



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 21-069

For business meeting on: March 12, 2021

Title

Judicial Branch Technology: Court Modernization Funding, Fiscal Year 2020–21, Quarter 3 (Action Required)

Agenda Item Type

Action Required

Effective Date

March 12, 2021

Rules, Forms, Standards, or Statutes Affected

N/A

Date of Report

February 26, 2021

Recommended by

Technology Committee
Hon. Kyle S. Brodie, Chair

Contact

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Executive Summary

The California Budget Act of 2020 appropriated \$25 million for the modernization of trial court operations, and the Judicial Council asked the Technology Committee to recommend allocation of the funding. The Technology Committee recommends that the Judicial Council receive the attached summary of allocations for the branchwide initiatives, an update on the progress related to the funding for fiscal year 2020-21, and approve the allocations itemized in the attached summary.

Recommendation

Technology Committee recommends that the Judicial Council, effective March 12, 2021:

1. Receive the attached summary of Court Technology Modernization Funding branchwide initiatives allocations;
2. Approve the allocations to the trial courts itemized in the summary; and
3. Authorize the Technology Committee the authority to make individual court project adjustments of up to \$25,000 to the approved allocations.

Relevant Previous Council Action

At the July 24, 2020, Judicial Council meeting, the Chief Justice directed the Technology Committee to recommend a proposal¹ for allocating a \$25 million budget appropriation in the Budget Act of 2020 designated for modernizing trial court operations through the use of technology.²

At the September 25, 2020, Judicial Council meeting, the council approved the allocation of the \$25 million for 13 approved program categories, directed the Technology Committee to recommend individual allocations to trial courts, and directed the committee to report back on each program's progress. The 13 approved program categories included:

- Remote Appearance Technology;
- Digital Evidence;
- Automated Messaging (notifications and reminders);
- Data Driven Forms;
- Digitizing Documents;
- Virtual Customer Service Center;
- Trial Court Digital Services;
- Statewide Case Index;
- Judicial Branch Office of Information Security;
- Next Generation Data Center and Cloud Solutions;
- California Courts Protective Order Registry (CCPOR) Mobile Access and Modernization;
- Building a Digital Ecosystem; and
- Data Governance.

These 13 program categories focus on providing direct assistance to the people of California.

At the January 22, 2021, Judicial Council meeting, the council approved the funding of direct allocations for the trial courts and received a status update.

At the March 12, 2021, Judicial Council meeting, the council will consider approving use of the remaining \$141,042.27 in technology contingency funding from the Language Access Signage and Technology Grant Program for fiscal year 2020–21 to be added to the Court Technology Modernization Funding for distribution as part of the Branchwide Remote Appearance Technology Program, including for video remote interpreting.

¹ The Chief Justice request <https://jcc.legistar.com/View.ashx?M=E3&ID=711582&GUID=90001AF2-7CEE-4F0F-906B-29A03ED9CB43>.

² The budget bill language explicitly limits the use of the funding to modernizing trial courts, and is available online at https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB89.

Analysis/Rationale

For this fiscal year, the council approved distributing the \$25 million as follows:

- Part A. \$12.5 million to be allocated to superior courts of California (i.e., trial courts) (hereafter “**direct allocations**”);
- Part B. \$10 million for use toward **branchwide programs**, which are individual projects within the approved program categories, above; and
- Part C. \$2.5 million **reserved for contingencies** and related needs in executing the FY 2020–21 modernization efforts.

Furthermore, all above funding was to be used within the 13 program categories listed in the *Relevant Previous Council Actions*.

Part A, direct allocations to courts, were approved by the council at its January meeting.

Branchwide programs

For Part B, branchwide programs, trial courts were invited to apply for additional opportunities for court projects that fall underneath the branchwide programs.

In January, information on the branchwide opportunities was announced to courts to solicit their participation in these initiatives. Applications were due on February 18, 2021, and 34 courts requested to participate with a total of 129 applications received.

Refer to Attachment A for a detailed description about each initiative.

Allocations to trial courts from branchwide initiatives

Branchwide projects requests resulted in recommendations for additional allocations to courts including the allocation for all reserve funding (Part C) to the eligible programs, necessitating council approval: Automated Messaging, Digital Ecosystem (CourtStack), Remote Appearance (Grant) and IT Security Operations (Reimbursement).

Branchwide Program	Program Budget with Reserve Allocation	Direct Trial Court Allocations/Grants
Automated Messaging	\$200,000	\$200,000
Building a Digital Ecosystem	\$1,609,000	\$1,039,000
CCPOR Mobile Access and Modernization	\$750,000	
Data Driven Forms	\$900,000	
Data Governance	\$887,000	
Digital Evidence		
Judicial Branch Office of Information Security	\$779,000	\$508,000

Next Generation Data Center and Cloud Solutions	\$480,000	
Remote Appearance Technology	\$3,451,000	\$2,612,000
Statewide Case Index	\$250,000	
Trial Court Digital Services	\$2,426,960	
Virtual Customer Service Center	\$500,000	
	\$12,232,960	\$4,359,000

Funding streams summarized

The following chart summarizes the division of the funding into 3 parts and subsequent distribution status.

Category	Approved	Expended / distributed (date)
Part 1. Direct Allocations to Trial Courts	\$12,500,000	\$12,100,000 (January 2021)
Part 2. Branchwide Initiatives	\$10,000,000	\$10,000,000 (recommended March 2021)
Part 3. Reserves/Contingencies	\$2,500,000	\$675,200 for branchwide services (January 2021) \$1,824,800 for branchwide programs/grants (recommended March 2021)

The \$25 million in Court Technology Modernization Funding must be spent or encumbered during the FY 2020-21, thus time is of the essence. If courts must make adjustments to their approved project funding, there is not time to return to the Council and comply with the funding deadlines. For this reason, it is requested that the Council authorize the Technology Committee the authority to make adjustments of up to \$25,000 to approved court project allocations.

Policy implications

The Legislature recognized the necessity of investing \$25 million in court technology for the modernization of court operations. Modernizing the courts is a longstanding judicial branch priority—according to its adopted Strategic and Tactical Plans—and each of the courts’ projects advances that goal. The branchwide programs will significantly improve the way trial courts serve the public. Taken as whole, the projects will make great strides in advancing the judicial

branch's technology goals, fostering the spirit of collaboration that has proved essential to modernizing court operations. The committee's recommended allocations are an investment that will pay dividends for years to come.

Comments

The proposal was not distributed for public comment because of the significant outreach to courts to gather input, as well as the multiple formal public comment periods provided as part of the Technology Committee-noticed open meetings. The Technology Committee conducted extensive outreach to the courts regarding the Court Technology Modernization Funding, including to the Information Technology Advisory Committee, the Trial Court Presiding Judges Advisory Committee, the Court Executives Advisory Committee, and the Court Information Technology Managers Forum. Additionally, no public comments were received for the Technology Committee's open meetings held on January 11, 2021; February 8, 2021; and March 3, 2020 [Pending meeting to validate].

Alternatives considered

Many alternatives exist and were considered. The Technology Committee concluded that a hybrid approach of the Judicial Council implementing projects along with courts applying for opportunities to participate as part of branchwide initiatives was the best proposal to meet the goals and ability to demonstrate success given the limited time.

Fiscal and Operational Impacts

By March 1, courts were scheduled to submit their first quarterly report regarding use of their direct allocations (Part 1). These reports are being reviewed to assess whether adjustments in funding are needed for success within an approved project.

The Governor and the executive branch confirmed their support of the Court Technology Modernization Funding efforts by funding this effort for a second year.

Next steps

The Technology Committee and Judicial Council staff will continue to track project implementation plans and measurable outcomes, as well as consider any requests for use of the reserve funding. [does this still apply?] Additionally, the Council will receive regular updates on progress.

Attachments and Links

1. Attachment A: Court Technology Modernization Funding Program Fiscal Year 2020–21, Branchwide Initiatives–Program Descriptions
2. Attachment B: Court Technology Modernization Funding Program Fiscal Year 2020–21, Branchwide Programs–Trial Court Grant Allocation Summary

Title	Program Description	Branchwide Programs (Grants, Reimbursement and Pilots)
Strategic Goal 1: Promote the Digital Court—Remote Appearances		
Remote Appearance Technology	Deploy video and related equipment for an integrated courtroom that enables remote appearances.	Grant funding, licensing discounts, and professional services available. Grant funding is prioritized for one-time VRI equipment purchases and training. A minimum of \$316K is available for up to 15 court locations; additional funding to be available based on need and availability including for purchase and deployment of video and related equipment and licensing for an integrated courtroom enabling remote appearances.
Digital Evidence	Provide funding for implementation costs, case management system (CMS) integration, and storage of digital evidence.	
Automated Messaging (notifications and reminders)	Provide email notifications and text reminders for the public by enabling courts to access a statewide online reminder system for court appearances regardless of CMS or jury solutions.	Partnering with Los Angeles Superior Court on rolling out a case notification system.
Strategic Goal 1: Promote the Digital Court—Remote Access		
Data Driven Forms	Modernize Judicial Council forms to provide step-by-step and dynamic instruction for filling out required court forms, interactive chat and tool tips functionality, and mobile-friendly and Americans with Disabilities Act-compliant accessibility. Additionally, allow for data integration by courts, justice partners, and others.	
Digitizing of Documents	Provide services for courts to convert their paper and filmed documents to electronic documents.	
Virtual Customer Service Center	Enable courts to add online chat functionality to their public websites to provide customer support.	Seeking court participation in the pilot program enabling courts to add online chat functionality to their public websites to provide customer support for Name change and/or Second domain (TBD).
Trial Court Digital Services	Provide digital services for the virtual and physical courthouse that would include projects such as, but not limited to, improved websites, branchwide online programs, courtroom technology for public access, jury selection, electronic recording (where permitted by law), and digital calendars/communications.	Accepting court requests for technical and/or content migration support to deploy the customizable Trial Court Web Templates, which are ADA compliant, mobile-friendly, and will integrate with statewide digital services (such as, intelligent chat).
Statewide Case Index	Create an online searchable case index for all traffic cases statewide.	
Strategic Goal 2: Innovate Through IT Community		
Building a Digital Ecosystem	Expand efforts of the Court Innovations Grant Program—including refining and implementing the technical foundation and software modifications that will enable courts to contribute their solutions for branchwide use and consumption—and lay the foundation for future innovations.	Partnering with Los Angeles, Santa Clara, Monterey, and Orange on rolling out virtual CMS connections for the digital ecosystem.
Strategic Goal 3: Advance IT Security and Infrastructure		
Judicial Branch Office of Information Security	Establish and maintain an Office of Information Security to comply with best practices for management of information security, technical risks, and risks to the data held across the judicial branch.	Accepting court requests for reimbursement of IT security expenses accrued in FY20-21 in alignment with the branch security framework, including security awareness and monitoring programs. Depending on the number of requests and the amounts, the priority will be on awareness first, then monitoring. Invoices or PO's requested.
Next Generation Data Center and Cloud Solutions	Create a consultant service for Judicial Council Information Technology staff to work with courts on next-generation hosting (cloud solutions) and related infrastructure frameworks.	
California Courts Protective Order Registry (CCPOR) Mobile Access and Modernization	Modernize the CCPOR application, including by enhancing secure access of restraining and protective orders for law enforcement officers and for protected and restricted individuals.	
Strategic Goal 4: Promote Rules and Legislative Changes		
Data Governance	Establish and implement a branchwide data governance infrastructure to ensure better use and management of data, including timely submission, accuracy, security, and data access.	Seeking court participation in the next round of pilots, deploying a new JBSIS implementation and branchwide repository.

Court Technology Modernization Funding: Proposed Allocations to Courts for Branchwide Programs

Court	Initiatives	Total Allocation
Colusa	Remote Appearance (inc. VRI)	\$40,000.00
Contra Costa	Remote Appearance	\$480,550.00
Fresno	Security	\$51,158.88
Kern	Security, Remote Appearance	\$47,398.24
Kings	Security	\$6,180.16
Los Angeles	Remote Appearance (inc. VRI), Digital Court Ecosystem, Branchwide Court Notify	\$989,750.00
Mariposa	Security, Remote Appearance (inc. VRI)	\$18,305.00
Mono	Remote Appearance	\$15,553.42
Monterey	Security, Remote Appearance, Digital Court Ecosystem	\$626,134.50
Nevada	Remote Appearance	\$1,980.00
Orange	Security, Remote Appearance, Digital Court Ecosystem	\$660,056.00
Riverside	Remote Appearance	\$21,000.00
Sacramento	Security, Remote Appearance	\$283,738.33
San Bernardino	Security, Remote Appearance	\$90,123.46
San Diego	Security, Remote Appearance	\$115,469.00
San Joaquin	Security, Remote Appearance	\$6,450.02
Santa Clara	Security, Digital Court Ecosystem	\$365,097.94
Santa Cruz	Security, Remote Appearance	\$7,383.54
Sierra	Remote Appearance (inc. VRI)	\$25,270.00
Siskiyou	Security	\$1,911.60
Solano	Remote Appearance	\$182,523.88
Stanislaus	Security, Remote Appearance	\$232,918.00
Sutter	Security, Remote Appearance (inc. VRI)	\$23,686.61
Yolo	Security, Remote Appearance	\$59,757.45
Yuba	Security, Remote Appearance (inc. VRI)	\$4,560.70
Grand Total:		\$4,356,956.73

Updated: February 26, 2021

*Numbers being reviewed / finalized.