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OREGON eCOURT—IMPROVING JUDICIAL OUTCOMES AND SERVICES

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Oregon eCourt will transform the business operations of the court and its users. Court operations will be streamlined through electronic document management, management-reporting capabilities, and data sharing with partners, which will give courts the tools they need to provide just, prompt, and safe resolution of civil disputes; to improve public safety and the quality of life; and to improve lives of children and families in crisis.

Background

The Oregon Judicial Department (OJD) is an information-based business. OJD relies extensively on up-to-date, accurate, available information to provide fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public confidence.

The information management systems that OJD depends on today were developed internally over 20 years ago. Today, only a few remaining staff understand how to maintain these systems. The systems are siloed, inflexible, and unable to leverage new technologies or improve business practices. They inhibit our ability to promote new and improved ways to share court data with criminal justice and human service agencies, legal and business stakeholders, and the public.

In addition to the aging and inflexible computer systems, OJD's business practices are inflexible and inefficient due to a continued heavy reliance on paper-based processes. OJD handles approximately 50,000,000 pieces of paper per year. This

“eCourt will transform the business operations of the court. It is mainly a service delivery change project, not a technology project.”

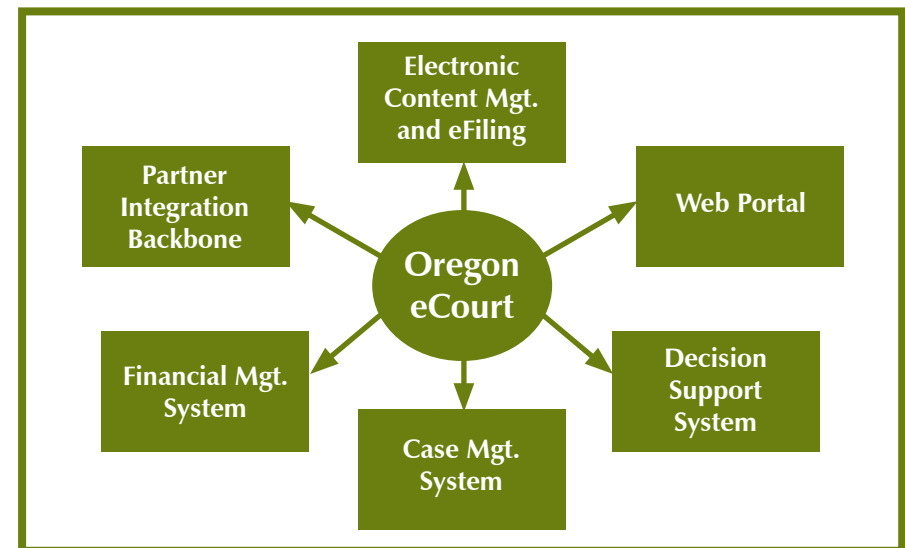
- Chief Justice Paul De Muniz, Oregon Supreme Court

equates to about 10,000 boxes of paper that weigh in at 500,000 pounds, or about 250 tons. Over a ten-year period OJD handles and moves about half a billion pieces of paper. These paper-intensive, manual processes, combined with the very real threat of budget/staff reductions, threaten OJD's ability to fulfill its mission.

Oregon eCourt Overview

Over the next ten years, OJD will transform the business operations of the Oregon state courts through the creation of a statewide electronic court. “Oregon eCourt” will be the largest and most accessible courthouse in the state—one that provides a common experience for all citizens and businesses of Oregon, no matter how they choose to access services or where they are located. It will be the one place that the public may visit to do business with any trial or appellate court in the state. The new technologies used to create Oregon eCourt will enable Oregon's state courts to evolve business processes to serve judges, the legal community, and the needs of the citizens of Oregon more effectively.

The public will access the Oregon courts through Oregon eCourt using standard computer and Web-browsing technology via a “Web portal,” which will provide a variety of services to the general public, attorneys, and the business community, as



well as to other state and local court stakeholders. These services will include direct access to court information, e-filing, and a number of new interactive services.

The Web portal will provide access to documents related to cases and different courts, programs, and services. New interactive services will include components for paying traffic tickets or other fees and fines and for filing a small-claims case or other types of cases. A self-service legal center will help self-represented parties conduct business with any judicial district in the state from anywhere in the world.

The Oregon eCourt solution is an integrated system that will appear seamless to court personnel, business stakeholders, and the public.

Enterprise Content Management (ECM) First

The Oregon eCourt vision positions ECM as the foundation for a new case management system and other business-process changes. ECM will allow for the development of new business processes and workflows within the trial and appellate courts, using the technology to manage the courts' judicial and administrative activities at a level of efficiency that is not possible in a paper-based environment. ECM is the foundation for putting court information and content on the Web. This focus inverts the current vendor paradigm about using ECM as a back-end solution for a case management system (CMS). Oregon eCourt will focus on the front-end business-process definitions and workflows for electronically captured information based on using ECM. E-filing will be integrated into the ECM system design since the ECM is the container for electronically filed documents. CMS procurement will be based on the requirements and selection of an ECM product suite that will be tightly integrated.

Oregon has elected to implement ECM first for the following reasons:

- Courts save significant staff time filing papers, searching for files, and responding to phone queries.
- Court documents are preserved from loss. Within the last several years, Oregon courts have suffered storms, floods, earthquakes, and firebomb attacks. The last event resulted in the loss of approximately 60 years of records from fire damage.

- Courts can reduce costs associated with buying forms and files and paying for storage space.
- Electronic access to court documents and information reduces dependence on court staff, improves customer service by enabling 24/7 self-service, and enables new revenues that can be reinvested in the maintenance and enhancement of the Oregon eCourt system.

Web Portal Enables a “Virtual Courthouse”

OJD initiated the development of a “virtual courthouse” two years ago when it implemented a statewide videoconferencing system. This system was installed in over 70 locations and enables video arraignment, reduces travel and transport expenses, and improves public safety by keeping potentially violent offenders in custody during hearings. A key element of the Oregon eCourt effort is the creation of a sophisticated, central Web portal that augments the existing “virtual courthouse” by allowing court stakeholders, case participants, and the public to conduct a significant portion of their court business online, without requiring them to travel to a courthouse.



Oregon's Judicial Online Services WebSite

The new portal, currently under construction, has a common architecture and service-delivery model yet allows for unique presentation and personalization by each of the courts. The Web portal supports a customized view by account holders (lawyer, pro se filer, and researcher) to streamline business interaction and participation. In other words, a visitor to the portal can customize their page layout and available services to maximize their personal efficiency.

Consistent with best practices relating to the development of an enterprise service-oriented architecture, the portal will be used to create composite applications that include functions of multiple systems, including enterprise content management (ECM), a financial management system (FMS), and a case management system (CMS). For example, a staff person could choose financial, case, and document “portlets” for their page that would all respond to a single search phrase and retrieve information from multiple applications back to a single page.

The overall goal is to treat all business processes as if they originated via the Web portal and interact with all participants electronically. Steps in this process include:

- Establish the Internet Web portal as the foundation for the fully electronic court with both internal and external views. Position the portal as a virtual working courthouse and not simply a communication vehicle.
- Develop a general framework design that is extendable for future functionality.
- Develop the functionality through discrete stages of development that coincide with the delivery of other key components of the plan, such as the ECM or CMS system.
- Provide enterprise search to enable agency-wide person-based information retrieval.

Portal services will include direct access to information based on the user’s appropriate security and access authorization and a number of new interactive services, such as online video educational materials.

These new interactive services will include components for making online payments, including fines for traffic tickets or other violations, filing fees a variety

of case types, or restitution payments. A self-service legal center will assist parties conducting business with any Oregon trial court in the state. Pro se filers will be presented with interview-style forms, similar to the popular TurboTax® software. This enables pro se filers to file correctly the first time, without requiring court staff assistance.

The service-delivery components of the Web portal include filing, document access, data access, online payment, scheduling, communications, and improved court case and opinion publication.

The e-filing solution will allow the Oregon State Bar, district attorneys, and pro se litigants to follow an interactive step-by-step process for filling out forms and other materials. The Web payment service will allow for the online payment of court fines, fees, and restitution. Litigants who e-file will by default be served electronically, receiving notices, updates, and schedules via e-mail.

The Web portal will also provide a search tool for all information repositories within OJD, and potentially other judicial partners. The portal portlet technology will aggregate the searches from disparate sources and present them in a uniform, organized way.

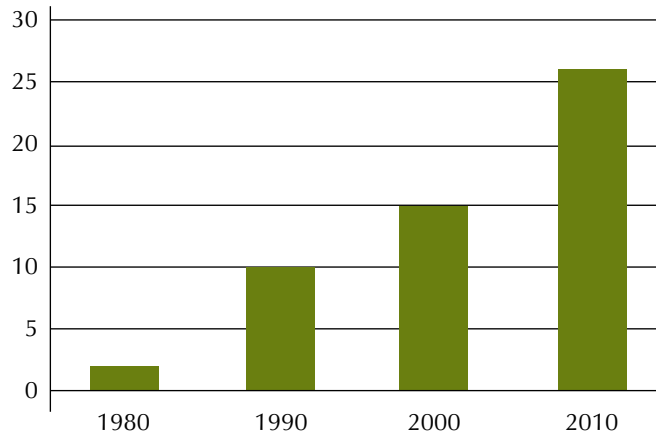
Person-Based Model

This initiative includes the analysis and prototyping needed to create a person-based model to provide a comprehensive view of case participants. A person-based system can link records by offender rather than by case number. Access to more accurate and comprehensive information about persons and families in judicial cases will result in more information for pretrial release decisions, appropriate sentencing, and other important judicial decisions (e.g., no-contact orders or weapons prohibition).

Enhancing Oregon’s systems from case-based to include person-based information increases public safety and reduces errors due to mistaken identity and files in suspense as a result of conflicting or missing identifying information. It also supports efficiency by allowing the courts to consolidate proceedings involving a single person so as to reduce the number of hearings necessary to lead to an

Nationally, the court community is aggressively migrating from custom-developed CMSs and embracing vendor-supplied CMSs and integration services.

Number of State Courts Using Vendor Products Instead of Custom Developed Case Management Systems



Source: Oregon Judicial Department, Oregon eCourt

adjudication, to avoid duplication of appointed-attorney expenses, and to improve the convenience of parties, witnesses, and involved agencies. A person-based system facilitates the creation and maintenance of such innovations as family courts, in which related delinquency, dependency, family-violence, and criminal proceedings can be combined before one judge. This decreases the necessity of hearings in the pending matters and can avoid future proceedings.

Funding Challenges & Strategies

Like the rest of the nation, Oregon is facing unprecedented financial challenges. Although the Oregon eCourt Program has been delayed due to funding limitations,

OJD has been able to move the program forward by:

- Clarifying the value proposition
- Building on and marketing successes—even the small ones
- Breaking the program into smaller deliverables that deliver distinct value
- Soliciting the involvement and expertise of court staff and judges
- Engaging stakeholders in outreach to decision makers

Benefits

The Oregon eCourt will be the largest and most accessible courthouse in the state—one that provides a common experience for all citizens and businesses of the state, no matter how they choose to access services or where they are located. It will be the one place the public may visit and do business with any court in the state. When completed, the Oregon Judicial Department anticipates the following benefits for Oregon courts and the citizens we serve:

- Timely access to justice services at all times
- Standardized delivery of services
- Improved use of resources through standard, efficient processes
- Informed decisions by judges, which will lead to better outcomes for individuals, families, and businesses
- Improved data sharing with stakeholders
- Streamlined court-system business functions
- Access to court data to measure and manage performance
- An electronic court environment (a transition from all paper to paper on demand)
- Ability to perform case- and person-based analysis

For more information about Oregon eCourt, see www.ojd.state.or.us/oregonecourt.

RESOURCES

CourTopics. “Electronic Filing.”

<http://www.ncsconline.org/WC/CourTopics/ResourceGuide.asp?topic=ElFile>

CourTopics. “Video Technologies.”

<http://www.ncsconline.org/WC/CourTopics/ResourceGuide.asp?topic=VidCon>

De Muniz, Paul J. (2009). “The State of the Courts: Building Tomorrow’s Courts Today.” Address to the City Club of Salem, Oregon, January 9.

<http://www.ojd.state.or.us/courts/supreme/documents/StateofJudiciarySpeech2009.pdf>

Enterprise Content Management Blog. <http://www.ecmstrategy.com/>

Enterprise Content Management Connection.

<http://www.ecmconnection.com/?VNETCOOKIE=NO>

NCSC Technology. “Technology Standards.”

http://www.ncsconline.org/d_tech/standards/default.asp

Nielsen, R., and M. D. Singer (n.d.). “E-Court: No Longer a Virtual Reality.” Presentation, State of Florida. <http://ctl.ncsc.dni.us/presentations/Nielsen-E-Courts%20Presentation%20white12-5.pdf>

“Oregon eCourt” (n.d.). Presentation.

<http://ctl.ncsc.dni.us/presentations/Borga-How-eCourt-Delivers.pdf>

Technology Opportunities Programs. <http://www.ntia.doc.gov/otiahome/top/grants/grants.htm>