



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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Chief Justice of California
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August 8, 2011

Ms. Elaine M. Howle
California State Auditor
Bureau of State Audits
555 Capitol Mall, Suite 300
Sacramento, California 95814

Re: Six-Month Status Report on Recommended Implementation Efforts Regarding the
Audit Report on the California Court Case Management System, Audit 2010-102

Dear Ms. Howle:

The Judicial Council and the Administrative Office of the Courts (AOC), which implements council policy, received the audit report of the Bureau of State Audits (BSA) on the California Court Case Management System (CCMS) under your cover letter of February 8, 2011. Your letter indicated that the AOC should report to the BSA at 60 days, six months, and one year on our efforts to implement the recommendations and provide updated information for each interim period.

On April 8, 2011, we submitted our 60-day response, reporting in detail on the progress made during the two months following the issuance of your report. At that time we indicated that almost all of the 26 recommendations either had been completely addressed or substantial progress was being made toward implementation. As noted in the compliance checklist and action plan submitted to you (Attachment A of that submission), many activities were ongoing and are part of documentation in our CCMS files, the Judicial Council's reports and minutes, and other judicial branch records. During the last four months the judicial branch has continued its significant efforts to complete the development of CCMS and improve the governance process,

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as discussed later in this report. First, however, we will discuss the impact of recent budget reductions on the CCMS program.

At a public meeting on Friday, July 22, 2011, the Judicial Council allocated an unprecedented ongoing \$350 million reduction in the state judicial branch's budget for fiscal year 2011–2012. Approved by the Legislature and Governor, the budget cut will have a dramatic impact on judicial branch services to the public. Acting on the recommendation of court leaders across the state, the council approved a budget allocation that would result in a 6.8 percent cut in funding for the 58 California trial courts, a 9.7 percent cut in funding for the California Supreme Court and the six Courts of Appeal, and a 12 percent funding reduction for the Judicial Council and the AOC. The funding recommendations were made by the Trial Court Budget Working Group in consultation with appellate court representatives. In addition to offsets of \$180 million outlined in the Budget Act, including a \$10 million redirection of planned CCMS expenditures to support court operations, the Judicial Council approved \$122.4 million in offsets to lessen the impact of budget reductions on the trial courts. These included the redirection of an additional \$56.4 million from the CCMS program to support court operations, which will significantly reduce the resources available to deploy CCMS to the trial courts. The Judicial Council has authorized the CCMS Executive Committee to work with the CCMS Program Management Office (PMO) to identify strategies for addressing the impact of the budget reduction for FY 2011–2012 on the CCMS program, and requested a report back to the council no later than October 2011.

As authorized by the Judicial Council, the CCMS PMO is working to assess the actual and specific impact on the program and activities necessary to implement the reductions, which is exactly what was contemplated in our response to your recommendation 16. The recommendation dealt with the potential to adjust strategy in times of funding uncertainty and fiscal crisis. Our response was to modify the funding strategy and the operational implications for CCMS as necessary. We are doing exactly that and will keep you informed of further developments.

Attached to this letter is our detailed action plan updated with the actions of the last four months. Significant developments include the effect of the budget reductions on deployment, the independent project oversight and verification (IPO and IV&V) work, and the initiation of the independent quality review of the CCMS development process. As your previous letter requested, we continue to include estimated or targeted completion dates for specific activities. Many of the activities are ongoing, and we consider all 26 recommendations as either having been completely addressed or as having substantial progress being made. We also identified the individual at the AOC management level responsible for addressing the recommendations. These completion dates have generally held except for specified deployment activities (including the contracting for IPO and IV&V) that will be affected by the recent budget reductions noted above. The branch continues to act on your recommendations and will monitor and address all issues as expeditiously as possible. All documentation, including documentation concerning key

decisions, will be retained and is available to the BSA and any party requesting it to ensure accountability and transparency in all of our work.

Despite recent budget reductions, we can report that the project has continued to meet all milestones and is expected to continue meeting the established milestones through development completion. We would like to highlight for you some of the more important actions that we have taken during the last 60 days.

CCMS Governance Committee Meetings

The CCMS governance committees continue to hold meetings and address activities associated with their annual work plans. Subcommittees, where appropriate, have been established and are actively involved in CCMS activities. As previously reported, this governance model will provide the process with more structure and transparency.

In addition to the newly established governance committees, Chief Justice Tani Cantil-Sakauye announced on April 19, 2011, a new Judicial Council Internal Committee to oversee CCMS. The new committee “will be responsible for ensuring that council policies are complied with and the project proceeds on schedule and within budget.” This committee has already met, and the agenda and minutes are available on request. This committee is composed of council members and chaired by Judge James E. Herman, Superior Court of Santa Barbara County.

Minutes are taken, reviewed, approved, and posted on our project website for all governance committee meetings.

Cost-Benefit Analysis Reporting

As we agreed in our response to the CCMS audit report, as key developments occur and if significant assumptions change, we will update the cost-benefit analysis. As CCMS development is nearing completion, we will discuss the timing of any potential update.

Annual Report of Costs to the Legislature and Budget Monitoring

The AOC continues to report to the Legislature on the statutorily required data on CCMS. The last report submitted on May 18, 2011, included a new format for the reporting of project costs, ongoing programs and services, and interim case management costs, including expenditures, estimates for fiscal years 2010–2011, 2011–2012, and 2012–2013, as well as totals. Also included were future projected expenditures through FY 2016–2017 if there is a full 58-court deployment. Finally, a brief explanation of differences in any expenditures from the current year’s versus previous year’s report to the Legislature was included. We will continue to ensure that all additional information concerning CCMS costs are reported, including the actual and estimated costs discussed in your report. Future reports will include all identifiable costs related to CCMS incurred by the trial courts, and we will identify the nature of costs that justice partners

may incur. The AOC will work to ensure that future reports submitted contain sufficient information to assess the progress and health of the program and are fully transparent.

Completion of Core Product Acceptance Testing and Initiation of Product Acceptance Testing on External Components

Core product development and testing was completed on schedule with exit criteria being met by the development vendor in April 2011. External-component product acceptance testing (PAT) began in June and is expected to be completed by the end of August. As part of the 60 court and AOC staff who are working to complete these important phases of the project, court subject-matter experts continue to be significantly involved in requirements validation, integration testing, and PAT.

The chairs of the CCMS internal and CCMS Executive Committees attend weekly program management meetings. These meetings also are attended by key Deloitte executives, the AOC Executive Office, and the CCMS PMO. A detailed project status report is given at each meeting. Project issues, risks, and mitigation strategies are discussed. Any management issues are escalated and addressed at these meetings.

Independent Quality Review of the CCMS Development Process

The AOC had meetings during March and April 2011 with personnel from the state's California Technology Agency (CTA) and the BSA to discuss our statement of work (SOW) for this review and the process and to understand the expectations of both agencies. The feedback received was incorporated in the SOW. The request for proposal was issued to numerous companies, including those recommended by the CTA and BSA. Two contracts were entered into: one on the Standard Capabilities Maturities Model Institute (CMMI) Appraisal Method for Process Improvement (SCAMPI A) and the other for code quality review (Independent Code Quality Assessment or ICQA). The work specifically involves:

1. A CMMI level 3 evaluation of the development vendor's process for developing CCMS;
2. A quality review/assessment, using sampling techniques, to test system artifacts and other identified areas, including the above CMMI evaluation; and
3. A focused testing by "exploratory testers" before acceptance of specific high fault-density areas and other such areas as necessary.

The SCAMPI A agreement is with Integrated Systems Diagnostics (ISD), and K3 was awarded the ICQA agreement. Both contracts began on June 20, 2011. The work started in late June and is expected to be completed on schedule by the end of August. The informal results so far indicate no significant issues. When the reports are completed, reviewed, and accepted, they will be forwarded to the BSA. Mark A. Moore, the CCMS PMO Executive Director, provides interim progress on this review to the CCMS Executive Committee chair each week.

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In conclusion, we continue to follow and implement the audit report recommendations. Ongoing activities are being appropriately monitored and critical processes implemented that will provide a complete, accountable, and transparent program for the completion of CCMS. While the effects of the budget decisions are being determined, we continue to be committed to ensuring the completion of a quality product that will meet the needs of Californians, the state justice system, and its partners.

Thank you for your continued assistance through the audit process and your staff's continued communications concerning activities that will assist in addressing all of the remaining issues. Please feel free to contact Mr. Moore if you have any questions or concerns or would like additional documentation. We look forward to working with you to clarify and resolve the remaining issues.

Sincerely,



Terence L. Bruiniers
Chair, CCMS Oversight Committee



William C. Vickrey
Administrative Director of the Courts

WCV/MAM/jc

Enclosure

cc: Hon. Tani Cantil-Sakauye, Chief Justice of California and Chair of the Judicial Council
Mr. Ronald G. Overholt, AOC Chief Deputy Director
Mr. Mark A. Moore, Executive Program Director, CCMS PMO

Rec. #	Response	Recommendation	Response	ACTION PLAN						
				Step	Description	Responsibility		Targeted Completion Date	Date Completed	
						Primary	Support			
CHAPTER 1										
1	Agree	To understand whether CCMS is a cost-beneficial solution to the superior courts' case management needs, the Administrative Office of the Courts (AOC) should continue with its planned cost-benefit study and ensure it conducts the study before spending additional significant resources on the statewide case management project.	<p>In October 2010, the AOC engaged Grant Thornton to perform a cost-benefit analysis for developing CCMS and deploying it to all 58 superior courts in California. The cost-benefit analysis is expected to be completed in February 2011.</p> <p>The AOC will use the results of the analysis and the underlying cost-benefit model to develop recommendations regarding the CCMS deployment strategy for key decision makers.</p> <p>The AOC additionally concurs that the cost-benefit analysis should be updated at key junctures, and</p> <p>has already directed that the cost-benefit analysis be updated after deployment to the three early adopter courts before further deployment decisions are finalized.</p>	1	Contract with Grant Thornton to perform a CBA for developing CCMS and deploying it to all 58 courts in CA.	Nash	CCMS PMO	October 2010	October 2010	
				2	Based on the CBA and underlying cost-benefit model discuss deployment strategy and alternatives with Judicial Council, Executive Office, and CCMS Executive Committee,	Moore	Butler	March 1, 2011	March 1, 2011	
				3	Document deployment strategies and alternatives based on discussions in step 2 above.	Moore		As appropriate	As appropriate	
				4	Update CBA analysis at key junctures of development and deployment.	Moore	Finance Division	As appropriate	As appropriate	
				5	Update CBA analysis after deployment to 3 early adopter courts	Moore	Finance Division	March 2013		
2	Agree	The AOC should ensure that the cost-benefit study includes a thorough analysis of the costs and benefits of the statewide case management project, including a consideration of costs and benefits it believes cannot be reasonably quantified.	The contract for the cost-benefit study directs that such a thorough analysis be completed, and the methodology being applied by the contractor is designed to deliver these results. The analysis will include all of the items identified in the report.	6	CBA should be reviewed prior to acceptance to ensure it includes a thorough analysis and appropriate methodology to deliver contracted requirements	Nash	Finance Division	Feb. 25, 2011	Feb. 25, 2011	
				7	Ensure CBA considers qualitative benefits with assumptions re their costs	Nash	Finance Division	Feb. 25, 2011	Feb. 25, 2011	
3	Agree	The AOC should carefully evaluate the results of the study and present a recommendation to the Judicial Council regarding the course of action that should be taken with CCMS.	<p>The Judicial Council is regularly updated on the status and the progress of the development of the case management system and makes decisions about the allocation of funding to support its further development and deployment.</p> <p>In December 2010, the Judicial Council, through the action of its Executive and Planning Committee, adopted a revised governance and management model for CCMS to support the completion of development and the deployment phase.</p> <p>The new governance model, as recommended by the Office of the State Chief Information Officer (OCIO), provides explicit direction for decision-making and reporting by and to the CCMS Executive Committee, its advisory committees, and the Judicial Council—the executive sponsor of CCMS—to secure the necessary guidance and direction for moving forward with the project.</p> <p>The results of the cost benefit analysis will be delivered to the appropriate CCMS governance committees and the Judicial Council for appropriate action.</p>	8	Update Judicial Council on status and progress of CCMS development.	Moore		At each JC meeting starting in Feb. 2011	On-going	
				9	Present to Judicial Council for adoption the new governance and management model.	Moore		December 2010	December 2010	
				10	Present the CBA to the CCMS Executive Committee for review and comments.	Nash		Feb. 1, 2011	Feb. 1, 2011	
				11	Present the CBA to the Judicial Council for appropriate action.	Nash		Feb. 25, 2011	Feb. 25, 2011	
4	Agree	The AOC should fully share the results of the study as well as its recommendations to all interested parties, such as the superior courts, justice partners, the Legislature, and the Information Office.	<p>It is the intent of the AOC to be fully transparent with the cost benefit study and to share it with the superior courts, justice partners, the Legislature, the OCIO, and all other interested parties.</p> <p>Consistent with the California rules of court, this report will be publicly available.</p>	12	Share results with superior courts, justice partners, Legislature, OCIO, and all other interested parties. (Placed on web-site and issued press release on JC meeting.)	Nash	Finance Division	Feb. 24, 2011	Feb. 24, 2011	
				13	Make report publicly available by posting it on the California Courts website.	Nash	Finance Division	Feb. 24, 2011	Feb. 24, 2011	

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5	Agree	The AOC should update the cost-benefit analysis periodically and as significant assumptions change.	<p>As key developments occur (e.g., after the deployment to the three early adopter courts) and if there are changes in significant assumptions, the AOC will update the analysis.</p> <p>The new governance structure makes it clear that any changes to the CCMS program budget that increases the total cost of the program will require approval by the AOC Project Review Board (PRB, discussed later in this response) and the Judicial Council.</p>	14	Update the CBA analysis for key developments and changes in assumptions.	Moore	Finance Division	As necessary and required.	As necessary and required.
				15	As changes occur in the CCMS program budget approval will be obtained from the AOC Project Review Board and the Judicial Council.	Moore	Finance Division	As necessary and required.	As necessary and required.
6	Agree	<p>To ensure the statewide case management project is transparent, the AOC should make sure all key decisions for future activities on CCMS are documented and retained.</p> <p>All available documentation predating this new governance model will also be retained throughout the life of the CCMS project.</p> <p>Additionally, the CCMS PMO will report to the Judicial Council on a quarterly basis. The reports to the Judicial Council will include the health of the program from a scope, schedule, budgetary, and resource perspective as well as any specific recommendations that the council should consider.</p> <p>All reports to the council will be posted on the California Courts public website.</p> <p>Other documentation will be available to the public in a manner consistent with rule 10.500 of the California Rules of Court, which strives for transparency of judicial administrative records and to ensure the public's right of access to such records.</p>	<p>All key decisions will be documented and all documentation provided to or produced by the CCMS governance committees and the CCMS PMO will be retained throughout the life of the CCMS project.</p>	16	All documentation, including documentation concerning key decisions, will be placed in the CCMS documentation libraries and a retention period of 5 years after the project is completed will be established.	Moore	Butler	Immediately and ongoing	Immediately and ongoing
				17	Documentation predating this new governance model will be placed in the CCMS documentation libraries.	Moore	Butler	June 2011	Immediately and ongoing
				18	CCMS Executive Committee meets quarterly or more frequently if needed and will report to the Judicial Council as response indicates.	Moore	Butler	May 2011 and quarterly thereafter	May 2011 and quarterly thereafter
				19	Post reports on the California Courts public website. All JC meeting agendas, reports, and minutes are on the web site.	Moore	Butler	After each JC meeting starting in May 2011	Ongoing
				20	Policy and procedures concerning requests by the public are responded to appropriately and within the required timeframes.	Moore	Butler	As requests are submitted.	As requests are submitted.
7	Agree in part	<p>To ensure its contract with the development vendor protects the financial interests of the State and the judicial branch, the AOC should consider restructuring its current contract to ensure the warranty for CCMS is adequate and covers a time period necessary to ensure that deployment of CCMS has occurred at the three early-adopter courts and they are able to operate the system in a live environment.</p> <p>We have already negotiated a twelve month system warranty for CCMS that will begin no later than eight months after system acceptance, or upon productive use of the system in a court, whichever occurs first.</p> <p>The AOC is negotiating with the vendor to provide additional latitude as to the start and end of the warranty period but does not anticipate restructuring the current contract.</p>	<p>The AOC agrees that the warranty needs to be of sufficient length to allow CCMS to be operating in a live environment before the expiration of the warranty.</p>	21	Ensure that the warranty is of sufficient length as indicated in response.	Moore	Walker	June 2007	June 2007
				22	Negotiate a 12 month system warranty for CCMS.	Moore	Walker	June 2007	June 2007
				23	Complete negotiations with vendor as indicated in response.	Moore	Walker	August 2011	

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8	Agree	If the Judicial Council determines that CCMS is in the best interest of the judicial branch and it directs the AOC to deploy the system statewide, assuming funding is available, the AOC should ensure that any contract it enters into with a deployment vendor includes the following: cost estimates that are based on courts' existing IT environments and available resources to assist with deployment activities; well-defined deliverables; and adequate responsibility is placed on the vendor for conducting key steps in the deployment of the system.	<p>Any deployment contract will take into account assessments of each court's existing IT environment and available resources. Information gathered through the deployments to the early adopter courts will enable the AOC to accurately estimate deployment costs.</p> <p>The AOC will take into account both the BSA and OCIO recommendations on this issue and will consider all options for deployment to best protect the financial interests of the branch, including consideration of not outsourcing deployment services for some smaller court deployments.</p> <p>However, in discussions with the OCIO after its 2010 review of CCMS, the OCIO raised concerns that the prior, unexecuted deployment contract placed too much responsibility on the deployment vendor and strongly recommended that the courts and the AOC assume greater responsibility.</p> <p>The AOC will also ensure that any deployment contract requires the vendor to provide all services necessary to complete the deliverables due under the contract and that all deliverables are well defined. The AOC will negotiate the most favorable terms possible when entering into a deployment contract, including placing appropriate responsibility on the vendor.</p>	24	Deployment strategies, including alternatives, discussed. Early adopter courts assessed.	Moore	Butler / Hatcher	Oct. 2011 meeting of the Judicial Council	
						Moore	Butler / Hatcher	Oct. 2011 meeting of the Judicial Council	
				26	Discuss with other AOC mgmt., the governance committees, and the courts deployment strategies, plans, and responsibilities. Document decisions and plans.	Moore	Butler / Hatcher	On-going	On-going
				27	All SOWs for deployment shall be reviewed by the CCMS Operations Advisory Committee and submitted to the CCMS Executive Committee for approval when it determines that the SOWs have a well defined, comprehensive set of deliverables and that negotiated terms are the most favorable possible.	Moore	Butler / Hatcher	As necessary and required.	As necessary and required.
9	Agree	The Judicial Council should ensure that the governance model for CCMS ensures that approval of contracts and contract amendments that are significant in terms of cost, time extension, and/or change in scope occur at the highest and most appropriate levels, and that when contracts or contract amendments above these thresholds are approved, that the decision makers are fully informed regarding both the costs and benefits.	<p>The CCMS governance committees, the CCMS PMO, and the AOC Project Review Board (PRB), will have structured protocols in place to ensure that all significant contract amendments, changes in cost and scope, and extensions to time frames will be approved at the appropriate levels based on full and complete information, including costs and benefits associated with the contract or contract amendments.</p> <p>As described in response to recommendation 3, the governance committees are charged with providing oversight of the CCMS program, including the program scope, program budget, application functionality, implementation priorities, and deployment schedules.</p> <p>The CCMS governance model document includes summaries of responsibilities for each of the governance committees, as well as for the CCMS PMO, including responsibilities for key decision-making. The document also requires the elevation of other decisions, as appropriate within the governance model, to the Administrative Director of the Courts or the Judicial Council.</p>	28	Refer to approved model documents of CCMS governance committees, the CCMS PMO, and the AOC PRB.	Moore		December 2010	December 2010
				29	See recommendation 3	n/a		December 2010	December 2010
				30	See recommendation 3	Moore		December 2010	December 2010
10	Agree	To ensure any future IT projects are in the best interest of the judicial branch and the State, the AOC should do the following:	The AOC has been working diligently with the OCIO since its review of CCMS. The AOC has taken steps to integrate the OCIO's recommendations into its existing technology project management process. This includes working with the OCIO on project concept documents and project charters for future IT projects and using project planning documents more similar to those typically used for executive branch IT projects.	31	Evaluate the AOC's technology project management process to integrate the OCIO's recommendations, including the use of project concept, charter, and planning documents similar to those used on executive branch IT projects.	Dusman		2010	2010

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				Step	Description	Responsibility		Targeted Completion Date	Date Completed
Primary	Support								
		<ol style="list-style-type: none"> 1. complete a thorough analysis of the project's costs and benefits before investing any significant resources and time into its development, 2. update this analysis periodically and as significant assumptions change; 3. document and retain all key decisions that impact the project in general, including the goals of the project; and 4. better structure contracts with development and deployment vendors to protect the financial interests of the judicial branch and ensure the contracts provide for adequate warranty periods. 	<p>The AOC will continue to work with the best qualified legal counsel to ensure that its development and deployment contracts protect the financial interests of the judicial branch and the state. Moreover, the AOC will include appropriate warranty periods in its IT projects and will ensure that any future development and deployment contracts address the length and timing of a warranty period to ensure necessary protection.</p>	32	Development and deployment contracts for future IT projects will be completed to ensure they protect the financial interests of the judicial branch and the state. The items in the recommendation will be considered in each contract.	Dusman	Walker	On-going	On-going

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CHAPTER 2										
11	Agree	To ensure that the financial implications of the statewide case management project are fully understood, the AOC should report to the Judicial Council, the Legislature, and stakeholders a complete accounting of the costs for the interim systems and CCMS.	<p>The AOC issues an annual report to the Legislature on case management project costs. Beginning with the report for FY 2008-2009, the AOC included the costs for the CCMS project, V2 and V3 one-time and ongoing costs, and ongoing operations and maintenance costs, projected through the full deployment of CCMS.</p> <p>In future reports the AOC will also include all identifiable costs related to CCMS incurred by the trial courts. It will work with the courts to identify and report, on an ongoing basis, the costs they are incurring for other local interim case management systems.</p> <p>This figure should be clear about the uncertainty surrounding some costs, such as those that the AOC and superior courts will incur for deployment of CCMS.</p> <p>Finally, the AOC will identify in this report costs that have a significant level of uncertainty.</p> <p>Consistent with the distribution of prior years' reports, these reports will be submitted to the Judicial Council and the Legislature and posted on the California Courts public website.</p>	1	Annual report to the Legislature includes costs outlined in the response.	Moore	Finance Division	FY 2008-2009 report	FY 2008-2009 report	
				2	Include all identifiable costs related to CCMS incurred by the trial courts.	Moore	Finance Division and Trial Court Administrative Services Div	April 2011 and annually thereafter on or before Dec. 1	May 2011 and on-going	
				3	Update costs incurred per step 2.	Moore	Finance Division and Trial Court Administrative Services Div	April 2011 and annually thereafter on or before Dec. 1	May 2011 and on-going	
				4	Identify in the annual report any costs that have a significant level of uncertainty.	Moore	Finance Division	April 2011 and annually thereafter on or before Dec. 1	May 2011 and on-going	
				5	Submit report to the Judicial Council	Moore	Finance Division	April 29, 2011 and annually thereafter	Provided to JC members in May and will be on-going	
				6	Post report on the California Courts public website.	Theodorovic	Finance Division	May 1, 2011 and annually thereafter on or before Dec. 1	May 2011 and on-going as indicated	
12	Agree	The AOC should require superior courts to identify their past and future costs related to the project, particularly the likely significant costs courts will incur during CCMS deployment, and include these costs in the total cost.	<p>The AOC has already modified the trial courts' financial reporting system, Phoenix, to enable courts to track current and future case management system costs distinct from other technology expenditures.</p> <p>In addition, the AOC provided guidance to the trial courts to assist them to identify costs specific to development, deployment, and ongoing operations.</p> <p>The AOC will work with the trial courts to identify any additional expenditure information not already included in its reporting for prior fiscal years.</p> <p>Although a substantial portion of court costs for the deployment of CCMS has been identified and captured in the costs already projected and reported, the AOC will be better able to estimate and refine case management system costs likely to be incurred by the trial courts based on information gathered from early adopter and subsequent court deployments. It will include such costs in the total cost estimates where applicable.</p>	7	Modify trial courts' financial reporting system to track current and future CMS costs distinct from other technology expenditures.	Moore	Soderlund and Finance Division	2010	2010	
				8	Provide guidance to the trial courts to identify costs specific to development, deployment, and on-going operations.	Moore	Soderlund and Finance Division	2010	2010	
				9	Work with the trial courts to identify any additional expenditure information not already included in its reporting for prior fiscal years.	Moore	Finance Division	On-going	On-going	
				10	After early adopter court deployments, update cost estimates for deployment activities by court and total costs.	Moore	Finance Division	TBD		
				11	Periodically during deployment of courts, update cost estimates of deployment activities by court and total costs.	Moore	Finance Division	Annually or as required	Annually or as required	

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Primary	Support								
13	Agree	The AOC should be clear about the nature of the costs that other entities, such as justice partners, will incur that are not included in its total.	<p>The AOC currently identifies the nature of costs that justice partners will incur to integrate with CCMS and will continue to do so.</p> <p>As part of its strategy for the successful deployment of CCMS, the AOC has offered and provided assistance to justice partners and simplified interfaces with CCMS to the greatest extent possible.</p> <p>To ensure broader understanding of the types of costs justice partners may incur to integrate with CCMS, the AOC will begin including this information in the annual CCMS report to the Legislature.</p> <p>In addition, as discussed in response to recommendation 2, as part of the comprehensive cost benefit analysis of the CCMS project currently being performed, the AOC will evaluate integration costs likely to be incurred by the justice partners of two early adopter courts.</p> <p>Additionally, the CCMS Justice Partner Advisory Committee is charged with ensuring that the implementation of CCMS occurs in a manner that maximizes state and local justice partner participation.</p> <p>As part of its responsibilities, the committee will communicate with state and local justice partners to gain a more comprehensive understanding of the costs justice partners may incur and provide feedback to the CCMS PMO.</p> <p>The advisory committee will also be working with justice partners to help ascertain the administrative and financial benefits, in addition to costs, accruing as a result of CCMS deployment or enhancements.</p>	12	Prepare and update on an on-going basis a report/listing of types of costs that justice partners may incur.	Moore	Finance Division	On-going	On-going
				13	Continue to offer and assist justice partners on deployment. Document all activities performed and place in project library.	Moore		On-going	On-going
				14	See recommendation 11 action steps.	Moore	Finance Division	April 2011 and annually thereafter on or before Dec. 1	May 2011 and on-going as indicated
				15	Evaluate integration costs estimates incurred by the justices partners of two early adopter courts. This is part of the CBA.	Moore	Finance Division	Feb. 2011	Feb. 2011
				16	Committee responsibility of the CCMS JPAC specifies this charge.	Moore		Dec. 2010	Dec. 2010
14	Agree	Finally, the AOC should update its cost estimate for CCMS on a regular basis as well as when significant assumptions change.	<p>The AOC currently updates its cost estimates on a regular basis or when significant assumptions change.</p> <p>As part of the AOC's Information Technology Investment Management Program, the estimated cost and allotted budget for CCMS are reviewed monthly and revised and updated when scope or other project changes with cost implications are identified or approved. (See also the response to recommendation 5.)</p>	17	Update cost estimates as of fiscal year end.	Moore	Finance Division	Aug-11	
				18	Update cost estimates when significant assumptions change.	Moore	Finance Division	As necessary	As necessary
				19	Review, revise, and update estimated cost and allotted budget for CCMS.	Moore	Finance Division	Monthly	Monthly
15	Agree in part	Moreover, the AOC should ensure that its accounting system accurately reflects the costs for all staff working on the project, particularly those staff who charge only a portion of their time to the project.	<p>The AOC concurs that staff providing direct support for the project should be accounted for as CCMS project costs.</p> <p>The AOC currently reports staff costs in this manner and will review its reporting to ensure that there are no discrepancies.</p> <p>We believe, however, that senior executives, such as directors and assistant directors who have a broad span of administrative responsibilities over various programs, projects and initiatives, should not be included in CCMS project costs.</p>	20	Account for all direct staff costs of the CCMS project, including staff who charge only a portion of their time to the project.	Nash	Finance Division	2010	2010
				21	Review reporting of costs to ensure staff costs are reported as indicated in step 23.	Moore	Finance Division	April 2011	Ongoing
16	Agree	To address the funding uncertainty facing CCMS, the AOC should work with the Judicial Council, Legislature and Governor to develop an overall strategy that is realistic given the current fiscal crisis facing the State.	<p>The AOC, as directed and authorized by the Judicial Council, has modified its strategy and will continue to do so in light of current and foreseeable future economic realities as well as the needs of courts whose current systems are at imminent risk of failing.</p> <p>The AOC will continue to work with the Legislature and the Governor to explore all potential approaches for securing sufficient funding to complete the statewide deployment of CCMS.</p> <p>Such options may include consideration of project financing, as well as state, federal, local, and private funding.</p>	22	Modify funding strategy for CCMS as necessary.	Theodorovic	Finance Division	On-going, as necessary.	On-going, as necessary.
				23	Work with Legislature and Governor regarding potential approaches for securing sufficient funding for CCMS.	Theodorovic	Office of Gov. Affairs	On-going, as necessary.	On-going, as necessary.
						Theodorovic	Office of Gov. Affairs	On-going, as necessary.	On-going, as necessary.

Rec. #	Response	Recommendation	Response	ACTION PLAN						
				Step	Description	Responsibility		Targeted Completion Date	Date Completed	
Primary	Support									
			<p>The Judicial Council, in coordination with legislative and executive branch leadership, has demonstrated prudence and flexibility in its overall funding strategy in light of the fiscal crisis, redirecting more than \$200 million in the last two fiscal years from funding that would have been available for technology projects to cover reduced court funding, and scaling back initial CCMS deployment plans to three early adopter courts.</p> <p>By completing these early deployments, the AOC also reduces risk for later deployments, which will foster a more competitive bid process for CCMS deployment and protect the interests of the judicial branch and the state.</p>							
17	Agree	To better manage costs of future IT projects, the AOC should take the following steps:	The AOC's ITIMP already incorporates many of the steps identified in the recommendation. As part of ITIMP, the estimated cost and allotted budget for all major projects are reviewed monthly and revised and updated as scope or other project changes with cost implications are identified or approved. The AOC will revise the ITIMP to incorporate the consideration of the fiscal impact on local courts and justice partners.	24	AOC to revise its ITIMP to incorporate the fiscal impact on local courts and justice partners.	Theodorovic	Office of Gov. Affairs	Oct. 2011 meeting of the Judicial Council		
		<ol style="list-style-type: none"> 1. estimate costs at the inception of projects; 2. employ appropriate budget and cost management tools to allow it to appropriately budget, track, manage, and estimate costs; 3. ensure that cost estimates are accurate and include all relevant costs, including costs that superior courts will incur; 4. disclose costs that other entities will likely incur to the extent it can reasonably do so; 5. update cost estimates on a regular basis and when significant assumptions change; 6. disclose full and accurate cost estimates to the Judicial Council, the Legislature, and stakeholders from the beginning of projects; and 7. ensure that it has a long-term funding strategy in place before investing significant resources in a project. 		25	AOC to ensure its ITIMP addresses recommendation items 1 through 7.	Dusman	Nash	Oct. 2011 meeting of the Judicial Council		

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						Primary	Support		
CHAPTER 3									
18	Agree	Although the Judicial Council has the legal authority to compel the courts to adopt CCMS, to better foster superior courts' receptiveness to deploying CCMS, the AOC should use the results from its consultant's survey to better understand the courts' input and concerns regarding CCMS, including the manner in which the project has been managed by the AOC.	<p>Participation and input from the courts are vital to the success of CCMS. Surveys are just one example of many tools the Judicial Council, its advisory committees, the CCMS governance committees, and the AOC rely on to gather information, seek input, learn about local court concerns, and identify trends in order to develop a cohesive deployment strategy. This is true for CCMS and all branchwide projects and initiatives.</p> <p>The results from the Grant Thornton survey issued as part of the cost benefit study will be used to refine a variety of deployment alternatives for consideration by the AOC, the CCMS governance committees, and the Judicial Council. Along with the experience gained and lessons learned from deployment of CCMS at the early adopter courts, further information on the impact of CCMS implementation on court business processes, courts' concerns regarding the timing for deployment of the system, status of existing legacy systems, anticipated cost savings, and needs of the court users will all be factors given great weight in assessing the several deployment alternatives.</p>	1	Deployment alternatives will utilize all input and will be discussed with the Judicial Council, Executive Office, and CCMS Executive Committee. Refer to Chapter 1 recommendation 1 action steps.	Moore	Dusman	On-going	On-going
		To the extent that survey results indicate courts have significant concerns regarding CCMS or that they believe their case management systems will serve them for the foreseeable future, the AOC should take steps to address these concerns and overcome any negative perceptions and modify its deployment plan for CCMS appropriately.	The CCMS governance committees—composed of 3 appellate justices, 19 trial court judges, 20 trial court executive officers, and 2 appellate court clerk/administrators, as well as state and local justice partners, representing 27 superior courts and 4 Courts of Appeal from across the state—will play a critical role in ensuring that the perspectives and concerns of the superior courts are given complete attention in determining viable deployment strategies.	2	Refer to the duties of the committees in the CCMS Governance Model and the annual plans of the committees	Moore	Dusman	On-going	On-going
19	Agree	The AOC should continue to work with the superior courts that have deployed the civil system to ensure it is addressing their concerns in a timely and appropriate manner.	<p>Going forward, the CCMS Operational Advisory Committee is responsible for setting the priorities for defects and enhancements. In addition, in 2011 the AOC will transition application support for the civil system from Deloitte to the AOC Information Services Division. This transition will allow the AOC to provide ongoing support of the interim civil system at significantly lower cost to the branch.</p> <p>Transitioning support of the interim criminal and traffic system to the AOC Information Services Division, accomplished in September 2009, has proven cost effective, and the Superior Court of Fresno County has expressed satisfaction with the quality of the support provided. The CCMS PMO has dedicated staff assigned to work with courts using the interim civil system to address their needs and concerns.</p> <p>Since deployment of the interim civil system, there have been numerous releases to improve the functionality and enhance the system in response to suggestions raised by the V3 courts.</p> <p>In addition, where unique problems have been identified by particular users, the AOC has provided dedicated project teams to work with those courts to identify and resolve the issues.</p>	3	Refer to the duties and annual plan of the CCMS Operational Advisory Committee.	Moore	Dusman	On-going	On-going
				4	Transition application support for the civil system from Deloitte to the AOC ISD.	Dusman	Moore	Oct. 2011	
				5	The CCMS PMO has dedicated staff assigned to work with courts using the interim civil system to address their needs and concerns.	Moore	Dusman	On-going	On-going
				6	Refer to CCMS Governance Model and duties of committees, especially the CCMS Operational Advisory Committee.	Moore	Dusman	On-going	On-going
				7	Continue to support courts where unique problems have been identified.	Moore	Dusman	On-going	On-going

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20	Agree	The AOC should work with superior courts to address concerns about hosting data at the Technology Center. Further, the AOC should take steps to ensure that superior courts do not lose productivity or efficiencies by hosting data at the Technology Center.	<p>The AOC is committed to ensuring that the performance of systems hosted at the CCTC is comparable to performance of a locally hosted system. It presently works closely with the courts, and will continue to do so, to address all of their concerns, including those directly related to the CCTC.</p> <p>The CCMS Operational Advisory Committee will work directly with the CCMS PMO and the courts to review, modify, and add service level metrics as needed to ensure that centrally delivered services are provided in a manner that is fully responsive to the courts' business needs.</p> <p>Hosting at the CCTC also provides dramatic benefits to the courts and the viability of the statewide system. Hosting at a remote location is a best practice to ensure data security and the integrity of the software.</p> <p>Through the CCTC, the data and application are maintained at two seismically stable locations, connected through multiple redundant data lines, in two distinct geographic regions so as to protect against localized incidents (such as fire, flood, or other natural disaster) that could affect the availability of the system and the security of the data.</p>	8	Refer to CCMS Governance Model and duties of committees, especially the CCMS Operational Advisory Committee.	Moore	Dusman	On-going	On-going
21	Agree	The AOC should continue working with local and state justice partners to assist them in their future efforts to integrate with CCMS and, in particular, provide local justice partners the information needed to estimate the costs involved.	<p>The AOC has a data integration team dedicated to working with state and local justice partners to prepare them to integrate with CCMS. This team participates in justice partners' association meetings, conferences, and other events to create awareness about CCMS and highlight the benefits of integration.</p> <p>The CCMS justice partner data integration team also disseminates information about tools, resources, and information to support their integration efforts. The outreach team routinely meets with state agencies, including the California Highway Patrol, Department of Motor Vehicles, Department of Justice, Department of Child Support Services, Department of Corrections and Rehabilitation, and local justice partners such as district attorneys, public defenders, probation departments, and sheriffs.</p> <p>In addition, the AOC has developed and maintains a justice partner integration website. The site provides information about the 121 CCMS data exchanges and offers instructions for their implementation. All justice partners have access to the site, which identifies resources they may need to integrate with CCMS. The information provided helps partners estimate their costs of integrating with CCMS.</p> <p>To further assist justice partners, the AOC has negotiated an agreement with TIBCO, the vendor of the software tool used to build the data exchanges. If justice partners need similar tools to integrate their systems with CCMS, the AOC has arranged for them to contract with TIBCO at a deeply discounted rate. CCMS also supports less complex data integration solutions for those justice partners who cannot implement a web services infrastructure. This minimizes the potential impact on existing infrastructure and lessens the integration cost burden.</p>	9	Refer to CCMS Governance Model and duties of committees, especially the CCMS Justice Partner Advisory Committee.	Moore	Dusman	On-going	On-going
				10	Refer to comments and actions in Chapter 1.	Moore	Dusman	On-going	On-going

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			<p>As described in response to recommendation 13, the CCMS Justice Partner Advisory Committee—which includes state and local justice partners representing law enforcement, social service agencies, and the criminal and civil bars—is charged with ensuring that the implementation of CCMS and its data exchanges maximizes state and local justice partner participation and minimizes disruptions to existing automated processes between courts and their justice partners.</p> <p>Committee members will work with a variety of state and local justice partners to identify challenges to integrating with CCMS so that solutions may be provided.</p>						
22	Agree	<p>Before embarking on future IT projects and to ensure it secures appropriate support from users of the systems being proposed, the AOC should do the following:</p> <p>1. determine the extent to which a need for the IT initiative exists, including the necessary information to clearly demonstrate the extent of the problem the IT initiative will address;</p> <p>2. take steps to ensure that superior courts support the solution the AOC is proposing to address the need, which could include conducting a survey of courts to determine their level of support; and</p>	<p>The AOC has both formal and informal processes and procedures in place to identify and assess the need for statewide technology improvements for the judicial branch in partnership with the courts. It is committed to these processes and will continue to leverage these opportunities.</p> <p>As technology project needs are identified through these many communication channels, project concept documents are drafted that include statements of the problem, anticipated costs and benefits of the IT solution, impacts on courts and court operations, and known risks.</p> <p>After review of the project concept, the PRB evaluates, prioritizes, and approves (or rejects) branchwide technology projects.</p> <p>Additionally, in response to a recommendation made by the OCIO, the AOC is revising its project tools, processes, and documents to better parallel how other state technology projects are managed and reported.</p> <p>Regional meetings provide a solid foundation for the AOC and the courts to share information to learn about, better understand, and evaluate statewide technology needs. Moreover, the Judicial Council's Court Technology Advisory Committee, Trial Court Presiding Judges Advisory Committee, and Court Executives Advisory Committee provide additional avenues of communication that enhance the exchange of information between and among the AOC and the courts to influence the direction and strategies for future statewide technology improvements.</p> <p>Frequent, informal communications with the regional offices and the courts, as well as statewide meetings of presiding judges and court executive officers, surveys, and other communication channels too numerous to list here, build on that foundation to ensure that vital feedback loops are in place.</p>	11	The AOC continues utilize all processes and procedures to ensure appropriate support of technology projects.	Dusman	Moore	As necessary	Immediately and on-going
				12	Continue to prepare project initiation documents and submit to the Project Review Board for approval prior to initiation	Dusman	Moore	As necessary	As necessary
				13	Submit project concepts to PRB for review and approval.	Dusman		As necessary	On-going
				14	Revise IT project tools, processes, and documents to better parallel how other state technology projects are managed and reported.	Dusman	Moore	On-going	On-going
				15	As information concerning issues, etc., are obtained from the meetings identified in the response, document and submit for review and resolution. Ensure documentation is filed and retained.	Dusman	Moore	As necessary	On-going
				16	Determine if, or if determined necessary, surveys should be periodically sent to courts to determine issues, levels of support, service quality, etc.	Moore		As necessary	On-going
				17	As information concerning issues, etc., are obtained from the meetings identified in the response, document and submit for review and resolution.	Moore		On-going	On-going

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		3. if necessary, determine whether other stakeholders, including local and state justice partners, support the IT initiative.	<p>The PRB ensures that all branchwide technology projects follow a structured analysis protocol, producing the information required to adequately assess the need for and value of the project proposal. Court and stakeholder surveys are just one tool available in conducting the analysis.</p> <p>This analysis protocol provides the mechanisms to mitigate risks and to effectively deliver information about the benefits that an IT project will deliver.</p>	18	Refer to CCMS Governance Model and duties of committees, especially the CCMS Justice Partner Advisory Committee.	Dusman	Moore	On-going	On-going

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			<p>The AOC also instituted weekly, or more often if needed, senior executive management meetings in addition to the regularly scheduled project management meetings. The purpose of these meetings is to monitor the progress being made by the vendor by reviewing project status, quality metrics, and defect resolution. Issues continue to be resolved quickly or escalated as appropriate. This has significantly improved the AOC's CCMS project oversight.</p> <p>If any quality issues and problems identified by this review can be adequately addressed and system development can be completed without significant investment beyond the funds currently committed, the AOC should deploy it at the early adopter courts using the vendor's warranty period.</p> <p>AOC and court subject-matter experts have participated in both vendor integration testing and product acceptance testing. A suite of approximately 19,000 test scripts was developed jointly by the vendor, the courts, and the AOC to validate the CCMS application through both integration testing and product acceptance testing. The system will not be accepted by the AOC until it meets very rigorous exit criteria, as determined by the AOC and the courts, in both the integration and product acceptance testing phases.</p> <p>The established criteria dictate that there be zero severity 1 defects (a defect that renders the entire application not usable); zero severity 2 defects (a defect that results in one or more components of the application not working, but that can be overcome with a work-around); and no more than 50 severity 3 defects (a minor defect to a noncritical component that results in no significant impact on the user). The courts are participating in product acceptance by executing the test scripts and identifying defects according to the established quality management criteria.</p> <p>As a result of this rigorous and extensive testing and retesting, additional independent oversight is not warranted. Further evaluation and analysis by another independent consultant will not provide additional value but will further delay deployment of the system.</p>	7	Continue to hold the weekly meeting to monitor vendor progress.	Moore		On-going	On-going
					Moore		2010	2010	
					Moore		2010	2010	
				8	Prepare SOW, discuss with OCIO and BSA. Obtain recommendations from them on vendors and contract with vendor to perform the review.	Moore	Dusman	May 2011	June 2011
				9	Resolve any issues during the warranty period and before the early adopter courts go live with CCMS.	Moore	Dusman	October 2011	
26	Agree	To ensure that future major information technology projects receive appropriate independent oversight over technical aspects and project management, the AOC should take the following steps:	<p>The AOC strongly agrees that it is critical that information technology projects receive the necessary and appropriate project oversight.</p> <p>Additionally, the AOC will continue to follow the parameters of the Information Technology Project Oversight Framework in the OCIO's State Information Management Manual and all appropriate industry guidance.</p> <p>The AOC will assess each project for its risk, sensitivity, and criticality and will give great deference to the OCIO's guidance to determine the manner and extent of project oversight that will be implemented.</p> <p>The AOC commits to timely obtaining and maintaining the appropriate independent project oversight services based on the size, scope, and complexity of the project and to ensuring that complete access is granted to all necessary materials.</p> <p>In accordance with Government Code section 68511.9, the AOC is working closely with the OCIO on CCMS, will continue to work closely with that office on all IT projects that are projected to cost in excess of \$5 million, and will carefully consider all OCIO recommendations for such projects, including recommendations relating to oversight and risk mitigation.</p> <p>In accordance with Government Code section 68511.9, the AOC is working closely with the OCIO on CCMS, will continue to work closely with that office on all IT projects that are projected to cost in excess of \$5 million, and will carefully consider all OCIO recommendations for such projects, including recommendations relating to oversight and risk mitigation.</p>						
		1. obtain IV&V and IPO services at the beginning of the projects and ensure this independent oversight is in place throughout and follows best practices and industry standards appropriate for the size and complexity of the project		10	Review parameters of the OCIO Project Management Methodology Reference Manual, including the "Framework", and all appropriate industry guidance to determine how to incorporate into project processes for CCMS and future IT projects.	Dusman	Moore	On-going	On-going
		2. employ separate firms for IV&V and IPO to allow for the IPO consultant to provide independent oversight on the IV&V consultant as well as the project team's response to IV&V findings;		11	For future IT projects, including CCMS deployment, assess risk, sensitivity, and criticality, along with OCIO guidance for project oversight determinations.	Dusman	Moore	On-going	On-going
		3. ensure that the staff performing IV&V and IPO services have experience and expertise that is commensurate with the size, scope, and complexity of the project they are to oversee;		12	See recommendation 24 action steps.	Dusman	Moore	On-going	On-going
				13	AOC will work to appropriately set up an IPO and IV&V process for future technology projects with consideration of recommendations from the OCIO.	Dusman	Moore	On-going	On-going
				14	Upon contracting with entities to perform IPO and IV&V, the AOC will ensure that experienced staff and management are assigned to the engagement and continuity is achieved throughout the project.	Dusman	Moore	On-going	On-going

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						Primary	Support		
		4. ensure that independent oversight is not restricted in any manner and that all parties—the IV&V and IPO consultants, senior management, the project management team, and the development vendor—understand that the IV&V and IPO consultants have complete access to all project materials; and	See responses above.	15	Establish protocols for IPO and IV&V concerning no restrictions and complete access to all project materials.	Dusman	Moore	On-going	On-going
		5. promptly and appropriately address concerns that independent oversight consultants raise.	Additionally, the AOC concurs with the importance of the identification of concerns raised by the vendors and that concerns be reported and monitored to ensure they are appropriately addressed. Consistent with the AOC's current practice, concerns will be taken off "watch status" only after careful consideration and discussion of all risks and mitigation efforts occur to ensure that system function is not affected.	16	Distribute protocols to all appropriate project personnel.	Dusman	Moore	On-going	Immediately and on-going
				17	See recommendation 23 action steps.	Dusman	Moore	On-going	On-going
				18	Review 'watch status' concerns with PMO and document thoroughly justifications for removal from watch status. Documentation to be retained.	Judnick	Butler	On-going	Ongoing