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TO: Felicia Brabec
Chair, Ways & Means Committee

THROUGH: Verna McDaniel
County Administrator

FROM: Dan Dwyer, Administrator
Washtenaw County Trial Court

Gregory Dill, Director
Office of Infrastructure Management

DATE: August 7, 2013

SUBJECT: Trial Court Case Records Management System

BOARD ACTION REQUESTED:

It is requested that the Washtenaw County Board of Commissioners approve the purchase and implementation of the Tyler Odyssey Case Records Management System at the Washtenaw County Trial Court.

BACKGROUND and DISCUSSION

HISTORY

Unified Trial Court

In 1996, the various Courts in Washtenaw County initiated a consolidation effort under the auspices of the Michigan Supreme Court Demonstration Project. All of the Courts in the County consolidated under one administration that included, amongst many things, the cross-assignment of all 14 judges in the County. The Courts became known as "The Washtenaw County Unified Trial Court." As part of that effort, the Courts received a grant from the Michigan Supreme Court to purchase and operate a single consolidated case management system for all of the County Courts. At that time, it was considered leading edge to have one case management system to manage the various case types of all the courts in a given county. The case management system is the backbone of an efficient and cost effective court and it was a significant improvement to have one system that all court staff and users could utilize. The Court selected a Florida based company called Vanguard to provide a unified case

management system called FULCRUM (the FULCRUM software program was later purchased by a Texas based company named Court Specialists Incorporated (CSI)).

Fulcrum Case Management System 1997

FULCRUM was implemented in all of the County Courts in 1997 and served as the case management system for all Courts in Washtenaw County. In January 2004, the District Courts in Washtenaw County left the Unified Trial Court, although many of the case processing efficiencies of felony cases remain to this day. In 2004, CSI Technologies indicated that they would no longer support their outdated FULCRUM system and we “upgraded” to their newest case management software named eNACT. All of the Courts in Washtenaw County remained on a single system and we converted all Courts to eNACT in May of 2005. Circuit Court Administration continued to provide all system support for all Courts in the County.

CSI Closes Leaving Fulcrum/Enact Unsupported

In December 2005, Court Specialist Incorporated closed their operations, leaving all of the Courts in Washtenaw County with a non-vendor supported case management system. We did secure the source code for the eNACT system and were also fortunate enough to have an in-house Systems Manager named, Scot Cannell, who knew the eNACT system extremely well. The bad news was that we were no longer vendor supported and could no longer make significant modifications or upgrades to the system. We were also in the precarious situation of having all Courts in this County reliant on one employee’s knowledge of the system. We joking would say “we sure hope Scot never gets hit by a bus or we’re in real trouble.” The good news was that the County was no longer paying annual support/maintenance payments to CSI Technology in the amount of \$83,042. In the past eight years, we have “saved” over \$664,336 by not paying a vendor for annual support & maintenance.

The various Courts in the County operated with eNACT as their case management system until the 15th District Court converted to the Michigan Supreme Court Administrator’s Office (SCAO) operated Judicial Information System (JIS) when they left the Downtown Courthouse in August 2006. The Trial Court (Circuit, Juvenile and Probate), as well as 14A District Court and 14B District Court, remained on the eNACT system that was operated by Circuit Court Administration.

eNACT Shortcomings

Our current eNACT system:

- cannot perform electronic caseload reporting tasks mandated by SCAO in January 2007,
- cannot age unpaid accounts,
- cannot compute or apply late fees on unpaid accounts,
- cannot electronically integrate with the Secretary of State Office for automated license suspensions and reinstatements,
- does not permit limited or “one-time” data entry across the database,
- does not permit on line case look-up by the public,

- cannot support electronic filing of any nature,
- cannot be seamlessly and transparently updated to reflect changes in State law, regulations, and Supreme Court rules.

Seeking a Replacement: NextGen JIS Starts - 2007

Due to the precarious situation of operating a large urban court with a non-vendor supported case management system, in 2007 the Trial Court, in collaboration with 14A District Court and 14B District Court, began negotiations with the SCAO to participate as one of two pilot sites to develop the new Supreme Court case management system, then referred to as Next Generation JIS. In September 2007, the Washtenaw County Trial Court, 14A District Court and 14B District Court joined the Berrien County Trial Court as the two pilot court systems to assist in the development of the new State operated Next Generation JIS case management system. A total investment of \$1,068,173 was made by the Courts in Washtenaw County (\$551,998 from the Washtenaw County Trial Court, \$343,171 from 14A District Court and \$173,004 from 14B District Court). UNYSIS was selected by the SCAO as the vendor for this new system.

NextGen JIS Delayed & Partnership Agreement Terminated

The project began with high expectations in September 2007 and had a projected completion date of May 8, 2009. The Washtenaw County Trial Court expended a tremendous amount of staff time and resources to the endeavor. Our Systems Manager, Scot Cannell, traveled to Lansing two to three days per week to participate in the design meetings for Next Generation JIS system. In early 2009, Scot developed significant health issues, but continued to work on the project with SCAO. When 2009 passed with no system implementation, Chief Judge Donald Shelton, Trial Court Administrator Dan Dwyer and Systems Manager Scot Cannell, along with representatives from Berrien County, traveled to the SCAO in Lansing on April 1, 2010, for a Steering Committee Meeting to discuss project delays. At that time, we were informed in writing by SCAO and UNYSIS staff that there was a projected 16 month delay until full implementation would occur. That would mean full implementation should have occurred in September 2010. We continued to send our Systems Manager to Lansing several times per week to assist in development of the project. On January 10, 2011, Washtenaw Trial Court representatives and Berrien County representatives again traveled to Lansing to discuss further project delays with the SCAO and UNYSIS team. At that time, we were informed in writing by SCAO staff that the civil case type module would be ready for implementation by June 2011 and that the criminal case type module would be completed and ready for implementation in June 2012. No timeline could be provided by SCAO staff for completion or implementation of the Juvenile or Probate case type modules.

2011 passed with no completion or implementation of any modules of the Next Generation JIS system. In the intervening time, our System Manager, Scot Cannell, medically retired from the Trial Court on December 16, 2011, leaving the entire Court system without a vendor or an in-house expert to manage the eNACT system. The

completion of the Next Generation JIS system was 2 ½ years overdue and there was no indications that the project would be completed in any reasonable timeframe. In October 2012, the SCAO finally implemented the civil case type module of Next Generation JIS in Berrien County. Criminal, Domestic, Juvenile and Probate case type modules had yet to be developed or implemented and five years had passed since the project began. Given the precarious nature we were in, Chief Judge Donald Shelton began dialog with the SCAO Administrator in early 2012 requesting specific dates be provided for the overall completion of the Next Generation JIS system. When a specific timeline could not be provided, the Trial Court began investigating alternative case management systems.

On February 6, 2013, Chief Judge Donald Shelton officially notified the SCAO Administrator of our termination in the Next Generation JIS project and requested full refund of our initial contribution to the project. In June 2013, the SCAO refunded the entire \$551,998 to the Washtenaw County Treasurer's Office.

Vendor Selection – Seeking a New System

The Washtenaw County Trial Court and our customers have now endured eight years without a vendor supported case management system since CSI Technology went out of business in 2005. We also endured five years waiting for a government agency that performed very poorly in the development and implementation of a new case management system. In collaboration with Washtenaw County Infrastructure Management/IT leadership, we developed a Request for Proposals (#6723) for a private case management system vendor. The RFP was released on April 3, 2013, with responses due by May 2, 2013. Four submittals were returned and were evaluated by a joint Trial Court/County I.T. review committee. In our search for a new case management system, it was imperative to us that we find a:

- Solution provider with a reputation for state of the art court technology and a proven track record of customer service.
- Solution provider already operating a state of the art case management system in a medium to large sized court in the State of Michigan so we would not have to write significant amounts code for the system.
- Solution that includes a robust e-filing component.
- Solution provider that we could be confident would stand the test of time that we could rely on for years to come.

Those criteria lead us to Tyler Technology as our preferred provider. The RFP Review Committee & Trial Court selected Tyler Technologies as the preferred case management, imaging and e-filing solution for several reasons;

1. Stability. Tyler was founded in 1966 and has 2,200 employees, 352 of which work in the courts and justice division. Tyler has more than 11,000

government clients, 750 of which are judicial clients. They are publicly traded on the NY Stock Exchange and in 2012 they had \$363 million in total revenue and \$33 million in net income. Revenues rose 17% over 2011 levels. Tyler's Courts & Justice division reinvested over 6.4% of total revenue into research & development in 2012.

2. Experience. Tyler provides services to clients in all 50 states, Canada, Puerto Rico and the UK. Tyler has 750 judicial clients, including nine statewide CMS environments and five of the twenty largest judicial courts in the country. In Michigan, Tyler is the CMS provider for Wayne and Kalamazoo Circuit Courts. They are also the e-filing vendor for Oakland County Circuit Court and the Michigan Court of Appeals. Tyler has converted Orange County, Florida, from eNACT, the same case management system that we are currently using.
3. Single Vendor. Tyler provides a single point of contact for training, implementation, support and maintenance for both the case management and the imaging/e-filing components of this project. This seamless approach to all three areas should make implementation and ongoing operations smoother and easier.
4. Implementation Approach. Tyler proposes a single 'big-bang' implementation approach in which all of the various divisions of the Trial Court would go live with Tyler within 13 months. Given our current tenuous situation with our current CMS system, and because our clerking operations, and our judges, have considerable overlap between the various court divisions, a 13 month 'big-bang' implementation would work the best for the Trial Court.
5. Project Management. Tyler will assign a project manager who will be responsible for the project, and they will bring in various departments within Tyler for specific tasks, including conversion, business analysis, training, integration, configuration and development. About 30 Tyler staff would be involved in our project. The Project Manager is proposed as 13 months full-time.
6. Ongoing Annual Maintenance. Tyler's ongoing annual maintenance cost of \$188,933 was the lowest of the two qualified bidders by \$32,159 (with a defined e-filing revenue sharing formula to further decrease that cost).

Tyler Technology

Tyler Technology has been named by Forbes as one of "America's Best Small Companies" five times in the last six years. Today, Tyler is the largest company in the U.S. solely serving the public sector. Tyler consistently maintains a solid balance sheet, strong cash flow and low debt, and is publicly traded on the NYSE (TYL). They were founded in 1966 and are currently a \$350 million public corporation. Their \$60 million Court & Justice Division has over 30 years of expertise and 300 employees. Tyler is the

most widely selected commercial court system in the nation. They are the statewide court case management provider for 8 states (Indiana, Maryland, Minnesota, New Hampshire, New Mexico, North Dakota, Oregon, and South Dakota), and 400 counties in 15 states across the nation.

Tyler in Michigan

In Michigan, Tyler is the case management vendor for the 9th Circuit Court in Kalamazoo County and the 3rd Circuit Court in Wayne County. They are also the E-filing vendor for the Michigan Court of Appeals, as well as the 9th Circuit Court in Oakland County. Administrators in Oakland, Wayne and Kalamazoo Counties have all provided extremely positive feedback about the Tyler Odyssey case management system, as well as the customer service they have received from that company.

On September 13, 2012, representatives from Tyler Technology traveled to Ann Arbor and provided a five hour presentation on the Odyssey system. Included in that meeting were Trial Court judges, court managers, clerk staff, Trial Court I.T. staff, County I.T. staff and Public Defender staff. The overwhelming feedback regarding the product was outstanding.

On January 14, 2013, Trial Court judges and staff, as well as County I.T. staff traveled to Kalamazoo Michigan for a presentation on the Tyler Odyssey system by 9th Circuit Court staff. The judges and Court administrators from the 9th Circuit Court had nothing but positive feedback regarding the Tyler Odyssey product, as well as the ongoing customer service they receive from Tyler.

IMPACT ON HUMAN RESOURCES:

None

IMPACT ON BUDGET:

The cost of the Tyler system will be spread out over the 2014-17 Budget. It is recommended that the funding source for the \$2,351,461 implementation of the system come from the following sources:

Total Implementation	\$ 2,351,461
Refund from State Court Administrator's Office	\$ 551,998
2013 Trial Court Surplus	\$ 200,000
IT Fund Balance	\$ 700,000
Capital Reserves	\$ 899,463

The use of Capital Reserves will be repaid with any Trial Court surplus beginning in 2014.

IMPACT ON INDIRECT COSTS:

None

IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:

The public safety and justice community of interest.

CONFORMITY TO COUNTY POLICIES:

The requested Board action is in conformity with County policies.

ATTACHMENTS:

Resolution