

Senate Bill 2002
Senate Appropriations Subcommittee

Testimony Presented by Sally Holewa
State Court Administrator
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Senator Hogue, Senator Dever and Senator Heckaman, for the record my name is Sally Holewa.

I am the State Court Administrator. We have requested a total of \$4 million dollars for two major IT projects: a new case management system for the juvenile court and a new case management system for the Supreme Court. Each of these projects is estimated to cost \$2 million.

The natural question for the legislature is, “Which one is more important?” I can’t say which one is more important because they serve two very different segments of the court system and the reasons for requesting the new systems are very different.

I will talk about the juvenile case management system first since it is the project that has been on our to-do list the longest. This system is used by the staff members that serve in our juvenile court division. It has a dual function in that it serves as the records management system for juvenile court cases and as the supervisory (probation) management system to track events after a juvenile has been placed under supervision. It sits independent of the district court case management system used for all other case types. Our current juvenile case management system is an off-the-shelf commercial product that we purchased in 1998. We have upgraded the software periodically over the years and we maintain a very good working relationship with the vendor. However, there are big drawbacks to the structure and functionality of this software.

Back in the 1990s when the software was developed, the idea of managing case information through an electronic system was still new. Systems from this era were designed with the sole function of tracking case files and what happened within each case. They were not designed, as are the systems of today, with the idea that courts would need to retrieve and analyze data about case activities or parties to a case. Nor were they designed to accommodate data sharing with other software systems. While the vendor has upgraded the platform and made other changes, the core functionality of the software remains largely unchanged. As a court system, we need a system that has better data retrieval and analysis capabilities, better capabilities for integrating or sharing data with the case management systems used by the Division of Juvenile Services and the Department of Human Services, electronic filing and document storage functions and automated work processing.

In 2014 we commissioned a software analysis from the National Center for State Courts to determine whether it would be better to retain our current system and obtain added functionality by stacking business intelligence and other types of software onto the system and creating integrations with the district court case management system or to purchase a new case management system. That analysis determined that, given the limitations of the current software, we would only be able to obtain a small number of our goals through integration and software stacking, and that in the long-run it would be difficult to maintain those enhancements. The recommendation then was to replace the software. The analysis include an RFI (request for information) process and a comparison of our desired functionality with the capabilities of the software owned by the 10 vendors who responded to the RFI. Ultimately, the report recommended we proceed with purchasing the juvenile court module offered by Tyler

The Supreme Court case management system is a docket system used by the supreme court justices and the 17 individuals who support them in their work. The current system is a custom-built system written in 1993. It has been upgraded since then but, because of its original design, suffers from some of the same design and functionality issues I noted with the juvenile case management system. Because of those limitations, we have had to create another custom-built system, the justice's communication and collaboration system (JCCS), to work parallel to the docket system. This system cost \$76,000 to build and has an average monthly maintenance cost of \$1,300.00. We anticipate that purchase of a commercial case management system will replace both JCCS and the docket system.

The estimated cost at that time was \$1.7 million, which included the basic module, licensing, customization and interfaces, and infrastructure and equipment. Given the passage of time, we have rounded that estimate up to \$2 million. This revised estimate also includes the statutory requirement for purchasing project management oversight services from NDIT. This fee is currently \$2,500 for every \$500,000 of the project budget, so \$10,000 for a \$2 million project. The annual maintenance cost for our current juvenile case management system is \$24,750. With the purchase of the Tyler Technologies module that cost is anticipated to be \$40,000 per year.

We previously requested funds in 2015 and in 2017 to purchase the juvenile case management system but ultimately pulled the project from our appropriation request in order to fund higher priorities. This year we do not have that option since the vendor notified us in October 2020 that they would no longer support this software.

The vendor who built the current case management system employed a single individual who was capable of supporting the system. This vendor closed its business in 2019 and the employee who supported the docket system left to pursue full-time work elsewhere. Given these circumstances, the most prudent course of action to preserve existing records is to migrate to a new case management system at the earliest opportunity.

Moving to one of the new case management systems will have the added benefit of advances in technology which include electronic filing and document storage, automated workflow processes, an integrated accounting package, better data retrieval and the collaboration and communication tools that the justices currently obtain through JCS.

Because this is highly specialized software, there are only two national vendors who provide a viable product. The court released an RFI (Request for Information) to these two vendors in December, 2020. After reviewing the responses and interviewing the vendors, the Court determined that product offered by Thomson Reuters best meets its requirements and its desired future functionality. The anticipated cost of \$2 million includes the estimated \$1.75 million for software, licensing, customization, and integration quoted by the vendor, plus an estimated \$260,000 for infrastructure and technology, and NDIT project management oversight fee of \$10,000. The anticipated annual maintenance fee for the new case management system ranges from \$132,000 in year one (beginning in the 2023 biennium) and rising to \$148,500 by year five.

During our hearing before the full Appropriations Committee on January 8, 2020, Senator Davison expressed some concern over our ability to manage large projects and to support new services given the small size of our IT staff. I do not share his concerns for three reasons: our current use of case management systems, the experience of our staff and the role of our IT staff in relation to the role of the vendor.

Our IT staff already support case management systems for the supreme court, district court, and juvenile courts, as well as other smaller software systems. Implementation of the new case management systems will change specific processes, and for a time will result in increased help desk calls, but it will not have any effect on the number of users or the type of work they perform. In addition, our technical support staff currently support 400 court users of the various case management softwares as well as approximately 3,500 non-court users of the district court case management software.

We have a very experienced IT staff. Our Director of Technology has 30 years of project management experience and has guided the selection and implementation process of many multi-million dollar projects during his career in the private sector. Our senior programmer and senior network staff each have almost 20 years of experience in project implementation and user support. Our technical support staff each have 10 years of experience working with case management systems.

The vendors for these two products will be responsible for project management from their side during the fit-gap, customization, conversion, integration and implementation phases of these

projects while we will be directing project management from our side. Both of these projects consist of purchasing software rather than purchasing code. So, following implementation, the vendor's role will shift to product support, programming and product enhancement. The role of our IT department will be support for the end-users of the product, continued project management for enhancements, changes or fixes, serving as a business analysis between our internal court users and the vendor, user testing of new versions of the products, and advocating for product enhancements that capture advances in technology or significant changes in business processes.

I am confident that if we are provided funding for these two projects we can bring them to successful completion within the next biennium.