



2019

E-FILING
REPORT

Wyoming Supreme Court

INTRODUCTION

Movement toward a unified electronic filing system continues throughout the state. It is an unfortunate reality that electronic filing is not a stand-alone system. Its functionality is highly dependent on a reliable case management system that provides the foundation for the vast majority of court automation projects. The Supreme Court has made great strides in implementing a robust case management system in the courts to provide the solid foundation as a prerequisite of electronic filing. Those efforts will continue as a progression toward the ultimate goal of a unified electronic filing system statewide.

BACKGROUND

In 2000, the Wyoming Legislature enacted legislation creating the judicial systems automation (JSA) account and imposed a ten-dollar fee on court filings (court automation fee) to be paid into the JSA account. The purpose of the fee was to move the courts toward a more automated and uniform way of doing business throughout the state.

The first phase in court automation, implementation of an electronic case management, efile, and public access system in the Supreme Court, went smoothly. The contractor selected, LT Court Tech, was a small company and leading vendor in appellate case management systems. The system, C-Track, came online in the Supreme Court and mandatory electronic filing in the Supreme Court began by mid-2008. Although there have been some tweaks to the software since, it functions quite well.

The next major step in court automation, implementation of a uniform case management system in the district courts, commenced in 2009. At that time, the individual clerks of district court utilized four different electronic case management systems, which made centralized data retrieval impossible. The decision was made to adopt C-Track as the starting point for the district court case management system. A dedicated group of clerks met at least four hours each week for months to assist in development of the district court case management system. In the meantime, the small company which had set up the Supreme Court system was sold to Thomson Reuters, a much larger multi-national corporation.

The district court case management system, WyUser, was completed, tested in three pilot courts in 2012, and eventually began to be rolled out in all of the district courts by spring 2014. There were

some immediate positives. All of the district courts were on a single system, which provided a foundation for data retrieval. Additionally, district court judges could now access files from their own districts (including those covering more than one county) electronically, drastically reducing the need to ship paper files around the state or haul them from the clerks' offices to judges' chambers. With full implementation of WyUser, the Supreme Court had hoped to test electronic filing in the district courts by mid-2015, and the legislature was informed accordingly based on the information that was available at the time.

Unfortunately, things did not work out as anticipated. Supreme Court staff spent countless hours attempting to improve the system. However, by the spring of 2016, it became clear WyUser simply would not meet with the needs of the district courts.

Since that time, the Supreme Court has entered into contracts with Justice Systems Inc. (JSI) to implement a new case management system in the district courts. JSI is a tested and proven vendor specializing in the development and implementation of case management systems for trial courts. It has provided the case management system in Wyoming circuit courts since 2003 with great success. In addition, fifteen of the district courts utilized the JSI system prior to migrating to WyUser.

The Court has worked with various committees since January 2017 to tailor this off-the-shelf system for the needs of Wyoming district courts. This is an intensive process requiring countless hours devoted to the task by both Supreme Court staff and district court clerks. Implementation of that system in the district courts is slated to begin in January 2021.¹

HISTORICAL COSTS

The WyUser case management system cost a total of \$7,426,600 to implement. This cost was inclusive of Wyoming-specific development of the system, migration of court data from legacy case management systems to WyUser, training of court staff, on-site go live activities, and licensing for use of the software by district court clerks.

¹ Migration of data will not be a task as onerous as it was before WyUser, because data from only that system, rather than from four systems as was the case earlier, will need to be transferred to FullCourt Enterprise.

The contract amount for the new case management system in the district courts is currently \$1,581,402. With additional needed customizations, it is likely that this number will increase slightly before the project is complete.

LESSONS LEARNED

The Supreme Court has learned many lessons over the years related to automation of the courts. The first and most critical is that a reliable case management system is crucial to the success of the vast majority of court automation systems, including electronic filing. The case management system provides the foundation for data and documents flowing through the courts. Without a reliable case management system, an electronic filing system is nearly impossible to implement successfully. The case management system provides the backbone for all other court automation systems, including electronic filing.

The process has also unveiled the need to listen and welcome input from stakeholders who will be utilizing the various court automation systems. To that end, the Court has created a number of committees that are currently entrenched in configuration and rollout of the new case management system. Additional participation from attorneys will ensue as the electronic filing project moves forward. The judicial branch has learned that it cannot simply rely on a contractor to develop software that will adequately serve the branch, as was the case with WyUser.

The ability to pilot court automation systems and ensure their integrity is of utmost importance. The implementation of the chancery court in Wyoming will provide a unique opportunity for the Supreme Court to test the electronic filing system and its integration with the case management system. In addition, the chancery court has the potential to become a laboratory for testing other systems such as remote public access and judges' tools.

A thoughtful, methodical, and flexible rollout plan is paramount to the success of a court automation project. The Supreme Court experienced issues in the rollout of WyUser attributable to imperfect rollout strategies, inconsistent and inadequate training, lack of control over vendors, and an inability or unwillingness to suspend or delay a rollout when issues arose. The current rollout plan associated with the new case management system provides hours of training and contact with the clerks over many months by Supreme Court staff. In addition, the Supreme Court has remained flexible as problems arise, and accommodated issues when needed in the rollout plan.

The implementation of statewide electronic systems is a monumental task that requires vast amounts of human and financial resources. Supreme Court staff time devoted to the rollout of a single circuit court currently amounts to 152 hours, and this process will be or has been utilized for the 26 circuit courts and 23 district courts. This does not account for the time devoted by the clerks in those courts, nor does it account for the years spent configuring the system prior to the rollout.

The lessons learned have informed the Supreme Court's current strategic plan for court automation. While ideally courts throughout the state would be in a position to accept electronic filings through an automated and unified electronic filing system, that is not currently the case. Nevertheless, the Supreme Court continues to forge ahead toward a more fully automated court system with the ability to electronically file.

FUTURE

Currently, the Supreme Court is dedicated to rolling out the new case management system in both the circuit and district courts throughout the state. In addition, the Court has recently requested quotations from vendors in order to select, begin contract negotiations, and ultimately deploy an electronic filing system in the district courts throughout the state as well as the chancery court. Based on the quotations received by various vendors, it is anticipated that the licensing and services related to implementation of the electronic filing system in the district courts will range from \$680,000 to \$2,690,800.

This price range, however, does not include the cost of maintenance and support of that system over time. The cost of maintenance and support of the case management system and electronic filing system in the Supreme Court currently amounts to \$120,884 per year. A similar cost for maintenance and support of the electronic filing system in the district courts is likely.

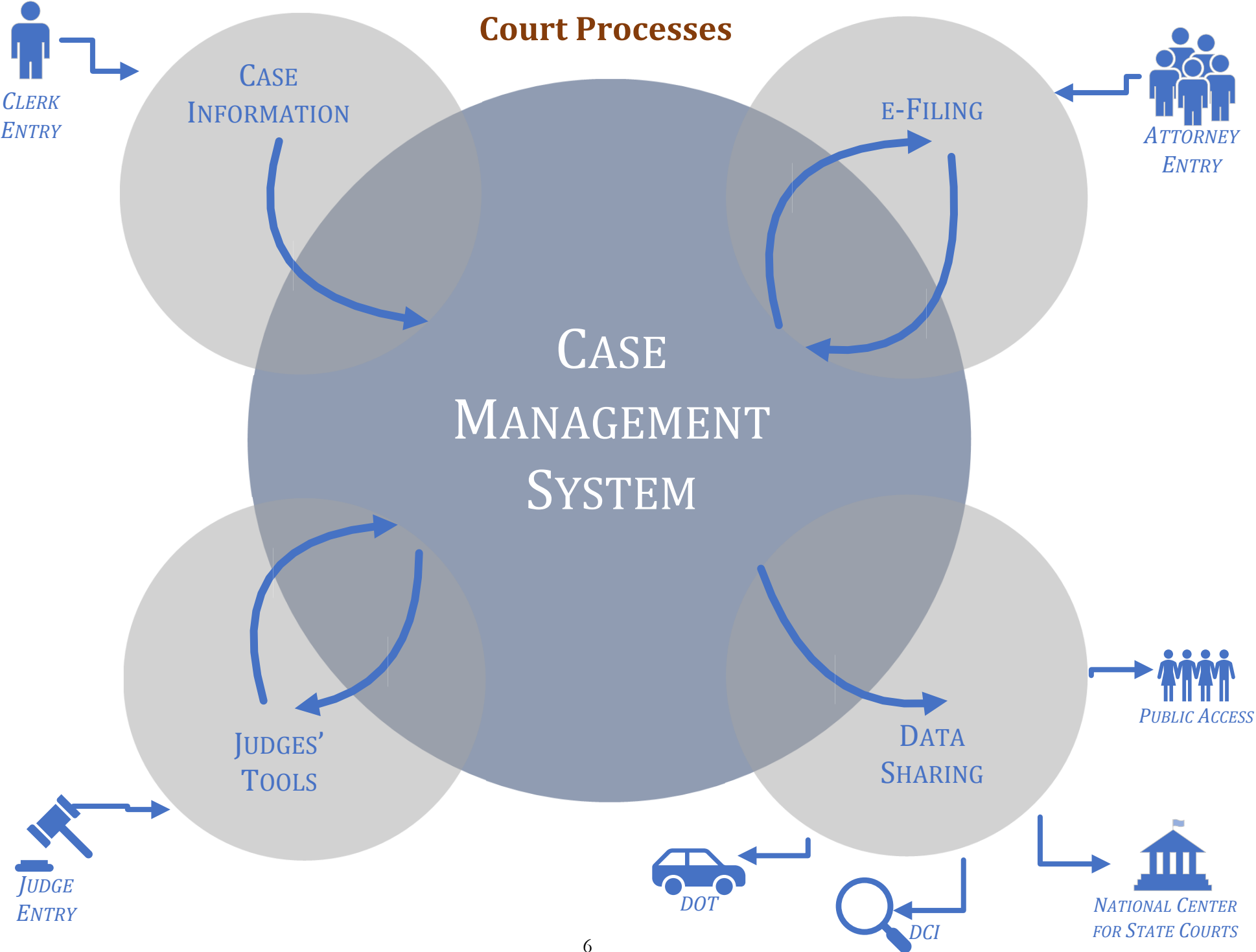
The price range also fails to account for the costs associated with training not only the Wyoming bar, but also clerks of district court who will need the ability to navigate the system as well. There are also likely to be additional customizations of the electronic filing system as committee work progresses which will result in additional costs.

CONCLUSION

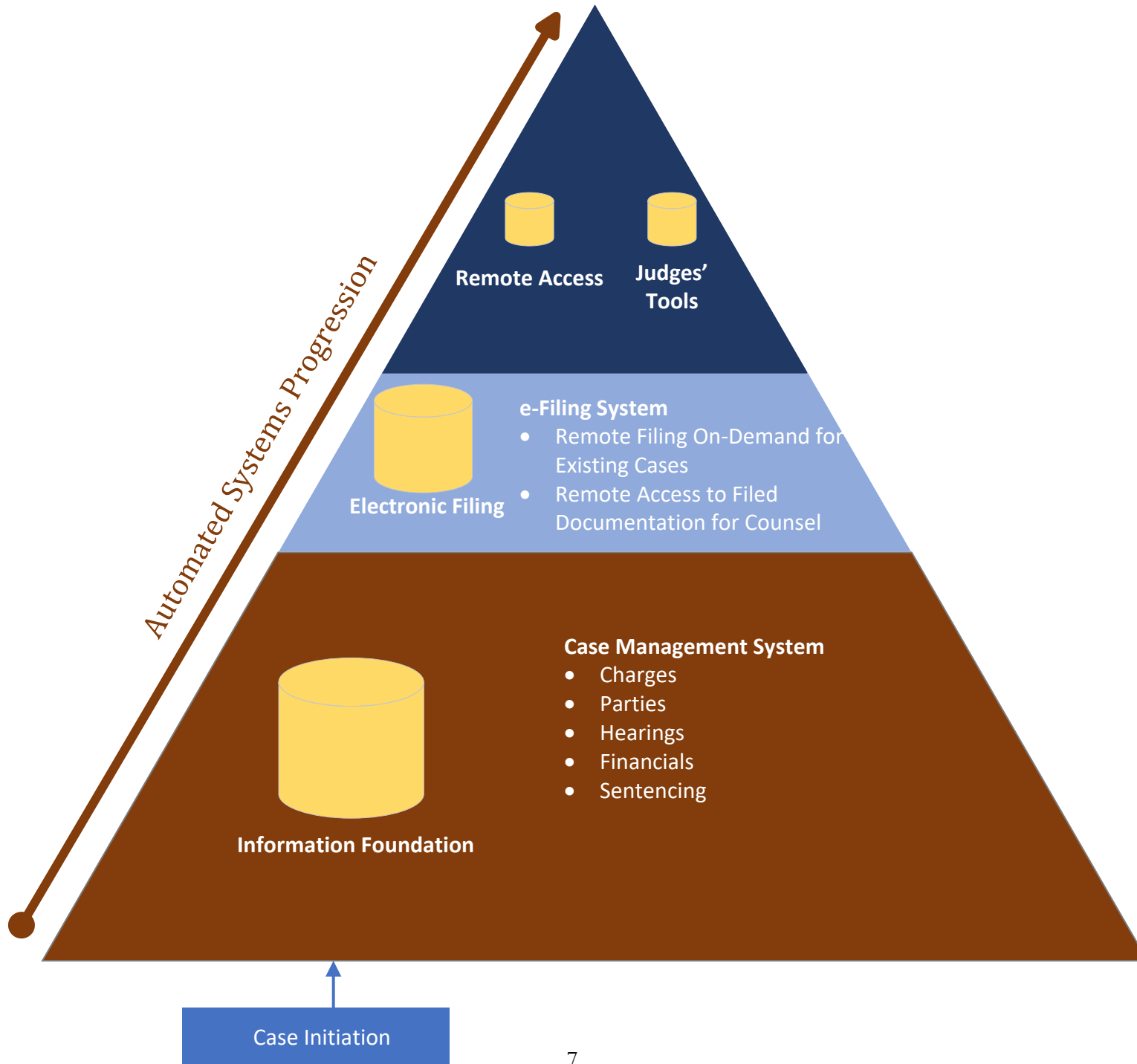
The march toward a unified electronic filing system in Wyoming continues. While the path has not been free of obstacles, the lessons learned have provided invaluable information for moving forward. The most significant knowledge gained is that a robust and reliable case management system is essential for implementation of a successful electronic filing system. Migrating the district courts onto a unified case management system was a significant achievement in Wyoming, allowing the collation of data statewide and providing a method of accessing data electronically for court staff and judges.² Unfortunately, the initial case management system suffered from fatal shortcomings and simply could not provide the infrastructure needed for a functional electronic filing system. A new foundational case management system is currently being tailored for use in the district courts. The vendor has been tested and proven, and upon implementation, the new system will provide the necessary foundation that is a prerequisite to electronic filing. There is understandable frustration with the delay in electronic filing in Wyoming among attorneys, legislators, litigants, and the courts. The Court has continuously progressed toward electronic filing since automation of the courts commenced and will continue in its efforts in the hope that those frustrations will be allayed as soon as possible.

² This achievement is exemplified by the implementation of a unified case management system in Kansas, which began in 2015 and will be complete in 2021 if no major complications arise. The case management system contract alone cost Kansas \$11.5 million, <https://www.hayspost.com/2018/01/20/ks-supreme-court-announces-rollout-plan-for-statewide-centralized-case-management-system/> and <http://www.kscourts.org/kansas-courts/general-information/2018-News-Releases/011718CCMSStatewideRolloutPlan.pdf>.

Flowchart for Automated Court Processes



Court Automation Foundational Structure



Typical Software Project Timeline

Pilot Phase

- Data Migration
- Testing
- Data Quality Assurance

For each Pilot:

- Training
- User Acceptance Testing
- Go-Live Activities
- *Extensive Travel for On-Site Training and Go-Live Activities*

6-9 Months

Project Start

- Specification Review
- RFQ/RFP
- Contracts

3-9 Months

Project Completion

- Maintenance & Support Begins



Configuration Phase

- Gap Analysis
- Enhancement Requests
- Infrastructure & Software Installation

3-6 Months

Full Rollout

- Rollout & Configuration (Includes Training, User Acceptance Testing, Go Live Activities for each location)
- *Extensive Travel for On-Site Training and Go-Live Activities*

18-30 Months

2.5 – 4.5 Years

