

NEBRASKA INFORMATION TECHNOLOGY COMMISSION

Project Proposal - Summary Sheet  
Biennial Budget FY2007-2009

Project #05-01  
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Project #	Agency	Project Title
05-01	Nebraska Supreme Court	E-Filing in JUSTICE

**SUMMARY OF REQUEST** (Executive Summary from the Proposal)

[Full text of all proposals are posted at: <http://www.nitc.state.ne.us/nitc/documents/fy2007-09/index.html>]

The E-Filing in JUSTICE project will be the Administrative Office of the Courts (AOC) attempt to introduce Electronic Filing or E-Filing into Nebraska's Trial Court system. JUSTICE is the case and financial management system used for District and County Courts in Nebraska. Currently 185 trial courts utilize JUSTICE. By adding the E-Filing application for the trial courts we are able to provide 24x7 services to citizens of Nebraska.

Electronic filing works by replacing the traditional method of filing, serving, storing, and retrieving court documents with a more efficient electronic process. Instead of duplicating, packaging, and manually delivering copies of documents to the court and service parties, you send them electronically over the Internet.

Documents are then stored electronically. Any time a judge, attorney, or other party on the case needs a copy of the document; they conveniently retrieve the document from a web site. The service is always available; although cases filed after court work hours are time-stamped the following business day. The court can now move documents around in a matter of minutes as opposed to hours in the conventional mode.

**FUNDING SUMMARY**

Section 8: Financial Analysis and Budget

(Revise dates as necessary for your request.)

	Estimated Prior Expended	Request for FY2007-08 (Year 1)	Request for FY2008-09 (Year 2)	FY2009-10 (Year 3)	FY2010-011 (Year 4)	Future	Total
1. Personnel Costs	\$ 27,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00		\$ 127,000.00
2. Contractual Services							
2.1 Design							\$ -
2.2 Programming	\$ 25,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00		\$ 45,000.00
2.3 Project Management							\$ -
2.4 Other							\$ -
3. Supplies and Materials							\$ -
4. Telecommunications							\$ -
5. Training	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00		\$ 50,000.00
6. Travel	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00		\$ 22,500.00
7. Other Operating Costs							\$ -
8. Capital Expenditures							
8.1 Hardware	\$ 10,500.00	\$ 105,000.00	\$ 105,000.00	\$ 70,000.00	\$ 70,000.00		\$ 360,500.00
8.2 Software							\$ -
8.3 Network							\$ -
8.4 Other							\$ -
<b>TOTAL COSTS</b>	\$ 75,000.00	\$ 150,000.00	\$ 150,000.00	\$ 115,000.00	\$ 115,000.00	\$ -	\$ 605,000.00
General Funds		\$ 125,000.00	\$ 125,000.00	\$ 90,000.00	\$ 90,000.00		\$ 430,000.00
Cash Funds	\$ 75,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00		\$ 175,000.00
Federal Funds							\$ -
Revolving Funds							\$ -
Other Funds							\$ -
<b>TOTAL FUNDS</b>	\$ 75,000.00	\$ 150,000.00	\$ 150,000.00	\$ 115,000.00	\$ 115,000.00	\$ -	\$ 605,000.00

**PROJECT SCORE**

Section	Reviewer 1	Reviewer 2	Reviewer 3	Mean	Maximum Possible
3: Goals, Objectives, and Projected Outcomes	12	13	13	12.7	15
4: Project Justification / Business Case	17	17	23	19.0	25
5: Technical Impact	15	15	19	16.3	20
6: Preliminary Plan for Implementation	8	9	10	9.0	10
7: Risk Assessment	10	7	10	9.0	10
8: Financial Analysis and Budget	20	15	20	18.3	20
<b>TOTAL</b>				<b>84</b>	100

**REVIEWER COMMENTS**

Section	Strengths	Weaknesses
3: Goals, Objectives, and Projected Outcomes	- Three objectives are clearly stated.	- Expected outcome is not measurable. What does "successful implementation" mean and who is the judge of that? How can I measure that success in what time frame? How much of a decrease in staff time will result from working with e-file vs. paper and what is the value of that time? - Measurement and assessment should be strengthened. How will productivity improvements be measured? Perhaps "hours saved" could be tracked. The reduction in physical storage should be quantified. A satisfaction survey could be used to measure "better experience for attorneys". Measurable targets should be established that will define the criteria for success of the pilot sites. The criteria should be achieved before expanding the system.
4: Project Justification / Business Case	- Intangible service benefits (convenience, concurrent use, speed) are important. - good depiction of benefits - both tangible and intangible	- How do they know 24x7 filing is a need and has an economic return on investment? What is that ROI? The case states this will result in a "more productive court staff", but how much more productive? Will this result in a ____% increase in filings processed with same staff? What are the benefits of using ACH besides lost or stolen money and what are the costs of ACH transactions? Reasons for not using US Bankruptcy E-Filing system--training, payment, and proprietary software (the ESP's software will be proprietary also) are weak and need to be developed. - Tangible benefits include staff savings, space savings and less money lost or stolen. Each of these can be expressed in dollars but are not included in the justification.

Section	Strengths	Weaknesses
		<p>There is no description of solutions that were considered and rejected. The Federal system that was described is proprietary, not an alternative to what has been proposed.</p> <ul style="list-style-type: none"> <li>- project is valuable, but not mandated</li> </ul>
5: Technical Impact	<ul style="list-style-type: none"> <li>- The outsourcing approach offloads training to the ESP and avoids the expense of building our own custom code.</li> </ul> <p>The proposed system conforms to a credible subject-relevant XML standard recommended by the National Center for State Courts.</p>	<ul style="list-style-type: none"> <li>- Need to develop the security, document integrity, and business continuity areas besides reliance on ESP. What is the Court going to do if there is a problem (i.e., ESP is not available, network interruption, etc.) How will the system validate user identity—am I really who I say I am? How will non-repudiation of filing be handled—did I really file something? How will document integrity be handled—is this really what I filed?</li> <li>- Need a long-term technical strategy if the pilot is successful (will it stay at ESP or move in-house) and if the pilot is not successful (return to old system?)</li> <li>- Little information is presented about the software interfaces. What are the "great security features" offered by the ESP? Specifics would allow for an evaluation of their adequacy. How does the ESP propose to conform to State standards for accessibility and authentication/authorization?</li> </ul>
6: Preliminary Plan for Implementation	<ul style="list-style-type: none"> <li>- Pilot, learn, adjust then deploy is a sound strategy as is installing in both courts for a county at the same time.</li> </ul> <p>Team membership seems appropriate except that judges do not appear to be represented.</p>	<ul style="list-style-type: none"> <li>- Are they using the same business processes they use now or will new processes be developed or current ones changed? Using a new technology the same way as the old process?</li> <li>- Judges have considerable power and influence -- they appear to be left out. Stakeholder acceptance in general is an area of weakness. What technologists perceive as "good" may well conflict with how attorneys and court personnel view the system. Please pay more attention to building support among those who will use the system most! Many would rather live with problems they understand and have been coping with than use a system they don't understand.</li> </ul> <p>Ongoing support should include provisions for maintaining the new scanners and the PCs they presumably attach to. Training for newly hired court staff should also be included.</p>
7: Risk Assessment	<ul style="list-style-type: none"> <li>- The ESP that has been selected has been successful in other jurisdictions.</li> </ul> <p>The subcommittee that has drafted rules for the Court's consideration appears to include the key stakeholders.</p>	<ul style="list-style-type: none"> <li>- Funding is explicitly identified as a risk that is highly important yet no mitigation strategy is proposed.</li> </ul> <p>The mitigation of the staff training risk appears to be that people have been</p>

Section	Strengths	Weaknesses
8: Financial Analysis and Budget	- What is the financial plan if this project is a huge success and the need to escalate deployment arises?	<p>assigned. No information about how those people will address the risk is included.</p> <p>- Ongoing maintenance and support costs for the new scanners are missing. It's likely that scanner models and features will change over the five year purchasing cycle. It is unclear how long it will be before the court must replace the scanners with new models.</p> <p>It's unclear if the \$3,600 of AS/400 disk storage is required for one or for 93 AS/400s. Scanned images require more storage than native documents.</p> <p>Detailed personnel costs are not included. It is unclear if the costs that are listed are net of expected personnel cost savings.</p> <p>It's difficult to evaluate the adequacy of the programming cost estimate without more detailed information. \$25,000 implies a seven to ten week effort -- is that enough?</p> <p>I can find no reference to how the ESP is to be compensated.</p>

**TECHNICAL PANEL COMMENTS**

Technical Panel Checklist				Technical Panel Comment
	Yes	No	UNK	
1. The project is technically feasible.	✓			
2. The proposed technology is appropriate for the project.	✓			
3. The technical elements can be accomplished within the proposed timeframe and budget.	✓			

**STATE GOVERNMENT COUNCIL COMMENTS**

- The State Government Council recommends this project be categorized as a [Tier 2] project.

**NITC COMMENTS**

- Tier 2 (Recommended. High strategic importance to the agency and/or the state.)

APPENDIX

AGENCY RESPONSE TO REVIEWER COMMENTS

Section	Strengths	Weaknesses
<p>3: Goals, Objectives, and Projected Outcomes</p>	<p>- Three objectives are clearly stated.</p>	<p>- Expected outcome is not measurable. What does "successful implementation" mean and who is the judge of that? How can I measure that success in what time frame? How much of a decrease in staff time will result from working with e-file vs. paper and what is the value of that time? - Measurement and assessment should be strengthened. <b>Once the pilot courts are complete we will have a better idea as to how to go about and create benchmarks for success.</b> How will productivity improvements be measured? Perhaps "hours saved" could be tracked. The reduction in physical storage should be quantified. A satisfaction survey could be used to measure "better experience for attorneys". Measurable targets should be established that will define the criteria for success of the pilot sites. The criteria should be achieved before expanding the system.</p>
<p>4: Project Justification / Business Case</p>	<p>- Intangible service benefits (convenience, concurrent use, speed) are important. - good depiction of benefits - both tangible and intangible</p>	<p>- How do they know 24x7 filing is a need and has an economic return on investment? What is that ROI? The case states this will result in a "more productive court staff", but how much more productive? Will this result in a ____% increase in filings processed with same staff? <b>Again that is the purpose for using a pilot based approach; once we have gained experience with the pilot courts we will be in a better position to gauge these valid concerns.</b> What are the benefits of using ACH besides lost or stolen money and what are the costs of ACH transactions? <b>The benefits for using ACH are convenience, security, accuracy.</b> Reasons for not using US Bankruptcy E-Filing system--training, payment, and proprietary software (the ESP's software will be proprietary also) are weak and need to be developed. - Tangible benefits include staff savings, space savings and less money lost or stolen. Each of these can be expressed in dollars but are not included in the justification. <b>To go to the time and trouble to predict these types of savings in 185 courts without knowing the results from a pilot</b></p>

Section	Strengths	Weaknesses
		<p><b>is a hollow and pointless exercise.</b> There is no description of solutions that were considered and rejected.</p> <p><b>There are not a lot of alternatives for this type of system in Nebraska, you either build your own, buy an off the shelf product or outsource the results from the pilot project will help us in making that decision.</b></p> <p>The Federal system that was described is proprietary, not an alternative to what has been proposed. - project is valuable, but not mandated</p>
5: Technical Impact	<p>- The outsourcing approach offloads training to the ESP and avoids the expense of building our own custom code.</p> <p>The proposed system conforms to a credible subject-relevant XML standard recommended by the National Center for State Courts.</p>	<p>- Need to develop the security, document integrity, and business continuity areas besides reliance on ESP. What is the Court going to do if there is a problem (i.e., ESP is not available, network interruption, etc.)</p> <p><b>The ESP is doing very well in other state court systems.</b></p> <p>How will the system validate user identity—am I really who I say I am? How will non-repudiation of filing be handled—did I really file something? How will document integrity be handled—is this really what I filed?</p> <p><b>The Nebraska Supreme Court has developed Interim Rules for E-Filing cases that address most of these concerns.</b></p> <p>Need a long-term technical strategy if the pilot is successful (will it stay at ESP or move in-house) and if the pilot is not successful (return to old system?)</p> <p>- Little information is presented about the software interfaces. What are the "great security features" offered by the ESP? Specifics would allow for an evaluation of their adequacy. How does the ESP propose to conform to State standards for accessibility and authentication/authorization?</p>
6: Preliminary Plan for Implementation	<p>- Pilot, learn, adjust then deploy is a sound strategy as is installing in both courts for a county at the same time.</p> <p>Team membership seems appropriate except that judges do not appear to be represented.</p>	<p>- Are they using the same business processes they use now or will new processes be developed or current ones changed? Using a new technology the same way as the old process?</p> <p><b>Workflows have been developed in the District and County Courts that are a combination of both new and existing processes.</b></p> <p>- Judges have considerable power and influence -- they appear to be left out. Stakeholder acceptance in general is an area of weakness. What technologists perceive as "good" may well conflict with how attorneys and court personnel view the system. Please pay more attention to</p>

Section	Strengths	Weaknesses
		<p>building support among those who will use the system most! Many would rather live with problems they understand and have been coping with than use a system they don't understand.</p> <p><b>The Court has an E-Filing subcommittee that is made up of Judges, District Court Clerks, Clerk Magistrates and private sector Attorneys. This group developed the recommended rules for E-Filing and is very involved in getting the pilot project up and running.</b></p> <p>Ongoing support should include provisions for maintaining the new scanners and the PCs they presumably attach to. Training for newly hired court staff should also be included.</p> <p><b>The PC's being used are leased from the Office of the CIO and include the support discussed here. Training is part of the pilot project. Operation of a scanner is not all that different from a copier or other office business device.</b></p>
<p>7: Risk Assessment</p>	<p>- The ESP that has been selected has been successful in other jurisdictions.</p> <p>The subcommittee that has drafted rules for the Court's consideration appears to include the key stakeholders.</p>	<p>- Funding is explicitly identified as a risk that is highly important yet no mitigation strategy is proposed.</p> <p>The mitigation of the staff training risk appears to be that people have been assigned. No information about how those people will address the risk is included.</p>
<p>8: Financial Analysis and Budget</p>	<p>- What is the financial plan if this project is a huge success and the need to escalate deployment arises?</p>	<p>- Ongoing maintenance and support costs for the new scanners are missing. It's likely that scanner models and features will change over the five year purchasing cycle. It is unclear how long it will be before the court must replace the scanners with new models.</p> <p><b>The scanners would be looked at as a four year refresh cycle.</b></p> <p>It's unclear if the \$3,600 of AS/400 disk storage is required for one or for 93 AS/400s. Scanned images require more storage than native documents.</p> <p><b>The images are stored centrally as they currently are for 14 District Courts that use imaging. The cost is for one centralized AS-400.</b></p> <p>Detailed personnel costs are not included. It is unclear if the costs that are listed are net of expected personnel cost savings.</p> <p>It's difficult to evaluate the adequacy of the programming cost estimate without more detailed information. \$25,000 implies a seven to ten week effort -- is that enough?</p> <p><b>This estimate was based on the project</b></p>

Section	Strengths	Weaknesses
		<p><b>estimate from the Office of the CIO.</b></p> <p>I can find no reference to how the ESP is to be compensated.</p> <p><b>The ESP has a separate contract with each attorney or firm registering to use their product. The cost to file a case is still being developed.</b></p>