SENATE FINANCE & CLAIMS

Exhibit No. 10

Date 4-10-07 #1

Bill No. HB 830

Senate Finance & Claims

Madam ~~Mr.~~ Chair~~man~~ and members of the House ~~Appropriations~~ Committee. For the ~~record, my name~~ is Shirley Faust, F-A-U-S-T, and I am the Missoula County Clerk of District Court. I am also a member of the Legislative Committee and Office Automation Committee of the Montana Association of Clerks of District Court. I am here today to testify in support HB 830 as it pertains to funding of the Court Technology Improvement Program. I will speak to that portion which provides for the funding of the Enterprise FullCourt License. I have provided a Fact Sheet that contains more information about the Enterprise FullCourt License.

To provide some brief background information, the FullCourt Case Management system is currently in use by the Montana Courts of Limited Jurisdiction and was purchased on a license by license basis. Missoula and Mineral Counties, which make up the Montana 4th Judicial District, were selected as test sites for the FullCourt Case Management System, FullCourt Jury Module and FullCourt Imaging module for the Montana District Courts. This pilot project began in June and July of 2006 and in November 2006 the Office Automation Committee of the Montana Association of Clerks of District Court, of which I am a member, endorsed this system for installation in the remaining 54 counties.

A common case management system for all Montana courts makes so much sense for a variety of reasons, one of which is the ability of the Court Administrator's office to focus all resources on the support of one system instead of two or more. I just want to be very specific in saying that I am not here today to necessarily seek support of the FullCourt system itself as it has already been established that this is the system that both the Courts of Limited Jurisdiction and the District Courts will use. I am primarily seeking the support for the funding of an enterprise license which will provide for the FullCourt Case Management System, FullCourt Jury Module and FullCourt Imaging Module to be delivered to all Montana Courts in the most <u>cost efficient</u> manner.

While a $1.1 million dollar price tag may seem like a lot, it is much less than the estimated $2.5 million dollars needed to implement the system on a license by license basis in the remaining Montana District Courts and to provide all Montana Courts with the FullCourt Jury Module without the enterprise license.

I believe that an automated jury system for all courts is a must. The benefits of such a system include the ability to electronically:

1. Randomly select jurors for each county
2. Produce lists of jurors for each of the Montana Courts
3. Produce notices to potential jurors
4. Provide tracking of juror activity
5. Provide automated random selection of trial jurors
6. Provide tracking of expenditures and reimbursements due each juror for time served

In my mind, the fact that any court, in the year 2007, would have to manually perform any or all of the aforementioned functions makes no sense. Our case loads are continually growing so we have to have systems in place that provide for more efficient use of our time and provide for better delivery of service to the Montana taxpayers.

Funding of the Enterprise FullCourt License would also permit the Judicial Branch to deploy as many licenses, of the FullCourt case management, imaging and jury management program, as are needed by Montana Courts and any other entity that works closely with the courts. Examples include law enforcement, local and state probation offices, prosecutors, and public defenders to name a few. I can tell you that I personally have had conversations with each of the agencies just mentioned regarding their desire to have access to FullCourt on their computer desktops in their offices. I am very much in favor of providing access to District Court records through the installation of FullCourt on the desktops of the employees of these and other agencies. Not only will it make the exchange of information more efficient, it will also assist my staff in providing better service to courts, attorneys and the general public.

Again, it has already been established that the common case management system for use by both the District Courts and the Courts of Limited Jurisdiction is FullCourt. The decision before you is whether or not you will support the delivery of this system in the most cost efficient manner by providing the necessary funding for the purchase of the Enterprise FullCourt License. So I once again ask for your support.

Mr. Chairman and members of the House Appropriations Committee. For the record, my name is Shirley Faust, F-A-U-S-T and I am the Missoula County Clerk of District Court. I am also a member of the Legislative Committee and Office Automation Committee of the Montana Association of Clerks of District Court. I am here today to ask your support of HB 830 as it pertains to funding of the Court Technology Improvement Program. I speak most specifically to that portion which provides for the funding of the Enterprise FullCourt License. I have provided a Fact Sheet which contains more detailed information about the benefits of the Enterprise FullCourt License. I hope that you will read this information because time does not permit me to do so. It does contain compelling information.

Funding for court technology is essential to providing a uniform case management system for both the District Court and Courts of Limited Jurisdiction. A uniform case management system provides for ease of access to court records. And because our case loads are continuing to increase, we must continue to improve our systems to assist our offices in providing efficient, quality service to the Montana taxpayers.

Please vote "do pass" on funding court technology in HB 830.

Project 1: Enterprise FullCourt License

Cost: $1,100,000 (OTO)

Project Description: This funding proposal seeks $1.1 million dollars to purchase an "enterprise" license of the FullCourt case management system, imaging and jury management system. It also provides an upgrade strategy to support special needs of Montana's courts of limited jurisdiction and district courts. If funded, this proposal would permit the Judicial Branch to deploy as many licenses of the FullCourt case management, imaging and jury management program as needed by Montana courts and any other entity that works closely with the courts (law enforcement, local and state probation offices, prosecutors, public defenders, child welfare workers, etc.)

Statement of Problem

The FullCourt case management system is purchased on a license by license basis. Each license currently costs $2,950 with an annual maintenance fee of $540 per license. Once fully implemented in Montana district courts the State of Montana will have purchased 630 licenses at a cost of $1,858,000 with annual maintenance costs of $340,200.

Justice Systems, Inc., the vendor of FullCourt, also offers a number of add-on modules for courts. Modules of particular importance to Montana courts are the jury module, imaging module, collections module, and an import/export module. In the future, the drug court module and the child welfare module are also expected to be beneficial to certain Montana courts. During the 2005 legislature the Judicial Branch proposed purchasing licenses for the jury module, imaging, collections and the import/export module in a bonding proposal (HB752). This bill received a majority vote, but not the 2/3rd necessary for passage out of the House of Representatives.

The jury program is of particular importance. To buy individual jury licenses for all Montana courts the cost would be $693,000, plus maintenance. The jury program is easy to use and automates the laborious tasks related to jury management:

1. Randomly selects eligible jurors for each court in the county based on a list of eligible jurors and the number of jurors requested by each judge – for example, during the 2006 term Missoula County began with a potential list of 80,000 jurors.
2. Produces notices to potential jurors and provides for the tracking or juror responses (response, no response, available, not available, etc.).
3. Provides for the randomized selection and notification of jurors for actual jury panels. Tracks panel activity (excused, selected, not selected).
4. Provides for the tracking of expenditures and reimbursements due each juror for time served.

The benefits of standard jury processing cannot be overstated.

Rather than purchasing licenses and modules on a per seat basis the Office the Court Administrator asked Justice Systems, Inc. for statewide pricing to enable unlimited use in the state of the FullCourt case management program, imaging and the jury management program, plus a flat maintenance fee. The $1.1 million dollars is the cost to the state to use an unlimited number of licenses. This includes the right to use all other modules when Justice Systems releases their web-version of the product. The enterprise maintenance agreement for all products is $315,000 ($25,200 less per year than individual maintenance on just the case management licenses).

Project Goal

To complete the procurement and installation of a common case management system and jury management subsystem in Montana's District Courts and Courts of Limited Jurisdiction.

Project Strategy & Risk

Although the cost is significant the risk is low. The FullCourt case management system is used in Montana's courts of limited jurisdiction and is successfully used in the 4th Judicial District. The jury module, collections module and import/export module are also successfully used by a small number of courts (municipal, justice and district courts). The enterprise license and maintenance agreement applies to the current version of FullCourt and the next major release of FullCourt (web-based). This establishes a clear migration path for the next five-ten years for district courts and limited jurisdiction courts.

Implementation Plan

The purchase of an enterprise license for FullCourt, FullCourt Imaging, and FullCourt Jury simplifies the management of licenses and maintenance for the Branch and eliminates the need for the Branch to request additional funds each time a new employee is hired in the Branch. The Judicial Branch has completed the roll-out of FullCourt in Courts of Limited Jurisdiction and the roll-out of FullCourt in District Courts has begun and is expected to be complete over the next 18 months. The Office of the Court Administrator would expect requests for additional licenses from Courts of Limited Jurisdiction, however, these licenses can easily be deployed. The Office of the Court Administrator would coordinate the training and installation of the jury and imaging modules with the roll-out of FullCourt in District Courts.

Submitted by: Shirley E. Faust, Missoula County Clerk of District Court
March 22, 2007