

LESSONS LEARNED IN COURTS DIGITISATION

THOMSON REUTERS COURTS
MANAGEMENT SOLUTIONS



THOMSON REUTERS

Contents page

Executive summary	3
Thomson Reuters Courts Management Solutions	3
Prioritising court digitisation	4
Implementing courts digitisation – lessons learned	6
C-Track’s suitability for UK criminal court digitisation	12
Appendix: The Minnesota experience	18
Appendix: A single system for civil and criminal courts	18

Executive summary

This paper draws on the experience of Thomson Reuters in courts digitisation projects in the US and the UK, and wider lessons from the industry, to set out a variety of lessons learned and their applicability to future court digitisation initiatives.

In particular we believe this insight will be of use to stakeholders in the Common Platform Programme (CPP) and any wider civil courts digitisation programme that forms part of the Ministry of Justice modernisation initiative.

We note that the objectives of the CPP are defined as:

“A faster, less erratic system where:

- **Cases go ahead on the day they are planned;**
- **Guilty pleas are identified early, so they are dealt with at the first hearing;**
- **Limited resources are focused on the right cases – dealing more proportionately with simple/summary cases**
- **Trials are shorter and effectively managed with all parts of the system clear on what is expected of them;**
- **There is a no-adjudgment culture, and police, prosecution and defence are prepared and ready to proceed.”**

– CPP Supplier Workshop, 28 February 2014

We believe that the CPP is potentially the most ambitious national courts digitisation project ever attempted. In this paper we suggest that given the role played by the Magistrates’ and Crown Courts at the core of the criminal justice system, efficient modernisation of these institutions represents the most crucial priority for the CPP.

In this paper we discuss the likely impact of various factors including:

- The respective timetables for process modernisation and digitisation
- The phasing of roll-out in various parts of the criminal justice system
- The merits of build versus buy approaches
- Stakeholder engagement and change management
- Governance and cost control

At the same time we summarise the implications of these findings for the CPP.

While organisational and process reform and culture change must take the lead in reducing case delays and the “adjournment culture”, we suggest that the successful implementation of the Programme will also rely on the successful implementation of the right technical solution selected for the Courts.

Any case management solution (CMS) proposed for these Courts needs to support standardised processes and be sufficiently agile to accommodate the variations in rules, processes and procedures that apply to different court systems. It needs to be scalable, and to interface with legacy and partner systems across the criminal justice system. It should also, as far as possible, be based on pre-built components so as to minimise the risks of budget overrun, project delay or failure to deliver.

In this regard we discuss the advantages of using a specialised, commercial off-the-shelf (COTS) courts solution that can readily integrate with wider systems, and lay out some of the experience of Thomson Reuters’ C-Track court case management suite in this arena in the US and the UK.

Thomson Reuters Courts Management Solutions

As a global business with broad experience in legal software and strong relationships across the sector, Thomson Reuters deploys best practice from other jurisdictions as well as drawing on its direct, longstanding experience in courts digitisation and managing and implementing large-scale technology projects, including systems integration.

Prioritising court digitisation

Digitisation of the courts system is imperative not only to keep pace with public expectations of justice and governmental institutions in a modern developed economy, but also to serve as the foundation and catalyst for improving efficiency throughout the system.

Given the pre-eminent role of the courts at the core of the criminal justice system, we would propose that digitising them, and doing so via a common, sustainable and adaptable COTS solution, must be one of the first priorities of a successful Common Platform Programme.

The key benefits of courts digitisation are briefly described below.

Replacing paper with digital

Court digitisation brings all users and stakeholders the practical benefits of digitising any system in terms of improved data management, accessibility, visibility and control. These include:

- making information and documents accessible online to different parties simultaneously and remotely
- creating and analysing case information and tracking cases as they progress through the system
- facilitating communication and collaboration between different parties and stakeholders

Moving away from a paper-based system to an online CMS reduces risk – of documents being irretrievable due to loss, damage or misfiling, for example – as well as reducing paper, printing and storage costs. Online digital files are searchable and easily retrieved and shared.

More efficient scheduling

Online listings and calendar functionality bring together all the information that court staff need for efficient planning and scheduling. This will:

- make best use of resources, including court room availability and judges' time; and
- enhance public experience of the courts system - parties to the cases and the public will be better informed, as they will have direct online access to the information they require.

Faster case throughput

With online information replacing paper, everyone involved in a case will have simultaneous access to documents as soon as they are filed. This enhanced visibility will enable all parties to arrive at court fully prepared. Judges and officials will be able to access the court lists online so they will be informed of any changes as soon as they are made. This will minimise the chance of adjournments due to missing documents, information or people, and increase case throughput.

Online case management provides greater yet more controlled access to documents, as courts will be able to control access permissions and track user activity.

Streamlined processes

Tracking and auditing cases as they progress through the system will help to identify logjams and other factors that can delay progress. This information can be used to create rules engines to avoid these issues, streamline processes and improve the experience for all stakeholders.

Digitisation offers the ability to introduce online workflows to streamline and expedite cases. This involves mapping processes and identifying the roles involved at each stage.

Workflows offer greater visibility across the system – in a paper-based system people see only their component of a process and how what they do interacts with previous and subsequent tasks. An online workflow that tracks the progress of a case shows the impact of each action, interaction or delay on subsequent tasks and on the entire process. This also enables the reason for delays that may occur regularly at a particular point in the process to be identified and ironed out.

Workflows create opportunities for business process re-engineering or redesign – i.e. to classify cases and design workflows around those classifications and categories to improve scheduling and accelerate throughput. This will enable courts to expedite straightforward cases and anticipate which cases are more complex and may require extra time and resources.

Data analysis offers broader benefits too as the CMS interfaces with third party and legacy systems to produce efficiencies and enhance data visibility across the CJS.

General management benefits include economies of scale and better use of resources, including workforce flexibility.

Systems integration

Online access also offers the possibility of integration with internal and external systems such as the police, the DVLA and the Prison Service.

Systems like C-Track offer the possibility of interfaces with legacy court systems and also with partner systems across the justice system including police, other prosecuting agencies, law firm systems, and post-disposition services such as prisons and probation.

The prospect of increased integration, with parallel increased automation, offers the capability to drive true efficiencies by taking lower-level or regulatory matters out of the courtroom altogether, freeing up valuable staff, judicial and premises resources for the cases where they are needed most.

For example, in the field of high-volume traffic offences (parking offences, speeding, traffic light violations), we are currently developing C-Track's capability to manage automated case generation and issuing of notices, in order to accept input from e-citation systems (commonly using a wireless handheld device to process details of offences direct to police or prosecution systems and then to the court) or photo enforcement systems. In this way C-Track will enable maximized automation of high-volume motoring or similar offences, processing the case through to the issuing of notices with minimal staff resource required.

Implementing courts digitisation – lessons learned

We believe the CPP is one of the most ambitious courts digitisation projects ever attempted within the US or the UK.

A number of comparable projects – both successful and unsuccessful – can be regarded as benchmarks. These include the following:

- Thomson Reuters has experience of deploying C-Track across several civil and criminal court systems in the US, notably in Sacramento Superior Court where the Civil and Criminal court systems were unified into a single C-Track system which interfaces with external systems including DMV, Parole Board, Jail systems and County systems. In Wyoming, four CMSs across 23 trial courts were unified into a centralised C-Track installation. Features include integration with Supreme Court systems and the transfer of data between court levels.
- Thomson Reuters' US experience includes interfacing C-Track with partner organisations' systems.

We are also aware of projects involving other clients and vendors that are reported to have failed to deliver their aims to time and budget through a combination of factors. These include the following:

- The State of California was forced to abandon a statewide case management system after having incurred over \$300m of spend. The relevant superior courts had expressed their lack of confidence in the system and the projected cost of the initiative had ballooned from \$30m to \$1.9bn. (California State Auditor's report, available at www.bsa.ca.gov/reports/summary/2010-102).
- In 2010, the State of Oklahoma initiated an attempt to standardize the entire state's case management system, incorporating 77 trial courts and 5 appellate courts in a short period of time through software implementation. The timetable involved four pilot counties using the system by the end of 2012, with all 77 counties using the system by autumn 2015. However in 2014 it was reported that still only three of 77 counties were scheduled to begin implementation by the end of the year ("Oklahoma's new online court records system being used by one county", Tulsa World, accessed at www.tulsaworld.com/news/courts).
- In Australia, the State of Victoria began development of a statewide Integrated Courts Management System in 2005. In November 2011, a Victorian Ombudsman investigation found the case management system to be over three years behind schedule, with a projected overspend of \$21 million, and an uncertain future. (Victorian Ombudsman, "Own motion investigation into ICT-enabled projects", available at www.ombudsman.vic.gov.au).

As an experienced provider of courts digitisation solutions, we routinely analyse both our own experience and other large-scale attempts within the US. Some of the lessons from these projects are described below.

> COMPLETE PROCESS RE-ENGINEERING BEFORE DIGITISATION

Court processes around the world tend to display a high degree of idiosyncrasy. The same series of common elements can be readily identified in any judicial system – identify matters, gather and collate information, make decisions, output results, and so on. However major and minor differences in the way these elements manifest themselves will rapidly become apparent, even when comparing neighbouring courts in the same jurisdiction – or the same building.

Some of these differences are more deeply "hard-coded" into the system, for example through legislative or constitutional purpose, whereas some have arisen for reasons of tradition or are simply due to the tendency of local bureaucracy to develop local processes.

DEEP DIFFERENCES MAY BE CAUSED BY...	SHALLOW DIFFERENCES MAY BE CAUSED BY...
National legislation	Judicial preference
Calculations of efficiency (e.g. summary trial vs jury trial)	Tradition
Criminal vs civil practices	Localised bureaucracy
Judicial necessity (e.g. hearings in camera vs open court)	

While flexible court management solutions like C-Track are designed to allow a high degree of local configuration, court digitisation represents a key opportunity to introduce standardised and streamlined processes where these represent a rational efficiency. However, the necessary process re-engineering should ideally be completed prior to digitisation, to avoid costly re-design.

The importance of carrying out process redesign in tandem with IT changes has long been acknowledged. Cf the following excerpt from NAO 2003 report New IT systems for Magistrates' Courts: the Libra project:

"IT system changes should be planned to support redesigned business processes. Undertaking one without the other is unlikely to deliver value for money."

Thomson Reuters' experience demonstrates the significant value of standardising processes before implementing digitisation, particularly when moving from either a paper-based system or a selection of different legacy systems which are likely to include organically developed ways of working. Obviously not all processes and procedures should be forced into a straitjacket, but greater standardisation across the court system will produce a more cohesive system overall, improve workforce flexibility and increase the return on future enhancements.

In Wyoming, processes were standardised across 23 district courts before C-Track was introduced state-wide. The CMS was then configured to the standardised processes. The result was the unification of four legacy systems into a centralised C-Track installation, which included integration with the Supreme Court, the transfer of case data between court levels, and plans for future integration with the law enforcement system.

A related benefit of a mature product-based solution is that this may offer some local flexibility, within nationally defined parameters. For example, C-Track's Configuration Manager is designed to be used by local court staff, and allows them to configure elements of the system to suit their own local requirements, within the confines of statutory and business rules pre-set by central authority.

> START SMALL, ACHIEVE QUICK WINS

Overhauling a national (or even statewide) court system will invariably be a multi-year project. It is necessary to build momentum with an early success story (perhaps based on a single court location), which can be used to demonstrate viability, engage senior stakeholders and embed appetite for change among staff.

Experience shows that spreading key deliverables out over a phased implementation schedule reduces the risk associated with a 'big bang' roll-out and helps to realise demonstrable value at an early stage in the project.

In the Oklahoma State project, the project narrowed after inception from multiple counties to a single pilot program. The courts administrative director attributes the ongoing delays to the "sheer size and scope" of the project. (Tulsa World, reference above.)"

In the Victoria statewide project led by the Department Of Justice, the Victorian Ombudsman reported that the “DOJ should have developed a case management system for one court, conducted a benefits analysis of the system and then rolled the system out to the remaining courts and tribunals if the first roll out was considered a success”.

The need for quick wins also indicates the desirability of selecting a ready-for-use software system rather than adopting a ground-up build approach.

The RCJ project is implementing C-Track case management for three of its nine courts in 2014 and piloting e-filing and online payment for one court. The remaining CMS, e-filing and public access systems will follow in the second phase. The proposed timeline was 12 to 18 months. The ability to get C-Track up and running quickly with a high level of functionality available immediately is offset by key dependencies, including the availability of court staff and acceptance of the new processes by the legal community.

Phased automation of interfaces is important to minimise disruption, particularly when multiple agencies, vendors and stakeholders are involved.

Agile development and project methodology, used to deliver incremental functionality, gives users early releases and involves them in on-going development work. Managing projects in a series of ‘sprints’ helps to reduce risk and sustain momentum and motivation. This entails dividing a large project into smaller achievable tasks that quickly add value.

It is important for the project’s cheerleaders to benefit from quick wins.

Although deployment may begin in a single location, it is important that requirements and project control be driven at the national level, so that the national solution is not unduly dictated by the conditions prevailing in the local court.

> USE A COMMERCIAL OFF-THE-SHELF OFFERING, RATHER THAN BUILDING FROM SCRATCH

Courts modernisation projects are typically high-cost and high-profile, attracting high levels of public and political scrutiny. Selecting a COTS product instantly reduces risk on the project.

At the same time, it is essential to minimise any significant dual-running period during which admin teams might have to use multiple systems. COTS products ensure shorter transition times through enhanced prior familiarity with the system.

A mature underlying product also ensures that the solution will evolve with time and react to changing needs, reducing the risks of obsolescence. For example, Thomson Reuters C-Track users benefit from ongoing upgrades and access to specific functionality developed for other courts, as well as reducing future costs by ensuring that upgrades occasioned by new OS versions or computing formats will be automatically taken care of as part of the ongoing product road map.

- *Commenting on the failure of the California Statewide project, the California State Auditor’s Report cites “the lack of a mature underlying product” as an explicit reason for the lack of confidence of the superior courts (the report is available at www.bsa.ca.gov/reports/summary/2010-102).*

> AVOID BIG BANGS – ITERATE TOWARDS A DEFINED END-GAME

Attempting a wholesale day one change of working practices is rarely successful in the necessarily conservative environment of court management. Change management and product development need to happen in tandem, based on a prioritised road map that delivers the largest efficiencies soonest.

The Minnesota appellate court system is an early adopter of digital practices, having introduced a court case management system nearly a decade ago.

MACS is Minnesota's appellate court case management system. The implementation started with clerk's offices functionality – case initiation and docketing – and court-specific functionality including calendaring and opinion processing functions for the Court of Appeals and the Supreme Court, reporting functionality with statistical and detailed case data and comprehensive search capability based on configurable data entry options.

Additional functionality has been added over the years including a public version that provides electronic access to appropriate case information for users outside the court, docket entry notification, and e-notification, which provides electronic copies of court-generated documents to counsel, lower courts and others on the case distribution list.

> PRIOR PLANNING AND NATIONAL GOVERNANCE IS CRUCIAL

Successful digitisation of a court system depends not only on obvious factors such as the vendor's technical capacity, and the court service's capacity for effective software procurement and performance management. It also relies on detailed internal planning and buy-in at all levels.

Key factors include:

- Are senior stakeholders including the judiciary fully engaged?
- Is sufficient resource allocated from within the service to agree robust requirements and participate in feeding back on development?
- Is the programme management team empowered to make decisions on behalf of the whole?
- Has the necessary process of business analysis and process re-engineering been conducted?

In relation to the California statewide project, the California State Auditor concluded that the court service had "Inadequately planned for the statewide case management project". It noted in particular the lack of "a program management strategy, a solid business case, and a resource model to ensure its achievement".

In the Victoria statewide project, the Victorian Ombudsman found that "DOJ employed a systems integrator to assess the tender responses. A witness told my investigators that DOJ relied on the system integrator's advice and accepted their recommendation of CourtView, as no-one within government had the capability to assess the tender responses. This is concerning."

> PRACTISE PROPER COST CONTROL

An obvious lesson of failed projects is that final closure tends naturally as the result of unplanned overspend and the associated political fallout.

The California State Auditor noted that the California Statewide project "did not structure the development vendor's contract to adequately control cost and scope" and "failed to develop accurate cost estimates".

The risk of budget variance and overspend is mitigated by the use of COTS solutions as opposed to a ground-up approach, where multiplicity of cost centres and development estimates of varying accuracy contribute to create a cost profile that is both fluid and hard to control.

> FOCUS ON STAKEHOLDER ENGAGEMENT AND CHANGE MANAGEMENT

A challenge commonly encountered when standardising workflow is that most courts have developed idiosyncratic working practices over several years, and staff may have little motivation for change. C-Track's Configuration Manager module was designed with this tendency in mind, allowing local adjustments to centrally specified parameters.

However, standardising and re-engineering processes is critical not only for minimising customisation costs but also for optimising the opportunity for resource sharing and other more efficient business practices in the future. Adopting best business practices and common standards and making them part of a common process is a critical success factor for delivering the CPP's business outcomes.

Effective communication with all stakeholder and user groups is essential. It is important to keep key user groups involved through regular user acceptance testing and by appointing business ambassadors in each court. In this way, via regular demos, an existing COTS product can itself serve both as an onboarding tool and as a catalyst for process re-engineering: identifying what needs to be changed and how to change it to optimise the workflow.

Some courts will require only minor changes, and in others broader change may be needed. Adopting best practices may require some retraining.

Change management should focus on introducing the system incrementally and resolving teething problems as early as possible – ideally during the initial pilots. When the pilots have rolled out successfully, it is important to communicate this as widely as possible to add momentum to the programme.

Success or failure of the project may therefore depend on the **resource available for change management**, not just for internal staff but also across other affected court user groups (for example law firms and the Bar). The larger the geographical footprint, the greater the resource needed.

Some key approaches that have worked well in this regard include:

- Combining project involvement with securing buy-in – involving outlying staff in requirements approval at an early stage and regularly releasing progress snapshots and prototypes multiplies the likelihood of user acceptance. As well as providing valuable design input, this will show the national team where both expectation and change management must happen and allow it to be addressed early. Various structures can be used to manage the flow of input, approvals and feedback.
- Identify success stories from early deployments tied to the experience of specific court staff and users. Testimony of peers will drive greater engagement than top-down messaging.

The HMCTS/Thomson Reuters Rolls Building digitisation project is centered on trust and transparency across all aspects of delivery. Through co-location of Thomson Reuters and HMCTS teams within the commercial courts building, relationships were developed at speed to create a seamless, high-performing team.

Court staff were engaged from the very outset and were involved in the procurement and partner selection process. This project ownership at all levels within the courts is a critical factor in the adoption of new digital ways of working. Thomson Reuters' credibility and trusted reputation within the legal industry means that project risks are shared and the commitment to deliver is paramount for all parties.

> SENIOR STAKEHOLDERS

It is crucial to gain senior stakeholder buy-in at an early stage and leverage it throughout the programme. This may influence programme phasing. For example, early positive feedback from the judiciary may act as a beneficial influence on magistrate users inducted later.

The California State Auditor noted that the California Statewide project “failed to gain the needed support of the superior courts to ensure implementation and adoption of the system goes smoothly”.

In Victoria, the Ombudsman reported that the Supreme Court’s feedback about the project was that “DOJ should have involved the court’s judicial officers, as users of the system, during the planning phase of the project. In this regard, the court stated it was not provided with an opportunity to view the business case”.

In the Royal Courts of Justice, real and visible buy-in from senior judges has lent authority, leadership and credibility to the project, influencing acceptance not only within the court system but also from external groups and the legal community.

> DEEP VENDOR ENGAGEMENT

C-Track’s US experience also demonstrates the importance of involving the chosen vendor in identifying system requirements, rather than relying solely on external management consultancy, which may not specialise in court technology. Notwithstanding the focus on standardisation, it is important not to overlook the fact that all courts are not the same and change management, which is a key part of the implementation process, may require different approaches in different courts.

The challenge for the purchasing authority is to select a vendor that can genuinely work in partnership with the courts. A true partner will engage across the user community and throughout the implementation and bring ‘best of breed’ ideas and experience gained from other court digitisation programmes to the table to build a solution that supports the courts now and in the future. Management consultants who are not specialists typically use business process re-engineering to learn about their customers. Thomson Reuters works closely with the legal sector and combines this broad perspective with specialist court technology experience and expertise.

In the Royal Courts of Justice the Thomson Reuters C-Track team are co-located with the court staff in the Rolls Building, enabling decision-making at pace, enhanced knowledge transfer and requirements gathering, and improved confidence in the project from the wider court staff.

C-Track's suitability for UK criminal court digitisation

Thomson Reuters' C-Track CMS is an ideal fit to support the required CPP business outcome of a "faster, less erratic system". C-Track has a proven track record of delivering change, and is an established solution that has been successfully deployed in civil and criminal courts internationally.

- As a commercial off-the-shelf (COTS) solution, it does not require significant customisation as it can be configured to different jurisdictions, procedures and processes.
- A COTS system facilitates future system upgrades, expansion and the development of additional features based on a universal core platform.

C-Track's features include listing, e-filing, document management, public access and robust integration APIs. It is designed with a common backbone, consistent user interface and integrations with subsystems that can be configured to deal with the differences in workflow and data elements. C-Track has an established track record spanning more than 10 years and has developed its compatibility with numerous jurisdictions and judiciaries. This is demonstrated particularly by its US experience, where justice systems vary considerably between different states.

Current implementations underway will offer additional core capabilities, along with UK experience. C-Track is being implemented in the RCJ Rolls Building in 2014 and 2015, giving Thomson Reuters on-going UK experience of court digitisation, including listings and calendar functionality. A Core Enterprise C-Track project includes exhibit listing. US projects in Sacramento and San Francisco are delivering specific calendar and alert functionality.

Thomson Reuters also offers comprehensive support services.

Interfacing C-Track with existing environments and partner systems

C-Track complies with the Government's ICT policies and its open systems architecture allows its software to be installed on virtually any server environment.

- Its configurable design can meet the needs of all types and sizes of courts.
- The web-based solution can be accessed by any device running any web browser.
- Its service-based integration APIs mean it can easily integrate with different external systems.

Combining productised, non-productised and legacy elements

C-Track is a productised solution and therefore delivers several of the suggested functionality requirements in a fully integrated manner.

There is a clear need to map required interfaces between C-Track and other elements of the solution. C-Track has extensive REST/SOAP APIs to facilitate integration with other products or with newly built elements (for example a digital evidence store).

For example, if deployment begins in a court setting, we will need to establish the potential for an interface with the CPS COMPASS system, where an essentially manual interface now obtains.

In line with lessons learned and the deployment principles listed above, we strongly recommend that the programme should not attempt to interface everything on day one. Instead we should choose a road map of information interfaces that will enable the system to move progressively more smoothly, starting from "as is" levels of efficiency and working up towards increased levels of automation.

As the system is built out we recommend seeking the most impactful efficiency drivers for priority development, so as to demonstrate early success and motivate stakeholders. For example, a common case info backbone (URN, name, DOB, offences) keyed in once at the custody suite then promulgated through the system would be a clear efficiency gain.

Thomson Reuters has experience of deploying C-Track across civil and criminal court systems in the US, notably in Sacramento Superior Court where the Civil and Criminal court systems were unified into a singular C-Track system which interfaces with external systems including DMV, Parole Board, Jail systems and County systems. In Wyoming, four CMSs across 23 trial courts were unified into a centralised C-Track installation. Features include integration with Supreme Court systems and the transfer of data between court levels.

Fit with UK criminal justice requirements

We conducted a gap analysis of C-Track against a probable requirements set for the CPP, extrapolated from CPP high-level supplier briefings and our own expertise and analysis of the England & Wales criminal justice system.

We found a good high-level match between C-Track and the probable UK criminal court requirements in the majority of areas covered. In some areas, further understanding of granular requirements will be needed to assess fit at a low level.

- Business continuity and archiving
- Business rules
- Compliance and security
- Data migration
- Diary management
- Electronic files and formats
- Fees, penalties and payments
- Search
- Submit, create, maintain and manage content
- System availability
- System capability, capacity and performance
- System interface/integration
- User interface
- Workflow

The gap analysis also matched C-Track against functions ordered by their position in the case management workflow: submission, listing, case management, jury management, case output, reporting, collection and fee penalties and access to case information, submissions and processing. Again a high-level match was found in the majority of areas analysed.

C-Track is specifically designed to deliver a strong fit with court procedures, but also to enable the classification of cases and subsequent business process re-engineering to standardise processes for certain types of case. Configuring the out-of-the-box system to address particular issues, rather than customising it, enables the entire UK courts service to create a cohesive digital resource, with a common backbone, consistent user interface and integration with subsystems. This will produce searchable data that can easily be shared and accessed by the parties that require it at various stages in the case management process– including court employees, lawyers, judges and in appropriate circumstances, the general public.

A more granular analysis identified six additional areas, where digitisation offers further valuable features:

- **Forms** – Digital online forms would provide a user interface directly into the system in a similar way to HR forms.
- **Jury management** – A number of options exist for jury management, for example an interface with the jury management solution used by the JCSB or by linking the system to the electoral role to establish potential jurors' eligibility and availability for jury service.

- **Multilingual capability** – C-Track is an English language product. It might be possible to translate the public user interface.
- **Automation** – in some circumstances, C-Track may require customisation to deliver some automated workflows.
- **Prosecutorial case management** –this could be developed or achieved with an interface with existing CPS systems.
- **Physical exhibit (evidence) management** – exhibit information can be recorded within C-Track together with tracking these items. This functionality is being developed in the core product via other projects.

Automated workflow is a potential add-on to C-Track’s CMS functionality. Although most US courts rely on manual data input, some progress has been made in California in terms of automated interfaces with external parties’ systems. The CPP initiative could include a roadmap for automation and other future enhancements as a second phase in the CMS implementation.

Building out requirements

We have based our analysis of fit with our best current understanding of the requirements. In requirements discussed with various third parties we believe there may be significant requirements that remain unarticulated, for example:

- CPS
- Interfaces with police systems
- Extensions to other prosecuting agencies

Implementing C-Track

Thomson Reuters can draw from extensive and direct experience from the US, where our tried and tested implementation strategy has been to carry out pilot studies with representatives of different sized courts and then to install the first implementations in selected small-to-medium courts .

Key benefits of this approach:

- smaller scale, lower volume project presenting less complexity
- minimises the risk of disruption to the justice system
- enables teething problems to be identified and ironed out before wider roll-out.

Fine tuning the system in a large court carries the risks of requiring more resources and the potential for the disruptive effect of any issues to be magnified among stakeholders.

C-Track’s modular design allows for its functionality to be phased in incrementally, extending and upgrading the system in step with the wider change management programme that will be needed to transform the operating practices of the courts.

Thomson Reuters has been involved in court digitisation for ten years in the US and its highly experienced team has a 100% successful record of implementing C-Track, which is currently running in more than 40 courts in 14 jurisdictions. The team brings tried and tested expertise from multiple implementations and its broad experience includes senior hires from competitor providers. Court digitisation projects range from small systems with fewer than 50 users to major centres like District of Columbia, and Oregon Supreme Court and Court of Appeals which has a fully automated CMS handling 2.4m filings and 458 users. Thomson Reuters has a 100% customer retention record in courts management systems.

Thomson Reuters brings longstanding experience across the UK legal sector, including a thorough understanding of legal technology as well as court rules and procedures. It is also a major provider of legal information, including precedent data. The MoJ is its biggest and most strategically important UK customer.

The roll-out would leverage current experience, notably the C-Track implementation at the RCJ Rolls Building, which is piloting in the Chancery Court and rolling out to all five courts by the end of 2015, deploying a case management instance in each court and layering an external-facing e-filing capability across the whole.

Thomson Reuters' US experience includes interfacing C-Track with partner organisations' systems.

C-Track offers a range of options for hosting, based on client preference. In the US, C-Track is almost exclusively an on-site solution installed on the court's own servers, while in the UK the system delivered for the RCJ is hosted in a Thomson Reuters UK data centre.

Bearing in mind lessons learned from previous large-scale projects in the US and the UK, we recommend the following broad approach for deploying C-Track within the CPP.

Choosing an initial "quick win" deployment

A number of factors should inform the programme's thinking about the correct place to start implementation. We cover some of these factors below.

OPTION	CONSIDERATIONS
Start in a Magistrates' court	<p>Prove case and scheduling functionality in courts and extend "backwards" – core C-Track functionality and so lower initial risk</p> <p>Provide an interface to partner systems e.g. COMPASS</p> <p>Bigger potential cost savings and benefits from automation and efficiency due to high volume, low complexity of cases and older practices</p> <p>Scope for greater standardisation and management control</p> <p>Requires special consideration for needs of magistrate and legal adviser user groups</p> <p>More complex roll-out across greater number of courts</p>
Start in a Crown court location	<p>Potentially riskier implementation – reputation and judicial reaction</p> <p>Technology older and so benefits of new system may be greater more quickly</p> <p>Fewer, more complex cases, so may not be typical of likely benefits from case management and scheduling</p> <p>Longer legacy cases, higher risk of dual running</p>
Start cross-agency in a local area	<p>Could test new cross-agency functionality and benefits</p> <p>Could use cross-agency Local Implementation teams</p> <p>Complex to introduce functionality across agencies at the same time, greater business change requirement</p>
Start in a CPS area	<p>Could prove case functionality before extending to courts – extend "forwards". But not core C-Track functionality and higher risk to begin with new functionality</p>
Start by functionality	<p>Example: start with a pure, contained court function e.g. scheduling</p> <p>Low technical risk to implement functionality in modules</p> <p>However higher adoption risk – risks from dual running of systems are increased</p> <p>Complex if modules could not be easily separated out technically from an implementation perspective</p> <p>Benefits realisation may be drawn out</p>

In any scenario, we recommend starting with a court or local area with progressive credentials where staff and stakeholders in all affected agencies are proven to be supportive of digital working, and interfacing systems are not unduly numerous.

Standardisation and governance

Selecting vendors versed in agile delivery and governance will be critical to success.

Although the initial deployment must necessarily be in a single geographical location, care must be taken to ensure that local conditions do not unduly determine national operations. To this end we recommend that standardisation objectives be set in advance and that design authority rest with a central, national team mandated by the National Criminal Justice Board / CPP to be responsible for requirements, project management, and leading implementation and change management in local areas, perhaps in collaboration with Local Implementation Teams.

This central team would be primarily responsible for vendor management and system approvals and sign-off, coordinating staff and stakeholder review from the interested agencies. It would also take the lead in determining process standardisations to be implemented prior to digitisation. The key balance here will be to trade off cost of software development against any delays in benefits realisation due to prior standardisation effort.

The central team would be ultimately responsible during implementation for determining the appropriate trade-offs that will inevitably arise between “business change” and “system change” approaches. Where it makes sense, adopting vanilla processes out of the box in C Track, or easily configurable processes, will add speed in deployment and reduce delivery risk (and cost).

Note that C-Track’s Configuration Manager functionality will assist with some hurdles in this area, giving local staff the power to configure the system to some extent to their local business processes, while remaining broadly aligned with national standards.

From experience on similar change programmes, we believe the following functions to be critical to a successful implementation programme. We would expect responsibility for these roles to be largely shared between CPP, vendor and partner teams.

Programme and Project Management	Providing leadership overall and for each deployment.
Change management	Training, communications and business change. May largely be performed by Local Implementation Teams.
Business design/architecture	Design of the solution from a business perspective; business rules; and business process changes.
Technical architecture	Technical design and configuration.
Testing management	Test strategy and implementation.
Information architecture	Information management, data quality, data migration.
Benefits management	Defining and tracking costs and benefits.

Progressive roll-out of functionality across the system

When expanding new functionality out to a national footprint, we recommend a phased roll-out, starting in each case with a defined “sandbox” court or area (as with the initial deployment described above).

- This will allow the team to iterate through a standardisation programme and deliver incremental benefits across the country in a controlled manner.
- It will also allow the criminal justice team to learn lessons between phases and learn where the greatest benefits can be delivered through driving increased levels of automation.
- It also allows users to get used to the system incrementally, starting with a simple implementation that retains a lot of manual interaction from the outset and delivering more complexity as users understand how to derive benefits from the system over time.

Round-up: key principles for deployment

Plan big: pre-standardisation must be driven nationally and completed prior to finalizing requirements.
Start small: avoid a Big Bang and select a localized deployment to deliver a quick win. See below for options.
Minimise dual running of systems and processes for court teams.
Plan for a progressive roll-out of functionality .
Balance benefits with risk .
Work direct with vendor teams to improve communication, decision making and pace.

Appendix: The Minnesota experience

Minnesota was an early adopter of case management having introduced a CMS nearly a decade ago.

MACS is Minnesota's appellate court case management system. The implementation started with clerk's offices functionality – case initiation and docketing – and court-specific functionality including calendaring and opinion processing functions for the Court of Appeals and the Supreme Court, reporting functionality with statistical and detailed case data and comprehensive search capability based on configurable data entry options.

Additional functionality has been added over the years including a public version that provides electronic access to appropriate case information for users outside the court, docket entry notification, and e-notification, which provides electronic copies of court-generated documents to counsel, lower courts and others on the case distribution list.

Almost a decade of experience in the Minnesota appellate courts has demonstrated that a modern CMS delivers functionality that allows courts to process their cases online, and brings quantitative and qualitative added value in terms of more effective and efficient processes; better access to more accurate case information for the bench, the bar, the media and the public and greater productivity and job satisfaction for staff, through using a system that is easier to learn and operate.

According to former Commissioner Richard Slowes, "a well-designed CMS will deliver ... more efficient data entry, more effective data retrieval, better tools and enhanced bar and public access".

Appendix: A single system for civil and criminal courts

Although the criminal justice system is separate from the civil justice system, there are many similarities in terms of structure and process. A single CMS encompassing both systems would produce efficiency gains and cost savings by minimising duplication in terms of documentation and other resources and improving communication and collaboration across the UK justice system.

High-level benefits

- Replacing legacy systems in the Crown Court and the Magistrates' Court with a single updated system will streamline and improve processes.
- It will deliver a single management information (MI) reporting capability for criminal case management from charge to Court decision. This intelligence can be used to deliver continuous process improvement.
- It will integrate or interface with other CJS agencies, not all of which are legacy systems, to create a network of systems that talk to each other. This will boost collaboration and visibility throughout the CJS.
- It will facilitate data transparency and access to information throughout the CJS.

A single system is able to leverage synergies and parallels between the courts' structure. Both civil and criminal courts systems have two lower levels and three divisions. Procedural rules and their practice directions set out the courts' powers which include case management. The civil pre-action stage and the criminal investigation stage are both designed to discover whether there is sufficient evidence to start proceedings. Here there are slight differences – while criminal charges always follow the same procedure with an initial hearing in the Magistrates' Court, civil charges are issued in either the County Court or the High Court, depending on the amount of the claim. Responding to claims and interim stages are slightly different but trial and judgement follow similar processes.

In terms of processes and procedure, the differences between the two systems become more apparent as one drills down into the detail. However, most significant differences are around rules and procedures which can be configured into the C-Track CMS. This means that both court systems can use the same CMS without the need for customisation.

Practical benefits

- The similarities between civil and criminal procedures and processes outweigh the differences. Case management processes can be broken down into similar numbers and types at various stages in the workflow. A single system could be configured to account for the differences between the civil and criminal justice systems. The increasing co-location of UK civil and criminal courts (and the tendency for judges to operate in both spheres) supports the case for a single unified system in operational terms. Efficiencies can be achieved when every location operates one single system, with consequent reduced training burdens and enhanced workforce flexibility.
- Economies of scale can be achieved by automated workflows and business process re-engineering to boost efficiency and throughput. A single CMS would open up the possibility of introducing further automation after the system has been implemented. There is also the possibility of using the same system in high-volume processing centres for small claims or other cases which follow identical processes and procedures.
- A single system presents workforce benefits in terms of simplified onboarding, reduced training budgets and lower training lag. Workforce flexibility and mobility would boost productivity and efficiency – staff could easily be transferred between civil and criminal courts in order to manage workload fluctuations.
- Some circumstances give rise to both criminal and civil proceedings, where information and evidence is shared between the courts. Examples are fraud cases, Financial Conduct Authority investigations and environmental claims. In these and other circumstances, a unified system would facilitate the expedition of these cases and reduce data duplication.
- Magistrates' Courts in England and Wales fulfil a crucial dual function in processing both criminal and civil matters. A unified case management system facilitates sharing documents, data and schedules and managing lists and hearings.

Thomson Reuters

Thomson Reuters is the world's leading source of intelligent information for businesses and professionals. We combine industry expertise with innovative technology to deliver critical information to leading decision makers in the financial and risk, legal, tax and accounting, intellectual property and science and media markets, powered by the world's most trusted news organisation. For more information, go to www.thomsonreuters.com

© 2015 THOMSON REUTERS

