



OREGON JUDICIAL DEPARTMENT  
Office of the State Court Administrator

December 10, 2012

**SENT VIA EMAIL ONLY**

The Honorable Richard Devlin, Co-Chair  
The Honorable Chris Harker, Co-Chair  
The Honorable Kim Thatcher, Co-Chair  
Joint Committee on Legislative Audits, Information Management, and Technology

Re: Judicial Department Report on Oregon eCourt Status

Dear Co-Chairs Devlin, Harker, and Thatcher:

The Oregon Judicial Department is submitting this letter to the Committee to provide updates on the Oregon eCourt Program, the deliverables under the 2011 agreement between the Chief Justice and Ways & Means co-chairs, and the 2012 budget notes relating to Oregon eCourt.

**Status of Oregon eCourt Program**

Court implementations under the Oregon eCourt Program remain on schedule and slightly under budget. The Program has postponed delivery of the Decision Support System (DSS) component due to a desire to expand our knowledge of the Odyssey system, further utilize capabilities already available in the Odyssey system, and better define the DSS requirements. The Program continues to use its lessons learned from the Yamhill pilot court implementation, and had an on-time "go-live" implementation in three additional courts today, December 10, 2012. Overall Program risk increased in the latest Quality Assurance report, but OJD has reviewed the report in detail with the Legislative Fiscal office, and will continue to use its established process to identify and address focus areas. There have been some delays in installing the eServices components and emerging issues involving online data users, discussed in more detail below.

**Yamhill Circuit Court Go-Live.** As previously reported, OJD successfully implemented the Odyssey system in Yamhill County Circuit Court in June 2012. The lessons-learned process from that implementation has proved valuable in avoiding similar issues in the next round of courts. We have successfully addressed issues involving newspaper and title company requests for judgment reports that were identified after the go-live event. These entities request

a listing of all cases that result in a judgment. A report is now run on request for these entities, and we intend to move toward a web-based or subscription approach to this report.

In addition, the public can view nonconfidential documents from Yamhill County cases using public access terminals in any Circuit Court in the state. Case documents from other counties will be similarly available as additional courts move on to the Odyssey system.

**Early Adopter Courts.** Final steps have been completed for the scheduled December 10 go-live in the next three courts (Linn, Crook, and Jefferson Counties). OJD's Legislative Fiscal Office analyst visited Linn County in November. Using Yamhill lessons learned, the successful data conversion rate for those courts exceeds 99 percent. Court staff began using the Odyssey system over the weekend before, and the courts began using Odyssey, including for all public court matters, on Monday, December 10.

### **September 29 Quality Assurance Report**

The Program received a new Quality Assurance (QA) report and has prepared its response to the report, and reviewed the report and response in detail with Program governance and the LFO. The report concluded risk had increased from the previous quarterly report. The QA provider increased risk in significant part because of its view that risks increase following an implementation – they are “real” risks instead of hypothetical. OJD generally agrees with the areas that pose the highest risk. Those areas of risk include managerial and technical complexity, an aggressive schedule, inaccurate or incomplete data conversion, and concerns about time demands on a reduced court staff to conduct operations and simultaneously prepare of Odyssey implementation.

Under OJD's established risk management system, Program management establishes focus areas and action items for each risk identified either by the QA, or by the internal risk management team.

### **eServices Update**

OJD is transitioning from its existing eCitation and ePay systems to Odyssey eCitation and ePay systems in Odyssey, and adding an eFiling system. An OJIN-based ePayment system was implemented earlier this biennium, and has been in use in all courts statewide except Yamhill. OJD has included the Odyssey ePay system in the early adopter courts' go-live package, and will be bringing up ePay in Yamhill County at the same time. The existing ePay system continues to be effective in diverting more than 197,000 inquiries and \$6.9 million in payments from court staff to the online system.

The eCitation system allows the Oregon State Police to electronically file citations in circuit courts statewide. Odyssey has its own eCitation system, which has more capabilities – but also more complexity – than the current system. OJD has not included the Odyssey eCitation system in the early adopter go-live package on December 10, but will return to those courts to install it in the pilot and early adopter courts later this month.

A law firm in McMinnville, Oregon was the first "test" client user to the proposed eFile component system. This occurred in November and several more tests still will need to occur. A single case filing was tested to confirm that the system properly routed the documents, payments, and related information. OJD did find some delays in transferring the funds in the initial test, but believes that problem has been addressed and will be testing additional cases in the near future, then prepare to install the component system in the four courts using Odyssey later in Spring 2013.

### **2013-15 Oregon eCourt budget request**

The Chief Justice will be requesting ongoing funding for Oregon eCourt in his 2013-15 Requested Budget. The Governor's Recommended Budget includes bond funding capacity for the OJD request, but does not include the General Fund components of the Oregon eCourt request, which are contained in policy options packages.

OJD will be requesting \$22.9 million in bond funds to continue the trial court rollout in 11 courts in the 2013-15 biennium, including Multnomah County Circuit Court in May of 2014. Other OJD policy option packages will request \$6.3 million in General Fund to support debt service for the new bonds and for training, maintenance, and technical support that cannot be funded using bond proceeds.

### **Status of Deliverables from the 2011 Legislative/Judicial Agreement**

As previously reported, all OJD deliverables under the agreement have been submitted to the LFO. Since OJD's last report, we have been working with LFO on completing and reviewing analysis of these remaining deliverables. The only outstanding deliverable is #37, which requires a program and fiscal audit of Oregon eCourt. OJD worked with LFO to develop the scope of these audits, and has issued a Request for Proposals (RFP) to vendors. Responses to that RFP are due in January 2013.

### **Status of 2012 Oregon eCourt Budget Notes**

The 2012 Legislative Assembly adopted two budget notes for the Oregon eCourt Program, both attached to SB 5701. The first budget note related to timelines for the remaining deliverables, which have been reported above. The second budget note requested OJD to develop detailed implementation and evaluation plans for the pilot court and early adopter courts. Those plans previously were submitted to the LFO.

### **Additional Issues with Oregon eCourt Implementation**

Some businesses that purchase online data access have raised concerns about timely and ongoing access to statewide conviction and other data from Oregon state courts. OJD has been actively working with those users to address their concerns, but data availability and the process to access data has changed significantly, so the transition has been difficult to go as smoothly as new issues are identified in the way the reports are generated or data comes formatted.

OJD has been working with many of these 25 users for years, and, over time, both parties have modified their systems and practices to meet the needs and limitations of the systems of the other. Over the years, this has included greatly customizing features and reports from the OJIN system. In some cases, for the future with Odyssey, addressing these concerns requires only minor modifications, such as adjusting load balancers to ensure that the volume of data requests are routed in the most efficient manner, which decreases response times. For this, OJD also is increasing the number of search results that can be obtained, to accommodate the needs of these bulk data users.

In some other cases, data previously made available no longer is available because state and federal privacy laws have changed, making information confidential. The Odyssey system, with its increased functionality, allows OJD to better comply with these legal standards, but it means that some information sought by users is not available under current laws.

In other instances, information is stored differently in Odyssey than in OJIN, and we are working on new processes to access that information. For example, because of limitations in OJIN in accessing actual court documents, court staff used text fields to enter useful information found in those documents. Because Odyssey allows access to actual documents, staff does not need to enter the text notes, which fundamentally changes the information that is available to online users. Addressing this change requires significant effort, and OJD is working with these users to assess options to meet these requests. OJD continues to avoid customizing the Odyssey system.

In summary, we recognize that these businesses rely on court records and data to meet their business needs, while maintaining our mission to follow the law and our focus on implementing this new information management system for the courts.

Members from the Oregon eCourt program team will be in attendance at your December 11, 2012, meeting to answer any questions. Thank you.

Sincerely,



Kingsley Click  
State Court Administrator

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cc: Oregon eCourt Program Sponsors  
Oregon eCourt Program Executive Leadership  
Bob Cummings, LFO  
Steve Bender, LFO  
Phil Lemman, OJD