



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on May 16–17, 2019

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Judicial Branch Administration: Tactical Plan for Technology 2019–2020	Action Required
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None	May 18, 2019
Recommended by	Date of Report
Information Technology Advisory Committee	May 16, 2019
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Executive Summary

The Tactical Plan Update Workstream and the Information Technology Advisory Committee (ITAC) recommend adopting the updated *Tactical Plan for Technology 2019–2020*. The updated plan was developed by analyzing the Strategic Plan for Technology 2019–2022, evaluating the status of existing initiatives, and considering new proposed initiatives. The plan was refined following circulation for branch and public comment. Building on the technology strategic plan, the tactical plan describes the focused efforts on technology solutions that further the administration of justice and meet the needs of the people of California.

Recommendation

ITAC and the Tactical Plan Update Workstream recommend that the Judicial Council adopt the *Tactical Plan for Technology 2019–2020* to supersede the 2017–2018 plan. This is the second update of the judicial branch tactical plan for technology since it was established within the Technology Governance and Funding Model, effective October 2014. The revised tactical plan is attached at pages 4–45.

Relevant Previous Council Action

The Judicial Council adopted the initial *Court Technology Governance and Strategic Plan*—which included the *Technology Governance and Funding Model*, the *Strategic Plan for Technology*, and the *Tactical Plan for Technology*—effective August 2014. The council then adopted the updated *Court Technology Governance and Strategic Plan* effective October 2014. The first update to the technology tactical plan (for calendar years 2017–2018) was adopted by the council in March 2017. The first update to the technology strategic plan (for calendar years 2019–2022) was adopted by the council in November 2018.

Analysis/Rationale

The *Technology Governance and Funding Model*¹ (October 2, 2014) directs the Judicial Council to adopt, every two years, a *Tactical Plan for Technology* that will guide branch technology decisions. It assigns to ITAC the responsibility of developing, seeking input on, and producing the technology tactical plan. This proposed plan represents the second update to the technology tactical plan since the governance model was adopted. ITAC tasked the Tactical Plan Update Workstream with the responsibility of updating the plan. The workstream included representatives from the appellate and trial courts, the Judicial Council Technology Committee (JCTC), ITAC, and Judicial Council staff. If the technology strategic plan explains “why” we need certain technology initiatives, the technology tactical plan explains “what” those initiatives should be. Advisory committee annual agendas can then create projects and workstreams to explain “how” those initiatives can be considered and implemented.

As a starting point to drafting this updated plan, the workstream members reviewed the updated technology goals, vision, and principles in the *Strategic Plan for Technology 2019–2022*.² The workstream discussed and defined the scope and purpose of the tactical plan. The guidelines that the workstream established included ensuring that initiatives are at the right level, would have branchwide impact, and are appropriately prioritized.

The workstream reviewed and evaluated the existing tactical plan, assessing which initiatives are completed, which need reorganization, and which should be extended into the new plan. Additionally, the workstream evaluated new themes based on emerging technologies and input from stakeholders and leadership. The preliminary results were circulated for comment within the judicial branch, and then were circulated for public comment. The comments were considered, the overall structure of the plan was reviewed, and the plan was refined.

Summary of key updates

Like the updated *Strategic Plan for Technology*, this updated tactical plan is more future-focused and concise so that it is more readable and easier to consume. The existing plan initiatives were reviewed and evaluated. Additionally, the team evaluated new themes based on emerging technologies in the

¹ Available at www.courts.ca.gov/documents/jctc-Court-Technology-Governance-Funding-Model.pdf.

² Available at www.courts.ca.gov/documents/jctc-Court-Technology-Strategic-Plan.pdf.

branch and input from stakeholders and leadership. Two initiatives were completed and four were removed from the plan and incorporated into other initiatives or operational processes. One initiative was reorganized into two initiatives and five new initiatives were introduced. A summary of the status of each initiative is included in the *Tactical Plan for Technology 2019–2020*.

Policy implications

Enhancing electronic access to our courts and court services and promoting more efficient business practices through information technology align with the core values of our judicial branch, with the branch’s technology vision, and with Access 3D—Chief Justice Tani G. Cantil-Sakauye’s vision for enhancing access to our courts. The “digital court,” with the capability of 21st-century data exchange, will not only allow us to operate more efficiently but will also significantly broaden meaningful access to the courts for litigants, lawyers, justice partners, and the public. The updated technology tactical plan will also facilitate efforts related to information security and data analytics.

Comments

Branch circulation. A draft *Tactical Plan for Technology 2019–2020* was initially circulated to judicial branch stakeholders on January 8, 2019. Stakeholders included members of JCTC as well as ITAC, along with presiding judges and justices, court executive officers, and court information technology officers.

Public comment circulation. The draft was circulated to the public for comment between February 8 and March 21, 2019. During the formal comment period, one commenter agreed with the proposal and added some individual context and one took no position on the proposal but provided comments on specific aspects of the proposal. Overall, the feedback was constructive. The Tactical Plan Update Workstream met to discuss and respond to comments, and revisions were incorporated where the workstream members agreed it was appropriate. A chart summarizing the comments received and the workstream members’ responses is attached at pages 46–50.

Fiscal and Operational Impacts

Projected implementation requirements and costs vary from initiative to initiative within the tactical plan and are noted in the Potential Funding Requirements section describing each initiative. Where impacts to operations may be likely for the courts, for the Judicial Council, or for justice partners, or where funding may be needed, a comprehensive business analysis will be performed at the project or workstream level to ensure that return on investment can be maximized.

Attachments and Links

1. *Tactical Plan for Technology 2019–2020*, at pages 4–45
2. Chart of comments, at pages 46–49



Tactical Plan for Technology

2019-2020



JUDICIAL COUNCIL
OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

CALIFORNIA JUDICIAL BRANCH

Tactical Plan for Technology

2019–2020

Information Technology Advisory Committee

Tactical Plan Update Workstream

April 18, 2019

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With special thanks to the judicial officers, executives, staff and stakeholders who provided invaluable expertise and feedback for this update of the Tactical Plan.

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Introduction

Technology touches every Californian. It has a profound impact on the way we interact with organizations and on the way those organizations do their work. The pace of technological change can be staggering, and new systems are forever threatening to disrupt the old. But that disruption also brings opportunities, if we do the work necessary to capture them.

The California judicial branch is committed to embracing technological change to improve the way it does business. That change rarely comes easily, requiring significant time and money to put new technologies in place. Those resources are even more significant than they otherwise might be, given the size of California’s court system, which has over 2,000 judicial officers, has roughly 19,000 employees, and processes 6.2 million cases every year. Also complicating any new technology is the diversity of California’s courts, which range from a two-judge court serving a population of just over 1,000 to a court with 580 judicial officers serving a population exceeding 10 million.

Against that backdrop, the Tactical Plan Update Workstream is proud to present the *Tactical Plan for Technology 2019–2020*. The tactical plan is one of the documents guiding the judicial branch’s technology planning. The [Strategic Plan for Technology](#) establishes a four-year plan, focused on promoting the digital court, with measurable goals that align with the judicial branch’s overall strategic vision and plan. This *Tactical Plan for Technology* describes the focused efforts that are in use to improve the way that courts serve the public.

This document explains the technology initiatives of the judicial branch and why they are important. Some initiatives are focused primarily on making courts more efficient. Many others are designed to improve access to California’s courts. We are also working on improving information technology (IT) security, eliminating barriers to innovation, and building a robust and reliable technological infrastructure. These objectives are not mutually exclusive; in fact, most of the initiatives meet several objectives. The initiatives are all guided by the principles reflected in the *Strategic Plan for Technology*.

Effective innovation requires the branch to foster collaborative relationships, stay flexible as technologies emerge, and remember why we need technology: not as an end in itself, but to improve judicial administration and access to justice. The initiatives contained in the *Tactical Plan for Technology* uniformly reflect those core values and the judicial branch’s commitment to improving the lives of everyone it serves. Building on these aspirations, our future is bright.



Tactical Plan for Technology Executive Summary

Vision

Through collaboration, innovation, and initiative at a branchwide and local level, the judicial branch adopts and uses technology to improve access to justice and provide a broader range and higher quality of services to litigants, attorneys, justice partners, and the public.

Principles

ACCESS

RELIABILITY

INNOVATION



GOAL 1: Promote the Digital Court

- Case Management System (CMS) Migration and Deployment
- Expansion of Electronic Court Record Management
- Language Access Technology
- Video Remote Appearance
- Self Help e-Services
- Statewide E-Filing Program Development & Deployment
- Digital Evidence: Acceptance, Storage, and Retention
- Branchwide Identity Management
- Data Analytics and Business Intelligence
- Enterprise Resource Management
- Consideration of Online Dispute Resolution

NEW



GOAL 2: Innovate through IT Community

- Expand Collaboration within the Branch IT Community



GOAL 3: Advance IT Security and Infrastructure

- LAN/WAN Infrastructure
- Transition to Next-Generation Branchwide Hosting Model Phase II
- Disaster Recovery Phase II
- Branchwide Information Security Roadmap

NEW



GOAL 4: Promote Rule and Legislative Change

- Identify New Policy, Rule, and Legislative Changes

Technology Initiatives to Promote the Digital Court

Case Management System Migration and Deployment

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

Although most trial courts have deployed, or are in the process of deploying, new case management systems (CMSs), some courts still have legacy systems that need to be replaced. The goal is to identify trial court CMS strategies and solutions and enable courts to implement them.

With the objective of providing effective CMS options for courts to use in procurement and on behalf of the trial courts, the Judicial Council issued and evaluated a request for proposal for CMS vendors. Four vendors were selected and master service agreements (MSAs) are in the negotiation phase, with an estimated completion date of early 2019.

Benefits

- Builds the foundation for the digital court branchwide.
- Enables the potential for online access for all participants in the justice process—judicial officers, research attorneys, judicial assistants, local and state justice partners, private attorneys, and public users—and provides faster and easier access to case records and documents, as authorized, for reading, research, review, and downloading.
- Lowers costs to store and retrieve documents electronically through a CMS.
- Enables integration with state and local justice partner systems.
- Provides the public with ease-of-use functionality such as electronic filing and acceptance of online payments.
- Enables management reporting to make data-driven decisions.
- Improves operational efficiencies by automating processes, which is critical for optimizing branch resources and providing the public greater access to the courts.
- Allows groups of courts using the same CMS to take advantage of economies of scale, as well as best practices.

Goals and Objectives

- Enable the replacement of trial court legacy CMSs across the branch with new, modern systems for all case types.
- Provide multiple MSAs for courts to leverage and options for procuring CMS services.
- Collaborate on, track status of, and support modern CMS deployments for all courts.
- Support courts in completing CMS deployment projects funded by budget change proposals (BCPs).
- Obtain funding in fiscal year (FY) 2019–20 for 10 superior courts (in Amador, Colusa, Contra Costa, Lassen, Marin, Mariposa, Mono, Nevada, Shasta, and Solano Counties) to replace their legacy CMSs.
- Staff positions to provide CMS and MSA assistance to trial courts.

- Support CMS user groups in leveraging lessons learned from CMS deployments and migrations, both completed and in progress.

Considerations

- Funding through the BCP process for FY 2019–20.
- Deployment schedules, which are dependent on the availability of vendor resources.
- Timing to replace legacy systems, which is dependent on local court staffing resources.

Potential Funding Requirements**One-time costs**

- Deployment of new case management systems.

Ongoing costs

- Ongoing licensing, maintenance, and support of new case management systems.
- Staff resources to provide support to trial courts related to CMS services and MSAs.

Expansion of Electronic Court Record Management

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

To receive the full benefit and efficiencies of electronic filing and a digital court record, a court must transition from existing paper-based case files to electronic case files. To do so, a court's case management system must integrate with a document management system (DMS) or enterprise content management system (ECMS). DMSs and ECMSs provide for a true digital court record or paper-on-demand environment with configurable workflows and other operational benefits. Although modern case management systems include an integrated DMS, extending existing case management systems with digital court record solutions such as a DMS or ECMS, where feasible, may be another option in circumstances where case volume and workload do not require the efficiencies generally garnered from the implementation of a new CMS.

DMSs and ECMSs also provide support and operational efficiencies for court administration (e.g., fiscal, facilities, human resources, procurement, and other functions). To leverage the benefits of a digital court record, a court's historical records may be converted to a digital format.

Benefits

- Improves workforce efficiency through faster routing and simultaneous review of case documents.
- Eliminates the risk of lost or misplaced physical files by providing centrally stored, managed, and protected electronic files accessible by authorized personnel.
- Promotes uniformity in document processing.
- Eliminates the need for manual reminders and file-tracking tasks, promoting instead the use of automated electronic processes.
- Improves court disaster recovery and continuity of operations.
- Reduces the need for physical document storage and simplifies the document purging process.
- Decreases reliance on outdated microfilm/fiche viewing equipment.
- Expands options for public access.
- Promotes greater and more convenient self-service.
- Reduces copy fees.

Goals and Objectives

- Identify opportunities for the acquisition and integration of DMSs and/or ECMSs with existing branch and local CMSs, and for administrative use at both the branch and local court level.
- Monitor and provide input on implementation of a DMS for the existing Appellate Court Case Management System.
- Identify the most efficient and cost-effective models for transitioning from paper case files and filmed archival records (e.g., microfilm/fiche).
- Leverage branchwide MSAs for DMS software procurement and digitization of court case records.

- Develop educational sessions and training materials for courts transitioning from paper and filmed archival records to electronically accessible case files.

Considerations

- Funding and resource allocation for digitization programs and services.
- Court business process reengineering.

Potential Funding Requirements**One-time costs**

- Hardware, software, and services for DMS or ECMS implementation at identified courts.
- Hardware, software, and services for implementation of document digitization at identified courts.

Ongoing costs

- Annual maintenance; periodic software and hardware upgrades.

Language Access Technology

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

In August 2013, Chief Justice Tani G. Cantil-Sakauye announced Access 3D, her vision for improving access to justice for all Californians. Access 3D involves physical (safe, secure, accessible), remote (online), and equal access to the justice system, including the need for courts to serve people of all languages, abilities, and needs, in keeping with California’s diversity.

In 2015, the Judicial Council adopted the [Strategic Plan for Language Access in the California Courts](#), which recommends the appropriate use of technology throughout the branch to enhance language access. More than 200 languages are spoken in the California courts, and the state has 7 million limited-English-proficient (LEP) residents and potential court users. Efforts to enhance language access for all LEP court users through projects including Video Remote Interpreting (VRI) and Voice-to-Text Language Services are critical components of this vision.

VRI uses video conferencing technology to provide court users with a qualified interpreter when an onsite interpreter is not readily available. The vision for the Voice-to-Text Language Services project is to allow court staff outside the courtroom to conduct court business with an LEP stakeholder via the use of automated translation technologies.

Benefits

- Provides additional access to justice for LEP court users through technology.
- Offers the ability to scale language services and provide access to language services via technology.
- Provides increased and timely access to the justice system while streamlining some of the current logistics for arranging or interacting with language services.

Goals and Objectives

- Expand remote availability of certified and registered court interpreter services.
- Expand the use of remote video outside the courtroom (e.g., at counters, self-help centers, family law facilitators’ offices, and mediation facilities).
- Assist non-English speakers in their interactions with court staff outside the courtroom using software and hardware voice-recognition and translation technologies.

Considerations

- Solutions that leverage language services technology must be measurable in order to validate their effectiveness.
- The judicial branch will need to focus on the management of change when adding, replacing, or supplementing solutions.
- Language services solutions provided over the internet require sufficient bandwidth and fidelity so as not to affect the quality or accuracy of the language services being provided.

Potential Funding Requirements**One-time costs**

- Hardware, software, and telecommunications infrastructure, if not currently available.

Ongoing costs

- Annual maintenance, lease, licensing, or expenses for hardware and software.
- Hosted, cloud-based solutions, which may require an annual subscription or consumption-based expense.

Remote Video Appearances

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

The Commission on the Future of California’s Court System sought practical ways to effectively adjudicate cases, achieve greater fiscal stability for the branch, and use technology to enhance the public’s access to its courts. One of the key recommendations in the final report was to move forward with remote video appearances for most noncriminal court proceedings: “[T]he option to attend court proceedings remotely should ultimately be available for all noncriminal case types and appearances, and for all witnesses, parties, and attorneys in courts across the state.”¹ Taking up the charge from earlier local pilots of remote video appearances in Fresno and San Bernardino Counties, as authorized by rule 4.220 of the California Rules of Court, this initiative was established to identify and conduct mock remote video hearings using web conferencing systems for specific hearing types as a proof of concept in a court.

Benefits

- Provides visual information not available in an audio-only proceeding.
- Gives participants more options for appearance locations, possibly including from their homes or workplaces.
- Saves participants time, the cost of travel, and the need to miss work or arrange childcare.
- Provides easier access for those with illnesses, disabilities, or difficulty travelling to the courthouse. Provides individuals in custody the ability to appear remotely in civil matters, reducing costs for the state and the person in custody.

Goals and Objectives

- Create a team from a diverse group of courts, including participants in the Video Remote Interpreting Pilot Workstream and the remote video project grantees of the Court Innovations Grant Program.
- Develop a set of business and technical issues for investigation, including review of earlier, local court projects.
- Review alternative approaches to the various topic areas—procedures, evidence, rules, and technology—including user technical requirements, evidence exchange, and presentation rules.
- Conduct at least one mock hearing to crystalize findings.
- Submit an initial report and propose a pilot program, if warranted.

Considerations

- Funding for initial startup and ongoing operation.
- Willingness of the court and parties to litigate in a nontraditional manner.
- Collaboration and cooperation with other advisory committees and working groups.

¹ Commission on the Future of California’s Court System, *Report to the Chief Justice* (Apr. 2017), p. 222.

- Collaboration and cooperation with other stakeholders (e.g., interpreters, bar associations).
- The need for changes to legislation or rules of court.

Potential Funding Requirements**One-time costs**

- Hardware, software, and telecommunications infrastructure, if not currently available.
- Bandwidth/network upgrades, if required.

Ongoing costs

- Annual maintenance, lease, and licensing for hardware and software.
- Potential staffing, depending on the workload created by the solutions.

Self-Help Electronic Services

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

Each day thousands of Californians research or seek information that will enable them to resolve a legal issue. More than 4.3 million people per year come to court in California without an attorney and more than 75 percent of civil cases have at least one party without an attorney. The trend of Californians representing themselves in court, as well as the expectation that they can conduct court business online, is growing.

The vision of statewide self-help electronic services (e-services) is to enable Californians to access the courts more effectively *online*, instead of *in line*. A new statewide portal will provide comprehensive, interactive, step-by-step instructions that will integrate with new digital services, such as online chat and intelligent forms assembly, to improve access to the justice system.

This statewide self-help portal aims to deliver an end-to-end “customer journey” for site visitors, beginning with instructional information, moving on to document assembly, and culminating with e-filing or e-submission through the portal. A key component of the portal will be intelligent chat technology to assist users in navigating the legal system and to provide real-time support as they fill out legal forms.

Benefits

- Enhances service delivery through remote technology, reducing the need for court visits, additional staffing, and space requirements.
- Better informs and prepares litigants for visiting court self-help centers and their hearings.
- Provides the ability to achieve economies of scale and leverage up-to-date statewide instructional materials and resources.
- Enables the introduction of electronic tools to reduce the error rate of submitted and filed legal forms and documents.
- Allows greater online interaction between self-represented litigants (SRLs) and court systems.
- Offers more convenience and greater access to the justice system.
- Provides online access to court services at any time, resulting in greater user satisfaction and fewer missed work hours and delays caused by needing to travel to court during regular business hours.
- Enhances digital services by integrating self-help resources with trial court systems.
- Offers intelligent chat software to provide answers to frequently asked questions and assistance in completing Judicial Council forms, thereby helping customers resolve questions in a timely manner.
- Supports mobile-optimized self-help via smart phones and tablets.

Goals and Objectives

- Assess court readiness, maturity, and existing self-help e-services offerings.
- Determine and validate self-help and SRL needs and court requirements.

- Develop a request for proposal for self-help e-services solutions to solicit vendors and identify initial costs.
- Pilot self-help e-services with one or more courts and expand based on an evaluation of the pilot.
- Building on the results of the Intelligent Forms Phase I Workstream, establish next steps to provide more effective assistance to the public in filing Judicial Council forms.
- Develop a request for information for intelligent chat technologies as part of the Intelligent Chat Phase I Workstream.

Considerations

- Integration with related initiatives, including e-filing and identity management.
- A multitude of existing self-help resources at the branch and local court level that could be coordinated and leveraged. Smart forms have already been developed for many Judicial Council forms, and document assembly software is licensed at the branch level.
- Courts committing to engage in the prototype or pilot and later phases.

Potential Funding Requirements**One-time costs**

- Initial design, testing, development, and deployment, based on a phased rollout.

Ongoing costs

- Maintenance of new e-services, and maintenance and updating of forms, information, resources, and instructional materials.

Statewide Electronic Filing Program Development and Deployment

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

Electronic filing (e-filing) and storage of court documents is becoming a standard method for people to interact with the courts. E-filing requires that courts use an e-filing manager (EFM) and e-filing service provider (EFSP) to route documents between filers and courts: Individual users use an EFSP to submit documents to the EFM. The EFM, in effect, acts as a bridge between the EFSP and the court. This program will establish a statewide, standards-based e-filing environment that employs multiple EFMs to ensure a competitive marketplace and give courts the ability to select a vendor that best suits their individual needs.

The statewide Electronic Filing Workstream has been underway since January 2015. It has established an e-filing framework and selected three EFM vendors—Journal Technologies, Tyler Technologies, and ImageSoft—to service California’s trial courts. In this model, EFSPs will need to be certified and be required to work with all statewide EFMs.

The statewide e-filing ecosystem will use the [Electronic Court Filing/National Information Exchange Model](#) (ECF/NIEM) standards, published by the [Organization for the Advancement of Structured Information Standards](#) (OASIS).

Although courts are not required to use an EFSP, many will choose this route because the EFSP will shoulder much of the workload, from training users to providing technical support for e-filing transactions.

Benefits

- Offers the ability for documents in all case types to be electronically filed and stored.
- Greatly reduces the case and document data entry workload for court clerks.
- Increases the accuracy of the data in court case management systems.
- Provides the ability to electronically sign documents that are e-filed.
- Automates a portion of the “clerk review” validation process.
- Reduces the financial data entry workload for court staff related to filing fees.
- Enables users to send electronic notices and receive open/read confirmation.
- Allows documents to be submitted to the court electronically at any time.
- Offers court users the ability to pay court filing fees electronically.
- Enables receipt of electronic notifications from the court.
- Provides the ability to serve other case participants electronically.
- Facilitates remote access to court case documents.

Goals and Objectives

- Develop a strategy for an e-filing program implementation.
- Publish an implementation plan for trial courts participating in the statewide e-filing program.
- Establish the standards for integration between EFSPs, EFMs, and courts.
- Coordinate branchwide efforts to integrate EFMs and EFSPs.
- Implement an identity and access management solution.

- Establish an e-filing program governance structure.
- Establish an escalation process for resolution of issues between principal stakeholders (i.e., EFSPs, EFMs, and courts).
- Implement the e-filing program for pilot courts.

Considerations

- Service provider agreements must adhere to the *Judicial Branch Contracting Manual*.
- A court's CMS strategy (current or future) must be considered in conjunction with its strategy for e-filing.

Potential Funding Requirements**One-time costs**

- Court staff time to design the new procedures for handling electronic caseflow and filing fee management.

Ongoing costs

- Judicial Council staff time to administer the statewide shared e-filing program components.

Digital Evidence Management

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

A statewide survey conducted in 2018 provided insight into the use of digital evidence in the courts. Results from the survey indicate that there would be a business benefit to identifying a common set of processes and technology to accept, store, or retain digital evidence. Courts that have received requests to accept digital evidence require that the evidence be transferred into a physical format, such as CD, DVD, or flash drive. Courts and justice partners expressed interest in establishing statewide guidelines, as well as technology recommendations and solutions, to address this growing evidentiary medium.

A review of existing rules and statutes identified an opportunity to establish statewide standards in certain areas. Courts can leverage effective practices for managing digital evidence and share their policies and processes to make them available branchwide. Technology solutions that provide opportunities for more efficient management of digital evidence in electronic form are available or are entering the market.

Benefits

- Minimizes the requirement for paper or other physical evidence when a digital copy is available.
- Provides consistency, efficiency, and security of practices for accepting, storing, presenting, and retaining digital evidence.
- Offers recommendations for equipment and services for securely accepting, storing, and retaining digital evidence.
- Reduces the cost and effort by establishing master services agreements for the branch.
- Reduces the need for and the cost of physical storage.
- Provides greater consistency and predictability across courts for litigants (including self-represented litigants), attorneys, and the public.
- Efficiently uses technology to securely share and view digital evidence.

Goals and Objectives

- Propose changes to rules and statutes to assist courts with accepting and managing digital evidence and identifying potential standards and formats.
- Propose statewide recommendations on best practices for accepting, maintaining, securing, accessing, retaining, and managing digital evidence.
- Ensure that recommendations consider both trial court and appellate court requirements.
- Circulate for comment draft statute and rule revisions, suggested business practices, and technical standards, and then publish them.
- Revise the *Trial Court Records Manual* to reflect revisions of statutes, rules, and recommended policies and business practices.
- Seek legislation, as needed.
- Research and recommend existing technology and services available in the market that would support the acceptance, storage, transmission, and protection of digital evidence.

Considerations

- Rule and statute changes should support the strategy and road map of proposed electronic court initiatives.

Potential Funding Requirements**One-time costs**

- Potential consulting assistance regarding possible technical standards.
- Hosting of a digital evidence summit to discuss options and potential solutions.
- Modification of existing document or case management systems to accept, store, and provide access to digital exhibits.
- Acquisition of technology solutions.

Ongoing costs

- Greater hardware storage capacity for digital evidence, possibly including associated storage and retrieval software.
- Maintenance of technology solutions.
- Ongoing implementation of new policies and business practices by court staff.

Branchwide Identity Management

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

Branchwide identity management provides individual court users with the means to authorize and authenticate themselves using a single user identity (“single sign-on”) to interact with multiple online court services. In addition, single sign-on service grants court users the appropriate authorized access level for each of the online court services.

As courts move further into the digital world, transactions that once required a visit to the courthouse can now be conducted remotely through online or mobile-optimized court services and third-party service providers. Transactions such as e-filing a document, accessing case information remotely, or making a reservation for services at the court (e.g., a self-help workshop) are enhanced (or allowed) depending on confidence that the online user is known. Connecting a person’s online and physical identity is accomplished with an identity management program.

Establishing a central location to securely store and manage online identities will also allow individual users to access services across many courts and, potentially, justice partners from different jurisdictions. The efficiencies gained by a centralized identify management platform will improve the experience for all court users and allow courts to fully realize the power of transitioning to the digital world.

Identity and access management (IAM) has three core capabilities:

- *Identity management:* The baseline platform that supports IAM services and includes a unique online digital identity; the ability to capture, store, and share identity information (directory services); and the ability to manage the identity over time.
- *Access management:* The process of controlling and granting access to services. Features include single sign-on, the ability to establish trust and federation across organizations (for certain types of identities), the ability to grant or revoke access (user entitlement management), and auditability.
- *Authentication and authorization:* The processes to manage login; sharing access attributes and directory information within and across service providers.

Identity and access management, in conjunction with third-party services, will allow the courts to enable many remote services.

Benefits

- Protects the individual and the court from unintended access to court resources and services and restricts access to personal information.
- Improves the user experience through single sign-on across a multitude of courts and services.
- Allows an individual user to access services across several courts and services without needing to establish separate online identities.

- Improves the user experience because data is shared between authorized service providers.
- Increases productivity for the court, justice partners, and litigants as users become more self-sufficient in completing tasks.

Goals and Objectives

The underlying technology for branchwide identity management has already been selected. The goals and objectives of this phase focus on policy and implementation.

Policy

- Develop a governance structure for courts to use in identity and access management.
- Identify and document policies (statewide and court specific) required to effectively implement an identity-management capability.
- Develop identity-information sharing guidelines between service providers.

Implementation

- Develop implementation guidance for courts and vendors.
- Establish a process to ensure that service providers adhere to judicial branch requirements.
- Manage legacy vendors (CMS vendors for case access, e-filing managers for EFSPs) and their transition to the branch identity solution.
- Implement and deploy new services enabled by identity management.
- Identify and define a funding model to cover ongoing user identity and authorization costs.

Considerations

- Service providers must adhere to the branchwide identity solution to realize benefits.
- Public identities must be managed centrally to ensure the greatest access to services.
- Justice partner identities are greatly simplified with local court and county adoption of Microsoft Office 365 or Microsoft Azure identity services.
- Identity proofing (linking an online and a physical identity) may require local court effort.
- Authorization to some services—such as person-centric docketing of events in the court’s case management system—may require local court effort.

Potential Funding Requirements

One-time costs

- Court staff to implement and integrate identity management capabilities into court legacy applications.
- Vendor consulting to implement and integrate identity management capabilities into their services.

Ongoing costs

- Identity services for users and authentication.

Data Analytics and Business Intelligence

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

Data analytics is the process by which information or data is collected and analyzed to draw conclusions and make business recommendations. Although in the past analyzing data has been a time-consuming activity, in today’s electronic age, technical advancements in data analytics tools have made the process easier and more accessible, reliable, and digestible than ever before. Advanced data analytics tools combined with other court-related advances (e.g., modern case management systems, electronic filing, electronic juror summons, human resources platforms, inexpensive storage, computing power, and cloud technology) create an opportunity for the judicial branch to use data to enhance its business practices and operations and make data-driven decisions. The key to success is determining what data is relevant, gathering that data, and translating it into understandable visuals that can provide greater insight into court services and management for all judicial branch entities.

Benefits

Data analytics can help inform, enhance, and transform the way the judicial branch operates to increase access to justice, provide fair and timely case resolution, and improve court operations, regardless of jurisdiction. The following are some examples demonstrating how data analytics could benefit the courts and those who interact with the courts:

- Clarifies litigation and appellate trends that demonstrate resource needs or suggest internal reallocation of court resources through analysis of existing statewide reporting data (e.g., Judicial Branch Statistical Information System filings).
- Helps organize resources to meet the needs of self-represented litigants through analysis of self-help services provided based on demand, location, case type, and language.
- Facilitates the organization and scheduling of interpreters and court reporters to promote increased language access and compliance with legal reporting requirements through analysis of interpreter and court reporter requests.
- Helps courts more accurately analyze juror summons, response, and usage rates, potentially saving state residents substantial time and transportation costs.
- Helps courts predict and track vacancies and better plan for the associated management and budgetary impacts through analysis of human resources data.
- Provides a mechanism to perform what-if analysis on potential changes in legislation, alternative business practices, and model policies.

Goals and Objectives

- Create data collection, retention, sharing, reporting, and destruction standards that can be adopted by judicial branch entities.
- Create both local and branchwide data analytics governance models to facilitate the consistent and intentional use of data analytics, as well as public disclosure of analytics results, where appropriate.
- Consider potential local and statewide rule amendments or legislative proposals to clarify appropriate data analytics collection, governance, and publication.

- Investigate appropriate data analytics solutions for the branch and develop associated data analytics training and implementation resources.
- Consider a potential statewide request for proposal and master services agreements for data analytics products, software, and services, and make related proposals, if appropriate.
- Identify and prioritize areas of focus that might be appropriate subjects of a data analytics pilot program.

Considerations

- Data analytics depends on the accuracy and reliability of the data being gathered. Currently, data collection capabilities vary. Leveraging common business processes would contribute to more effective data analytics efforts.
- Local court technology staff resources and their skill sets vary throughout the branch. Many courts do not have the personnel or funding to engage in meaningful data analytics efforts. For that reason, clear, low-cost implementation opportunities, support resources, and associated funding will be necessary for any widespread analytics work within the branch.
- This initiative should leverage exploratory work being performed by the Superior Court of Orange County through a related grant from the Court Innovations Grant Program.

Potential Funding Requirements**One-time costs**

- Software, hardware, and services for data analytics tools.
- Staff training to implement appropriate data collection and analytics practices.

Ongoing costs

- Software and hardware maintenance.
- Software programming and integration services for effective implementation of data analytics tools.
- Staffing to support data collection and analytics.

Enterprise Resource Management

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

Enterprise resource planning (ERP) systems are designed to manage core business processes. The vendors that design these applications regularly invest heavily in research and development of new technologies and incorporate industrywide best practices into their software. Taking advantage of these advancements will improve court efficiencies.

This initiative focuses only on ERP systems managed by the Judicial Council. Examples include the following existing systems:

- *Phoenix System* (the financial system for all statewide trial courts as well as the human resources application for a growing number of courts).
- *Human Resources and Education Management System* (the primary human resources application and education tracking system for the Supreme Court and appellate courts, Habeas Corpus Resource Center, and Commission on Judicial Performance).
- *Computer-Aided Facilities Management* (the system supporting courts and Judicial Council facilities, lease, and maintenance management).

Judicial Council ERP systems are essential for supporting day-to-day core business operations. They provide vital services to the branch for managing staff, financial, and facilities resources. These mission-critical support systems must be kept up-to-date for supportability and to incorporate new functionality to address changing business needs.

Benefits

- Maintains investment in ERP systems, ensuring stability, security, and better integration.
- Supports deployment of new technology (e.g., mobile and cloud) and enhanced functionality (e.g., self-service and data analytics).
- Introduces economies of scale with implementation as well as the ability to leverage existing enterprise agreements.
- Collects data for more-informed decisions.

Goals and Objectives

The overall goal is to manage and maintain ERP systems managed by the Judicial Council. This goal supports two judicial branch strategic goals: Goal III, Modernization of Management and Administration, and Goal VI, Branchwide Infrastructure for Service Excellence.²

Short-term goals

- Assess existing systems and the required ongoing investment needed to keep these investments protected.

² Judicial Council of Cal., *Justice in Focus: [The Strategic Plan for California's Judicial Branch 2006–2016](#)* (2014), p. 13.

- Develop three- to five-year road maps and analyze related functionality to support business and technology needs.
- Define funding needs and avenues for funding.
- Determine ongoing staffing required to support changing technology needs and evolving business processes.

Long-term goals

- Identify new technologies and functionality that can be incorporated into Judicial Council–managed ERP systems.
- Look for economies of scale to incorporate local court functionality, as appropriate.

Considerations

- Leveraging ERPs requires an examination of business processes and flexibility in standardizing these processes.
- The move toward more standardized business processes requires strong change management.

Potential Funding Requirements**One-time costs**

- Acquisition of software products and hardware/equipment.
- Services related to hosting and consulting.
- Potential upgrades for technology infrastructure.
- Project implementation activities, such as travel and training.
- Purchase or development of required system or application interfaces.

Ongoing costs

- Staffing or services to design, develop, deploy, and maintain functionality as defined by the branch.
- Maintenance for software products and equipment.
- Continued training.
- Maintenance associated with interfaces.

Online Dispute Resolution Investigation

Strategic Plan for Technology Goal 1: Promote the Digital Court

Description

New developments in technology have resulted in the increased use of online tools to resolve disputes. Online dispute resolution (ODR) provides a mechanism for individuals and entities to negotiate and settle disagreements without the need for in-person negotiation, mediation, arbitration, or formal court proceedings. ODR is a form of alternative dispute resolution that makes the most of existing technology.

Research shows that ODR has the potential to maximize the use of time, money, and other resources. Some courts in the United States and abroad, including in California, have been testing and implementing various ODR solutions. ODR should continue to be explored for the California judicial branch.

Benefits

- Resolves disputes effectively and in a timely manner.
- Automates routine processes.
- Provides electronic recordkeeping.
- Offers another approach for parties to resolve their disputes.
- Increases access to justice.
- Adds the convenience of remote online access.
- Has the potential to maximize the use of time, money, and other resources.

Goals and Objectives

- Identify and evaluate available ODR technologies and potential scenarios in which ODR might benefit the judicial branch and court users.
- Assess courts for one or more ODR pilot programs.

Considerations

- Usability, efficiency, and availability of ODR options.
- Possible need for amendments to existing laws and rules.
- Court business process reconfiguration.

Potential Funding Requirements

One-time costs

- Hardware, software, and resources for ODR implementation at pilot courts.

Ongoing costs

- Annual maintenance; periodic software and hardware upgrades.

Technology Initiatives to Innovate Through IT Community

Expand Collaboration Within the Branch IT Community

Strategic Plan for Technology Goal 2: Innovate Through IT Community

Description

The California courts are diverse in terms of geography and population, yet our similarities exceed our differences. The collective resources and talents throughout the branch can be best leveraged by using accessible collaboration platforms, with the goal of reducing individual courts' efforts to independently research and develop common solutions. Sharing innovations and best practices across the branch allows us to develop and deploy technology solutions that more effectively administer and provide access to justice.

As the pace of technological change accelerates and the expectation of what technology can do for court stakeholders grows, the entire judicial branch must expand and strengthen its ability to innovate through its IT community via collaboration, education, and employment strategies.

Benefits

- Facilitates adoption of more digital services by more courts in a repeatable fashion, offering more consistent services throughout the branch.
- Streamlines project management and delivery for projects with justice agencies through multiple courts working together with those justice agencies, developing solutions with mutual benefit.
- Offers more efficient access across the branch to project, policy, and best practices documents via a shared collaboration platform.
- Improves hiring and development practices for technology staff by sharing successful human resources strategies and practices across the branch.

Goals and Objectives

- Increase collaboration throughout the branch by sharing work products in an accessible manner to reduce the time spent researching solutions (e.g., the transition to electronic case files).
- Evaluate existing human resources strategies to ensure that the branch is proactively hiring and developing technologically savvy staff.
- Work as a community to identify and fill the resource gaps for hard-to-find, skilled staff resources throughout the branch.
- Pursue educational opportunities that support technology adoption for all levels of court staff, including technical staff and judicial officers.
- Support user groups in leveraging lessons learned from software deployments, both completed and in progress.
- Work as a community to identify enterprise master service agreements and leveraged purchase agreements that benefit the branch.

Considerations

- Commitment throughout the branch to work together to leverage resources and solve common problems.
- Partnership with branch human resources professionals to ensure that the required skill sets include technology-related skills and perspectives.
- Partnership with the Center for Judicial Education and Research and the Information Technology Advisory Committee to include technology-related topics, education, and tools in existing and new education strategies.
- Continued judicial and executive sponsorship of IT leadership development and participation in training opportunities.
- Continued Judicial Council IT program support and facilitation for IT community forums.
- Access to technical experts and expertise across the branch.
- Funding for recommended strategies.

Potential Funding Requirements**One-time costs**

- Judicial Council establishment of a branch collaboration solution.
- Consultative support for recommendations on evaluating HR strategies that support a technology-savvy workforce.

Ongoing costs

- Judicial Council program support, as needed.
- Training opportunities and forums, including travel for in-person IT-related forums.
- Judicial Council IT maintenance and licensing of branch collaboration solutions.

Technology Initiatives to Advance IT Security and Infrastructure

LAN/WAN Infrastructure

Strategic Plan for Technology Goal 3: Advance IT Security and Infrastructure

Description

The Telecommunications LAN/WAN Program provides a portfolio of services for all courts. Program projects focus on modernizing branchwide wireless infrastructure to support mobile apps and services while optimizing LAN/WAN infrastructure and architecture to support data analytics and cloud-based applications and services. Additional focus areas include implementing infrastructure for cost-effective and reliable internet service at all courts—including those in remote locations where connectivity options are limited—and offering managed security services that provide a layered defense against threats to the availability, integrity, and confidentiality of court data.

Benefits

- Increases coverage and capacity for wireless and mobile devices, applications, and the IoT (Internet of Things).
- Proactively identifies and closes gaps in maintenance coverage.
- Enhances accuracy in budget projections.
- Provides a stronger defense against threats to court information and services as court technology and use of mobile devices expand.
- Increases availability and improves performance for remote online access to court services, data analytics, and cloud-based applications and services.

Goals and Objectives

- Create a branchwide inventory/asset management system for network equipment.
- Increase LAN backbone speeds as equipment is refreshed and court cabling permits.
- Upgrade routing, switching, and security infrastructure to support the increase in internet and WAN bandwidth required for remote access to court services, data analytics, and cloud-based applications and services.
- Provide reliable internet access for all courts.
- Modernize Wi-Fi infrastructure to better support mobile devices, mobile apps, and IoT.
- Develop standards for cloud connectivity and WAN failover (transferring tasks from a failed component to a backup component).
- Extend the footprint of new managed security services to additional seats/courts.

Considerations

- The current funding source for the LAN/WAN program, the State Trial Court Improvement and Modernization Fund, is operating at a structural deficit and may be unable to provide complete funding for this program.

Potential Funding Requirements

One-time costs

- Modernization of branchwide wireless infrastructure.
- Infrastructure of cost-effective and reliable internet service at all courts.

Ongoing costs

- Asset management.
- Additional managed security services.

Transition to Next-Generation Branchwide Hosting Model Phase II

Strategic Plan for Technology Goal 3: Advance IT Security and Infrastructure

Description

The current data center hosting model for IT applications and services at a branch level was developed largely based on the strategy of central hosting of court case management systems and other shared applications. Over the past five years, the branchwide strategy for the hosting of court case management systems and other branch solutions has evolved to correspond with the growth of new hosting technology solutions. The branch has reevaluated available modern hosting solutions to ensure that resources and opportunities are being used as effectively as possible to address the current and future needs of courts and to align the branch with the new strategic direction.

As hosting models and technology evolve, the most cost-effective branchwide strategy for IT applications and services hosting may be enabled through a combination of selective consolidation, virtualization, and implementation of secure private and public cloud environments. The goal of this tactical initiative will be to determine an updated model and modern approach for branchwide hosting, applicable to all judicial branch entities.

Benefits

- Provides a strategy for business continuity and disaster recovery.
- Reduces ongoing needs for maintenance and support of hosting infrastructure.
- Reduces dependency on unreliable core facility infrastructure provisions, such as electrical power, cooling, and space.
- Reduces reliance on outdated technologies that do not meet the strategic goals of the judicial branch.
- Provides a versatile environment that enables the judicial branch to more rapidly deploy new services that better meet the needs of the public and consumers of judicial branch services.
- Offers the ability to rapidly procure and/or obtain needed infrastructure in emergency and nonemergency situations.

Goals and Objectives

- Create a multifaceted application strategy to make determinations about hosting, factoring, building, and/or replacing applications and their delivery.
- Determine how new applications can be deployed and/or built using secure cloud-optimized and cloud-native design principles.
- Develop a structured hosting matrix that identifies potential use cases for cloud computing, including the benefits and challenges for specific application workloads.
- Align next-generation hosting with the strategy and road map for the digital court initiatives and ensure that it is consistent/compliant with the security road map.
- Develop education about a cloud security framework and cloud security controls.

Considerations

- Judicial Council and court resources available to plan and execute next-generation hosting for judicial branch entities.
- Available funding for developing next-generation hosting solutions.
- Available expertise for assisting judicial branch entities in their transition to next-generation hosting.

Potential Funding Requirements**Ongoing costs**

- Hosting services that are shared across the branch.
- Direct billing to the courts for court-specific services.

Disaster Recovery Phase II

Strategic Plan for Technology Goal 3: Advance IT Security and Infrastructure

Description

The vision of the Disaster Recovery Phase II initiative is to modernize and simplify the approach to implementing disaster recovery (DR) solutions within the California judicial branch. A robust DR program is a critical component of an organization’s continuity of operations or business continuity plan. In case of a significant disruption resulting from a disaster such as a flood, a fire, an earthquake, or another natural or man-made incident, judicial branch entities (JBEs) currently have varying degrees of preparedness for recovery of their technological systems and may be at risk of being unable to provide a timely restoration of essential functions and services to court staff and the public.

Modern technologies and emerging cloud-based service offerings with new thresholds for elasticity, availability, and security provide JBEs with opportunities to design, test, and deploy scalable disaster recovery solutions in an expedited, cost-effective, and efficient manner. Disaster Recovery Phase II leverages the project grant from the Court Innovations Grant Program awarded to the Superior Court of Monterey County to pilot the [Disaster Recovery Framework](#)³ developed in the earlier phase of this program. Its goals are to demonstrate viability of cloud-based, emerging solutions for timely recovery of critical court services and serve as a model for interested California JBEs to adopt.

Benefits

- Improves availability and accessibility to court programs and services.
- Increases confidence that essential court records will be securely maintained and will remain available, even in the event of a disaster.
- Provides a model for interested JBEs to adopt emerging cloud-based disaster recovery solutions.
- Modernizes and simplifies the approach to implementing disaster recovery solutions within the California judicial branch.
- Improves continuity of business services and access to justice.
- Reduces the risk of interruption to vital court services.
- Ensures that courts are better able to meet the public’s expectations after a disaster incident.
- Reduces complexity and the local infrastructure footprint.
- Reduces local infrastructure management and maintenance costs.
- Extends recovery capabilities using cloud service providers.
- Allows for more efficient allocations of court resources and time.

Goals and Objectives

- Modernize and simplify the approach to implementing disaster recovery solutions within the California judicial branch.
- Demonstrate the viability of emerging solutions for disaster recovery in the cloud.

³ Judicial Council of Cal., *Disaster Recovery Framework: A Recommendations & Reference Guide for the California Judicial Branch* (ver. 2.3, Oct. 22, 2017), www.courts.ca.gov/documents/itac-dr-framework.pdf.

- Recommend a list of critical technology services that make business sense for cloud-based recovery adoption.
- Develop a set of business questions or a toolkit for judicial branch entities to self-assess their preparedness for disaster recovery and to assess their tolerance for risk.
- Leverage the work products and design solution templates from the Disaster Recovery Phase 2 Workstream to increase the disaster recovery maturity level.
- Recommend standard recovery times and priorities for each of the major technology components of the branch that leverage learnings from the new technology capabilities and cloud service offerings.
- Identify existing technology initiatives and infrastructure solutions that can be leveraged, such as the Next-Generation Hosting Workstream, the Court Innovations Grant Program, and courts that have deployed solutions in the cloud—for example, functional hybrid architectures for critical systems that extend local infrastructure by using cloud service offerings for high availability.
- Draft a budget change proposal and identify other avenues to fund a pilot group of courts interested in implementing cloud-based disaster recovery solutions for critical technology services.
- Conduct hands-on training, knowledge sessions, and demonstration of relevant use-case scenarios for courts interested in design, testing, and implementation of disaster recovery solutions using emerging technology solutions.

Considerations

- Work products and recommended approach from the Disaster Recovery Workstream.
- Success of the pilot implementation of disaster recovery solutions using cloud service providers.
- Funding sources for judicial branch entities to implement recovery solutions using technologies from vendors available in the cloud DR master services agreement(s).

Potential Funding Requirements

One-time costs

- A disaster recovery solution for critical systems using cloud-based recovery solutions.
- Design and deployment of functional hybrid architectures for priority systems that extend infrastructure to the cloud while reducing the local footprint.

Ongoing costs

- Data storage, system, bandwidth, and other operational usage needs related to operating cloud-based solutions.

Branchwide Information Security Road Map

Strategic Plan for Technology Goal 3: Advance IT Security and Infrastructure

Description

One of the judicial branch’s strategic objectives is to establish a sustainable information security program to support the reliable delivery of services to judicial branch entities and consumers of judicial branch services. The judicial branch continues to invest in a secure, scalable, and robust technology infrastructure as a foundation to providing digital services. This program will accomplish its mission through the use of information security governance, policies, standards, guidelines, and services that protect the judicial branch’s information assets and the security interests of the users of branch services.

Benefits

- Enhances security and data reliability; improves collaboration, data sharing, and decision-making.
- Provides more effective risk management.
- Clear security guidelines for all Judicial Council departments and judicial branch entities.
- Creates baseline policies as a foundation to measure effectiveness.
- Ensures consistent application of security controls across the branch.

Goals and Objectives

- Design an implementation road map for evolving security strategies and tools.
- Define methods and activities for expanding branch information security capabilities.
- Create an overarching strategy for educating courts on information security best practices, risk management, and incident response.
- Update the security framework, as needed.
- Build a culture of collaborative IT security throughout the judicial branch.
- Identify resources to assist the courts in developing policies and procedures based on the judicial branch *Information Systems Controls Framework*.⁴
- Propose additional proactive risk management tactics.
- Investigate additional security incident and event management approaches.
- Publish security education and awareness materials.

Considerations

- Security protocols, which are constantly changing, and a court’s ability to keep up with those changes.
- Consistent and reliable security information, event management, and vulnerability and threat management, where appropriate.
- Baseline policies, procedures, and standards that can be leveraged by individual courts.
- Availability of and funding for security awareness training for employees, executives, and judicial leaders.

⁴ California Judicial Branch *Information Systems Controls Framework* (ver.2.0, December 1, 2018)

- Recognition that information security is an ongoing program requiring maintenance and support and not merely a discrete, one-time project.
- Information security, including business continuity and disaster recovery programs, which requires additional and ongoing expenses that may be difficult for select courts to fund out of their existing budgets.
- Constantly evolving sophistication of threats to information security.

Potential Funding Requirements

Ongoing costs

- Maintenance of a sustainable information security program.

Technology Initiatives to Promote Rule and Legislative Changes

Identify New Policy, Rule, and Legislative Changes

Strategic Plan for Technology Goal 4: Promote Rule and Legislative Changes

Description

The need to align policies, rules of court, and legislation to support the use of technology in all courts consistent with the *Strategic Plan for Technology* is ongoing. This need includes supporting changes to implement select initiatives of the Commission on the Future of California’s Court System, advance the use of innovative technologies in the courts, ensure that laws support the adoption of new and existing technologies, authorize the use of technology to improve the courtroom experience, and balance the protection of personal privacy and public access to court data. Proposals for such changes may originate with judicial branch advisory committees or workgroups, courts, judges, attorneys, government entities, or the public.

Benefits

- Updates or provides new authority to implement modern electronic business practices.
- Increases public satisfaction with the ability to conduct court business and obtain services electronically outside of traditional business hours.
- Promotes potential savings in time, resources, and costs.
- Improves, expands, and offers more convenient access to the courts.
- Expands self-help and language services.
- Allows for better communication and information sharing between courts and justice partners.

Goals and Objectives

- Continue modernization of statutes, rules, and procedures to permit and enhance the use of technology in court operations and delivery of court services.
- Develop and update rules, standards, and guidelines for electronic signatures on documents submitted to the trial courts, justice partner data exchanges, online access to court records for parties and justice partners, court records maintained as data, and other areas where new technologies affect court operations and access to the courts.
- Update and publicize branch and model court privacy policies on electronic access to court records and other court-held information.
- In partnership with the Court Executives Advisory Committee, revise the *Trial Court Records Manual* to reflect changes in the law, new standards and guidelines, and best practices relating to court records.

Considerations

- Rules and legislative proposals require action by the Judicial Council, internal committees, and advisory committees (including subcommittees).
- Legislative proposals require action by the Legislature and Governor.

- Branch internal policies and guidelines require advisory committee action and may also require action by the Judicial Council and internal committees.
- Public and stakeholder feedback must be considered at all levels.
- Judicial Council staff support is required throughout applicable review and approval processes.

Potential Funding Requirements

No new funding is required to make changes to policies, rules, and legislation.

One-time costs

- Implementation of policy, rule, and legislative changes by individual courts.

Ongoing costs

- Staff support and some travel for Judicial Council internal and advisory committee members during the development, review, and approval process of specific proposals.
- Implementation of policy, rule, and legislative changes by individual courts.

Progress and Initiatives Summary

2014–2018 Strategic Plan Goal	2019–2022 Strategic Plan Goal*	2017–2018 Tactical Plan Initiative	2019–2020 Tactical Plan Initiative Update	Strategic Plan Objectives Supported†
Promote the Digital Court	Promote the Digital Court	Case management system assessment and prioritization	Case Management System Migration and Deployment	1.1, 1.3, 1.4, 1.5, 1.6, 2.2, 3.2, 3.4
		Document management system expansion	Expansion of Electronic Court Record Management	1.1, 1.2, 1.3, 1.4, 1.5, 3.1, 3.2, 3.3, 3.5, 3.6
		Courthouse video connectivity (including video remote interpreting)	Language Access Technology	1.1, 1.4, 2.1, 2.2, 3.1, 3.5, 4.1, 4.2, 4.3, 4.4
			Remote Video Appearances	1.4, 2.2, 3.5, 4.1, 4.2, 4.3
		California Courts Protective Order Registry	<i>Completed</i>	
		Implement self-represented litigants e-services	Self-Help Electronic Services	1.1, 1.3, 1.4
		Jury management technology enhancements (trial courts)	<i>Incorporated into new Data Analytics initiative below</i>	
		Statewide e-filing program development	<i>Completed</i>	
		E-filing deployment	Statewide Electronic Filing Program Development and Deployment	1.1, 1.2, 1.3, 2.2, 3.4, 4.1, 4.2, 4.3
		Identify and encourage projects that provide innovative services	<i>Incorporated into operational processes</i>	
		Establish an “open source” application-sharing community	<i>Incorporated into Expand Collaboration Within the Branch IT Community initiative below</i>	

2014–2018 Strategic Plan Goal	2019–2022 Strategic Plan Goal*	2017–2018 Tactical Plan Initiative	2019–2020 Tactical Plan Initiative Update	Strategic Plan Objectives Supported†
Promote the Digital Court (continued)	Promote the Digital Court (continued)	Digital evidence: acceptance, storage, and retention	Digital Evidence Management	1.1, 1.2, 1.3, 1.4, 1.6, 2.1, 2.2, 2.3, 3.2, 3.3, 3.4, 3.5, 4.1, 4.2, 4.3, 4.4
		<i>New for 2019–2020</i>	Branchwide Identity Management	1.1, 1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 2.3, 2.5, 3.2, 3.4
		<i>New for 2019–2020</i>	Data Analytics and Business Intelligence	1.2, 1.3, 1.5, 1.6 2.1, 2.2, 2.3, 2.4, 2.5, 4.1
		<i>New for 2019–2020</i>	Enterprise Resource Management	1.1, 1.2, 1.5, 2.2 3.2, 3.5
		<i>New for 2019–2020</i>	Online Dispute Resolution Investigation	1.3, 1.4
Optimize Branch Resources	Innovate Through IT Community	Establish hardware and software master branch purchasing/licensing agreements	<i>Incorporated into operational processes</i>	
		Expand collaboration within the branch IT community	Expand Collaboration Within the Branch IT Community	1.2, 1.5, 2.1, 2.2, 2.3, 2.4, 2.5
Optimize Infrastructure	Advance IT Security and Infrastructure	Extend LAN/WAN initiative to remaining courts	LAN/WAN Infrastructure	1.1, 1.2, 1.4, 1.5 3.1, 3.2, 3.3, 3.5, 3.6
		Transition to next-generation branchwide hosting model	Transition to Next-Generation Branchwide Hosting Model Phase II	1.1, 1.2, 1.3, 1.5, 1.6, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6
		Court disaster recovery framework and pilot	Disaster Recovery Phase II	1.1, 2.2, 2.5, 3.3
		<i>New for 2019–2020</i>	Branchwide Information Security Road Map	1.3, 1.5, 1.6 3.1, 3.4, 3.6
Promote Rule and Legislative Changes	Promote Rule and Legislative Changes	Identify new policy, rule, and legislative changes	Identify New Policy, Rule, and Legislative Changes	4.1, 4.2, 4.3, 4.4

* Judicial Council of Cal., *Strategic Plan for Technology 2019–2022* (2018), pp. 8–15.

† *Ibid.*

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All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	Danielle Kelley <dlhcommunity@yahoo.com>	A	<p>Court: Mental Health Court</p> <p>As a ten year Los Angeles County Patients' Rights veteran assigned to the Mental Health Court for LPS involuntary inpatient hospital detainment hearings and medication capacity hearings, I support using technology in the form of remote video access for the court to confer with the patient and the psychiatrist.</p> <p>The use of Remote Video Access is extremely important during the due process of writ of habeas corpus, appeal on Riese Hearings, and TConn hearings.</p> <p>Currently, the present delivery system at the Los Angeles County Superior Court, located temporarily on Hill Street, is incompatible with the safety needs of the patient. Psychiatrists are increasing their practice to release mentally unstable patients back into the community due to the severe weakness of the Court to provide a compatible system for legal hearings. Psychiatrists are complaining of long delays sitting in the court, waiting for their case to be heard, when they are still required to see their patients in the hospital for billable hours. Psychiatrists are sending other professionals (nurses and psychologists) to represent</p>	<p><i>Committee response: Modify a benefit of the Remote Video Appearance initiative (4th bullet on p. 10): "Provides easier access for those with illnesses, disabilities, or difficulty travelling to the courthouse."</i></p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

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			<p>them in Court , when the statutes state treating psychiatrist are required at the hearings, due to the location viewed as hostile. Psychiatrists are reluctant to place patients on temporary conservatorship, when desperately needed for patients with a GAF score of 15 below (DSM IV) and unable to function independently in the community, because of the long wait for their case in court. Hospital personnel are complaining of the logistics for providing safety and supervision at Hill Street temporary location and there is an increase of patients escaping and running into traffic because patients know the staff is not running after them in the street.</p> <p>The Commission on the Future of California’s Court System is seeking practical ways to effectively adjudicate cases, achieve greater fiscal stability for the branch, and use technology to enhance the public’s access to its courts. Allowing the treating psychiatrist to appear via remote video access from a DMH Patients' Rights approved 'privacy pod' to ensure HIPPA and LPS Confidentiality Laws compliance would meet the requirement.</p>	
2.	California Court Reporters Association and Service Employees International Union (SEIU)	NI	Under <u>Expansion of Electronic Court Record Management</u> , as the Judicial Council continues to discuss advancement in technology, court	<i>Committee response: No revisions required</i>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

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	by Carolyn J. Dasher		<p>reporters and the California Court Reporters Association, as stakeholders in this type of technology, must be able to participate in these discussions.</p> <p>Some Counties are currently using e-filing for appeal transcripts, some counties currently use e-filing for preliminary hearing transcripts. State-wide, court reporters are learning e-filing. As such, CCRA requests to participate in any discussions related to e-filing as it pertains to transcripts.</p>	
3.	<p>California Court Reporters Association and Service Employees International Union (SEIU) by Carolyn J. Dasher</p>	NI	<p>Under Remote Video Appearance, under Goals and Objectives, it discusses creating a team to discuss this. Court reporters and the California Court Reporters Association, as stake holders in this technology, request to participate in all discussions.</p>	<i>Committee response: No revisions required</i>
4.	<p>California Court Reporters Association and Service Employees International Union (SEIU) by Carolyn J. Dasher</p>	NI	<p>Statewide Electronic Filing Program Development and Deployment and Digital Evidence Management, as the Judicial Council continues to discuss advancement in technology, court reporters and the California Court Reporters Association, as stakeholders in this type of technology, must be able to participate in these discussions related to e-filing of transcripts.</p> <p>Some Counties are currently using e-filing for appeal transcripts, some counties currently use</p>	<i>Committee response: No revisions required</i>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

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			e-filing for preliminary hearing transcripts. State-wide, court reporters are learning e-filing. As such, CCRA requests to participate in any discussions related to e-filing as it pertains to transcripts.	
5.	California Court Reporters Association and Service Employees International Union (SEIU) by Carolyn J. Dasher	NI	Online Dispute Resolution Investigation , as the Judicial Council continues to discuss advancement in technology, court reporters and the California Court Reporters Association, as stakeholders in this type of technology, must be able to participate in these discussions. We request that CCRA be involved in any and all discussions related to court reporters and/or producing the official record.	<i>Committee response: No revisions required</i>



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: May 16-17, 2019

Title

Judicial Branch Administration: Request to use 2018-19 State Trial Court Improvement and Modernization Fund (IMF) for 2019-20 Sustain Justice Edition (SJE) California Court Technology Center (CCTC) Hosting

Rules, Forms, Standards, or Statutes Affected

N/A

Recommended by

Judicial Council Technology Committee
Hon. Marsha G. Slough, Chair
Hon. Gary Nadler, Vice-Chair

Agenda Item Type

Action Required

Effective Date

May 17, 2019

Date of Report

April 23, 2019

Contact

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Executive Summary

Based upon the previous Judicial Council actions, there is no authorization to use the State Trial Court Improvement and Modernization Fund (IMF) as a funding source for the costs of hosting the Sustain Justice Edition (SJE) case management system at the California Courts Technology Center (CCTC) after June 30, 2019. The Interim Case Management System (ICMS) program has IMF savings from 2018-19 which could be used to fund SJE hosted courts after June 30, 2019. This request is not for an additional allocation of IMF funding, but an extension of time to use previously approved funding for the ICMS program to cover the CCTC hosting costs of SJE in 2019-20. The Judicial Council Technology Committee (JCTC) and the Trial Court Budget Advisory Committee (TCBAC) have both approved the use of the ICMS program savings from FY 2018-19 to cover SJE CCTC hosting costs in FY 2019-20 through December 2019.

Recommendation

The Judicial Council Technology Committee recommends that the Judicial Council approve the use of ICMS savings from 2018-19 to cover SJE hosting at the CCTC through December 31, 2019. This will allow time for the remaining courts which have their SJE case management system hosted at the CCTC to deploy a new case management system and leave CCTC hosting. This will also allow time for Judicial Council staff to decommission servers and other network infrastructure at the CCTC which had been used to host the SJE case management system.

Relevant Previous Council Action

At the Judicial Council's April 24, 2014 business meeting, the Judicial Council directed the JCTC to develop a plan that would result in the future elimination of subsidies from the IMF and the Trial Court Trust Fund (TCTF) for SJE costs.

At the Judicial Council's June 24, 2016 business meeting, the Judicial Council endorsed a proposal that provided funding for six (Lake, Modoc, Plumas, San Benito, Sierra, and Trinity) of the nine SJE courts hosted at the CCTC to move to Placer hosting. Included in the Placer hosting proposal was a provision which eliminated the use of the Improvement and Modernization funding for SJE hosting at the CCTC after June 2019.

Analysis/Rationale

In April 2016, there were nine courts which had their SJE case management systems hosted at the CCTC. The Judicial Council at the June 24, 2016 business meeting endorsed a proposal to provide funding for six SJE courts (Lake, Modoc, Plumas, San Benito, Sierra, and Trinity) to move from SJE hosting at the CCTC to SJE hosting at the Placer Court. The Placer hosting proposal also included the elimination by June 30, 2019 of IMF funding for SJE hosting at the CCTC. The six courts included in the Placer hosting proposal completed their migration from CCTC hosting to Placer hosting in January 2018.

In a separate project, the Imperial Court completed their migration from SJE CCTC hosting to a locally hosted eCourt solution in November 2017.

The remaining two courts hosted at the CCTC are the Humboldt and Madera Courts. Both the Madera and Humboldt courts are in the process of deploying a new case management system and will leave CCTC hosting once their new case management systems are deployed. The Madera Court is targeting a go-live date of May 2019 for their new, cloud-hosted eCourt case management system. The Humboldt Court is targeting a go-live date for deploying eCourt locally by October 31, 2019.

As SJE courts have left CCTC hosting, servers and other network infrastructure such as data storage have been eliminated to reduce CCTC hosting costs. There have also been other cost savings strategies such as the elimination of the Quality Assurance environment implemented as courts have left CCTC hosting. The ICMS program has been able to realize more savings over

the last two fiscal years than initially anticipated from the decommissioning of servers and data storage. Additionally, the SJE courts have continued to pay for a portion of the CCTC hosting costs while hosted at the CCTC through their Schedule C contributions.

Continued CCTC funding is needed for SJE hosting in Fiscal Year 2019-20 while the Humboldt Court completes their transition to a locally hosted eCourt case management system, and potentially for Madera if their case management system go-live date is delayed. After the last court leaves CCTC hosting, time will be needed for Judicial Council staff to decommission the SJE environments at the CCTC.

Policy implications

The proposed authorization for the use of ICMS savings has no policy implications.

Comments

This proposal did not circulate for comment. Public comment was not received for these items when considered by the Judicial Council Technology Committee at the March 14, 2019 meeting, the Revenue & Expenditure Subcommittee at the April 8, 2019 meeting or the Trial Court Budget Advisory Committee at the April 16, 2019 meeting.

Alternatives considered

There have been no funding sources identified other than the ICMS savings from FY 18-19 to cover SJE CCTC hosting costs in FY 19-20. The only other alternative would be to require the Humboldt Court to leave CCTC hosting before their new case management system is in place which is not a realistic solution as this would leave the court without a functioning case management system and result in negative operational impact to the Humboldt Court.

Fiscal and Operational Impacts

The ICMS program has FY 2018-2019 savings of \$801,908 available which can be used to cover FY 2019-20 SJE CCTC hosting costs.

Estimated SJE hosting cost at CCTC through December 31, 2019 are presented in the table below with the assumption that the Humboldt Court would continue to pay their monthly Schedule C hosting costs until they leave the CCTC in October 2019:

Estimated SAIC Hosting Costs for SJE (6 mths) in FY 19/20	
Description	Amt
Estimated cost SAIC hosting charges from 7/1/2019 through 12/31/2019 (6 mths)	\$ 488,998
Schedule C Charges for Humboldt Court from 7/1/2019 through 10/31/2019	(62,200)
Net IMF Funding Assistance needed for SJE CCTC hosting through 12/31/2019	\$ 426,798

The use of ICMS savings from 2018-19 is not an allocation of additional IMF funding in 2019-20 for SJE hosting at the CCTC. It is a request to extend the timeline for using previously

approved funding to the ICMS program to cover CCTC hosting costs while the remaining courts transition to new case management system solutions hosted outside of the CCTC.

Attachments and Links

N/A