, or procedures between the pilot court and any other courts in the state. The implications of any such distinctions should be visualized to the extent possible so that solutions can be anticipated. These considerations

are especially important whenever modifications to the system are made in response to the pilot court's experience. A system tailored precisely to the needs of the pilot court may not be the best overall solution for a uniform, statewide system.

The AOC's training staff should take advantage of the pilot period to perfect the training program. They should work with the system in production mode in the pilot court to gain real-world experience with it. It can be extremely helpful to try out their training techniques on the pilot court staff and enlist their help in refining the training program.

The initial pilot court experience provides a good opportunity to orient the staff of the subsequent pilot court or the first court to receive the system when it is released for implementation. Once the pilot court has settled into parallel or full production operation, personnel from the next court can be brought in to view the system in use and talk with the pilot court's staff.

Finally, when the system is operating smoothly in the pilot court, the timing is good for the judge, court administrator, or clerk to begin appearing at meetings and conferences around the state to talk about the system. Publicizing the transition of the system from the development mode to successful operation in a court can do much to generate support for the project around the state.

CHAPTER TEN
Training

Your Place or Mine?

"I'm a little worried about learning a whole new system after all these years, but I hear this new AOC trainer has a lot of experience teaching old dogs new tricks."

X.A. Introduction

Amid all the comments, both positive and negative, that court personnel offered about the process and products of the court automation project in their state, there was almost never a complaint about excessive training. On the other hand, end users and project leaders alike in states with automation universally cited extensive, high-quality training as one of the primary factors behind the success of their statewide project. Moreover, some individuals attributed the occurrence of problems in the early stages of implementation to an initially inadequate training program. The lesson emerging from both positive and negative experiences seems to be that it is nearly impossible to be too generous in planning a training program. The value of adequate training goes far beyond the resulting efficiency of the users and accuracy of the data they enter.

Good training is an essential part of any automation project. Statewide projects, however, have unique characteristics that make it even more imperative to provide extensive and thorough training. There is a significant gulf between the locus

of expertise and the pool of users, especially in the early stages of deploying a system throughout the state. Local court expertise is lacking in two critical areas:

- There is usually no professional technical staff residing at the local court. The technical staff is located in the AOC and must either handle problems remotely or dispatch someone to visit the local court to solve any problem. Well-trained local users can minimize the occurrence of technical problems and aid greatly in their diagnosis and correction when they do occur.

- There is often no real user expert on site, especially at first. Local court personnel must learn the system through training and experience. Although each court will eventually have one or more staff with a demonstrated aptitude for using the system that exceeds that of their coworkers, the capabilities will vary widely among the courts. Thorough training can both minimize the dependence on a local user expert and maximize the preparation of such an individual for the demands that may be placed upon him or her.

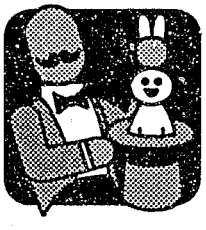
Amid the scarcity of local expertise, there is a tremendous need to instill in the users confidence in the system and their ability to master it. It is also critical, in the early stages of implementation in each court, to manage user expectations and dispel misconceptions about the system or the overall project. A well-designed statewide training program, conducted by skilled trainers from the AOC, can help meet these needs and accomplish other important objectives as well.

- Training can dramatically increase users' acceptance of the system, which is largely proportionate to their understanding and comfort level.

- Trainers, as the AOC's representatives, can be very instrumental in fostering a positive attitude toward the project. Through well-organized presentations and interactive dialogue with the users, they can provide local courts with a much better understanding of the entire project and the functions of the system.

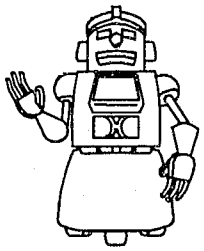
- Trainers can serve as a conduit of information back to the AOC's technical staff. They can provide a reality check to ensure that the system design concepts are appropriate for all the courts around the state. In working with the system among a variety of users, trainers may uncover design flaws or programming bugs that can be reported to the JIS staff.

- Trainers can perfect the training program through constant incremental improvements. By monitoring the reaction of the users to the existing training program and obtaining feedback on the effectiveness of different components, trainers can gather valuable information to help the training program evolve into a more and more effective one. By sharing their experiences with other trainers and pooling their knowledge at the state level, the training staff can continually improve the training program.



X.B. Selection of Training Staff

Because the training program is such a critical part of the statewide automation process, the selection of personnel for a training staff is extremely important. States that have been through this process have found that it takes a particular combination of personality, skills, and knowledge to make an effective trainer.



The natural inclination in many projects is to designate one or more of the technical staff to function as trainers. After all, these are the substantive experts; they not only understand computer hardware and software, but they have become intimately familiar with the system design and the functioning software that has emerged from the development process. Moreover, particularly if they are systems analysts rather than application programmers, they may well have been involved in the original requirements analysis that examined the court procedures to be automated.

While it is true that some technical staff make good trainers, it is not the usual case. Many of the characteristics that make one an excellent analyst or programmer are quite different from the traits needed for a top notch trainer. Although it may be necessary to use the technical staff to train the first pilot court staff, pressing them into this role for the long term is likely to be unsatisfactory for either the users or the technical personnel. In general, the states that began by using some of the technical staff as trainers soon made the transition to more appropriate individuals. Technical staff who have good communication skills and the ability to explain things to less technically apt individuals, however, can be tapped as an excellent source of initial training for the professional training staff itself. The approach of "training the trainers" also avoids the permanent loss of a contributing member of the technical staff.

Where, then, do states turn to recruit a permanent training staff? Many of them have found qualified persons within the AOC or within the trial courts. Court experience is definitely a plus, and persons with experience within the same state court system are even more valuable. Some states discovered that one of the experienced trial court staff serving on the statewide design committee or some other working-level committee could be appointed as a lead trainer. This sort of arrangement is particularly appropriate when the individual has broad court expertise, has served on committees throughout the project, or has provided hands-on testing of system components to check them out realistically during the design and development period. Only slightly later in the process, one or more key individuals from the initial pilot court may offer similar qualifications for appointment to the training team. Depending upon a number of factors, such appointments can be either a permanent employment change or a temporary assignment away from the local trial court.

To round out the qualifications needed for a truly effective training team, it may be necessary to recruit from outside the court system someone with education and experience in adult education methods. Sometimes, in fact, a professional educator is needed to set up and manage the training staff, even if that person has limited court experience. If individuals with all the other qualifications can be found within the court system, however, it may be sufficient to procure the educational expertise through a temporary contract or by temporarily assigning a state employee from another agency.

Regardless of their origins, persons recruited to serve as actual trainers in the courts must have excellent "people" skills. Because they will function as the primary liaison between the end users and the JIS staff, they must be able to relate well to court staff at all levels, to infuse a sense of enthusiasm for the system and confidence in its reliability, and convey the feeling that the state team is sensitive to the needs and views of the end users. Trainers that exhibit callousness, impatience, condescension, abrasiveness, incompetence, uncertainty, or other negative personality traits can severely damage a statewide automation project and weaken the overall bonds between the local courts and the AOC.

X.C. Developing an Effective Training Program

States that have enjoyed success with their automation project have invested considerable effort in their training programs. In developing the program, it is important to involve technical staff, user experts, court managers, and professional trainers or adult educators. The basic design of the training program will not differ significantly from any other training program oriented toward an automated system. Numerous books have been written about effective training programs, and a detailed treatment of the topic is certainly beyond the scope of this research project. State leaders stressed the following components or considerations, however, that should be included in a statewide training program.

Tips on Developing a Good Training Program

- It should involve both classroom instruction (based on sound adult education principles and strong audio-visual support) and hands-on instruction.
- It should incorporate the use of a training database to encourage experimentation and to simulate a realistic range of data.
- It should explain the reasons for procedures, and not simply teach a rote, push-button philosophy.
- It should stress the ramifications of user actions on downstream system operations.
- It should make clear the imperative nature of procedures necessary for accurate statistics and state-level information that may seem unimportant operationally. (Of course, a good system design should minimize this distinction!)
- It should include an overview of the judicial system and should promote the concept of a statewide justice community.
- It should promote standardization of procedures and data, explaining the advantages to be gained and the problems that can result from non-uniform operations.
- It should provide a forum for discussion of how and why things are done; it should not be just one-way instruction. Courts should be encouraged to regard it as an opportunity to enhance the staff's understanding of the overall court system and how their own duties fit into the bigger picture.
- It should be dynamic and evolutionary, constantly being refined and improved through experience and user evaluations.

X.D. Centralized versus On-Site Training

There is a surprisingly strong debate over the question of whether to conduct training in a central AOC facility or to conduct it on-site at each court. Some states apparently are convinced that centralized training is the only approach to consider, while others insist that on-site training is unquestionably superior. A third group has incorporated elements of each approach, either to fashion a hybrid approach such as holding regional training classes or by using centralized training for one set of circumstances and on-site training for another.

Centralized and on-site training each offers both advantages and disadvantages, several of which are summarized below. Based on the experiences in different states, a very effective training program can be executed under either method. Indeed, the important principles of good training largely transcend the question of where to conduct the training activities.

Under any approach it is imperative to get the users away from their desks or duty stations for the formal, intensive portion of the training program. If necessary, the state should provide funding for local courts to hire temporary workers to perform much of the routine day-to-day work during the training period. An alternative, lower-cost solution that is sometimes used is to borrow staff from a neighboring county on a turnabout basis.

In addition to the inherent certainty that court staff will be removed from their normal court activities, centralized training implies that a training room of some type will be available. If training is being conducted on site at the local court, however, the court must furnish some type of training facility in which staff can be isolated from court activities to concentrate on training under the state instructor. A room used for training should include not only a chalkboard (or equivalent) and overhead projector for classroom instruction, but ideally should have a PC/workstation for each participant. Many types of spaces can be pressed into temporary usage: for example, a jury room, conference room, unused courtroom, or vacant chambers. The type of facility available may determine the number of staff who can be accommodated in each session.

When using the on-site approach to training, some states have adopted the practice of staggered training. For example, each staff member spends one half of the day in intensive training and the other half at his or her desk. Rotating the class time among the staff not only minimizes the impact on the court's workload, but also helps the trainee absorb the information being presented.

Centralized Training	
Advantages	**Disadvantages**
Dedicated, high-quality training center with adequate workstations and A/V aids	Increased travel costs
Resident training staff can be more efficient; permits team teaching	Court staff time wasted in travel
Trainees totally removed from distractions and familiar thinking patterns	Less convenient for staff with families
Technical staff immediately available for reference or error recovery	Requires multiple, full-day coverage of absent staff in home courts
Appeal of travel and prestige of surroundings may enhance positive attitude toward system	Scheduling may be difficult unless multiple rooms are available
Working within AOC may improve sense of rapport with state office	Trainees may suffer from "information overload" sooner

On-Site Training	
Advantages	**Disadvantages**
Convenient for court staff	Facility may be inadequate
Less disruptive of court operation: can do split-day training; rotate staff	Requires transportation of equipment or coordination with installation of court's equipment
More normal environment may help relate new system to real-world operation	Training staff removed from AOC resources
Can alternate intensive classroom instruction with normal duties	Extensive training staff travel is costly and personally inconvenient
Can easily include actual case data from that court	May be difficult to isolate court staff from distractions and duties

X.E. Preparing Users to Stand on Their Own

Once the preliminary period of intensive training is completed, the training staff must help the court staff make the transition to operating on their own. Several state project leaders and training professionals offered suggestions for tactics to help with a smooth disengagement of the trainers.

- Leave one trainer to roam on-site after the preliminary, formal training period.

- Try to identify at least one court staff in each court with an aptitude for understanding the system and train him or her somewhat more extensively. Before the training staff leaves, designate that individual as the resident

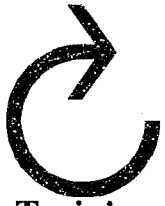
"expert" to be used as the first resource for other staff and to serve as the point of contact with the AOC trainers.

- Make sure the system includes as much context-sensitive on-line help as possible; this feature is usually even more valuable than a printed user's guide or manual.

- Make sure the state-level "help desk" is set up and functioning before trainers have finished with the first court (see Chapter Twelve).

- Provide on-line input of questions and suggestions to the AOC staff, either through the electronic mail facility or a specialized system feature.

- Schedule regular follow-up visits for each court, to guard against the development of bad habits and to refresh the users about forgotten features.



X.F. Follow-up Training

Every good training program should include provisions for follow-up training. Automated systems are by no means static in nature, especially in the first year or two following implementation. The training staff must make certain that the training program keeps pace with system revisions and enhancements. In addition to incorporating such modifications into the training of courts just receiving the system, the training manager must address the issue of retraining staff in courts that were automated earlier. Although minor revisions can usually be handled by written procedures (see Chapter Twelve for more information on techniques), extensive revisions and enhancements may require a trainer to re-visit the court.

One project leader emphasized an important consideration that is easily overlooked: make sure that original pilot courts receive updated training reflecting the inevitable flurry of revisions early in the life of the system as well as the improvements made to the training program itself. Because of time pressures and strained resources, the pilot sites are often neglected after implementation is in full swing around the state. Instead, they should be rewarded for their earlier sacrifices and made to feel that the AOC wants to keep them on the leading edge. Moreover, if they are to be called upon to pilot test future enhancements, they must be kept current in their implementation and training.

Make sure that original pilot courts receive updated training reflecting the inevitable flurry of revisions early in the life of the system as well as the improvements made to the training program itself.

As part of the follow-up training considerations, the training manager and staff must address the need to train new employees who come on board after training has been completed in that court. State leaders who had encountered that situation suggested several tactics that they found to be effective.

- If practical, create a training video that can be kept current, with copies furnished to local courts for training new employees or providing refreshers for existing staff.

- Develop an on-line tutorial program, to be used in conjunction with any combination of a video tape, user's manual, and help from the resident expert user.

- Send new employees to training being conducted in a nearby court or regional facility.

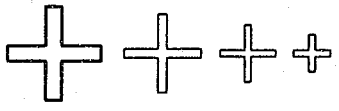
- Send new employees to the AOC to work with training staff there (this method has been used

by numerous states, whether centralized or on-site training was used as the primary approach).

- Maximize the effectiveness of the new employee by combining training on the automated system with orientation to state judicial system and general court procedures as well.

- Guard against corruption of a new employee by colleagues who have developed bad habits or misconceptions about the system. Using outside training or resources also provides an opportunity to make current users aware of these errors that may have crept into their practices.

- Keep a training database available at all times, if system resources permit. Not only is it valuable for training new staff, but it can encourage current staff to try new or forgotten functions, or to experiment with alternative procedures.



X.G. Additional Training Considerations

The experience of states that have been through the implementation process reveals some additional ideas about training that may be helpful to other states. Not all of these ideas are appropriate in some states, of course, and each should be filtered through the set of circumstances that surround its potential application.

X.G.1. Region-Based Trainers

Some states assign trainers to regions of the state, either based upon judicial districts, geographical location, or other criteria. Depending upon the number of trainers and the size of the courts, for instance, a single trainer may be assigned to handle five to eight trial courts. He or she then becomes the permanent contact person at the AOC for each of those courts.

Regional assignments can improve rapport with the courts and communication of ideas. The trainer can rotate follow-up training among the courts in that region or occasionally hold regional training sessions for one or two representatives from each court (most likely the designated expert users) to come learn some new feature. It may also make sense for the trainer to reside in one of the courts in the region and travel to the capital periodically as needed. Court residence may be especially useful in states where travel from the capital is long or made difficult during the winter months.

X.G.2. Trainers as Auditors

Another trainer responsibility can be to perform a periodic system audit. Visiting each court, the trainer can check the integrity of the court database; compare paper and computer files; test communications capabilities; check on the state of repair of printers, workstations, and other equipment; check backup procedures being practiced; check on availability of manuals; check for staff turnover since the last training update; and simply observe the operation of the system to detect the incursion of bad habits among the staff and to measure system performance.

X.G.3. Training Outside Users

If the statewide system includes users outside of the trial courts, the AOC trainer may be made available to train these users as well. Outside users commonly include the prosecutor's office, the public defender's office, probation, law enforcement, and perhaps even law firms or other users of court information. Although covering the cost of the trainer's time can be a negotiable item, ensuring that all users of the system (even just for inquiry) are well trained may well be cost-effective in terms of the problems avoided and the improved attitude that often results.

X.G.4. Training for System Administrators

In states with distributed systems or systems with local processors, there needs to be at least

one designated system administrator or operator at each site. Training for those persons should be conducted centrally. The training program should encompass normal daily operations (e.g., system configuration for new or changed users, system startup and shutdown, data backup and restoration procedures), and also preparation for things that can go wrong or for special circumstances. Training of system administrators or operators should cover detecting and diagnosing problems, procedures for contacting state-level technical support staff, documentation library management, installation of application software upgrades, and database reorganization.

In addition to the case processing software, training should include any office automation software installed and at least the fundamentals of troubleshooting PC and printer problems.

X.G.5. Incorporating Local Court Management

Trainers can usually gain increased support from the local court management as well as enhance the future operation of the system by some preliminary work just before the training commences. They should meet with court managers and line supervisors to discuss preferred policies and procedures in that court, working out with them the modifications to those procedures necessary to accommodate the automated system. Then, by incorporating those policies, procedures, and time standards into the training program for that court, they can ensure that the court staff do not run afoul of the preferred policies, that the system is used as effectively as possible within those policies, and that the staff is clear about the changes that have been agreed to by the managers.

X.G.6. Training Local Court Management

Managers and supervisors should be trained as users also, even if they don't plan to put that knowledge into regular practice. They should be exposed to all functions used by their staff, along with the rationale behind the operation of those functions. In addition, managers should be thoroughly trained in the features and functions of the system intended specifically for their usage, such as management information inquiry and reporting, audit trail tracing, and specialized functions for which the supervisors are responsible (e.g., closing out cash, running financial and statistical reports).

For the normal user portion of the training, it may be beneficial to train managers in the same class as some of their staff. In the first place, this approach ensures that they all hear the same thing. It can also help managers understand potential problems their staff may encounter. Finally, it offers the opportunity for managers to exhibit enthusiasm and encourage their staffs to adopt the new system wholeheartedly.

X.G.7. Timing of Training

The training schedule for a statewide system must be carefully coordinated with the implementation schedule. Project leaders must balance several factors in planning for training.

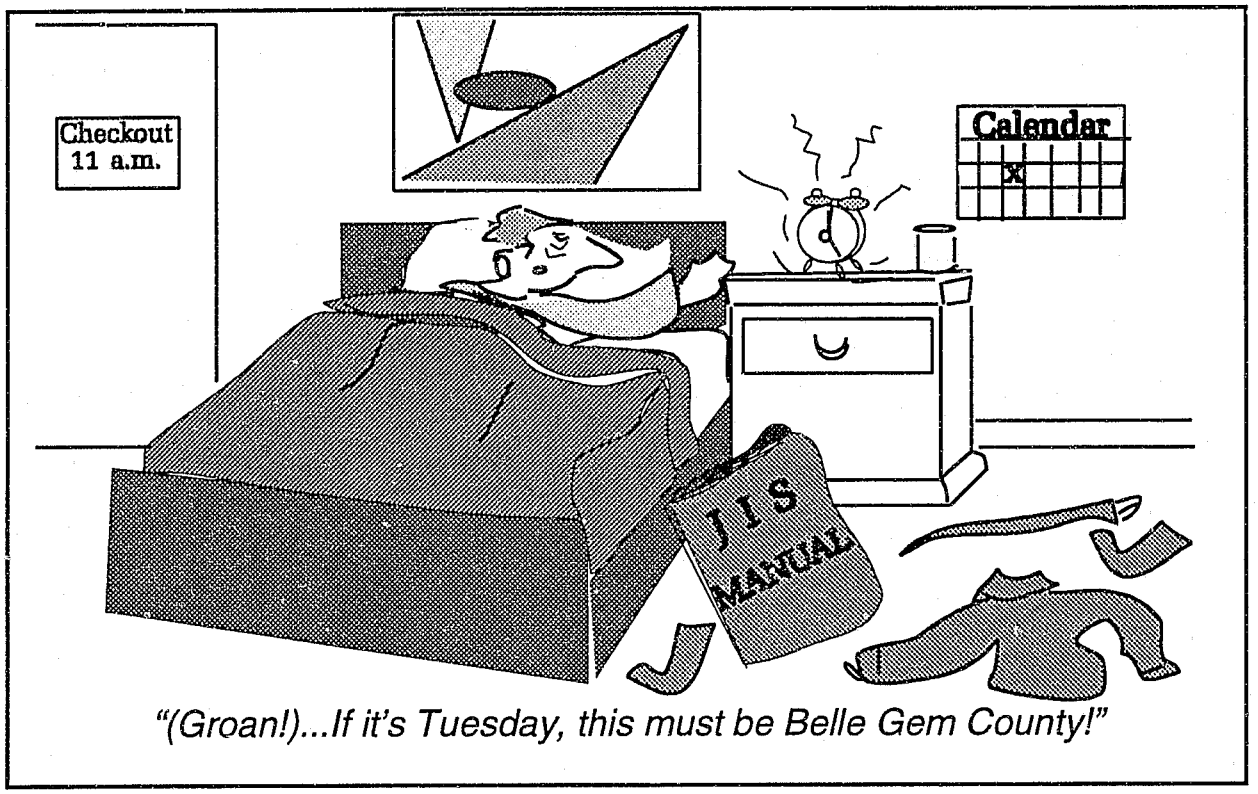
- Equipment should be installed in advance of training, but not so far in advance that users become disillusioned with the process as they watch the equipment gathering dust. Its arrival should generate excitement that is maintained through the training program.

- Training and follow-up practice should immediately precede implementation, so that knowledge is fresh when it is put into practice, and users don't grow too impatient.

- The training staff must be able to keep up with the implementation schedule. It may well be possible to prepare sites, install equipment, establish communications, and load software at a pace that far exceeds the rate at which a limited number of trainers can complete a thorough training program for each court. Project leaders should plan the schedule based upon the best estimates from all involved parties, and then monitor the actual progress carefully.

CHAPTER ELEVEN
Statewide Deployment

"It's Deja Vu All Over Again"



"(Groan!)...If it's Tuesday, this must be Belle Gem County!"

XI.A. Overview of Implementation Issues Unique to Statewide Projects

In deploying an automated court system around the state, project leaders face all of the hurdles of implementing a local automated system, plus a whole new set of challenges. The details of statewide deployment will vary considerably, depending upon the nature of the state court structure, the type of system architecture selected, and other factors present in the overall process. States that elect to implement some type of distributed architecture in which a minicomputer system or local-area network is to be installed in local courts, for example, will need to devote more effort to the technical aspects of implementation than states using a centralized approach. *Planning, Acquiring, and Implementing Court Automation* (NCSC, 1993) contains an excellent review of general implementation issues in court automation projects, while numerous works have been published on implementing generic computer systems. Summarized below are the major characteristics of a statewide project that distinguish it from any other court automation project with respect to implementation issues. The remainder of this chapter will focus on these unique, statewide issues.

Statewide Implementation Characteristics

Multiple sites, involving:
- multiple, non-uniform facilities
- multiple hardware and (possibly) software installations
- multiple managers
- multiple staffs
- multiple conversions from different local manual or automated systems

Remote implementation requiring long-distance management involving:
- more formal plans and implementation programs
- more extensive training and preparation of implementation teams
- delegation of more responsibility to team dispatched to local site

Linear or overlapping implementations around the state (limited staff resources preclude simultaneous, parallel implementations), necessitating:
- extensive scheduling and coordination
- prioritizing in the face of political, economic, and logistical pressures
- accommodation of frequent and varying system revisions during deployment
- balancing AOC staff between conducting new implementations and supporting previous implementations

XI.B. Prioritizing Court Sites for Implementation

Since it is virtually impossible to implement the automated system in every court at once, project leaders must develop some reasonable order in which deployment of the system should proceed around the state. As with so many aspects of managing the process of statewide automation, determining the order of implementation is always a balancing act. There are many, often conflicting, forces bearing on the decision, and the process is seldom a simple, straightforward one. Described below are some of the more important factors that project leaders commonly must include in the deployment equation.

XI.B.1. Basic Factors to be Balanced

- **Caseload Pressures**
  - Courts with the largest caseloads are usually the most in need of automation.
  - Automating largest courts first maximizes the rate at which the state's total caseload is computerized.

- **Economics**
  - It is important to make the most progress with the funding available during the cycle.
  - Distribution of the budget among equipment, personnel, and travel may influence the order in which the implementation progresses.
- **Logistics**
  - Travel time and expense for training and support staff must be considered; it is inefficient to run them back and forth across the state.
  - Adjacent courts may be able to combine training, lend each other staff, or reduce site preparation expenses if scheduled appropriately.

XI.B.2. Political and Marketing Realities

Veterans of the statewide automation process have made it clear that political and marketing considerations are very real and very strong factors in determining the order in which courts are scheduled for implementation of the automated system. The observations and suggestions that follow are derived from the experiences of several states.

- Implementing the system first in well-run courts offers several advantages. Fewer problems and aberrations will be encountered. Court operational weaknesses can appear to be system weaknesses and damage the system's image in the early stages of deployment. Also, well-run courts are usually well respected among their peers in the state. Successful implementation in a respected court can be a powerful persuasive factor for other courts. Finally, respected judges, clerks, and other court managers often have an opportunity to promote the system in judicial and public forums.

- It is mutually advantageous to reward enthusiastic and cooperative courts with early implementation when possible. These courts generally will be more tolerant of imperfection, less likely to demand special treatment, and more vocal in their support for the system.

- Strategic timing of implementation in key legislative districts can strengthen support for the project and its continued funding.

- It may sometimes be necessary to move quickly to provide the system to a local court that is on the verge of developing its own system (or preparing to replace an aging system), even if that court is not enthusiastic about the state system. Some concessions may be necessary in terms of customized features or interfaces to other justice-related agencies in order to secure cooperation. However, project leaders should guard against letting excessive demands corrupt the uniform approach or set a dangerous precedent.

- Pressuring reluctant, resistant, or hostile courts to be scheduled for implementation is counterproductive. As the momentum of the statewide system increases over time, these courts usually wind up requesting the system if they are left alone.

XI.B.3. Common Approach to Implementation Order

Although each project leader and committee must weigh the factors at play in their own state when forging an implementation plan, most states seem to have followed a similar pattern in striving for a balanced approach to statewide deployment.

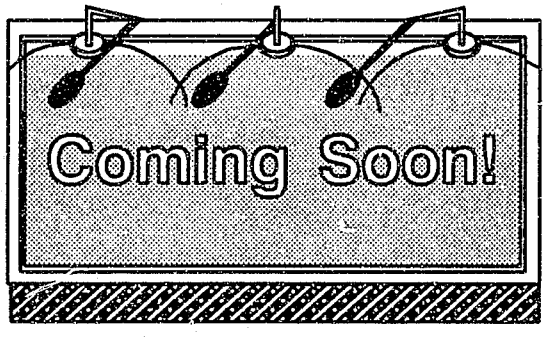
First, of course, the new system is installed in the initial pilot court, which has been carefully selected for its critical role. (See discussion of selecting pilot courts in Chapter Nine.) Then, whether or not it has been designated as a secondary pilot site, frequently the next court to receive the system is one of the larger courts. This choice provides a more thorough exercise of the system's capabilities, aids in establishing the range of hardware requirements projected for the entire state,

and helps the JIS staff assess the effectiveness of their training and support programs. It also demonstrates (one way or the other!) the system's ability to accommodate the needs of a large court, which is often the subject of skepticism during the design and development stages.

After the initial courts have been automated, the strategy generally is to spread the system to other courts with substantial caseloads, to automate a large percentage of the total state caseload as quickly as possible. Of course, a state with local automation well entrenched in the larger courts may deliberately concentrate on implementing an effective statewide system among the smaller, manual courts first.

Once the largest tier of courts has been automated, implementation in each court requires significantly less time. At that point, the overriding consideration seems to be to maximize the cost-effectiveness of the implementation team. Economies are gained, for example, by rotating the team among courts in one region of the state at a time.

Throughout this process, the political and marketing factors discussed above occasionally cause the project leaders to adjust the implementation plan so that a particular court can be moved up or back on the schedule.



XI.C. Preparing a Court for Implementation

The manner in which a court is prepared for the implementation of the statewide system has a tremendous effect on how successful that implementation is. Because controversy and skepticism are seldom absent in a statewide project, moreover, the implementation experience in an individual court may have a deceptively widespread effect on the whole project, especially in the early stages of statewide deployment. Preparing a court for implementation requires a three-pronged approach: 1) the state-level staff must learn everything it needs to know about that particular court and develop a targeted implementation plan; 2) the appropriate mixture of state and local personnel, vendors, and contractors must prepare the site for implementation; and 3) project leaders must prepare the managers and staff of the court for the upcoming event. The reader should bear in mind that this three-pronged approach is not a linear progression of steps; many of these activities should be simultaneous or interleaved.

XI.C.1. Developing an Implementation Plan

XI.C.1.a. Specifying Requirements

Well in advance of the scheduled implementation date for each site, the project team should develop an implementation plan. Such plans may vary widely in complexity and formality, depending upon the characteristics of each state's project. Each plan should be based upon an analysis of the particular local court's needs and specifications. Although much of this information may have been gathered during a statewide requirements analysis conducted much earlier in the project, the team should add or update several important pieces of information before implementation occurs:

- anticipated caseload and transaction volumes
- organization of departments and supervisor contact information
- physical layout of each office, including staff locations and projected duties

- estimated computer hardware, furniture, and other equipment needed

Estimating hardware requirements properly is essential to the satisfaction of the users in each site. Although it is important in a single-court automation project as well, paying insufficient attention to this consideration in a statewide project can deal a crippling blow to an otherwise well-managed process. User dissatisfaction resulting from inadequate computer resources--whether specifically identified as such or not--in the first few courts can quickly spread negative perceptions around the state, overshadowing all positive aspects of the system. Despite the pressure to keep costs to a minimum, automation veterans warn against skimping on either the number of devices or the capacities of the system.

Providing too few workstations forces the court to make the unhappy choice between having staff try to share workstations or distributing the workstations only to selected staff. Neither solution leads to effective integration of the automated system into the court's operation. Ideally, each of the staff should have his or her own workstation and be encouraged to conduct as much of the office routine as possible through the system.

Less critical, but still quite important, is providing enough printers to match the system's forms characteristics, in view of the court's office layout and distribution of staff duties. With a system that requires special forms to be mounted for certain types of outputs, for example, the implementation team should try to allocate dedicated printers to have those forms permanently mounted, where the volume of usage justifies it. Even in systems that use plain paper forms, thereby enabling any printer to print any form, it is wise to plan for more printers than strictly necessary. Forcing users to change forms frequently, or to get up from their desks or leave the counter every time they need to print something is guaranteed to cause them to grumble--especially those staff who generate printed output frequently. Moreover, the lost staff productivity that results from the extra time required and the disruption of workflow will quickly offset any initial savings in equipment costs.

Planning for sufficient computing capacity is just as important as allocating a sufficient number of devices for each court. Regardless of whether a centralized, decentralized, or distributed approach is taken, sufficient processor power and storage capacity must be provided to handle the work of each court efficiently. Response time is a major concern in mainframe and minicomputer environments. Similarly, processor speed, disk access times, and (where a local-area network is used) network speed are important when PCs are involved.

Initially, it is important to convince users that they will not be waiting on the system; that instead, it will keep pace with their keystrokes, increasing their productivity while making their tasks more convenient to accomplish. Once they have grown accustomed to the system, any decrease in performance can provoke frustration and even hostility among the users. Therefore, the project team's implementation plan should err on the side of excess capacity when estimating the initial system capabilities needed in each site. Furthermore, it should allow for ample upgrading to maintain a high level of performance as the load on the system increases over time.

XI.C.1.b. Components of an Implementation Plan

The implementation plan for a given site can take many forms and contain many different types of information. The composition depends upon the characteristics of the overall project, including the extent to which the AOC staff rely on outside consultants and contractors, the scope and level of detail of the statewide requirements analysis conducted earlier in the project, and the system architecture chosen. It also depends upon the characteristics of the individual court, such as its size and whether or not it has any existing automation. These differences aside, most plans should have the components listed below in one form or another, or they should contain references to other

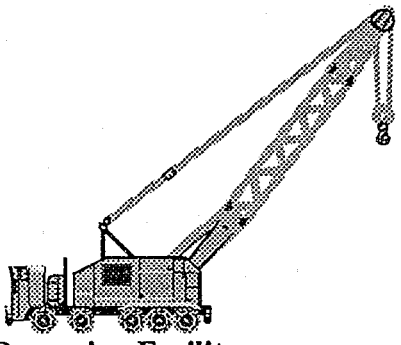
documents where the information can be found. Each component should be tailored for the individual site.

Most of the components in the list are fairly self-explanatory or are analogous to parts of an implementation plan developed for a single court automation project. However, a statewide implementation requires a balancing act to provide a uniform solution to a multiplicity of sometimes quite different courts. For that reason, statewide project leaders must be concerned with additional aspects of implementation planning, some of which are mentioned briefly after each component.

- **Site Requirements.** Although the plan may reference unique functional requirements for some sites determined during the analysis phase, the main purpose of this section of the plan is to list the hardware and other requirements discussed earlier in this chapter.
- **Facility Preparation Plan.** With appropriate input from county facilities managers and third-party consultants or contractors, this section should specify the work that will be necessary to prepare the site for installation of the system. It should specify the anticipated timetable for the tasks, and the supplies, equipment, and other resources required. It should also make clear which entity (state, local government, or third party) is responsible for each task at the given site.
- **System Installation Plan.** This plan component should specify the timetable and activities necessary to install system hardware, software, and communications capabilities appropriate for each site. It should include initial system testing procedures.
- **Training Plan.** The training plan should be prepared by the training team or team manager in consultation with local court managers. It should specify the individuals to be trained, the type of training each is to receive, the number of trainers to be assigned, the amount of time allotted for training, and the anticipated schedule. It should also identify the facility to be used for training and any special preparation needed to make it suitable.
- **Data Conversion Plan.** Each court must undergo a transition from the current system, whether it is manual or automated, to the new statewide system. At least some of the existing records will need to be converted to the appropriate data format for the new system. Political structure of the judicial system and other circumstances in each state may determine how much of this transition is left up to the local court. Regardless of circumstances it is usually desirable to grant local court managers some latitude in how the conversion is handled. Such flexibility notwithstanding, it is highly advisable for the state to assume a leading role in data conversion. It is critical that case information for the new system be consistent from court to court. It is also helpful to have as much of the pending caseload as possible entered into the statewide system. In conjunction with the local court, the JIS staff should develop a data conversion plan that specifies what records are to be converted and how that conversion is to be handled. It should include both policy guidelines and details about the responsibilities of each entity. It also should address parallel testing and final acceptance procedures. Conversion from a local court's manual accounting system can be a nightmarish experience. Some AOCs have required the local courts to develop their own financial system conversion plan, which must be approved by the state before the automated system is installed. This approach helps force the local courts to clean up their records, become aware of the uniform procedures to be adopted, and assume more of the responsibility for the success of the conversion process.
- **Operation Plan.** The operation plan should specify the ongoing responsibilities of the local court staff and the procedures they should follow. Topics to be covered include system backup and data recovery, archiving and purging inactive records, installation of system revi-

sions, maintenance of documentation, system security, and system performance monitoring.

- **Master Schedule or Timetable for the Site.** The implementation plan should include a summary schedule that shows the relationship between all the activities and the time period required for each. As deployment proceeds around the state, the implementation plan for each upcoming site should be refined to reflect actual dates for each planned activity as it fits into the total state picture.



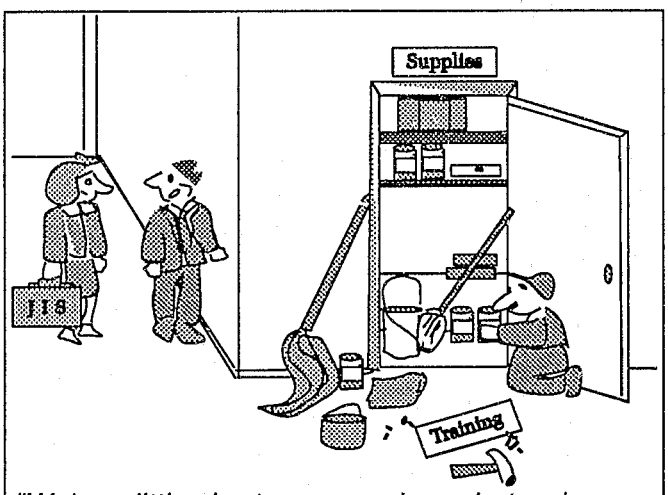
XI.C.2. Preparing Facility

Based upon the requirements for each site, the court facilities must be prepared for the installation of the new system. Facility preparation activities may range widely in nature and comprehensiveness from state to state, and even from court to court within a state. The system architecture and the amount of hardware to be installed in a site account for much of this latitude. For example, if a large court is to have a powerful minicomputer system or extensive local-area network installed, there are many more physical factors involved, and far more site preparation activities to be accomplished than in the case of a centralized system or installation in a very small court. Electrical power must be adequate in supply and stability. In some cases a special, conditioned electrical circuit must be added to the building. Likewise, the heating, ventilating, and air conditioning (HVAC) system may have to be upgraded or augmented with a separate system to ensure that it meets the environmental requirements of the hardware to be installed.

Regardless of the type of system architecture, installation of computer cabling to connect each workstation will have to be accomplished. In some buildings installing cable can be problematic, requiring special techniques and trained professionals. Similarly, even for simple installations, locating workstations and printers may require rearranging offices and adding specialized furniture.

The reader is again referred to *Planning, Acquiring, and Implementing Court Automation* (NCSC, 1993) for a detailed discussion of these and other facility preparation issues common to most court automation projects.

Another facility preparation activity that is germane to statewide projects is identifying and preparing a training facility. Unless the decision has been made to conduct training of all staff from every court centrally at the AOC, each court must provide some temporary location in which training can take place. Many courts designate a jury room, conference room, or spare courtroom for this purpose. The room or rooms to be used must be available for the period of time required to train the entire staff adequately.



"We're a little short on space here, but we've been able to allocate a separate space for training, as you requested"

XI.C.3. Preparing Court Managers and Staff

The human factors must not be overlooked during the process of preparing a court for implementation. Implicit in much of the above discussion is the fact that AOC staff must work with the

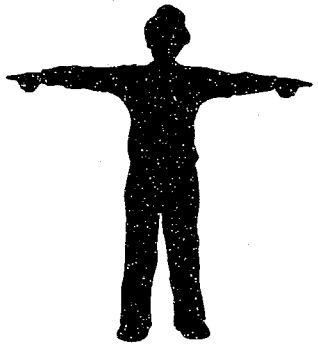
local court staff to determine hardware requirements, layouts, schedules, and other aspects of the implementation. It is also an effective practice to use many of the communications tactics discussed in earlier chapters to keep the court staff informed of what is going on around the state and what to expect to take place in their own court.

In addition to these activities, however, some states have found it extremely effective to schedule a personal visit by the JIS director and/or even the state court administrator to each court in advance of system implementation in that court. A personal visit usually makes a very strong impression on the local court, and it is both appreciated and effective in setting the stage for a successful implementation.

The idea of the personal visit is to have a heart-to-heart talk with the local court managers (e.g., the presiding judge, trial court administrator, clerk of court, and chief deputy clerk in a large court). The state court administrator or JIS director should impress upon each manager the importance of conveying a positive, confident, enthusiastic attitude. Court staff may seem to have a thousand reasons why some aspect of the new system will not work, should not operate in a given manner, or is problematic in some other way. Managers should be encouraged to remain patient, positive, and encouraging during these times and should be reassured that their staff's doubts and complaints will soon diminish. They should be reminded that their own expression of misgivings or negative feelings can quickly discourage the staff and fuel their fear and frustrations.

It is important during this visit to let the local court managers know how much the AOC, the supreme court, and their colleagues on the statewide project committees appreciate their commitment to making the system work. It is also advisable, however, to prepare them for how much time and effort will be required initially from them and their staffs. A frank and comprehensive discussion of the anticipated short-term need to accommodate training, data conversion, and parallel testing activities while conducting normal court business can avoid unpleasant surprises and subsequent resentment after installation.

In addition to convincing court managers to adopt a positive attitude themselves, the visit by the state court administrator or JIS director provides the opportunity to suggest that the local managers have similar personal communication with their staffs. Although the AOC's trainers or other representatives will establish a dialogue with the end users when they come on site, it is extremely helpful to have two-way communication between local court managers and their staff before and during implementation. Clerk's office and judicial staffs alike must have the freedom to express their fears and concerns. They need to be reassured about the impact of automation on their jobs, about their ability to adapt to new procedures, and about the ways in which the court plans to handle the transition period.



XI.D. Coordinating Statewide System Deployment

After formulating a general approach to implementation in the individual local courts, one of the greatest challenges facing project leaders is how to coordinate the overall deployment process. Even seasoned automation project leaders report that it takes the experience of implementing the system in the first two or three courts before the process begins to smooth out. Only then can the implementation team assess with any accuracy the amount of time required, the most likely problems to be encountered, and the exact order of the steps necessary to accomplish the tasks most effectively.

Accordingly, the timetable and task plan for statewide automation must be kept somewhat fluid so that adjustments can be made as knowledge is gained through the implementation team's experiences. The rate of deployment around the state will usually be governed by several factors:

- available funding
- number of technical and training staff positions
- division of responsibilities between the state and counties
- extent and nature of third-party involvement
- degree of existing local automation to be replaced
- type of system architecture selected
- extensiveness of facility preparation required in local courts

Once the process begins, project leaders must keep different activities moving in different sites at the same time. For example, while one court is already operating the new system in a parallel mode with the old (manual or automated) system, a second court might be undergoing intensive training, a third court might be having the hardware installed, a fourth court might be undergoing facility preparation, and in a fifth court the JIS director might be meeting with court managers to discuss the upcoming implementation. Coordinating these simultaneous activities can be quite difficult.

The timing of events that must transpire in each court affects the success of implementation in that court and may even have a domino effect around the state. Scheduling each event too closely carries the risk of disrupting the entire process if unexpected problems or delays are encountered at any step. Conversely, dragging out the process can have a negative effect on staff enthusiasm and possibly disrupt court operations.

Examples of coordination problems abound in the experiences of states that have conducted statewide automation projects. For instance, hardware may arrive before the facility has been adequately prepared, forcing a decision to either store it on site or pick it up for delivery to an alternate court. If the system has not been installed by the appointed training date, the training staff must revise its schedule, possibly adversely affecting other courts. Furthermore, the local court may have agreed to a training schedule predicated on a time of relatively low demand on the staff and may be resistant to rescheduling during a busy period or a peak vacation period. On the other hand, it is undesirable to have the system installed too far in advance of training. Idle equipment sitting around a court is a constant symbol of delay. Furthermore, like waiting for the proverbial other shoe to drop, it prolongs the suspense for the court staff, whose fears and doubts can only be dissolved through actual use of the new system. For states that elect to conduct training centrally, it can be detrimental to train a local court's staff in anticipation of immediate implementation only to have system installation delayed for weeks or months after training has been completed. In addition to the impatience and frustration the situation breeds, staff tend to lose much of what they learned if they cannot put it into immediate practice.

Because of these scheduling and coordination problems, states may well spend several months on implementations in the first few courts. By the time the process has matured (and mostly smaller courts are left to be brought onto the system), implementation may be accomplished in as little as one or two weeks per court. The project leader and implementation team who have deployment of the system around the state running like clockwork even in the early stages can indeed take pride in the accomplishment of a complex and formidable task.

CHAPTER TWELVE
On-going Support

The Never Ending Story

"I know I've been telling you the same thing for the past eight years, Betty, but there STILL is no practical way to keep your printer from running out of paper!"

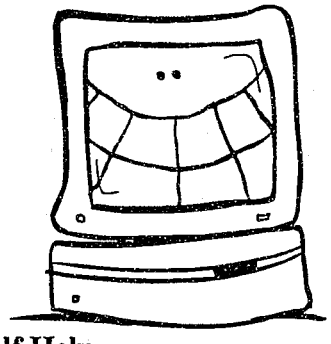
XII.A. Importance of Perceived State Attitude

Statewide automation projects do not end with the successful implementation of the system in the last trial court. There must be continuing support from the information systems staff in the AOC on a permanent basis. The extent of the dialogue between local court personnel and AOC personnel, together with the nature of the overall rapport that is established and maintained between the state and local levels, are key factors in determining the satisfaction among the trial courts and the measurement of the ultimate success of the project.

Local court personnel at both the management and end-user levels in several states cited the "customer service" attitude of the state JIS staff as being one of the most positive factors in their state's experience. This attitude (or lack of it) becomes known during pilot testing and in the early stages of subsequent deployment around the state. Word spreads quickly among trial courts, which either paves the way for success or generates an atmosphere of mistrust or even hostility among the courts. Court managers and users are willing to put up with slow progress, system glitches, poor response time, and even system failures if they believe the JIS staff is doing the best it can, cares about their problems, respects their court knowledge, and honestly desires to make things better for them.

XII.B. Mechanisms for Providing Information and Assistance

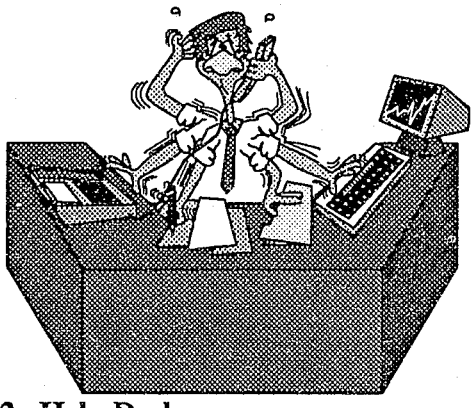
Different states have employed a number of methods and procedures to deliver effective support for the automated system. A well-orchestrated approach can make the best use of limited staff resources in providing appropriate help quickly when needed, without squandering those resources in addressing simple, routine problems that can be avoided or resolved in other ways. Of course, a thorough and effective training program can prevent many problems from occurring in the first place. In addition to the initial training associated with the original implementation, it is important to provide continued training to accommodate new court staff and to familiarize all users with new features and functions that are added to the system later.



XII.B.1. Self Help

Many types of problems arise from a lack of understanding rather than a hardware or software failure. Good documentation in the form of a user's guide can help local users find out how to accomplish a particular operation properly or how to use a system feature that is needed only occasionally and therefore may be difficult to remember. Although many long-term court employees seldom refer to printed documentation once they become very familiar with the system, courts find it comforting to have on hand and quite useful for staff who are new or have new duties. User guides with a good index and with numerous examples and illustrations are especially helpful.

More and more automated systems these days include comprehensive on-line help features. In addition to containing code translations and other types of look-up tables, on-line help features may explain how to use the variety of features and functions available in the system. If the system resources are sufficient, on-line help features can be as comprehensive as printed user manuals. Moreover, they can be context-sensitive, so that the user quickly finds the help needed for the particular situation. The other primary advantages of on-line help are that it cannot be misplaced, is immediately available from any workstation, and can easily be kept updated and synchronized with the latest version of the application software.



XII.B.2. Help Desk

Nearly every state has found it extremely useful to have a centralized "help desk" that provides immediate access from anywhere in the state at any time during normal hours of court operation. Many states provide a direct phone line (often toll-free) to the help desk. An effective help desk operation requires more than one trained staff person even for a small state with a relatively stable system. When few calls are coming in, only one person may be needed, with one or more other staff serving to handle momentary overflows while carrying out other duties. It is usually desirable to rotate staff on the help desk, because exclusive duty can become both stressful and monotonous.

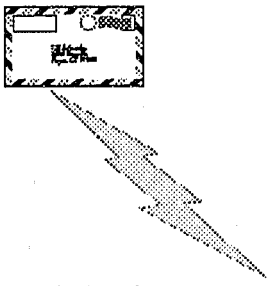
Training staff often make excellent "front-line" help desk specialists. They are familiar with the system from the user's point of view and have already developed expertise in instructing court staff in its proper use and in overcoming the problems most commonly encountered. Once statewide

deployment of the automated system is nearly complete, the trainers should easily be able to manage both the help desk and their on-going training duties.

The help desk structure should include a formal procedure for logging problems. In addition to documenting the workload of the help desk, problem reports can provide valuable feedback about the system and the way it is actually being used in the trial courts. Repeated occurrences of a particular problem often point out weaknesses in system functions, operational procedures, or user documentation. By analyzing the problem log over time, JIS staff can detect the profile of a particular court that is having trouble using the system or has certain users that may need additional training. Problems stemming from misunderstandings common to users around the state may indicate a need to bolster a segment of the training program.

In addition to maintaining a log of problems reported, help desk personnel should compile over time a reference file of common problems and corresponding remedies. Having such a resource on line can help them more quickly diagnose a problem and provide the solution to the caller.

It is also important for staff to develop a feel for what problems they can handle themselves and what problems should be referred to more technical staff. A general policy should be established to prevent the help desk from becoming backlogged to the extent that it cannot respond quickly to subsequent calls. For example, one state adopted a policy whereby certain types of problems (such as a complete system failure or the occurrence of a particular set of error messages) always should be directed to the technical staff. For other situations the guidelines indicated that help desk personnel should spend no more than fifteen minutes attempting to resolve a problem before referring the call to appropriate technical personnel.



XII.B.3. Electronic Mail

In some statewide systems the JIS staff have provided some form of electronic mail that can be used to communicate information about non-critical or less urgent problems. If users have a question, for example, about the best way to handle a certain type of case situation, the best way to enter certain data into the system, or the implications of using a certain docket code, they may draft a message directly on their workstation and transmit it to the JIS staff. The answer can then be composed when it is convenient and sent back to the court user to be read at leisure. This mechanism reduces telephone line congestion, smoothes the work flow for the help desk or other JIS staff, and provides the information in a written form that can be printed and saved by the user, if desired.

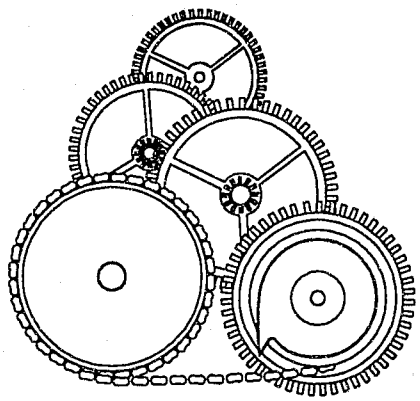
XII.B.4 Role of User Groups

User groups are an essential component of a comprehensive support program. In addition to the peer support they provide system users among the courts, they offer an avenue of consolidation for dialogue between the JIS staff and the trial courts. The AOC not only should encourage the existence and activities of user groups, but should orchestrate their formulation and participate in their meetings.

User groups can remove a tremendous amount of the burden on the JIS staff in supporting the

system. User groups provide a forum for addressing common needs and problems. Quite frequently, a question raised by one user regarding how best to accomplish some particular function can be answered by one or more other users who have already resolved the problem. So long as the question does not imply a malfunction or deficiency of the system, other users often can supply a better solution than can the JIS staff, and without the need for more research and analysis. Even when a system limitation is at the root of the problem, some of the more advanced users may well have developed an effective means to work around the limitation.

User group meetings furnish an effective vehicle for bringing common problems or needs to the attention of the AOC staff and giving both state and local personnel the opportunity to discuss them. Conversely, such meetings give the JIS staff the chance to present and discuss planned system modifications and enhancements. Finally, when a standard method for handling a common situation needs to be established, the user group may be the most appropriate arena in which to develop a consensus.



XII.C. System Modifications and Enhancements

Automated systems are dynamic creations, constantly undergoing refinement, improvement, and expansion of capabilities. Even while JIS staff are struggling with early post-implementation debugging activities, the forces of change are at work. In addition to the possibility of new legislative or procedural requirements, users who have begun to gain experience beyond the initial learning curve can be surprisingly fertile in generating ideas for improvements to the system. Moreover, as the technical staff begin to see the system in the light of realistic usage, they frequently generate such ideas themselves.

Project leaders must anticipate the need to handle the whole process of requesting, evaluating, and implementing changes to the system. If proper policies, procedures, and resources are not established early enough, project personnel can become overwhelmed with the volume of requests for system revisions. The whole project can easily become mired in this issue and lose credibility among the trial courts. States with successful automation projects have adopted a number of tactics to ensure that their strategy for providing on-going support accommodates the inevitable stream of requests for changes.

XII.C.1. Mechanisms for Requesting Modifications and Enhancements

Because of the complexity and size of a statewide system and the number of parties involved in the process, it is virtually a necessity to establish a formal procedure for requesting changes to the system. Some states have implemented printed "change request" forms to be filled out by individual users and approved by local court management for submission. Other states have set up on-line request forms through the electronic mail or system messaging features. Whatever the physical medium through which a request is made, most project leaders have found it advisable to establish an easy way for requests to be forwarded directly from users to the JIS division, without requiring everything to be conducted through user group representatives.

Whether requests arrive on paper on through electronic communication, each request should be logged and tracked. The AOC staff should establish a definite means to let the requester know that his or her request has been received and will be considered. It may also be helpful to include in the

acknowledgment an expression of appreciation for the user's interest and suggestion.

While projecting an open and receptive attitude toward requests for changes, some project leaders have also found it advisable to forestall the submission of numerous duplicate requests--especially if the same basic request has previously been considered and rejected conclusively. Often a seemingly good idea will occur to a number of users, even though the idea may not be practical to implement for some reason. To that end some project leaders or statewide committees have devised a method to publicize a list of requests that have been considered and turned down, along with an explanation of why each change or enhancement was not pursued. For example, a newsletter could be used to highlight recent requests and the subsequent action taken. Furthermore, an on-line database containing all change requests and action summaries might be made available for inquiry by any local court user.

XII.C.2. Evaluation Process

Providing for direct submission of requests for changes does not mean that the requests should be evaluated by the JIS staff alone. It is important from both the practical and the political standpoint to have all change requests reviewed by a body of local court representatives as well as state-level staff. As mentioned earlier, some states have established a specific review committee for this purpose. Other states may make this task a responsibility of a state-level user group with representatives from each district.

Whatever the name or organizational grounding of the review body, it is generally wise to have requests screened by a group of expert court personnel at the "nuts and bolts" level. These individuals have the knowledge to understand the motivation for the request and, with the analysis and advice of the JIS staff, to determine the implications, universality, practicality, and cost-effectiveness of the request. Although this committee or user group should have the authority to approve (with the concurrence of the JIS representative) or reject most requests, requests for modifications that would have policy-level implications should be passed on to a policy committee for final action.

Seasoned project leaders in more than one state expressed a cautionary note born out of their own, sometimes painful, experiences. A policy set up to guide the overall process of system modifications should stress the principle of preserving and increasing the standardization and uniformity of operation. It should include, for example, the stipulation that all requests for new docket codes must be evaluated and approved by the change review committee or user group charged with the review responsibility. Moreover, the evaluation must include an analysis by the JIS staff to determine all implications of the additional code and its use in the courts, such as the potential effect on statistical integrity, event-driven logic, cross-field edit checking, or other areas of the system design.

XII.C.3. Distribution of Software Revisions

Once approved modifications or enhancements have been made to the system, whether stemming from design flaws, program errors, user requests, or a change in external requirements, the revised system should undergo thorough testing. If the extent of the revision warrants it, testing may even include initial implementation in one or more pilot courts. A significant aspect of providing on-going support for a statewide system is being able to handle the statewide implementation of software revisions smoothly and effectively, once the revised system has been judged ready for full deployment. The complexity of distributing the revised software depends upon several factors in addition to the extent of the revisions, including the type of system architecture (e.g., centralized, decentralized, networked, distributed), the number of courts, the number of processors, the communication capabilities, and the philosophy regarding

local system administration capabilities. Different states have taken different approaches, depending upon the characteristics of the statewide system.

In states with non-centralized processing, a copy of the revised software must be installed on each computer. Some states are able to install the new software via telecommunications, especially if the revisions are not extensive. In other statewide systems, a copy of the software must be sent on magnetic media to each court to be loaded on the computer by local personnel. Part of the installation process usually involves running some type of automated installation procedure delivered as part of the software upgrade.

It is important to minimize the burden on loca' personnel by making the installation process as simple, automated, and foolproof as possible. For example, the automated procedures should ensure that a complete backup all data files has been accomplished before the installation actually begins. Good documentation of the instructions should accompany (or precede) the copy of the software. The installation procured should keep the system administrator informed of the progress throughout the operation, so that if problems develop, he or she can describe by phone to the JIS technical staff exactly what was going on when the problem developed.

In states with a centralized system architecture, the mechanical aspects of software distribution are relatively simple. One copy of the production version of the software is usually installed on the central mainframe, with the result that all courts across the state are upgraded at the same moment.

Regardless of the type of system architecture or the mechanical process used to install the revised software, the JIS staff should have good procedures in place for preparing the users for the changes. First of all, it is critical to inform the courts well in advance of upcoming system modifications. Memos, bulletins, and telephone calls are some of the standard methods for alerting users. Electronic mail is another commonly-used medium for communicating this information. Electronic messages may take the form of system broadcasts that go to every user, or they may be more detailed transmissions directed to court managers and local system administrators.

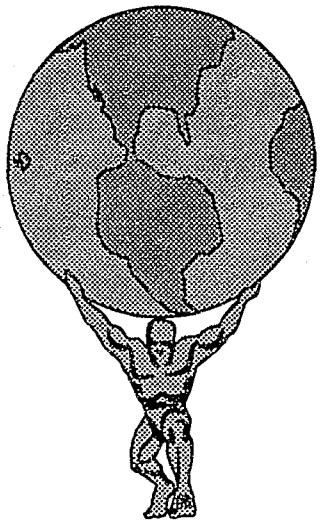
One court uses what it terms "laser fax" to send memos about forthcoming changes over the statewide network. As part of the daily routine, local court personnel print any such memos on their laser printers each morning for review.

Most states try to arrange for significant software revisions to be installed over weekends or holiday periods, when there is sufficient time to accomplish the task carefully, to overcome any problems encountered, and to test the system once the installation is complete. Simple changes usually can be made overnight. As a rule it is best to avoid bringing the system down during working hours to make changes, unless it is for an emergency situation requiring an immediate fix. Users naturally tend to have a magnified perception of any system down time and a long memory for each occurrence.

Documentation and on-line help should be kept current with software revisions, so that users always have an immediate reference for any new or modified features and functions. For extensive revisions, additional training may be necessary. If so, the JIS division must be careful to schedule training so that each court receives instruction before it is forced to use the revised system. Scheduling can be difficult when changes must be implemented quickly, especially if the training staff has been slimmed down following initial statewide system implementation.

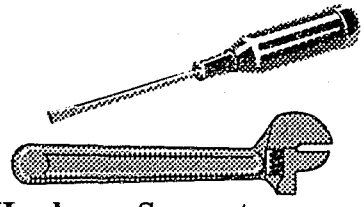
In general, software revisions can be distributed and installed with minimal negative impact on local court personnel if these principles are incorporated in the support process. Moreover, once the modifications have been mastered by the users, the improved performance or expanded capabilities usually are well received. Especially when they reflect the fulfillment of widespread requests for enhancements, system revisions can generate

renewed enthusiasm for the system and confidence in both the JIS staff and the statewide committees responsible for the system.



XII.D. Other Support Considerations

There are a few additional aspects to supporting statewide systems that must not be overlooked if the implemented system is to continue operating satisfactorily. These include provisions for supporting the computer hardware at all locations, being able to recover from any type of disaster, and maintaining a good rapport between the AOC and the system users.



XII.D.1. Hardware Support

Another part of the on-going support that the AOC must provide for the statewide system is to keep the computer hardware and equipment in working order and respond quickly to problems or failures that occur anywhere in the state. Hardware and communications-related maintenance is an important issue even for centralized systems; however, it becomes slightly more complex in distributed or networked environments. There is no single best way to handle hardware support. Each state must adopt an approach that is most appropriate for its circumstances.

While nearly all JIS departments have service contracts for mainframes, minicomputers, and other expensive computer hardware, many take a more creative approach to maintaining other equipment. For example, it is fairly common to find no service contracts established for computer terminals, PCs, or low-cost printers. Instead, many states keep a few spares on hand to be swapped for failed units, which can then be repaired in-house or by a repair service on a carry-in basis. Factors such as state geography, population distribution, local technical expertise, and system architecture determine whether equipment is transported and swapped by JIS staff, shipped for local installation, or stored at the local court. For example, one state in which it is not practical to rely on reaching outlying courts by highway during the winter months adopted the policy of stocking spare devices in those courts and training local staff to install them if needed. To support courts located closer to the capital or easily accessible by car, on the other hand, the procedure was to dispatch a JIS technician with the matching piece of equipment to drive to the court and replace the defective unit.

XII.D.2. Disaster Recovery

Every statewide system project should include a comprehensive disaster recovery plan, regardless of the system architecture or maintenance policy. Such a plan should be developed on a preliminary basis as part of the overall project plan. The pre-

liminary version is important during the early planning stages as part of the strategy of selling the concept of a statewide approach. It is essential to allay fears of a catastrophic failure that could bring the entire state's judicial process to a halt. As the system begins to take shape, the disaster recovery plan should be refined and expanded. By the time the system is ready for statewide deployment, procedures and facilities should be well established to handle any emergency situation.

A few state JIS directors may still admit to some reservations about the ability of their systems to bounce back from a disaster. However, with the widespread existence of large-scale corporate and government systems, in recent years there have been enough publicized incidences of computer centers being damaged by floods, earthquakes, and other disasters to focus attention on the necessity of an adequate recovery plan. In addition to such natural disasters or other externally-generated damage, states must be able to recover from catastrophic problems that originate within the system itself. One statewide judicial system was temporarily disabled a few years ago, for example, by a long-hidden flaw in its database management system. Needless to say, the publicity generated by courts all around the state scrambling to try to process cases manually did nothing to enhance the image of the AOC!

While centralized statewide automated systems can adopt a plan similar to that of most corporate or other government data centers, the existence of regional or local computers complicates the picture somewhat. In addition to establishing rigid guidelines for local data backups and off-site storage of court data, local system administrators should be acquainted with appropriate procedures for recovering from a catastrophic situation. In addition, at the state level the JIS staff should include a well-trained disaster recovery team that is familiar with each local installation. In the event of a localized disaster, this team could be sent to the problem site immediately to take charge of the situation.

XII.D.3. Maintaining Good Communication and Rapport with Users

In addition to simply passing along information necessary for the operation of the statewide systems, project leaders in states that have enjoyed the most continued success with their projects in the years following initial implementation have placed considerable emphasis on maintaining good general communication with all users and fostering an atmosphere of a court community throughout the state. As part of the on-going support for the system and its users, these states have adopted a number of tactics to help achieve open communication and good relations among the trial courts and between the trial courts and the AOC. Some of these tactics have been mentioned earlier in connection with other issues or purposes.

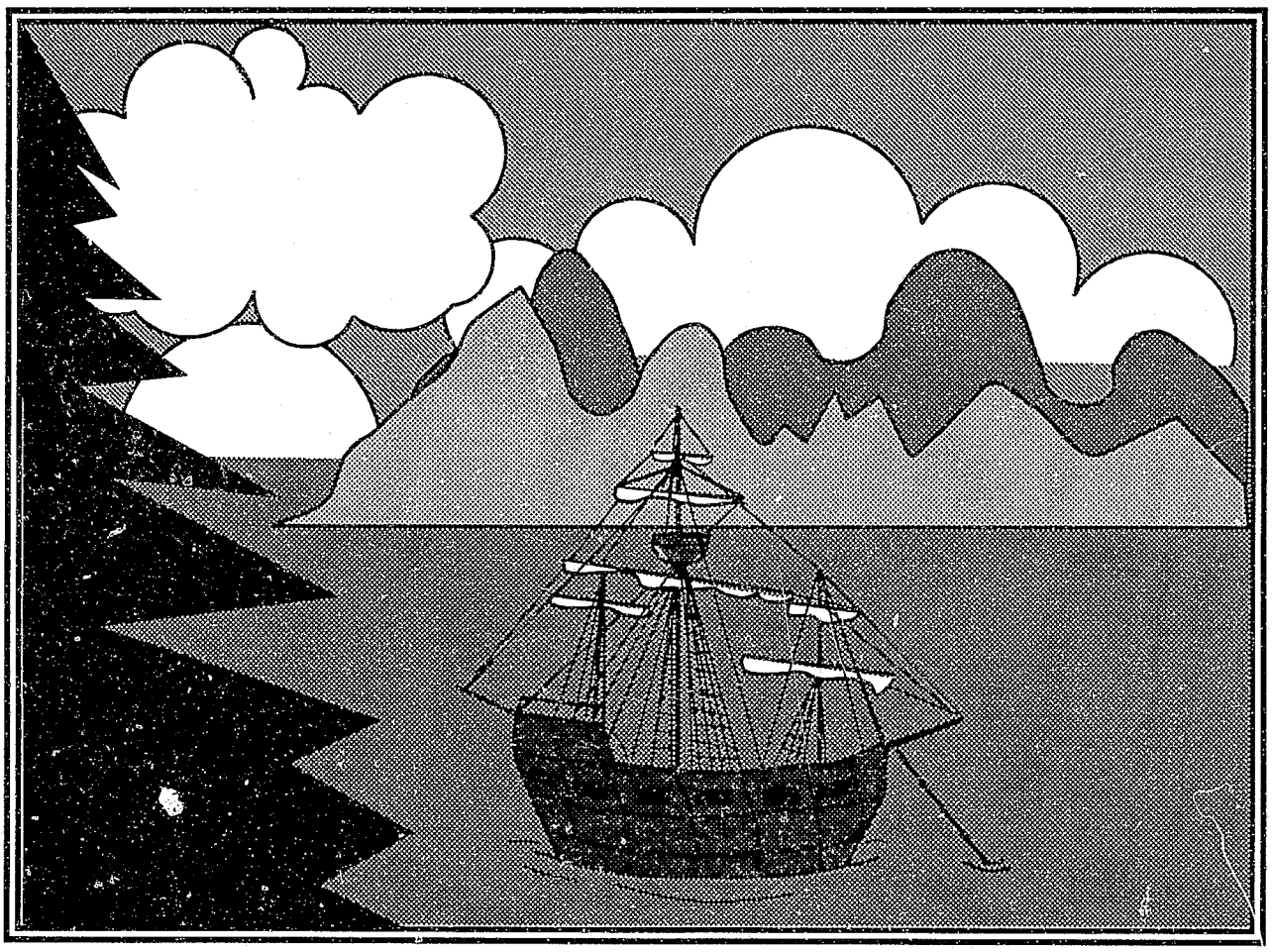
Nearly every state judiciary has some type of newsletter. It is important to make use of this vehicle to highlight the automated system on a continuing basis as well as use it to help publicize the project during the formative stages. Many states have taken the newsletter concept one step further by establishing one that is dedicated to information for and about the automated system and its users. This type of newsletter can be an excellent vehicle for publicizing the continuing efforts of the JIS staff and automation committees to improve the system. It is a good idea to include on the newsletter "staff" a few individuals from the courts as well as from the AOC. In addition, articles, letters to the editors, and other contributions should be actively solicited from the trial courts to help make the newsletter a true community product.

The use of electronic mail has been discussed in several contexts. In addition to system-related information, the system's e-mail capabilities should be offered as a means of communication between the trial courts and any AOC staff--not just the JIS

staff. This type of informal medium often can encourage court personnel at any level to ask questions, make suggestions, express concerns, or simply pass along useful information about any court-related topic.

Along with designated electronic mail messages, the system's communications capabilities can be used to create an electronic bulletin board. The bulletin board could be used to post personal messages from any user (e.g., announcements, articles for sale, services sought) as well as informal information from the JIS or other AOC staff. For example, the AOC might post messages that highlight accomplishments of an individual or a court, such as displaying "scores" of courts with the best disposition rate, fee and fine collection rate, or reduction in case backlog. In some statewide systems subtle techniques can be observed simply in the way the system's message broadcasting features are used, whether such techniques are deliberate or an unconscious result of the JIS staff's attitude toward the courts. Screen banners that appear upon logging in and system "operator" messages that show up at various times on user's terminals can reflect humor and warmth that add a personal touch that users appreciate.

All of these techniques can help establish and maintain good rapport between the users of the system and its "keepers". A warm and friendly atmosphere that builds a sense of community and teamwork between the AOC and the trial courts, in turn, can be extremely beneficial in avoiding problems or resolving them when they do occur. As does a marriage, statewide automation involves a long-term relationship and commitment between parties. Paying attention to the simple things--and doing so on a continuing basis--is crucial to its success.



APPENDICES

APPENDIX A

State Profiles

The individual profile sheets in this appendix were compiled for each state from several sources. Basic demographic facts (i.e., population and total state expenditures) were obtained from Tables 32 and 479 of the *Statistical Abstract of the United States, 113th Edition,* 1993. **Readers should note that "Total State Expenditures" refers to the overall state budget, NOT the judicial branch budget.** This figure is included, along with state population, to assist the reader in establishing a frame of reference within which to view the statewide automation projects of different states.

Information on the trial court structure, number of courts, and number of judges came mainly from the *State Court Caseload Statistics: Annual Report, 1992*, which is produced by a joint project of the Conference of State Court Administrators, the State Justice Institute, and the National Center for State Courts.

Information relating to the statewide court automation project was obtained primarily through telephone interviews with state judicial information system directors or other appropriate persons at the administrative office of the state courts. The interviews and follow-up correspondence took place during the period of **March through July, 1994**. Information about the status of automation (e.g., percentages of courts and caseloads automated, number of staff, and annual costs) reflects that time period.

Explanation of Categories

Statewide implementation status

Based upon the number and type of courts in which the state system is installed, the case types it supports, and the percentage of the total state caseload handled by the system, NCSC staff classified each state in 1 of 3 categories:

- *Extensive*: the state has implemented a statewide **case processing system** for all major case types (e.g., civil, criminal, traffic), which is installed in at least 80% of the courts (including both the general jurisdiction courts and main tier of limited jurisdiction courts, if applicable), or which handles at least 80% of the total state caseload.
- *Partial*: the state has implemented a statewide case processing system that has been installed in a production (i.e., post-pilot testing) mode in at least one court, but implementation has not reached the level described above for the "extensive" category.
- *None* (actual term used in profile may be "planning", "under development", etc., to provide better description): the state has not yet implemented a statewide case processing system in production mode. It may be making no effort at all, actively planning a system, designing or developing a system, or even pilot testing a system.

Current system generation

A general indicator of whether the original statewide court software is still in use (even if it has undergone revisions and enhancements) or whether it has been replaced one or more times by a new software system. A "1" indicates the original software, "2" indicates that the current software is the second generation of the system , etc.

Year original project began

Indicates the approximate year that the first attempt to launch a statewide project was initiated.

Year current/latest project began

If a state distinguishes between the current project and earlier statewide projects or attempts at automation, this date indicates the approximate year that the current project was launched.

Year implementation completed

Applicable if the state considers its statewide implementation completed.

Estimated total cost to date

This category was intended to reflect the approximate overall amount of funds that the state has expended on statewide automation, from the beginning of the initial project until the current or latest year that costs have been calculated. Although the figure should reflect total costs--including personnel, contracts, equipment, maintenance, and other expenses--some states could not easily deduce comprehensive cost estimates from the budgeting process.

Approximate current annual cost

Where the information was available, this entry indicates the total annual expenditures for statewide automation for the current or latest known year. Some states were unable to supply any cost figures, while others could break out only some of the costs associated with statewide automation.

Primary funding source

This indicates whether the statewide automation is funded primarily from general fund appropriations; from fines, fees, court costs, or collections; or from other sources.

% of courts using state system

Based upon the total number of courts in the state and the number in which the state system has been implemented, this figure indicates the extent to which the system has been installed in multiple courts. For some states, this figure was broken down for different types of courts or for different case types.

% of total state caseload automated with state system

Regardless of the number of courts in which the system has been implemented, this figure indicates the extent to which the total caseload of the state is processed by the system. For example, a state that has its system implemented in only the very largest courts may be processing the same relative caseload through that system as a state that has uniformly automated most of the courts but still has 2 or 3 independent local systems operating in it.

State JIS staff size (FTEs)

This figure indicates the number of full-time equivalent positions that are dedicated to court technology at the state level.

Total AOC staff size (FTEs)

This figure reflects the total number of full-time equivalent positions in the state administrative office of the courts, **including** the JIS positions.

System origin

This entry identifies the source of the statewide software: whether it was developed in-house, custom-developed by a software contractor, procured as a commercial court software package (with or without extensive tailoring), or transferred from another location (e.g., a system developed by another state or a system developed by a local court within the state).

System architecture

This entry indicates generally whether the statewide system is based upon a central mainframe, or whether it uses processors distributed around the state (e.g., minicomputers in local courts, regional mid-size computers, or PC local-area-networks in the courts).

Software environment

This entry shows the predominant programming language type used for the statewide system. Although some specifics are given for some states, the major categories are COBOL, some other third-generation language, or some type of fourth-generation language.

Statewide Electronic Public Access System

If the state has implemented some type of statewide public access system that provides the capability for the public to have on-line access to the automated court system, some of the basic facts about that system are shown here.

Statewide Court Automation Profile for **ALABAMA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	4,136,000
Number of counties	67
Trial court structure	Mixed
Number of courts	40 judicial circuits; 74 court sites (some counties have 2 sites)
Number of judges	127 circuit court judges; 98 district court judges
Total state expenditures	$8,855,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	1
Year original project began	1980
Year current/latest project began	1980
Year implementation completed	1994
Estimated total cost to date	Unknown
Approximate current annual cost	Unknown; these are not separate line items for budget purposes
Primary funding source	Primarily general fund
% of courts using state system	100% of District/Circuit
% of total state caseload automated with state system	District/circuit. Approximately 100%; includes all civil, criminal (both felony and misdemeanor), and traffic
State JIS staff size (FTEs)	12
Total AOC staff size (FTEs)	75
System origin	In-house
System architecture	IBM 9000
Software environment	COBOL II; Command Level CICS
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Yes. Have a 1-800 nationwide service
How long in place	1 year
# users	124
What's available	Criminal, civil and traffic; Statewide Index
How much does it cost to access	$100 subscription; $25/mo. and $0.35/min.
How many phone lines in	1 T-1 line; 24 circuits

Statewide Court Automation Profile for **ALASKA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	587,000
Number of counties	23 boroughs or political divisions
Trial court structure	Mainly consolidated
Number of courts	4 judicial districts; 57 court sites
Number of judges	32 superior court judges; 16 district court judges; 59 magistrates; 5 masters
Total state expenditures	$4,941,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	3 (being replaced)
Year original project began	1982
Year current/latest project began	1991
Year implementation completed	
Estimated total cost to date	Unknown
Approximate current annual cost	$250,000
Primary funding source	100% General fund appropriations
% of courts using state system	56% (the smaller magistrate courts are not all automated but have a very small caseload.)
% of total state caseload automated with state system	100% of superior courts; 99% of district/LJ
State JIS staff size (FTEs)	10
Total AOC staff size (FTEs)	70
System origin	In-house. Detailed design and code for replacement system being developed under contract.
System architecture	AT&T distributed UNIX systems
Software environment	UX Basic (new system will use Progress 4GL/RDBMS)
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **ARIZONA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	3,832,000
Number of counties	15
Trial court structure	Complex
Number of courts	15 superior courts; 1 tax court; 83 JP precincts; 86 municipalities (city/towns)
Number of judges	124 superior court judges; 1 tax court judge; 83 justices of the peace, 132 FTE municipal judges
Total state expenditures	$7,872,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1 (being replaced now)
Year original project began	1986
Year current/latest project began	1991
Year implementation completed	
Estimated total cost to date	Old: Unknown; New: $10,225,000
Approximate current annual cost	Old: $150,000 annual maintenance; New: Will require $400,000 annually
Primary funding source	Judicial Collection Enhancement Fund
% of courts using state system	36%
% of total state caseload automated with state system	25% of limited jurisdiction caseload
State JIS staff size (FTEs)	32
Total AOC staff size (FTEs)	190
System origin	Old: In-house; New: Commercial package
System architecture	Distributed
Software environment	Old: Knowledgeman; New: SYNON-RPG
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **ARKANSAS**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	2,399,000
Number of counties	75 counties
Trial court structure	Complex
Number of courts	356 plus 55 justice of the peace courts
Number of judges	383
Total state expenditures	$4,649,000,000
Statewide Court Automation:	
Statewide implementation status	Still in planning
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	8
Total AOC staff size (FTEs)	23
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **CALIFORNIA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	30,867,000
Number of counties	58
Trial court structure	Mainly consolidated
Number of courts	58 superior courts; 88 municipalities; 65 justice of the peace courts
Number of judges	1,554
Total state expenditures	$85,640,000,000
Statewide Court Automation:	
Statewide implementation status	Planning
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	35
Total AOC staff size (FTEs)	225
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **COLORADO**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	3,470,000
Number of counties	63
Trial court structure	Mixed
Number of courts	94 (includes 7 water courts); 206 municipal courts
Number of judges	478
Total state expenditures	$6,992,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	
Year current/latest project began	1992
Year implementation completed	
Estimated total cost to date	Unknown
Approximate current annual cost	Unknown
Primary funding source	General Fund Appropriation
% of courts using state system	Only 3 district and 3 county courts now implemented
% of total state caseload automated with state system	25%
State JIS staff size (FTEs)	32
Total AOC staff size (FTEs)	Approximately 100
System origin	System transfer with extensive changes
System architecture	Distributed network; AS/400
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for CONNECTICUT

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	3,281,000
Number of counties	Effectively no counties in the state
Trial court structure	Mainly consolidated
Number of courts	14 judicial district court locations; 22 geographic area court locations
Number of judges	162
Total state expenditures	$11,115,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	2
Year original project began	Civil system dates back to 1970s; criminal system dates back to 1980
Year current/latest project began	
Year implementation completed	Civil system: 1970s; criminal/traffic system: 1987
Estimated total cost to date	Unknown
Approximate current annual cost	$2.5 to $3.0 million
Primary funding source	General Fund
% of courts using state system	100% of superior courts
% of total state caseload automated with state system	100% of superior courts
State JIS staff size (FTEs)	40
Total AOC staff size (FTEs)	234
System origin	In-house
System architecture	Distributed
Software environment	COBOL
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Yes
How long in place	3.5 years
# users	135
What's available	Only civil. Statute limits public access to criminal court records.
How much does it cost to access	Monthly network access charge: $30; network connect time: $8.90/hr.; per log-in: $10/mo; per log-in application: $6.63/hr.

Statewide Court Automation Profile for **DELAWARE**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	689,000
Number of counties	3
Trial court structure	Complex
Number of courts	44 trial courts
Number of judges	89
Total state expenditures	$2,318,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	2
Year original project began	1978
Year current/latest project began	1984
Year implementation completed	Not fully integrated yet
Estimated total cost to date	
Approximate current annual cost	$.5 million
Primary funding source	General fund appropriation
% of courts using state system	100%
% of total state caseload automated with state system	100%
State JIS staff size (FTEs)	13
Total AOC staff size (FTEs)	17
System origin	In-house
System architecture	Centralized
Software environment	ADA
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	CLAD
How long in place	3 years
# users	250+
What's available	Full text filing and retrieval for complex cases
How much does it cost to access	Varies: court free; Delaware attorneys $.55/page
How many phone lines in	Managed through Mead Data

Statewide Court Automation Profile for **FLORIDA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	13,488,000
Number of counties	67
Trial court structure	Mainly consolidated
Number of courts	67 county courts; 20 circuit courts
Number of judges	622
Total state expenditures	$25,168,000,000
Statewide Court Automation:	
Statewide implementation status	None
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	25
Total AOC staff size (FTEs)	125
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **GEORGIA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	6,751,000
Number of counties	159
Trial court structure	Complex
Number of courts	46 superior court circuits; 159 probate; 159 juvenile; 159 magistrate courts; 64 state courts; 400 municipal courts; and 6 miscellaneous courts
Number of judges	159 superior court judges and 1,064 limited jurisdiction court judges
Total state expenditures	$13,286,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	1990
Year current/latest project began	1990
Year implementation completed	
Estimated total cost to date	$250,000
Approximate current annual cost	$1.2 million
Primary funding source	General Fund
% of courts using state system	2 sites (includes superior and county courts)
% of total state caseload automated with state system	Unknown
State JIS staff size (FTEs)	2
Total AOC staff size (FTEs)	26
System origin	Commercial package w/out tailoring
System architecture	Distributed (Networks to state mainframe)
Software environment	Sustain; Micro Focus COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **HAWAII**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,160,000
Number of counties	4
Trial court structure	Mixed
Number of courts	45
Number of judges	65
Total state expenditures	$4,510,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	1 (moving to 2)
Year original project began	1976
Year current/latest project began	
Year implementation completed	1986/1988
Estimated total cost to date	$75,000,000 since 1976
Approximate current annual cost	$4,400,000
Primary funding source	General fund appropriation
% of courts using state system	100% of all courts have some automation
% of total state caseload automated with state system	97% to 98% of total state trial court caseload
State JIS staff size (FTEs)	55
Total AOC staff size (FTEs)	245
System origin	In-house
System architecture	Centralized (IBM mainframe), distributed network (IBM AS/400), decentralized (IBM-type PCs)
Software environment	Centralized: NATURAL by Software AG and COBOL; civil, criminal, traffic at circuit courts distributed: COBOL. Share networks with executive branch and four counties
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **IDAHO**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,067,000
Number of counties	44
Trial court structure	Consolidated
Number of courts	44 courthouse; 7 judicial districts
Number of judges	34 general district judges; 78 limited jurisdiction magistrates
Total state expenditures	$2,305,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	2 (few courts still on 1)
Year original project began	1988
Year current/latest project began	1988
Year implementation completed	
Estimated total cost to date	$4.9 million
Approximate current annual cost	$215,000
Primary funding source	General fund appropriations
% of courts using state system	98% of all courts to be using system by October 1994; not Boise
% of total state caseload automated with state system	70-75%
State JIS staff size (FTEs)	12
Total AOC staff size (FTEs)	20
System origin	Commercial package w/tailoring
System architecture	Distributed network with no communications links
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **ILLINOIS**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	11,631,000
Number of counties	102
Trial court structure	Consolidated
Number of courts	22 circuit courts. There is a circuit courtroom at each courthouse. Normally they count 21 circuits and Cook County.
Number of judges	414 circuit court judges (elected); 415 associate judges (appointed) (domestic relations and family)
Total state expenditures	$24,619,000,000
Statewide Court Automation:	
Statewide implementation status	None
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	32 authorized; 24 filled
Total AOC staff size (FTEs)	250 employees
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **INDIANA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	5,662,000
Number of counties	92
Trial court structure	Complex
Number of courts	280
Number of judges	281
Total state expenditures	$11,548,000,000
Statewide Court Automation:	
Statewide implementation status	None
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	General fund appropriation
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	
Total AOC staff size (FTEs)	20
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **IOWA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	2,812,000
Number of counties	99
Trial court structure	Consolidated
Number of courts	99
Number of judges	172
Total state expenditures	$6,820,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	1984/1985
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	$17,000,000
Approximate current annual cost	$2,200,000
Primary funding source	General fund appropriation; some minor fees, less than 5%
% of courts using state system	28%
% of total state caseload automated with state system	60%; civil, criminal, traffic
State JIS staff size (FTEs)	21
Total AOC staff size (FTEs)	107
System origin	Custom developed, under contract
System architecture	Distributed network UNIX on Bull DPS-6
Software environment	4th GL Oracle/SQL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **KANSAS**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	2,523,000
Number of counties	105
Trial court structure	Mainly consolidated
Number of courts	110
Number of judges	218
Total state expenditures	$5,134,000,000
Statewide Court Automation:	
Statewide implementation status	None
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	9
Total AOC staff size (FTEs)	40
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Yes. Information network of Kansas-private.

Statewide Court Automation Profile for **KENTUCKY**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	3,755,000
Number of counties	120
Trial court structure	Mainly consolidated
Number of courts	130
Number of judges	200
Total state expenditures	$9,048,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	1
Year original project began	1988
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	$4,250,000
Approximate current annual cost	$1,250,000
Primary funding source	General fund appropriation; federal 15-20%; disposition reporting assistance
% of courts using state system	80%
% of total state caseload automated with state system	92%
State JIS staff size (FTEs)	35
Total AOC staff size (FTEs)	200
System origin	Hybrid; bought source code from vendor
System architecture	Distributed; IBM 4381 mainframe in judicial branch. Novell/Token Ring networks in courts; Lexington has a WAN.
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **LOUISIANA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	4,287,000
Number of counties	64
Trial court structure	Complex
Number of courts	42 district courts, 384 justice of the peace courts, 4 juvenile courts, 250 mayoral courts, 1 family court, 53 city/parish courts
Number of judges	215 district court judges; 707 lower court judges
Total state expenditures	$10,537,000,000
Statewide Court Automation:	
Statewide implementation status	None
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	5
Total AOC staff size (FTEs)	26
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **MAINE**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,235,000
Number of counties	16
Trial court structure	Mainly consolidated
Number of courts	50
Number of judges	42
Total state expenditures	$3,515,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	4
Year original project began	1986/1987
Year current/latest project began	
Year implementation completed	1989
Estimated total cost to date	
Approximate current annual cost	$160,000 - $170,000
Primary funding source	60% General fund appropriation; 40% federal grants
% of courts using state system	100% limited jurisdiction
% of total state caseload automated with state system	100% limited jurisdiction, traffic/criminal
State JIS staff size (FTEs)	8
Total AOC staff size (FTEs)	25
System origin	In-house
System architecture	Distributed network
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **MARYLAND**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	4,908,000
Number of counties	23 plus Baltimore City
Trial court structure	Mainly consolidated
Number of courts	58
Number of judges	283
Total state expenditures	$12,576,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	District Court: criminal, 1981; civil, 1990
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	Unknown
Approximate current annual cost	
Primary funding source	General fund appropriation and land records improvement fund
% of courts using state system	100% district court; circuit court, only 3 sites
% of total state caseload automated with state system	100% district court (criminal, civil and traffic); 30% circuit court (criminal, civil and juvenile)
State JIS staff size (FTEs)	93.5
Total AOC staff size (FTEs)	153.5
System origin	In-house
System architecture	District court: centralized; Circuit court: distributed
Software environment	District court: COBOL; circuit court: RPG/400
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Yes. Includes 18 county land records index and 18 county circuit court records. Statewide district court information also.
How long in place	Over 3 years
# users	More than 300
What's available	Land records, civil dockets, and judgments
How much does it cost to access	$50 subscription fee, $.50/min.
How many phone lines in	16

Statewide Court Automation Profile for **MASSACHUSETTS**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	5,998,000
Number of counties	14
Trial court structure	Consolidated
Number of courts	7 departments; 111 divisions
Number of judges	Approximately 350
Total state expenditures	$20,349,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	
Year current/latest project began	1991
Year implementation completed	
Estimated total cost to date	$1.2 million
Approximate current annual cost	
Primary funding source	General fund appropriation
% of courts using state system	25% superior court
% of total state caseload automated with state system	40-45% superior court
State JIS staff size (FTEs)	26
Total AOC staff size (FTEs)	140
System origin	Superior court: commercial package w/tailoring
System architecture	Distributed
Software environment	4GL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **MICHIGAN**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	9,437,000
Number of counties	83
Trial court structure	Mixed
Number of courts	242
Number of judges	580
Total state expenditures	$24,037,000,000
Statewide Court Automation:	
Statewide implementation status	Planning stages
Current system generation	
Year original project began	
Year current/latest project began	1993
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	General fund appropriation
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	83
Total AOC staff size (FTEs)	141
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for MINNESOTA

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	4,480,000
Number of counties	87
Trial court structure	Consolidated
Number of courts	87
Number of judges	250
Total state expenditures	$12,730,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	1
Year original project began	1979
Year current/latest project began	
Year implementation completed	1990
Estimated total cost to date	Unknown
Approximate current annual cost	$5,165,000
Primary funding source	General fund appropriation
% of courts using state system	95-97%
% of total state caseload automated with state system	80% (all case types)
State JIS staff size (FTEs)	38 (plus 19 at 6 remote data centers)
Total AOC staff size (FTEs)	63
System origin	In-house
System architecture	Distributed network
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for MISSISSIPPI

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	2,614,000
Number of counties	82
Trial court structure	Complex
Number of courts	22 circuit, 20 chancery
Number of judges	28 circuit, 26 chancery
Total state expenditures	$5,171,000,000
Statewide Court Automation:	
Statewide implementation status	Planning stages
Current system generation	
Year original project began	1988
Year current/latest project began	1993
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	General fund appropriations; local courts funded from fees and local government
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	1
Total AOC staff size (FTEs)	5
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **MISSOURI**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	5,196,000
Number of counties	114 plus City of St. Louis
Trial court structure	Consolidated
Number of courts	45 circuits (120 courts)
Number of judges	309
Total state expenditures	$9,254,000,000
Statewide Court Automation:	
Statewide implementation status	Planning stages
Current system generation	
Year original project began	1990
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	General fund appropriation and $7 court fee for automation
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	31.5
Total AOC staff size (FTEs)	75
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **MONTANA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	824,000
Number of counties	56
Trial court structure	Mixed
Number of courts	56 district courts, 56 justice of the peace courts
Number of judges	134
Total state expenditures	$2,384,000
Statewide Court Automation:	
Statewide implementation status	Under development
Current system generation	
Year original project began	1989
Year current/latest project began	1989
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	General fund appropriation
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	5
Total AOC staff size (FTEs)	11
System origin	In-house
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **NEBRASKA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,606,000
Number of counties	93
Trial court structure	Mixed
Number of courts	118
Number of judges	120
Total state expenditures	$3,266,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	1986/1987
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	$1,200,000
Primary funding source	General fund appropriations pays for AOC staff time. Automation fee generated $1.2 million for equipment purchase and operation.
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	5
Total AOC staff size (FTEs)	19
System origin	Custom developed, under contract
System architecture	Distributed
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **NEVADA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,327,000
Number of counties	17
Trial court structure	Mainly consolidated
Number of courts	9 district courts
Number of judges	46
Total state expenditures	$3,436,000,000
Statewide Court Automation:	
Statewide implementation status	None
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	2
Total AOC staff size (FTEs)	13
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **NEW HAMPSHIRE**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,111,000
Number of counties	10
Trial court structure	Mixed
Number of courts	61
Number of judges	79
Total state expenditures	$2,135,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	2
Year original project began	1988
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	$5,000,000
Approximate current annual cost	$800,000
Primary funding source	General fund appropriation; also bond payment paid off using assessment % on top of fine.
% of courts using state system	82% of superior courts; 100% of probate courts; 100% of district courts
% of total state caseload automated with state system	85% of superior court caseload; 100% of district court caseload
State JIS staff size (FTEs)	9
Total AOC staff size (FTEs)	37
System origin	Commercial package with tailoring
System architecture	Decentralized PC networks
Software environment	COBOL 7 and B'trieve
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **NEW JERSEY**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	7,789,000
Number of counties	21
Trial court structure	Mainly consolidated
Number of courts	21 superior courts; 535 municipal courts
Number of judges	733
Total state expenditures	$23,250,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	1 (moving into 2)
Year original project began	1982/1983
Year current/latest project began	1991
Year implementation completed	1994
Estimated total cost to date	Unknown
Approximate current annual cost	$15,000,000
Primary funding source	General fund appropriation. There is a surcharge on all fines and fees and all dispositions; mostly in traffic. $500,000 federal funds for criminal court automation
% of courts using state system	All superior courts; most municipal courts
% of total state caseload automated with state system	100% civil; 100% criminal; 40% family; 70% traffic
State JIS staff size (FTEs)	160
Total AOC staff size (FTEs)	425
System origin	In-house
System architecture	Centralized
Software environment	COBOL
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Pilot testing; limited public access system
What's available	Civil only for now
How much does it cost to access	$1 per minute
How many phone lines in	24 lines

Statewide Court Automation Profile for **NEW MEXICO**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,581,000
Number of counties	33
Trial court structure	Mixed
Number of courts	34 district courts; 54 magistrate court sites, 1 metropolitan court site; 85-90 municipal courts
Number of judges	214 (district, magistrate, metropolitan and municipal)
Total state expenditures	$4,527,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	2.5 (new system under development)
Year original project began	Late 1970s
Year current/latest project began	1993
Year implementation completed	
Estimated total cost to date	Unknown
Approximate current annual cost	July 1993 to June 1994 - $1 million
Primary funding source	General fund appropriation
% of courts using state system	32% district courts; 11% magistrate courts
% of total state caseload automated with state system	Unknown
State JIS staff size (FTEs)	14
Total AOC staff size (FTEs)	26
System origin	Old: Custom developed under contract and commercial packages with tailoring. New: Will be commercial package with tailoring
System architecture	Mixed (new system will be a distributed client server architecture)
Software environment	Mixed
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **NEW YORK**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	18,119,000
Number of counties	62
Trial court structure	Complex
Number of courts	277
Number of judges	1,100
Total state expenditures	64,321,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	PC - 1; mainframe - 2
Year original project began	Early to mid-1980s
Year current/latest project began	
Year implementation completed	Late 1980s
Estimated total cost to date	Unknown
Approximate current annual cost	Personal service $6.5 million; non-personal service $8 million
Primary funding source	General fund appropriation
% of courts using state system	95%
% of total state caseload automated with state system	95%
State JIS staff size (FTEs)	166
Total AOC staff size (FTEs)	284
System origin	PC and mainframe: in-house
System architecture	PC: decentralized; Mainframe: centralized
Software environment	PC: Advanced Database Master; mainframe: COBOL, DB2, Datcom/DB
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Pilot testing

Statewide Court Automation Profile for **NORTH CAROLINA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	6,843,000
Number of counties	100
Trial court structure	Mainly consolidated
Number of courts	105 trial court sites
Number of judges	90 superior court, 179 district court, 653 magistrates
Total state expenditures	$15,036,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	1981
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	Unknown
Approximate current annual cost	
Primary funding source	General fund appropriation
% of courts using state system	100% of all courts have some automation
% of total state caseload automated with state system	Limited jurisdiction: criminal/traffic, 100%; general jurisdiction: criminal, 53%
State JIS staff size (FTEs)	68
Total AOC staff size (FTEs)	224
System origin	In-house
System architecture	Centralized
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile
for
NORTH DAKOTA

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	636,000
Number of counties	53
Trial court structure	Mixed
Number of courts	53
Number of judges	47
Total state expenditures	$1,793,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	1991
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	$400,000
Approximate current annual cost	Bi-annual: 1991/1993, $250,000
Primary funding source	General fund appropriation
% of courts using state system	25%
% of total state caseload automated with state system	50-60%
State JIS staff size (FTEs)	2
Total AOC staff size (FTEs)	12
System origin	System transfer
System architecture	Distributed network
Software environment	RPG
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **OHIO**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	11,016,000
Number of counties	88
Trial court structure	Complex
Number of courts	88 courts of common pleas, divided into 4 divisions: criminal, juvenile, probate and civil; 160 municipal courts; 60 county courts
Number of judges	683
Total state expenditures	$27,791,000,000
Statewide Court Automation:	
Statewide implementation status	Planning
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	4
Total AOC staff size (FTEs)	100+
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **OKLAHOMA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	3,212,000
Number of counties	77
Trial court structure	Complex
Number of courts	77
Number of judges	211
Total state expenditures	$7,267,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	5
Year original project began	1983
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	$360,000
Primary funding source	General fund appropriation and limited fees. Individual counties have to purchase terminals and cabling to tie into state system.
% of courts using state system	10%
% of total state caseload automated with state system	50%
State JIS staff size (FTEs)	10
Total AOC staff size (FTEs)	28
System origin	In-house
System architecture	Centralized
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **OREGON**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	2,977,000
Number of counties	36
Trial court structure	Complex
Number of courts	66
Number of judges	157
Total state expenditures	$7,249,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	2
Year original project began	1983
Year current/latest project began	1985
Year implementation completed	1989
Estimated total cost to date	$10,000,000
Approximate current annual cost	$4,500,00
Primary funding source	General fund appropriation
% of courts using state system	100% of circuit and district courts
% of total state caseload automated with state system	100% of civil, criminal, traffic, probate; 66% of juvenile
State JIS staff size (FTEs)	21
Total AOC staff size (FTEs)	100
System origin	In-house
System architecture	Distributed network; 19 IBM AS/400
Software environment	COBOL
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Yes
How long in place	1 year
# users	Unknown (system also has public terminals in several courthouses)
What's available	Civil and criminal
How much does it cost to access	$100 subscription; $25/hour
How many phone lines in	8

Statewide Court Automation Profile for PENNSYLVANIA

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	12,009,000
Number of counties	67
Trial court structure	Complex
Number of courts	
Number of judges	343 common pleas judges; 538 district justice judges
Total state expenditures	$26,710,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	1984
Year current/latest project began	1989
Year implementation completed	1992
Estimated total cost to date	$24.5 million
Approximate current annual cost	$11 million
Primary funding source	Court fees; $1.50 per traffic ticket
% of courts using state system	100% of district justice courts
% of total state caseload automated with state system	100% traffic and criminal in district justice courts
State JIS staff size (FTEs)	49
Total AOC staff size (FTEs)	100
System origin	Custom developed under contract
System architecture	Distributed
Software environment	RPG III
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **RHODE ISLAND**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,005,000
Number of counties	4
Trial court structure	Mixed
Number of courts	12
Number of judges	62
Total state expenditures	$3,465,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	Family 2; superior 3; district 1
Year original project began	Family 1978; superior mid-1970s; district 1981
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	General fund appropriation
% of courts using state system	100%
% of total state caseload automated with state system	100%
State JIS staff size (FTEs)	11
Total AOC staff size (FTEs)	100-110 positions
System origin	In-house
System architecture	Wang VS
Software environment	Wang COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **SOUTH CAROLINA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	3,603,000
Number of counties	46
Trial court structure	Mixed
Number of courts	16 circuits (each county has a circuit courtroom); 46 family courts; 46 probate courts; 225 municipal courts; 315 magistrate courts
Number of judges	40 circuit court judges; 46 family court judges; 46 probate court judges; 315 magistrates; 225 municipal court judges
Total state expenditures	$8,970,000,000
Statewide Court Automation:	
Statewide implementation status	None
Current system generation	
Year original project began	
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	8
Total AOC staff size (FTEs)	34
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **SOUTH DAKOTA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	711,000
Number of counties	67
Trial court structure	Consolidated
Number of courts	65
Number of judges	36 circuit judges; 15 magistrates
Total state expenditures	$1,417,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	4
Year original project began	Criminal 1985; civil 1989; accounting 1988
Year current/latest project began	1988
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	Court automation fund from criminal fees. Counties must purchase PCs.
% of courts using state system	40-50%
% of total state caseload automated with state system	80% of criminal and civil
State JIS staff size (FTEs)	9
Total AOC staff size (FTEs)	24
System origin	In-house
System architecture	Distributed: central, mainframe with PC-LANs in courts
Software environment	NATURAL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **TENNESSEE**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	5,024,000
Number of counties	95
Trial court structure	Complex
Number of courts	31 judicial districts
Number of judges	139 trial judges (general jurisdiction); 152 general sessions judges (limited jurisdiction)
Total state expenditures	$9,238,000,000
Statewide Court Automation:	
Statewide implementation status	Planning stages
Current system generation	
Year original project began	1993
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	General fund appropriations will cover pilot testing in 3 counties; bond issues for rest.
% of courts using state system	
% of total state caseload automated with state system	
State JIS staff size (FTEs)	12
Total AOC staff size (FTEs)	46
System origin	
System architecture	
Software environment	
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **TEXAS**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	17,656,000
Number of counties	254
Trial court structure	Complex
Number of courts	See below
Number of judges	376 district court judges; 10 district criminal judges; 254 county court judges; 167 county-at-law judges; 18 probate judges
Total state expenditures	$29,526,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	1989
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	$100,000 for salaries since 1989
Approximate current annual cost	
Primary funding source	General fund appropriations.
% of courts using state system	59% of district and county courts; 23% of justice of the peace courts; 21% of municipal courts
% of total state caseload automated with state system	20%
State JIS staff size (FTEs)	5
Total AOC staff size (FTEs)	18
System origin	In-house
System architecture	Standalone and networked PCs
Software environment	Clipper
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **UTAH**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,813,000
Number of counties	29
Trial court structure	Mixed
Number of courts	74
Number of judges	100-110
Total state expenditures	$4,108,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	2
Year original project began	1985
Year current/latest project began	1992
Year implementation completed	
Estimated total cost to date	Unknown
Approximate current annual cost	$1,400,000
Primary funding source	General fund appropriation
% of courts using state system	100%
% of total state caseload automated with state system	100%
State JIS staff size (FTEs)	26
Total AOC staff size (FTEs)	60
System origin	In-house
System architecture	Distributed; client/server
Software environment	Powerbuilder - front end; Informix for stored procedures
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Yes
How long in place	2 years (1992)
# users	50-60 registered users
What's available	All case types
How much does it cost to access	$30/month going to $50/month
How many phone lines in	10 public; 10 private

Statewide Court Automation Profile for **VERMONT**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	570,000
Number of counties	14
Trial court structure	Mixed
Number of courts	42
Number of judges	28
Total state expenditures	$1,736,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	1
Year original project began	1983
Year current/latest project began	1983
Year implementation completed	
Estimated total cost to date	$2,555,000 over 12 years
Approximate current annual cost	$400,000
Primary funding source	General fund appropriations (+$100,000 SJI grant)
% of courts using state system	100% of all district and family courts; 50% superior courts
% of total state caseload automated with state system	Over 80% of total state caseload automated
State JIS staff size (FTEs)	5
Total AOC staff size (FTEs)	16
System origin	Custom developed under contract
System architecture	Distributed
Software environment	4GL - UNIFY ACCEL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for VIRGINIA

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	6,377,000
Number of counties	121 localities (counties and cities)
Trial court structure	Mainly consolidated
Number of courts	309
Number of judges	368
Total state expenditures	$13,352,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	1
Year original project began	1983
Year current/latest project began	1994
Year implementation completed	
Estimated total cost to date	Unknown
Approximate current annual cost	$3,500,000
Primary funding source	General fund appropriation
% of courts using state system	94%
% of total state caseload automated with state system	85% of all of case types
State JIS staff size (FTEs)	42
Total AOC staff size (FTEs)	100
System origin	In-house
System architecture	Centralized
Software environment	COBOL
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Yes
How long in place	Less than 2 years
# users	500
What's available	Traffic, criminal, civil
How much does it cost to access	Free
How many phone lines in	5

Statewide Court Automation Profile for **WASHINGTON**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	5,136,000
Number of counties	39
Trial court structure	Mainly consolidated
Number of courts	150
Number of judges	153 superior court; 207 limited jurisdiction
Total state expenditures	$15,666,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	3
Year original project began	1976
Year current/latest project began	
Year implementation completed	1993, superior court; 1997 for district court
Estimated total cost to date	Unknown
Approximate current annual cost	1992 $6,300,000; 1993 $7,800,000 bi-annual budgets
Primary funding source	Portion of court fees allocated for technology
% of courts using state system	100% superior courts; 37% district courts
% of total state caseload automated with state system	100% superior court caseload; 75% district court caseload
State JIS staff size (FTEs)	60
Total AOC staff size (FTEs)	125
System origin	In-house
System architecture	Centralized
Software environment	COBOL and NATURAL
Statewide Electronic Public Access System:	
Have statewide dial-up EPAS	Yes
How long in place	January, 1990
# users	1,200
What's available	Rules, slip opinions, dockets and calendars
How much does it cost to access	Subscription $100; $25/hour
How many phone lines in	12 *800* line circuits

Statewide Court Automation Profile for **WEST VIRGINIA**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	1,812,000
Number of counties	55
Trial court structure	Mixed
Number of courts	110 sites
Number of judges	60
Total state expenditures	$4,741,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	1986 (magistrate system)
Year current/latest project began	Currently planning circuit court system
Year implementation completed	
Estimated total cost to date	Unknown
Approximate current annual cost	Unknown
Primary funding source	Court fees from magistrate courts
% of courts using state system	70% of magistrate courts
% of total state caseload automated with state system	80% of magistrate court caseload
State JIS staff size (FTEs)	25
Total AOC staff size (FTEs)	50
System origin	Custom developed under contract
System architecture	Decentralized; UNIX on RISC boxes
Software environment	COBOL
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **WISCONSIN**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	5,007,000
Number of counties	72
Trial court structure	Mainly consolidated
Number of courts	72
Number of judges	233
Total state expenditures	$12,448,000,000
Statewide Court Automation:	
Statewide implementation status	Extensive
Current system generation	1
Year original project began	1987
Year current/latest project began	
Year implementation completed	
Estimated total cost to date	$25,900,000
Approximate current annual cost	$6,500,000
Primary funding source	Court fees; special automation fee for civil filings, family traffic and small claims
% of courts using state system	86% (62 of 72 sites on line)
% of total state caseload automated with state system	63%
State JIS staff size (FTEs)	39
Total AOC staff size (FTEs)	144
System origin	In-house
System architecture	Decentralized; separate database servers on Novell networks (client/server using OS/2).
Software environment	Applications written in C; database server in Microsoft SQL Server
Statewide Electronic Public Access System:	None

Statewide Court Automation Profile for **WYOMING**

Note: see Explanation of State Profiles at beginning of Appendix A

Demographics:	
Estimated population	466,000
Number of counties	23
Trial court structure	Mixed
Number of courts	28 justice of the peace courts and county courts; 9 district courts
Number of judges	32 justice of the peace courts and county judges; 17 district court judges
Total state expenditures	$1,813,000,000
Statewide Court Automation:	
Statewide implementation status	Partial
Current system generation	1
Year original project began	
Year current/latest project began	1983
Year implementation completed	1988
Estimated total cost to date	
Approximate current annual cost	
Primary funding source	1985 Federal Highway Safety Act; court costs and general fund appropriations
% of courts using state system	100% of limited jurisdiction courts
% of total state caseload automated with state system	100% of limited jurisdiction court caseload
State JIS staff size (FTEs)	
Total AOC staff size (FTEs)	
System origin	Custom developed under contract
System architecture	Decentralized on PC Netware LANs
Software environment	Proprietary BASIC
Statewide Electronic Public Access System:	None

APPENDIX B

Statewide Automation Survey Questionnaire

A National Assessment of Statewide Automation

A Project of the National Center for State Courts
Conducted Under a Grant from the State Justice Institute

Guide to Completing Questionnaire

This survey is an attempt to gain some broad insights into the major issues surrounding the efforts to achieve statewide automation of the trial courts across the 50 states. While it is impossible to construct a survey instrument that is perfectly suited to each of 50 states that vary widely in court structure, degree of statewide automation, and a host of factors that shape the state's efforts in this area, we believe that most of the questions will be applicable to all states that have at least made (or are making) an attempt to address statewide automation of their courts, whether successful or not. It is important to examine the reasons for a failed attempt, or the obstacles preventing a state from being able to get beyond the early planning stages, as well as the factors contributing to a successful effort.

For purposes of this project, the term *statewide automation* has a somewhat restricted meaning. We are interested in your state's experience with efforts to achieve court automation that has the following characteristics:

- Development, operation, and at least partial funding are the responsibility of the state judicial organization, whether actually developed by state-level technical staff or software vendors
- Uniform (but not necessarily identical) applications among multiple courts, whether operated in a centralized or decentralized environment
- Case processing systems providing operational support to the trial courts, rather than appellate court systems, administrative systems, or applications serving only a narrow part of the judicial process, such as child support payment processing, statistics, financial operations, or jury management.

We have tried to construct a survey instrument that is relatively simple to complete, contains some quantifiable information, and yet retains the flexibility to capture a variety of valuable and relevant information that individual recipients can contribute. The General Profile page, which immediately follows these instructions, will help us classify the automation effort in your state and to better understand the context in which your answers to the questionnaire should be interpreted.

The survey instrument itself contains two main types of questions. The majority of the questions are of a form that can be answered simply by circling the number, on a scale from 1 to 5, that corresponds most closely with your response to the question. A

set of words or short phrases appears below the number scale to describe the nature of the response represented by the left (number 1) and right (number 5) extremes and the mid-point (number 3) of the scale. Questions that are not applicable to your experience may simply be left with no number circled. The second type of question found in the survey form is structured for short, free-text answers. Blank lines are provided for answering directly on the survey form.

Please do not feel constrained by this format, however, as we encourage clarifications, qualifications, expansions, and unsolicited insights. A space entitled "supplemental comments" is provided at the end of each section of the questionnaire where you may footnote scalar answers, continue free-text answers, or add any meaningful comments based upon your own experiences with statewide automation. Moreover, please feel free to annotate questions or answers of either type, write on the back of the forms, or attach additional sheets. The forms will be reviewed by experienced and interested professional staff, not simply fed into a computer! Your thoughts and opinions are very important to us in assessing the national-scope experience with statewide court automation.

Because a session based on this project will be presented at the Third National Court Technology Conference next month in Dallas, we need this questionnaire to be completed and returned **as soon as possible**. If you have questions about any part of the survey, please call Doug Walker at the National Center: (800) 877-1233. Please mail the completed questionnaire to the following address:

The National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23187-8798

Attn: J. Douglas Walker

Although the questionnaire is several pages long, you may return it by fax if you prefer. The National Center's fax number is (804) 220-0449.

Please print the abbreviation for your state at the bottom of each page.
Please print or type all free-text answers.

Thanks for your help!

General Profile

Name of Your State: _____

State Level Court Automation

Please mark the box beside the words or phrases that apply to the status and characteristics of the statewide automation effort in your state:

☐ Have automated statistical system at state level

☐ Currently in planning process for statewide trial court automation

☐ Currently have statewide trial court automation

Full	Partial		
☐	☐	Civil	
☐	☐	Criminal	☐ Check if integrated criminal justice information system
☐	☐	Traffic	

System Architecture

☐ Centralized (e.g., central state mainframe, with terminals in courts)

☐ De-centralized (e.g., stand-alone minicomputers or LANS in each court, running uniform software)

☐ Combination (some courts on central system, some on local computer)

☐ Distributed

- ☐ Regional computers serving multiple courts
- ☐ Local computers networked with central computer
- ☐ Other _____

Comments:_____

_____

Survey Contact

Name of person completing survey: _____

Title/Position: _____

Address: _____

_____ **Phone:** _____

_____

_____ **FAX:** _____

Years of employment with this court system: ___

I. Planning

A.	Mandate, vision, leadership, and consensus

1.	Did the initial mandate or incentive for statewide automation come from within the judicial branch or from outside?	1-----2-----3-----4-----5 inside joint outside
2.	Was the judicial organization united in its attempt to automate, or was there resistance, division, or lack of support for the project?	1-----2-----3-----4-----5 totally united mixed very divided
3.	Were there problems caused by insufficient leadership from high in the judicial organization?	1-----2-----3-----4-----5 severe some none
4.	Were there problems with trial courts resisting the judicial branch leadership?	1-----2-----3-----4-----5 severe some none
5.	Were there problems caused by lack of vision or leadership from technical staff?	1-----2-----3-----4-----5 severe some none

6. What organization or office provided the initital mandate for the statewide automation project? _____

   Was that the appropriate organization? _____

7. Who provided vision and leadership to the project at the highest level? _____
   _____

8. How were problems with resistance, division, or lack of support overcome?
   _____
   _____
   _____
   _____
   _____

Supplemental comments:

B.	Goals and Objectives	
1.	Were project goals clearly defined at the beginning of the project?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Were project goals clearly communicated through the organization?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Was the project broken into major phases with objectives, costs, and time frames identified?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Was there flexibility for refining (or re-defining) goals and objectives as the project progressed?	1-----2-----3-----4-----5 definitely some not at all
5.	Did the project stay on track, so that initial goals and objectives were not forgotten or discarded?	1-----2-----3-----4-----5 definitely somewhat not at all

6. What specific goals and objectives proved to be effective motivators for acceptance of the project and the accompanying changes it brought?

_____
_____
_____
_____
_____
_____

7. What (if any) goals or objectives proved to be unrealistic or inappropriate as the project progressed through the phases?

_____
_____
_____
_____

Supplemental comments:

C. Organizational Structure for Policy Formulation

1.	Was there a formal policy-making structure established?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Did the policy-making body contain a mix of individuals at both a high enough level in the organization to give decisions credibility and a low enough level to provide sufficient detailed knowledge to make the best choices?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Was the policy-level body sufficiently well informed to operate independently, rather than rubber-stamping recommendations from the technical staff?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Was the policy-level body representative of the groups with an interest in the decisions?	1-----2-----3-----4-----5 definitely somewhat not at all
5.	How involved was the policy-level body in project planning?	1-----2-----3-----4-----5 extensively somewhat not at all
6.	How involved was the policy-level body in project funding issues?	1-----2-----3-----4-----5 extensively somewhat not at all
7.	How involved was the policy-level body in project management?	1-----2-----3-----4-----5 extensively somewhat not at all
8.	How involved was the policy-level body in resource allocation?	1-----2-----3-----4-----5 extensively somewhat not at all
9.	How helpful was the policy-level body in resolving conflicts?	1-----2-----3-----4-----5 extremely somewhat not at all
10.	How helpful was the policy-level body in dealing with major problems?	1-----2-----3-----4-----5 extremely somewhat not at all
11.	How effective was the policy-level body in buffering project staff from disputes and disagreements over policy-level decisions?	1-----2-----3-----4-----5 extremely somewhat not at all

12. How was the organizational structure established to accomplish the project?

_____

_____

_____

13. How were major project decisions made? _____

_____

State of _____ (*Please enter state abbreviation*)

14. How did problems and issues get to the policy-making level? _____

15. Besides the policy-level body, what other committees or organizations were formed or used for the project? Please explain briefly how they operated and what they accomplished.

Supplemental comments:

D. Funding

1.	Were there major problems with the project related to funding?	1-----2-----3-----4-----5 definitely some not at all
2.	Was funding adequate to meet project goals and objectives?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Did initial budget projections prove realistic?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Were there changes in funding sources or amounts during the project?	1-----2-----3-----4-----5 definitely somewhat not at all
5.	Was funding for parts of the project contingent upon the successful completion of certain tasks?	1-----2-----3-----4-----5 definitely somewhat not at all

6. How was the project funded (i.e., what was the source or sources of funding?)

_____

_____

_____

7. What effective approaches or strategies were used in obtaining funding?

_____

_____

_____

_____

Supplemental comments:

E. Planning Methodology

1.	Was the project initially broken into a series of major phases?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Were the major phases divided into specific tasks?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Were time schedules built into each phase and task?	1-----2-----3-----4-----5 definitely somewhat not at all

State of _____ (*Please enter state abbreviation*)

4.	Were available resources factored realistically into the project plans?	1-----2-----3-----4-----5 definitely somewhat not at all
5.	Was project planning accomplished within a longer term strategic plan?	1-----2-----3-----4-----5 definitely somewhat not at all
6.	Were plans adjusted at least annually, as project progress and funding cycles were considered?	1-----2-----3-----4-----5 definitely somewhat not at all
7.	Were plans and budgets for system development and implementation made before the completion of needs assessment, requirements analysis, and system design?	1-----2-----3-----4-----5 definitely somewhat not at all

Supplemental comments:

II. Design and Development

A.	Existing Operation	
1.	To what extent did the courts to be automated operate uniformly with respect to court rules and recordkeeping procedures?	1-----2-----3-----4-----5 extremely somewhat not at all
2.	Did these courts use uniform forms?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Did these courts have written operational procedures?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Were written procedures for manual operations of sufficient quality and detail to ensure uniform court operation?	1-----2-----3-----4-----5 definitely somewhat not at all
5.	Were operational procedures routinely reviewed and updated at appropriate intervals to ensure their relevance and effectiveness?	1-----2-----3-----4-----5 definitely somewhat not at all
6.	Were copies of written procedures at each court location updated as a part of the normal review and revision process?	1-----2-----3-----4-----5 definitely somewhat not at all
7.	Were data standards in place to facilitate data exchange with existing systems?	1-----2-----3-----4-----5 definitely somewhat not at all
8.	Was the new system designed to conform to existing data standards?	1-----2-----3-----4-----5 definitely somewhat not at all

9. Who developed any such existing data standards? _____

_____

10. How were existing data standards developed? _____

_____

_____

_____

Supplemental comments:

B	Procedural Design Decisions

1.	Were changes in court operational procedures contemplated in the initial system design?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Were corresponding procedural changes made in written procedure manuals before the automated system was implemented?	1-----2-----3-----4-----5 definitely somewhat not at all

Supplemental comments:

C.	User Involvement

1.	How involved were users in system design and development efforts?	1-----2-----3-----4-----5 extensively somewhat not at all
2.	Were there problems caused by insufficient user input?	1-----2-----3-----4-----5 definitely some not at all
3.	Were there problems caused by too much user influence or control?	1-----2-----3-----4-----5 definitely some not at all
4.	Were there problems caused by inability of user groups to adequately represent the interests of all sites?	1-----2-----3-----4-----5 definitely some not at all
5.	To what extent were users kept well informed of design decisions and rationale?	1-----2-----3-----4-----5 extremely somewhat not at all

Supplemental comments:

D.	Design Tradeoffs	
1.	Were design tradeoffs necessary because of funding constraints?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Were design tradeoffs necessary because of time constraints?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Were design tradeoffs necessary because of insufficient uniformity among the individual courts?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Were design tradeoffs necessary because of skill limitations of technical staff?	1-----2-----3-----4-----5 definitely somewhat not at all
5.	Were design tradeoffs necessary because of required interfaces with existing or outside automated systems?	1-----2-----3-----4-----5 definitely somewhat not at all

6. List some examples of design tradeoff decisions that had to be made.

_____

_____

_____

_____

_____

_____

Supplemental comments:

E.	Technology Design Decisions	

1.	When measured against the state-of-the-art technology at the time of the project, was the level of technology chosen for the project appropriate?	1-----2-----3-----4-----5 extremely somewhat not at all
2.	How important an issue was cost in the selection of technology?	1-----2-----3-----4-----5 extremely somewhat not at all
3.	How important an issue was length of development time in technology decisions?	1-----2-----3-----4-----5 extremely somewhat not at all
4.	To what extent was the choice of technology influenced by the existing skills and experience of the technical staff?	1-----2-----3-----4-----5 very much somewhat not at all
5.	To what extent was the choice of technology for this project influenced by the technology already in place in the courts or court-related agencies?	1-----2-----3-----4-----5 very much somewhat not at all

6. If you were given the opportunity to do the project again, what technology decisions would be made differently? _____

_____

_____

_____

_____

_____

Supplemental comments:

F.	Staff Issues	
1.	Was the skill level of court technical staff a problem during the design and development phases of the project?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Was the skill level of vendor staff a problem during the design and development phases of the project?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Were there problems caused by the level of skill and experience among the non-technical court staff during the design and development phases?	1-----2-----3-----4-----5 definitely some not at all
4.	Were there problems during the design and development phases caused by insufficient staff resources (i.e., number and availability of staff dedicated or contributing to the project)?	1-----2-----3-----4-----5 definitely some not at all

5. What was done to overcome problems related to skill limitations among the staff?

_____

_____

_____

Supplemental comments:

G. Design and Development Methodology

1.	Was analysis of requirements performed at the individual court locations that would be affected by the new system?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Was a formal requirements analysis or requirements definition document prepared?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Was a design document created or adapted as a part of the design process?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Before the actual development of a portion of the system took place, was there a formal sign-off procedure on the system design by a committee that included potential user representation?	1-----2-----3-----4-----5 definitely somewhat not at all
5.	Was software prototyping employed to gain feedback from potential users during the design and development phases?	1-----2-----3-----4-----5 definitely somewhat not at all

6. How were decisions made to resolve differences in court operations discovered during the design and development phases? _____

7. List any design and development methods, tools, or techniques that proved to be particularly effective. _____

Supplemental comments:

III. Implementation and Training

A. System Implementation

1.	Was the system initially implemented in a pilot court before finalization and statewide implementation?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Was parallel processing employed for at least 30 days before the automated system completely replaced the manual one?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Was implementation across the state staggered among the individual courts, so that only one or two courts at a time were added to the statewide system?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Were there any problems with prioritizing the implementation among the courts?	1-----2-----3-----4-----5 definitely some not at all
5.	Were there any implementation problems related to non-standard procedures among the courts?	1-----2-----3-----4-----5 definitely somewhat not at all
6.	To what extent were paperflow, office procedures, workload distribution, staff assignments, etc. modified to take advantage of the capabilities of the new system?	1-----2-----3-----4-----5 extensively somewhat not at all
7.	Did most such modifications take place before, concurrent with, or after implementation of the new system?	1-----2-----3-----4-----5 before concurrent after
8.	Were any implementation delays encountered due to funding limitations?	1-----2-----3-----4-----5 definitely some not at all
9.	Were any serious software performance problems (e.g., design flaws, programming bugs) encountered after implementation?	1-----2-----3-----4-----5 numerous some not at all
10.	Was adequate user documentation available when the system was implemented?	1-----2-----3-----4-----5 definitely somewhat not at all
11.	Was there adequate technical staff availability to respond to user needs during the implementation period?	1-----2-----3-----4-----5 definitely somewhat not at all
12.	Were there any problems with lack of management support at the state or local level during the implementation period?	1-----2-----3-----4-----5 definitely some not at all

13.	Were the expectations of the users of the new system realistic?	1-----2-----3-----4-----5 definitely somewhat not at all

14. What were some of the problems (if there were any) associated with unrealistic user expectations? _____

15. What mechanisms or methods were employed to manage user expectations both before and after implementation? _____

16. In how many court sites has the system been implemented as of this time? _____
What percentage of total sites across the state does this represent? _____
What percentage of the total state case load does this represent? _____

17. How were priorities set to accommodate the conflicting needs of individual courts?

18. Describe the process and time frame by which the implementation of the system spread throughout the state: _____

19. If a decentralized strategy was used, how were software modifications and additions managed and distributed? _____

Supplemental comments:

B. Training Issues

1.	Was there a centralized training program to provide uniform training for all courts to be automated?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Was most training provided on site or at a central (or regional) training facility?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Was training based upon an operational procedures manual?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Did the training prove to be sufficient for the effective use of the new system?	1-----2-----3-----4-----5 definitely somewhat not at all
5.	Was in-service training provided on a regular basis to pick up new employees and provide refresher or in-depth training to existing users?	1-----2-----3-----4-----5 definitely somewhat not at all
6.	Were court employees periodically audited on their proper use of the system and on their adherence to uniform operational procedures?	1-----2-----3-----4-----5 definitely somewhat not at all

7. Describe the basic method or process by which users throughout the courts were trained on the system? _____

8. List any training methods or techniques that proved to be particularly effective.

Supplemental comments:

IV. Monitoring, Evaluation, and Maintenance

1.	Has the new automated system satisfactorily met the goals and objectives that were established for it?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Have the court users been generally pleased with the new automated system as compared with the former, manual system?	1-----2-----3-----4-----5 definitely somewhat not at all
3.	Is there an effective mechanism in place to facilitate user input into the system improvement process?	1-----2-----3-----4-----5 definitely somewhat not at all
4.	Did the new automated system contribute to uniform court operation?	1-----2-----3-----4-----5 definitely somewhat not at all
5.	Were there any inherent operational problems that were magnified by the implementation of the new automated system?	1-----2-----3-----4-----5 definitely some not at all
6.	Were there any inherent operational problems that were solved by the implementation of the new automated system?	1-----2-----3-----4-----5 definitely some not at all
7.	Have there been any problems with the anticipated exchange of data between the new automated system and other internal or external systems?	1-----2-----3-----4-----5 definitely some not at all
8.	Has the new system been well integrated into the workflow of the courts?	1-----2-----3-----4-----5 definitely somewhat not at all
9.	Has the net effect of the new automated system been an increase or decrease in staff workload?	1-----2-----3-----4-----5 increase neither decrease
10.	Has the new automated system produced an overall increase in productivity or effectiveness of the court staff?	1-----2-----3-----4-----5 definitely somewhat not at all

11. What are some examples of manual tasks, forms, and paper processing that were eliminated by the automated system? _____

_____

_____

_____

_____

12. What are some examples of additional work that was created by the system?

13. What are some examples of new capabilities provided by the automated system that were not possible under the old manual environment? _____

Supplemental comments:

V. Project Management

1.	Was evaluation and feedback information communicated effectively to project management?	1-----2-----3-----4-----5 definitely somewhat not at all
2.	Were there any problems with insufficient authority at the project management level or insufficient backing of project management decisions from high in the judicial organization?	1-----2-----3-----4-----5 definitely some not at all
3.	Was there any schedule slippage during the design and development phases from the original time frames projected during the planning phase?	1-----2-----3-----4-----5 definitely some not at all
4.	Was there any schedule slippage during the implementation phase from the time frames originally projected?	1-----2-----3-----4-----5 definitely some not at all
5.	Was sufficient time for project management activities initially anticipated and budgeted?	1-----2-----3-----4-----5 definitely some not at all

6. Who was responsible for monitoring project progress and adjusting plans? _____

7. What was the process by which evaluation and feedback information was communicated to project management? _____

8. What was the process used to modify project plans? _____

9. How was project status communicated to the judicial organization as a whole?

10. How often was the project status reviewed by the judicial organization as a whole?

State of _____ (*Please enter state abbreviation*)

11. How were vendors and project staff held accountable for performance?

12. What were the most serious or difficult project management problems encountered during the course of the statewide automation effort?

Supplemental comments: