

# NEBRASKA SUPREME COURT

TECHNOLOGY COMMITTEE

## Strategic Plan

2012 — 2016



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## **1 Introduction**

In January 2006 the Nebraska Supreme Court set in motion a new Technology Committee to help guide the Supreme Court with its deployment of information technology. One of the outcomes of this decision was the creation of a Strategic Planning subcommittee. The Strategic Plan of 2006 – 2011 is nearly complete and a new plan is taking shape for 2012-2016, this document reflects the ongoing work of that subcommittee.

Section one of the Strategic Plan covers the Court's technology planning in three areas, Where We Are, Work In Progress and What We Would Like to Do. Section Two is the Technology Committee's Mission Statement. Section Three covers the six high level goals. These goals are further identified and defined in Section Four of the Strategic Plan as Enabling Technology Goals. In Section Five of the Strategic Plan, Benchmark Areas for measuring the progress toward the goals are defined.

### **1.1 Where We Are**

This section provides a brief snapshot of where the courts are with regard to technology use and deployment in late 2011.

#### **1.1.1 Supreme Court**

The Nebraska Supreme Court is the state's court of last resort. Its decisions are binding on all trial courts, as well as the Court of Appeals. The Supreme Court is composed of a Chief Justice and six Associate Justices representing the six Judicial Districts of the State. The Chief Justice represents the State at large and also serves as the executive head of the Nebraska Judicial Branch.

The Supreme Court and the Clerk of the Supreme Court and Court of Appeals utilize an IBM i-Series mid-range system as a server for their case management system. The Supreme Court Justices and staff use leased personal computers, printers and monitors that are refreshed on a three-year basis. These personal computers operate in a Windows Server 2003 environment utilizing Windows Operating System 7 and Windows Office Suite 2010. iPad 2 devices are also being utilized by the Chief Justice and many of the Associate Justices. Several wireless access points are available throughout the office suites for the Supreme Court and the Nebraska State Library.

The Supreme Court formed an Automation Advisory Committee for the Appellate Courts. This group meets throughout the year to provide direction to the Information Technology staff as the Appellate Courts and Clerk's Office begin the process of establishing electronic interfaces to the Trial Courts case management system known as JUSTICE. The first electronic interface is currently allowing for electronic docketing from 15 District Courts to the Appellate Courts.

The Court has recently updated scanning and document conversion equipment to take advantage of optical character recognition technologies to improve staff productivity. In late 2011 the Appellate Court Clerk's Office began scanning case files into their case

management system. This should lead to images replacing the current paper process as this project moves forward.

The Court has added virtual private network (VPN) access to the local area network to allow for access from remote locations when needed.

The Supreme Court has state-of-the-art presentation equipment using a mobile cart. The equipment is available for oral arguments and for other court functions and presentations.

The Nebraska State Library has an automated card catalog system providing patrons the ability to conduct searches and checkout materials over the Internet. The following URL will take one to the Nebraska State Library web site:

<http://www.supremecourt.ne.gov/state-library/index.shtml?sub15>

The Supreme Court has the capability for video and audio webcasting of Oral Arguments through the Nebraska Educational Telecommunications system and the Internet. Oral Arguments are archived for a two year period. The broadcasts can be viewed at the following URL:

<http://www.supremecourt.ne.gov/oral-arguments/livevideo.shtml>

### **1.1.2 Court of Appeals**

The Nebraska Court of Appeals is the state's intermediate appellate court. There are currently six judges, who sit in panels or divisions of three judges each. The task of the Court of Appeals is to provide the citizens of Nebraska with clear, impartial and timely resolution of appealed orders and judgments as provided by law.

The Court of Appeals is generally the first court to hear appeals of judgments and orders in criminal, juvenile, civil, domestic relations and probate matters. In addition, the Court of Appeals has appellate jurisdiction over decisions originating in a number of state administrative boards and agencies. Its determination of an appeal is final unless the Nebraska Supreme Court agrees to hear the matter.

The Court of Appeals operates on the same IBM i-Series mid-range system with the Supreme Court. The Court of Appeals has four remote locations that operate from a network base as stand-alone offices.

The Court of Appeals Judges and staff use leased personal computers, printers and monitors that are replaced on a three-year basis. These personal computers operate in a Windows Server 2003 environment and utilize Microsoft Operating System 7 and the Microsoft Office Suite 2010.

The Court of Appeals has added the capability for video and audio webcasting of Oral Arguments through the Nebraska Educational Telecommunications system and the

Internet. The recordings are archived for a two year period. The broadcast can be viewed at the following URL:

<http://www.supremecourt.ne.gov/oral-arguments/livevideo.shtml>

The Court of Appeals is utilizing a SharePoint application to improve communications and collaboration within the court. SharePoint is similar to a wiki but is a more robust Microsoft application. The Sharepoint application is tightly integrated with the Microsoft Word and Microsoft Outlook client applications which are utilized by all judges and staff of the Court of Appeals.

Within the Sharepoint application, copies of the trial court's record and copies of the briefs filed by the parties to an appeal are imported into the system. Once imported, the document copies remain in Sharepoint until the mandate has issued to the trial court, which may involve several assignments during the course of an appeal. By utilizing document copies in the internal system, any judge, law clerk, or assistant may mark, highlight, or annotate the copies in any way deemed useful, without affecting the integrity of the document on file in the clerk's office. Depending upon the preferences of the individual judge, tasks may be assigned within a judge's chambers for drafting or review and may be reassigned however the judge desires.

Similarly, draft reports or opinions are available in a particular judge's workspace until drafting is completed and thereafter in a shared document library for a particular appeal when the report or opinion is circulated to a panel. The system maintains a version history, making it easy to track changes during the drafting process prior to circulation and making it similarly easy after circulation for other judges to mark suggested changes to a proposed draft together with comments for a panel's consideration, enhancing the efficiency of the collaborative process.

Because the system maintains a version history that enables any user to access a prior version from any point in the collaborative process and because the system can be reached by authorized users from any web-enabled computer, tablet, or handheld having the requisite software and security settings, judges are free to work from their capitol offices, from satellite offices, from home, or from virtually any location having suitable Internet access.

Votes and comments are transmitted by posting to a voting record (similar to an internet discussion board). A circulation begins by an administrative assistant creating a voting discussion board for the particular report or opinion on the case page for the particular appeal. The assistant's initial posting contains hyperlinks to the draft report or opinion, the briefs, and any other supporting materials. Each judge on the panel receives an email alert of the assistant's circulation. Responding judges may elect to view the documents and vote either in their Internet browser through the Sharepoint web site or connecting to the voting board in the judge's Outlook email client application. The judge connects Outlook to Sharepoint simply by clicking on a connect button in the email alert, which automatically a new folder in the Outlook folder list. From that Outlook folder, a judge

may, by means of a single click, obtain access to any of the circulated documents. When the judge is ready to respond, the judge simply clicks on “post reply” and inserting the response. A judge’s response may be as succinct or extensive as the judge feels is appropriate. By marking suggested changes within the circulated document, which are automatically saved as a new version and can be easily flagged by the comments section of the version history identifying the commenting judge, suggested changes are instantaneously shared by all members of the panel, because the link to the draft in the original circulation posting will take any viewer to the latest version containing the comments. When voting is finished, the approved draft or opinion is transmitted to the clerk’s office by an administrative assistant and the final votes are recorded in the clerk’s system.

Virtual Private Networking services (VPN’s) were added to the remote offices of the Court of Appeals. This application allows for all of the Court of Appeals Judges and staff to be using the central server and email just as if they were located in Lincoln including data backups and storage.

### **1.1.3 Trial Courts**

#### **District Courts**

Twelve district court judicial districts serve the state’s ninety-three counties and fifty-six district court judges serve within these judicial districts. Judges are required to preside at trials before the court and sit as the judge and fact finder in bench trials. Judges must hear and rule on pre-trial discovery motions, pre-trial and trial evidentiary matters, pre-trial and trial matters relating to rules on pleadings, practice and procedure before the courts. In matters tried before a jury, a judge must supervise and make rulings on jury selection issues, prepare and deliver proper jury instructions and decide matters which arise during jury deliberations.

The Nebraska District and County courts use the Judicial Users System to Improve Court Efficiency (JUSTICE) system for their case and financial management systems. Currently All District and County courts use JUSTICE.

#### **Separate Juvenile Courts**

Nebraska has three Separate Juvenile Courts; they are located in Douglas, Lancaster, and Sarpy counties. In the remaining counties, juvenile matters are heard in the county courts. Separate juvenile courts are courts of record and handle matters involving neglected, dependent, and delinquent children. The Separate Juvenile Courts also have jurisdiction in certain domestic relations cases where the care, support, or custody of minor children is an issue. The three Separate Juvenile Courts have the same jurisdiction and employ the same procedures as the county courts acting as juvenile courts.

Separate Juvenile Court judges now serve in counties having populations of seventy-five thousand or more. There are currently eleven separate juvenile judges sitting in Nebraska's three largest counties: five in Douglas, four in Lancaster and two in Sarpy.

All of the Separate Juvenile Courts use JUSTICE as their case and financial management system. Efforts are ongoing to provide additional features and functions in JUSTICE to meet the federal guidelines of the American Safe Families Act (ASFA).

### **County Courts**

There are 59 county judges in 12 county court districts. Jurisdiction of these courts is established by state law which provides that county courts have exclusive original jurisdiction in estate cases, probate matters, guardianship, and conservatorship cases, actions based on a violation of a city or village ordinance, juvenile court matters in counties without a separate juvenile court, adoptions, and eminent domain proceedings. County courts also have concurrent jurisdiction with district courts in certain civil and criminal cases. There are approximately 375 full-time equivalent employment positions in the county court system in addition to the 59 county judges. At a minimum there is a designated individual in each county who is assigned to act as the clerk of the court or court administrator.

The JUSTICE system for the County Courts is the same application as previously described in the District Court section of this chapter. A variety of, printers and personal computers are connected locally in each county seat. The network and hardware are leased by the State Court Administrator's Office from the State of Nebraska's, Office of the Chief Information Officer's, Intergovernmental Data Services Division.

All County Courts use JUSTICE, use imaging/scanning, Case Scheduler, E-payment, Enhanced E-payment and electronic filing for new and subsequent civil cases and subsequent filings in criminal cases.

JUSTICE provides data to many other state agencies including Department of Motor Vehicles, State Patrol, Health and Human Services NFOCUS and CHARTS systems, Commission on Law Enforcement and Criminal Justice, via a direct data interface. The State Attorney General's Office, Secretary of State's Office and many County Attorney Offices access JUSTICE data through the Nebraska.gov web portal.

#### **1.1.3.1 Judicial User System to Improve Court Efficiency (JUSTICE) System**

The JUSTICE system connects all of the trial courts in Nebraska. The County Courts, District Courts and Separate Juvenile Courts share an IBM i-Series mid-range server in 70 courthouses. The other District and County Courts share the JUSTICE applications on a consolidated server in Lincoln located at the Office of the Chief Information Officer. The servers are networked back to Lincoln via private line or private Internet Protocol (IP) connections. Network support, equipment installation and hardware support are provided by the state's Office of the Chief Information Officer (OCIO).

JUSTICE provides software applications for case management and financial record keeping for the trial courts. JUSTICE produces a variety of court documents including warrants, summonses, commitments, garnishments, executions, etc. There are also a wide variety of statistical reports generated for supervisors and judges. JUSTICE is designed to include applications that relate collectively and individually to Civil, Civil-Domestic Relations, Criminal, Juvenile, Small Claims, Traffic, Probate and Adoption cases.

JUSTICE records are transmitted electronically to the Department of Motor Vehicles and the Nebraska Crime Commission. Electronic interfaces between Criminal Justice Information System (CJIS) and JUSTICE are in place in Douglas and Lancaster Counties; other counties are installing Case Management Systems (CMS) that also interface with JUSTICE. JUSTICE also interfaces with the State of Nebraska Health and Human Services agency's CHARTS (Children Have a Right to Support) application.

Modifications were made to JUSTICE to assist Court Reporters with Exhibits and Bill of Exceptions. This application provides a list that can be printed and is used as an index for the Bill of Exceptions. It captures the initials of the Court Reporter who handled the exhibits and indicates if an exhibit was marked, offered, received and the page number that process occurred on within the Bill of Exception. Exhibit information is available for viewing with a subscription to Nebraska.gov.

Imaging (scanning) of court filings and documents is available in all District Courts. Images are available for viewing with a subscription to Nebraska.gov. The JUSTICE Help Desk is comprised of seven Business Analysts (BA's) who provide assistance 8.5 hours per business day. The BA's assist courts with problems the courts might be experiencing with data entry, financial adjustments, statistical reporting, etc. They provide "hands-on" training to all court employees, create and update online Procedural Manuals. The BA's provide testing of new or updated JUSTICE programs. All of the BA's have experience in court service.

E-filing allows an attorney to sign on to their Nebraska.gov account and file on New and Subsequent Civil cases and Subsequent Criminal cases in any District Court in Nebraska. All District Courts utilize Electronic Filing (E-filing). All Criminal case sub-types are available for use with E-filing and in 39 of 61 civil case sub-types. Nebraska State Bar Association members are able to register for E-filing through a Nebraska.gov account. There are no additional fees to attorneys for e-filing a court case in the State of Nebraska. As of December 31, 2011 there were 2,224 Nebraska attorneys registered for e-filing.

The District Courts utilize an Enhanced E-Payment application in JUSTICE. This application allows for the payment of fines and fees through the use of a credit card or Electronic Check (E-Check) and can be used to pay Traffic and Criminal fines and fees, Time Payments, Probation Fees, Civil and Small Claims, Judgments and costs, Garnishment payments and Coping fees. In 2011 the District Courts collected \$624,863.94 and received 1,451 Enhanced E-Payments.



The Court Case Calendar Search application resides with Nebraska.gov. This application allows anyone with Internet access to search the JUSTICE Case Scheduler application for hearing dates by name or date. Currently 77 District Courts use the JUSTICE Case Scheduler application.

Some District Court automation has occurred including the following;

- Partial Dismissal – used when one or more parties are dismissed from an active case.
- Automated Judgment Notices – sign, seal, image and email judgment notices.
- Automated dismissal of cases with no service in six months.
- Per Supreme Court Rule 3-106 JUSTICE was enhanced to meet Admission of attorneys Pro Hac Vice status.
- Limited Representation fields were added to JUSTICE allowing for this type of representation.

The technical side of JUSTICE is operated with five contract Technical Analysts (TA's). The TA's maintain JUSTICE's existing programs and develop new applications based on direction of the JUSTICE Automation Advisory Committees.

The JUSTICE Automation Advisory Committees were regrouped in December 2011. There are currently three JUSTICE Automation Advisory Committees, one for the District Courts, County Courts and Juvenile Courts. The committees meet 4-6 times annually to assist in reviewing and prioritizing changes, updates and new applications for JUSTICE.

The District Court JUSTICE Automation Advisory Committees is comprised of a Judge of the Court of Appeals, four District Court judges, four Clerks of the District Court, a JUSTICE Business Analyst Supervisor and the Deputy State Court Administrator for Information Technology.

The County Court JUSTICE Automation Advisory Committees is comprised of a Judge of the Court of Appeals, four County Court judges, two Clerk Magistrates, two Court Administrators, a Senior JUSTICE Business Analyst and the Deputy State Court Administrator for Information Technology.

The Juvenile Court JUSTICE Automation Advisory Committees is comprised of three County Court judges, one Separate Juvenile Court judge, two Clerk Magistrates, two Judicial Administrators, a Senior JUSTICE Business Analyst and the Deputy State Court Administrator for Information Technology.

### **1.1.3.2 Nebraska.gov**

Nebraska.gov is the State of Nebraska's web portal and is under contract with the Secretary of State's Office to provide web hosting and Internet services to State Agencies

and the citizens of Nebraska. In addition to hosting the Nebraska Supreme Court's web site, they partner with the Administrative Office of the Courts to provide applications to the court community. Subscription to Nebraska.gov costs \$50.00 per year for up to 10 accounts and \$1.00 per case lookup. Once a case is brought up online the subscriber has access to the Register of Actions, fines and fees information and images if the images are available. Access to JUSTICE is provided at no charge to State agencies, County Attorneys, Public Defenders and Law Enforcement agencies. The following links are the electronic applications made available through the Nebraska.gov web portal:

- **JUSTICE Case Lookup**
  - [http://www.nebraska.gov/service\\_info.phtml?service\\_id=147](http://www.nebraska.gov/service_info.phtml?service_id=147)
- **JUSTICE One-time Case Lookup**
  - <https://www.nebraska.gov/justicecc/ccname.cgi>
- **JUSTICE Court Case Calendar Lookup**
  - <http://www.nebraska.gov/courts/calendar/index.cgi>
  - **iDevice Application available for free from iTunes**
- **E-Payment**
  - <https://www.nebraska.gov/courts/citations/>
- **Enhanced E-Payment**
  - <https://www.nebraska.gov/courts/epayments/index.cgi>
- **E-filing**
  - <https://www.nebraska.gov/courts/efile/index.cgi>

### 1.1.3.3 SIGNDESK Applications

The SIGNDESK applications were designed to allow staff to enter motion information into the system and to allow judges to electronically sign orders without having the file in hand. Cases are processed faster using these applications since judges can sign orders electronically from a remote location without the need for paper documents. Sign Desk allows for volume transactions or a single transaction to be completed in an automated manner.

Following are the current SIGNDESK applications and how they function:

**A motion for Default Judgment – Court staff enters information from the motion into the system and scans the document.** The system checks for service, number of days since service, answers, etc. which are steps that use to be completed manually. This data entry places the case in the judges' queue.

- Judges access their queue and can see all cases waiting for orders to be signed. The system will alert the judge if no service has been made, 30 days has not

passed since date of service, etc. Images of all documents can be viewed. Judges can process orders for other judges if necessary.

- Cases must be reviewed one at a time and motions can be approved or denied by clicking the appropriate button. When motions are approved the system will automatically record the judgment in the system, create an Order of Default Judgment with the judges' signature as well as an image of the document, create notices to all parties in either paper or email form. Motions that are denied function in the same manner except a judgment is not recorded.

**Motions for Judgment Debtor Exam** – Court staff enters the motion, scans the document, enters a hearing date for the exam, selects the debtor and method of service and places the case in the judge queue.

- Judges access their queue and can approve or deny the motion. When a motion is approved, the case is automatically scheduled, orders are created and imaged and either printed for or emailed to the appropriate parties.
- Judges can process motions without being physically present in the court and can process other judges' orders upon request.

**Application For Continuing Lien** – Court staff enters the application and scans the document. The debtor and garnishee are both entered and the system checks to make sure the garnishment has been served and displays the issued and served dates and automatically calculates a continuing lien end date 90 days from date of service. The end date can be changed if the date the system calculates is different than that on the application. This data entry places the case in the judges' queue.

- Judges access their queue and can approve or deny the application. When an application is approved, orders are created along with an image and either printed for or emailed to the appropriate parties.
- Judges can process applications without being physically present in the court and can process other judges' orders upon request. Cases can be processed one at a time or all at once by clicking the "Sign All" button. The "Sign All" button will NOT process any case that does not meet the criteria needed for a continuing lien.

**Motion to Release Garnishee** – Court staff enters the motion and scans the document. The garnishee is then entered and the system checks to make sure the garnishment has been served and displays the issued and served dates. Any addition text can be added. The case is then placed in the judges' queue.

- Judges access their queue and can approve or deny the motions. When a motion is approved, orders are created along with an image and either printed for or emailed to the appropriate parties.

- Judges can process motions without being physically present in the court and can process other judges' orders upon request. Cases can be processed one at a time or all at once by clicking the "Sign All" button. The "Sign All" button will NOT process any case that does not meet the criteria needed to release a garnishee.

**Application to Deliver Non-Exempt Funds** – Court staff enters the application and scans the document. When the garnishee is selected the system will display the issued and served date along with the method of service. The amount to deliver is entered along with an indicator designating that the debtor is an employee, has property, etc., and the case is then placed in the judges' queue

- Judges access their queue and can approve or deny the application. When an application is approved, orders are created along with an image and either printed for or emailed to the appropriate parties.
- Judges can process applications without being physically present in the court and can process other judges' orders upon request. Cases can be processed one at a time or all at once by clicking the "Sign All" button. The "Sign All" button will NOT process any case that does not meet the criteria needed to deliver non-exempt funds.

**Motion to Dismiss** - Court staff enters the motion and scans the document. Dismissal information such as if the entire case, remaining causes or specific causes of action are being dismissed with or without prejudice, who pays costs and if the dismissal is for the entire case or a specific party is entered and case is then placed in the judges' queue.

- Judges access their queue and can approve or deny the motions. When a motion is approved, orders are created along with an image and either printed for or emailed to the appropriate parties.
- Judges can process motions without being physically present in the court and can process other judges' orders upon request. Cases can be processed one at a time or all at once by clicking the "Sign All" button. The "Sign All" button will NOT process any case that does not meet the criteria needed to dismiss.

**Motion for Garnishee Liability** – Court staff enters the motion, scans the document, enters a hearing date, selects the garnishee and method of service and places the case in the judge queue.

- Judges access their queue and can approve or deny the motion. When a motion is approved, the case is automatically scheduled, orders are created and imaged and either printed for or emailed to the appropriate parties.
- Judges can process motions without being physically present in the court and can process other judges' orders upon request. Cases can be processed one at a time or all at once by clicking the "Sign All" button. The "Sign All" button will NOT

process any case that does not meet the criteria needed for garnishee liability hearings.

**E-Payment** - This application allows for a defendant to pay a waivable citation using a credit card over the Internet. Currently this application is available in all County Courts. Since inception this application has collected over \$16,688,996.45 through December 31, 2011 and has been used over 132,678 times. It is estimated that each E-payment saves the court 3 – 5 minutes of staff time.

**Enhanced E-Payment** – This application is available in District Courts and County Courts. This application allows for the payment of Fines and Fees through the use of a credit card or Electronic Check (E-Check) and can be used to pay Traffic and Criminal fines and fees, Time Payments, Probation Fees, Civil and Small Claims, Judgments and costs, Garnishment payments and Copying fees. In 2011 the County Courts collected 2,601,433.09 and received 11,548 Enhanced E-Payments.

**Court Case Calendar Search** - This application is with Nebraska.gov. This application allows anyone with Internet access to search JUSTICE Case Scheduler for hearing dates by name or date. All County Courts use JUSTICE Case Scheduler. Court Case Calendar search is available as an iPhone and Android application as well.

Digital Recorders are in use in 88 County Courts. Plans are in place to equip the remaining County Courts with digital recording equipment.

Remote Video Interpreter/hearings are occurring in several County Courts. The application uses inexpensive web cameras and a State provided video network named MOVI allowing for point-to-point and multi-point video conferences.

Bandwidth increases were completed in March 2009 to 38 County Courthouses to bring them up to minimum video connectivity standards. The increased bandwidth is on a best effort basis and should allow for the use of remote video interpreters, remote video arraignments as well as training functions.

#### **1.1.4 Nebraska Workers' Compensation Court**

The Nebraska Workers' Compensation Court is composed of seven judges who are initially appointed by the governor for an initial three year term and who then remain on the bench for successive six-year terms upon approval of the electorate. Every two years one of the judges is elected as presiding judge by the judges of the court, subject to approval of the Supreme Court. Four judges are officed at 1010 Lincoln Mall in Lincoln, and three judges are officed in the Hall of Justice in Omaha. A judge will travel to any county in the state where an accident occurred to hear a disputed case. A case is first heard by a single judge, whose decision may be appealed. The appeal procedure is governed by LB 151 from the 2011 session of the Nebraska Legislature. Under LB 151, the review panel procedure before three judges of the compensation court was eliminated for cases filed with the court on or after August 27, 2011, and for cases pending before

the court on that date in which a hearing on the merits had not been held. Appeal from a decision of a single judge in any such case will be directly to the Nebraska Court of Appeals, in accordance with the procedures regulating appeals from the state district courts. Conversely, the initial appeal from any case pending before the compensation court on August 27, 2011 in which a hearing on the merits had been held will continue to be in accordance with the three-judge review panel procedure. A further appeal may then be taken to the Nebraska Court of Appeals. Regardless of the initial appeal procedure, a case may ultimately go to the Nebraska Supreme Court. Appeal of a single judge decision is based on the record created at the original hearing, and no new evidence may be introduced on appeal.

For administrative purposes, the judges and staff of the court are organized into two operating divisions and eight operating sections. The adjudication division, under the direction of the presiding judge, includes the judges, the Office of the Clerk of the Court, and the Judicial Support Section. The administration division, under the direction of the court administrator, includes the remaining sections as identified below. The court administrator also serves as the chief administrative officer for the court.

This court has invested substantial time and effort to properly analyze and strategize the possibilities for moving towards a “paperless” court. This work included an extensive analysis of the possibility of collaboration with the Nebraska Supreme Court in its efforts to increase ability to electronically file and store documents and information on a statewide basis. That effort at collaboration showed that extensive collaboration was not possible because of significant differences in the specific missions of the Nebraska Workers’ Compensation Court and all other courts of the state of Nebraska. Some of the differences in mission relate to agency type functions of the court arising from statutory obligations in the Nebraska Workers' Compensation Act. These functions relate to coverage and claims enforcement, re-education and retraining oversight, dissemination of information, and the process used to review and approve or disapprove applications for lump sum settlements. Another key difference is that the court’s statewide jurisdiction requires statewide judicial mobility, which significantly complicates scheduling and information dissemination on a case-by-case basis.

As a result, the court has developed its own IT staff which is a positive resource as the court steadily moves forward on IT issues in order to satisfy our client base. This client base includes attorneys representing parties to contested cases, employers (including self-insured employers,) insurance companies, third party administrators, and injured employees without contested cases on file. Without question, all of these clients support this court’s advancement toward electronic filing of documents, storage of those documents and information contained therein, management of that information, and dissemination of decisions, orders, and other administrative information back to the very clients involved in the information input. The mandate for continued, decisive, and productive movement towards a paperless court is clear.

To productively meet this mandate the court has engaged in extensive and detailed business process re-engineering efforts across all sections of the court, with the goal of

fully implementing electronic filing and electronic case files by the end of the 2013/2014 biennial budget period, or June 30, 2014.

### **1.1.5 Problem Solving Courts**

In the adoption of Nebraska Statute 24-1301 in January 2003 the Nebraska Legislature and the Governor recognized the critical need in the State of Nebraska for effective treatment programs that reduce the incidence of drug use, drug addiction, family separation due to parental substance abuse, and drug-related crimes. The Legislature found that:

*“Drug use contributes to crime in Nebraska, costs millions of dollars in lost productivity, and contributes to the burden placed upon law enforcement, court and correctional systems in Nebraska. Drug Court programs are effective in reducing recidivism of persons who participate in and complete drug court programs. The Legislature recognizes that a drug court program offers a person accused of drug offenses an alternative to traditional criminal justice or juvenile justice proceedings”<sup>1</sup>*

The Legislature confirmed support for drug courts in January 2006 through the passage of LB 1258 in which funds were appropriated for the purpose of funding specialized courts, and expanded their support to other types of problem-solving courts through a revision of 24-1301 in July 2008. Furthermore, the Legislature placed the responsibility for providing administrative oversight for problem-solving courts with the Nebraska Supreme Court through Nebraska Statute 24-1302:

*“Drug Court programs and problem-solving court programs shall be subject to rules which shall be promulgated by the Supreme Court for procedures to be implemented in the administration of such programs.”<sup>2</sup>*

Several local problem-solving courts were operating in Nebraska before 2004. The Court responded to the legislative mandate in January 2007 when it passed the *Nebraska Supreme Court Rule: Chapter 6, Trial Courts, Article 12, Problem-Solving and Drug Courts* providing standards and procedures for the implementation, operation and management of problem-solving courts. Since the passage of 24-1301 additional problem-solving courts have been approved to operate. Judges involved in problem-solving courts, along with state and local government officials and stakeholders, continue to strongly support the continuation and expansion of problem-solving courts. As of June 2011, 24 problem-solving court programs were operating in 11 of 12 judicial districts in the State of Nebraska—12 Adult Drug Courts, 5 Juvenile Drug Court, 5 Family Dependency Drug Courts, 1 DUI Court and 1 Young Adult Court. Nineteen (19) of these are supported by a combination of local funds, offender fees, and state general funds administered through the Supreme Court of Nebraska, with the remaining programs (5 family dependency drug courts) operating without state funds.

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<sup>1</sup> Laws 2004, LB 454, § 1

<sup>2</sup> Laws 2004, LB 454, § 2; ; Laws 2008, LB1014, § 7

### The Goals of Problem-Solving Courts

The goals of problem-solving courts in Nebraska are:

- To redirect their participants out of the court system;
- To reduce the incidence of the problems that brought the participant into the court system—i.e. substance abuse, domestic violence, child abuse/neglect;
- To hold participants accountable for their behavior; and
- To reduce re-entry into the court system

All problem-solving courts are based upon fundamental principles that both define them and account for their success. These principles initially served as the foundation of drug courts throughout the country and are now being successfully adapted by other problem-solving courts. Known as the 10 Key Components, these principles are strongly recommended by the U.S. Department of Justice Office of Justice Programs, with little modification, to serve as the framework for drug courts.

### 10 Key Components

- Drug courts integrate alcohol and other drug treatment services with justice system case processing.
- Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
- Eligible participants are identified early and placed promptly in the drug court program.
- Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
- Abstinence is monitored by frequent alcohol and other drug testing.
- A coordinated strategy governs drug court responses to participant compliance.
- Ongoing judicial interaction with each drug court participant is essential.
- Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
- Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
- Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.

Over the past several years, an increase in the use of technology has benefited problem-solving courts in Nebraska:

- 2009— through funds made available by the Nebraska Crime Commission Uniform Data Fund, a new statewide Problem-Solving Court Management Information System (PSCMIS) was implemented. The system is currently housed with the Office of the CIO and monitored through the Information Technology Division of the Office of Probation Administration. It is used by all problem-solving courts—save for the family drug courts in Douglas and Lancaster County who have historically relied on case management through the Department of Health and Human Services—to comprehensively case manage problem-solving court clients. The system is also used by the Statewide Coordinator for Problem-



Solving Courts to query data, publish reports, engage in quality assurance, and evaluate established statewide performance measures.

- A significant challenge has been the ability to offer problem-solving court services to offenders in the most rural areas of the state. In the past 2-3 years, the use of Skype, coupled with web cameras and flat screen TV's in the court room, has been tested and utilized on a limited basis, in a select number of courtrooms, to hold problem-solving court hearings by travelling problem-solving court judges who may not be able to be in designated court rooms on a given hearing day. Overall, the use of this technology has been a better alternative than not having a hearing available, but the quality of the service has not been ideal.
- Due to the financial crisis impacting Nebraska the past several years, the areas of travel and training quickly fell victim to budget cuts. The use of video conferencing applications such as Adobe Connect and Microsoft Live Meeting, and web cameras allowed for meetings and training to be conducted via the internet, thus saving extensive travel costs. Problem-solving courts utilize these applications to hold monthly coordinator meetings, and conduct training programs.

#### **1.1.6 Administrative Office of the Courts**

The Nebraska Constitution gives general administrative authority over all courts to the Supreme Court and to the Chief Justice as executive head of the judicial branch. The Administrative Office of the Courts provides most services to the court system including developing plans for improvement of the judicial system, serving as a central source of information about the courts, and developing coordination within the branch and with other state agencies.

The Administrative Office of the Courts (AOC) currently operates on a Windows 2003 server using leased personal computers, printers and monitors. The hardware is refreshed on a three year basis. The AOC is supported by a Network Administrator and an Information Technology Specialist. These positions also provide support for the Supreme Court, Clerk of the Supreme Court, Court of Appeals, Reporter's Office, Nebraska State Library, Probation and Counsel for Discipline.

The AOC participated with several meetings of the State Government Council of the Nebraska Information Technology Commission. The AOC's Office joined the Court Information Technology Officers Consortium (CITOC) in January 2006. Membership in this group helps the AOC stay current with technology activities and solutions around the United States.

The AOC staff has the opportunity to expand their knowledge in various areas of their field through Computer Based Training which is available through the Internet for access at any time.

The Supreme Court's revised web site was launched in February 2007. Many changes were made to the web site, fill-in forms were added, federal and state web site guidelines were met and additional information was provided on the web site. All trial courts now have a web presence and have a link on the web site.

<http://www.supremecourt.ne.gov/index.shtml>

JUSTICE Procedure Manuals were placed online in 2007 eliminating printing and postage for updates and provides access to all court staff through a password protect web page.

The AOC has setup a Secure File Transfer Protocol (SFTP) server to allow for the transfer of County Court audio files from County Court to transcribers eliminating the use of postal mail for digital recordings.

ReadyTalk web conferencing as well as Adobe Connect are now being used for training, meetings with committees, judges and court staff. This application allows for the use of a remote desktop which is viewable by up to 15 web conference attendees using ReadyTalk or hundreds attending a webinar through Adobe Connect.

Continuity of Operations Plans (COOP's) have been developed and put in to place for the AOC. A Trial Court COOP template was developed and is in use in 83 County Courts. The AOC continues to work with the remaining 10 County Courts to develop Continuity of Operations Plans for their use in the event of an emergency.

The AOC completed work with the Counsel for Discipline's office to create a history file of discipline actions and place the file on the Court's web site. This provides the public a place to review attorney discipline actions.

### **Judicial Branch Education (JBE)**

- Distance Learning Courses

Judicial Branch Education's web site is [www.nebraskajbe.org](http://www.nebraskajbe.org). This web site is built on a modular object orientated distance learning environment (MOODLE) that allows JBE to host courses that give the participant the ability to view videos and power points, call up required readings, take part in chat boards and join live webinars. Currently this hosting server is hosted and leased in Chicago. The platform used is the same one hosting distance learning courses on college campuses. JBE was one of the first court systems to make use of the free distance learning platforms historically utilized solely by educational institutions. JBE contracts with faculty of University of Nevada to oversee the technology needs and troubleshoot issues with this program.

JBE currently hosts 40 distance learning courses. The new probation officer training is nearing 50% distance learning provided, saving ½ the cost of the education for new officers. JBE would like to expand this tool to host JUSTICE training that would

augment live training making JUSTICE instruction immediately available to new employees. This would assist court managers immeasurably in getting their new employees quickly up to speed.

- Video Productions Hosted on Nebraska.gov

For widespread dissemination of new information JBE hosts videos on the Supreme Court Web site through Nebraska.gov. JBE uses this for implementation of new court rules involving contact with deliberating jurors and for public access of the training videos for the new guardian and conservatorship rules.

- Registration and Credit Tracking System – Events Pro

The JBE website and the Supreme Court Website host links to the JBE system that generates a transcript for all judges and court staff and allows for on line registration for courses.

By logging in the employee merely clicks on the icon for a credit report and is able to gauge their progress toward meeting the annual credit requirement. JBE currently has a maintenance contract with this system, and a Nevada programmer has created links to the JBE website so that when an on-line course is completed the credits automatically post to the transcript.

- Mandatory Continuing Legal Education (MCLE) for attorneys:

JBE was tasked with approving education offerings as credit worthy under the Supreme Court rules mandating annual education for attorneys. In addition JBE tracks and enforces annual attorney education requirements. Over 6600 attorneys are tracked to insure they receive 10 hours of education annually. To do this JBE adapted a computer system built in Iowa that allows (and requires) attorneys keep and submit an annual transcript on line. Sponsors provide an on line submission of their courses to obtain approval to advertise a course for credit. The sponsor submission appears on the internal system. With the press of a button a course is approved, which sends it to post on the “search courses” function. This allows an attorney to search and find compliant continuing education and links the attorney to the sponsor’s website. In 2011 alone JBE has approved 6319 courses for credit. Year to date the MCLE website has had 2,383,581 hits by attorneys and sponsors using the submission and tracking function. The system relies on credit card transactions. Sponsors are charged fees to seek preapproval of a course for credit. Because of the Payment Card Industry (PCI) compliance issues JBE is required to run quarterly scans to prove the computer security is compliant. The server is hosted by Nebraska Workers Compensation Court, who regularly runs the required compliance scans and reports showing usage—as the year end nears JBE is very busy with attorneys submitting their annual reports, and the system has worked seamlessly under their watchful administration.

- Webinar Education

Judicial Branch Education hosted 52 webinars up to one hour in length during 2011. A webinar is a live presentation which allows faculty to show videos or power points, run audience polls, seek input from the audience through chat functions and hear directly from the audience with voice over IP. JBE currently uses Adobe Connect as the webinar provider.

JBE hosts 4 monthly webinar series: Judges, Clerk Magistrates and Court Staff, Leadership for all in management positions in the courts and probation, and Court Reporters. On the average 270 participants take part each month in live webinars. Those webinars are then recorded and made available by logging in to our web site and clicking on a link. JBE is currently hosting 105 recorded webinars in the archive. In addition the scheduled webinar series is augmented as needed for immediate training concerns, such as those we built for the new guardian and conservatorship rules. JBE has had webinars for Judges, court staff, guardians and the banking industry to roll out the new court requirements for conservators and maximize compliance.

- Guardian ad Litem Education Tracking

Under the Supreme Court Rule Guardians ad Litem working in juvenile court must obtain 6 hours of initial education and 3 hours of annual education thereafter. JBE hosts the searchable list of qualified GALS. JBE has built a database that allows an attorney to upload what they attended and with the push of an approval button by JBE, the system adds the attorneys name to the searchable online list. The name automatically leaves the list at the end of the year if the attorney has not obtained the necessary education. This allows judges to find whether an attorney is eligible for appointment under the rule, or search by county and find all attorneys that have satisfied the annual requirements. This list was built with Court Improvement Project funds and Worker's Compensation Court provides trouble shooting assistance.

### **Office of Dispute Resolution**

Mediator Data Base Management System:

- Launched April 2009
- Provides a web interface that allows individuals to submit an application for approval as a Parenting Act mediator to the office of Dispute Resolution to establish a profile in the system.
- Provides a web interface that allows staff of Office of Dispute Resolution to check applicant's information on-line.
- Provides a web interface that allows approved mediators to submit continuing education to the Office of Dispute Resolution for approval.

#### **1.1.7 Probation**

The Probation System is composed of 14 probation districts commensurate with the District Court Judicial Districts. There are 12 Probation Adult District and 2 Juvenile Districts. Each probation district has a principal office, and there are 32 satellite offices that augment the principal offices. Probation personnel consist of line staff probation officers, specialized probation officers, techs, intake officers, support staff, supervisors, coordinators, chief deputies, and a chief probation officer who is responsible for the overall district management.

The Office of Probation Administration has a separate Strategic Plan that includes their information technology goals from 2012 to 2016 and will be provided for attachment at a later date.

## **1.2 Work In Progress**

This section describes the current technology work in progress in 2011-12

### **1.2.1 Supreme Court**

The Supreme Court is in the process of automating its case management system. Electronic docketing from District Court is now in place. Electronic filing and Electronic Bills of Exception are in the development process. A new financial system is in development to replace the state system currently in use.

### **1.2.2 Court of Appeals**

The Court of Appeals is drawing from the enhancements to the case management system operated by the Clerk of the Supreme Court and Court of Appeals for the benefit of both appellate courts and utilizing these enhancements within the Court of Appeals' Sharepoint application. The scanned images in the clerk's system are imported to the Sharepoint system for internal use by all Court of Appeals judges, law clerks, administrative assistants, and staff attorney.

Formerly, all briefs filed on behalf of parties to appeals were manually scanned by a Court of Appeals administrative assistant. Only selected documents from the trial court's transcript (copies of filings in the trial court) were manually scanned into Sharepoint by an administrative assistant or by a law clerk working on a particular appeal.

Now, all briefs are scanned in the clerk's office when filed and then imported into Sharepoint when first assigned to a particular judge for report, opinion, or an internal case review process. At the same time as briefs are imported into Sharepoint, the scanned images of the trial court's transcripts are imported from the clerk's system into Sharepoint and the electronic bill of exceptions (excluding exhibits) is imported into Sharepoint from a separate database maintained by the clerk's office. Once imported, the document copies remain in Sharepoint until the mandate has issued to the trial court, which may involve several assignments during the course of an appeal.

By utilizing document copies in the internal system, any judge, law clerk, or assistant may mark, highlight, or annotate the copies in any way deemed useful, without affecting the integrity of the document on file in the clerk's office. Similarly, draft reports or opinions are available in a particular judge's workspace or in a shared document library when circulated to a panel. The system maintains a version history, making it easy to track changes during the drafting process prior to circulation and making it similarly easy after circulation for other judges to mark suggested changes to a proposed draft together with comments for a panel's consideration, enhancing the efficiency of the collaborative process. Because the system maintains a version history that enables any user to access a prior version from any point in the collaborative process, and because the system can be reached by authorized users from any web-enabled computer, tablet, or handheld having the requisite software and security settings, judges are free to work from their capitol offices, from satellite offices, from home, or from virtually any location having suitable Internet access.

### **1.2.3 Trial Courts**

The Office of the Chief Information Officer (OCIO) is planning to continue with the Server Consolidation project in late 2012. This means there will be an additional twenty to twenty-five IBM mid-range servers (AS-400) that will be consolidated to operate on a server located in Lincoln as opposed to locally. The benefits are faster CPU speeds, better and more reliable data backups and reduced operating and maintenance costs. The downside is the courts will be even more dependent on the data communications network. It is expected that a Phase 3 will follow in the 2013 timeframe. Ultimately there could be around twenty courthouses that will keep a local server. The Appellate Courts' case management systems operate on the consolidated server with the other County and District courts.

The automation of records management will be researched. A pilot project with the Saunders District and the Dakota County Court was successfully completed in October 2011. This project takes an image from the court file and delivers it to the State Records Management Board, where it is microfilmed to meet records retention schedule guidelines. This application is currently being marketed to all County and District courts. This new process will save time, paper and money for county governments as no longer will paper files need to be pulled or images printed so a microfilm version can be created.

Work on JUSTICE to better meet the needs of the Juvenile Courts continues. Court Improvement Project (CIP) funding is being requested to assist the Court in updating JUSTICE to allow for better and more reliable data. Journal entries from Juvenile Docket will be in a PDF format and made available to be emailed to parties in the case. A revamp of Juvenile Docket will be scheduled with input from Judges and court staff. A review of the sealing process for Juvenile cases will need to occur. Scheduling in JUSTICE will be reviewed for the Separate Juvenile, County and District Courts. The One/family/one case or one child per case will be reviewed. This is major difference between Separate Juvenile Court case processing and the County Court Juvenile case processing. The judges in the Separate Juvenile Courts process a case with the juvenile

party with siblings in one case, whereas in the County Court Juvenile case, the judges process each sibling as a separate individual case

Post migration activity will be taking place for the Douglas County Separate Juvenile Court.

#### **1.2.4 Nebraska Workers' Compensation Court**

The development of the E-Filing for Lump Sum Settlement Applications was put on hold in 2010 because of the move of adjudication offices in Lincoln. The E-filing project restarted in September of 2011 with an emphasis on other pleading types being the first priority. Work also continues on re-engineering of internal business practices and development of electronic case files.

#### **1.2.5 Problem Solving Courts**

Advancements in technology are providing quality services for Nebraska's problem-solving courts:

While the PSCMIS is a great departure from previous case management tools, there are ongoing enhancements needed to better the system. Recently several enhancements have been made to the system, and the process of identifying additional enhancements is ongoing. In addition, discussions are taking place with the entities now providing child welfare services to the family drug courts around the use of the Court mandated PSCMIS.

As programs expand into our rural areas of the state, the need for additional remote hearing technology and services is paramount. The use of Skype, while adequate, is now being replaced by alternative video conferencing applications provided through the Administrative Office of the Courts Information Technology Department such as Microsoft Live Meeting and MOVI. These technologies will enhance the in-courtroom experience and establish better connectivity between participants and the judge. The technology will also allow for other drug court team members to link in if unavailable or limited due to weather concerns.

The Information Technology Department is currently assessing the use of a new video conferencing application (MOVI) that will be more cost effective than Microsoft Live Meeting currently being used by the problem-solving courts, without a decrease in quality or ease of use. In addition, the Statewide Coordinator is working with the Director of Judicial Branch Education to establish an in-state training curriculum in order to provide local problem-solving courts cost-effective training that is on par with recognized national training programs.

#### **1.2.6 Administrative Office of the Courts**

Statute and Table Updates – This is an ongoing project that maintains the tables in JUSTICE for User ID's, Statutes, etc. The State Patrol and the Nebraska Law

Enforcement and Crime Commission rely on JUSTICE Statute tables as the tables in JUSTICE are always kept up to date.

Service Requests Log Prioritization and Assignments – Services Requests logs (SR's) are used within JUSTICE to track requested changes, corrections, modification, additions. These are kept in a database and logs are kept up to date by the JUSTICE Business Analysts (BA's). A JUSTICE Business Analyst Supervisor coordinates the logs and assigns service requests logs to the Technical Analysts (TA'S) for coding. The TA's code the changes and send the SR's back to the BA's for testing. Once tested the new programs or changes are placed in to production by the TA's.

The Office of the CIO (OCIO) is in the process of launching Microsoft's Office 365 and the AOC will be moving from the Exchange Email Server to this product that will provide our email, Office 2010, Anti-virus, SharePoint and Live Meeting applications from the cloud. Over the long run the AOC will save money by moving to this new platform.

The AOC has an ongoing project of creating A2J forms and integrate the forms with the Court's website to allow Pro Se filers to use a better process when filing documents with the courts. The Pro Se committee is working with the AOC on this project.

### **1.2.7 Probation**

The Office of Probation Administration has a separate Strategic Plan that includes their information technology goals from 2011 to 2016 and will be provided for attachment at a later date.

## **1.3 What We Would Like To Do**

This section briefly describes what we would like to do with technology in the courts going forward.

Our vision for the use of technology in the courts of Nebraska can be summarized as a statewide, horizontally- and vertically-integrated system of technologies enabling all Nebraska trial and appellate courts to provide litigants, attorneys, and the public with equal and efficient access to justice, to be operating continuously and to be available instantly. We envision: (1) a common platform of integrated computer systems serving all levels of Nebraska courts; (2) providing all judges and court staff with the tools that will enable them to efficiently, fairly, impartially, fully, and completely perform their duties; (3) instantaneous public access to all non-confidential information and court records on a real-time basis at reasonable cost; (4) immediate sharing of information between judges, between judges and court staff, and between courts of the same level, enabling instantaneous transfer of court records between counties and districts; (5) all litigants and attorneys having the ability to electronically file any type of case at the appropriate court at no additional charge; (6) electronic transmission of trial court records to appellate courts; (7) electronic dissemination of decisions, opinions, and mandates



from higher courts to lower courts, litigants, attorneys, and the public; (8) providing timely and comprehensive management information to all court officials having management functions; and (9) providing all litigants and attorneys with fair, equal, and efficient judicial services at all locations throughout the state, including permitting litigants, attorneys, and other necessary parties to voluntarily participate in proceedings electronically

### **1.3.1 Supreme Court**

The Supreme Court will through the work of the Technology Committee move forward on a variety of technology issues and projects.

The Supreme Court will continue to make progress with the use of technology. Consolidation of systems to a single application that provides case and financial management services for all courts is the ultimate goal.

Research into national organizations and other State Judicial branches with regard to technology issues, rules and policies will be ongoing to assist the Technical Committee in development of solutions for Court's use of technology.

### **1.3.2 Court of Appeals**

As the automation project in the office of the Clerk of the Supreme Court and Court of Appeals continues, the Court of Appeals will work to enhance the connections and transfer of documents between the clerk's case management system and the court's Sharepoint application. The court would like to have an interface created that would enable the Sharepoint application to automatically import documents from the clerk's system, rather than having an administrative assistant manually perform the import. Similarly, the court would like to have this interface or another interface export the final version of a report or opinion and the voting sheet information directly from the court's Sharepoint application to the clerk's system. As the court's personnel become more familiar with Sharepoint, the court may elect to adopt more work-flow processes available through the Sharepoint application, depending upon the preferences of each individual judge.

### **1.3.3 Trial Courts**

Planning will occur to assist the Small Claims and Pro Se filers in making for a better experience for doing business with the trial courts.

An interface between JUSTICE and the Nebraska Probation Management Information System (NPMIS) will be created to allow for the seamless flow of data from JUSTICE to NPMIS.

An evaluation of the long-term direction of JUSTICE will be completed.

Continued development and assessment of progress regarding data collection/analysis and judicial performance measurement – The Deputy State Court Administrator for Information Technology, the Court Improvement Project Director, and the CIP Staff

Attorney will be working closely with local court-agency collaborative groups to continue to work towards the long range goal of all Nebraska Courts having the ability to track individual cases, cases in the aggregate, outcomes for children, and compliance with AFSA guidelines.

#### **1.3.4 Nebraska Workers' Compensation Court**

The Nebraska Workers' Compensation Court has a separate Strategic Plan that is updated annually. The last update was in January of 2011 and includes information technology goals for 2011 to 2012. The primary information technology goals continue to be the implementation of electronic filing of litigation documents and the related re-engineering of internal business practices and development of electronic case files. The aim is to fully implement electronic filing and electronic case files by the end of the 2013/2014 biennial budget period, or June 30, 2014.

#### **1.3.5 Problem Solving Courts**

In 2009, a set of performance measures was adopted in which to evaluate the success and in performance of problem-solving courts including recidivism, retention, process efficiencies and various life improvement standards. The creation of a report connected to the PSCMIS and designed to automatically query and calculate each of these performance measures has begun, but has not worked correctly to this point. A working report is necessary for the evaluation of programs by not only the Administrative Offices, but by the programs themselves. It is the goal of the Statewide Coordinator for Problem-Solving Courts to have this report running properly no later than January 2012.

Technology in the court room is advancing at a rapid pace. The Statewide Coordinator would like the ability for any problem-solving court to conduct remote hearings if necessary to maintain the accountability of participants. The use of MOVI or related video conferencing systems and the addition of the necessary equipment in identified court rooms is a priority. In addition, inclusion in a program being implemented by the Office of Probation Administration called the Remote Recovery Project, would be an ideal solution to allow for offenders to link in to court rooms, probation offices, treatment and other services through the use of kiosks placed in strategic locations. Problem-solving courts are a part of future Remote Recovery implementation plans.

The Statewide Coordinator—based on recommendations by, and assistance from, the Information Technology Department—will ensure that essential problem-solving court personnel are equipped with web cameras and the necessary software to continue the utilization of video conferencing for meeting and training purposes. In addition, online training and webinars will be utilized as an integral part of the proposed in-state training curriculum currently being created by the Statewide Coordinator for Problem-Solving Courts in collaboration with a problem-solving court coordinator working group.

### **1.3.6 Administrative Office of the Courts**

The AOC will work with Nebraska.gov to explore additional services via the state web portal.

The AOC will continue to look for ways to get better technology out to all courts. Finding ways to provide training and educating staff on technology and the uses of technology to improve court processes is a very high priority.

The Office of Dispute Resolution intends to add Polycom video conferencing to stay in communication with the court community. ODR will redesign their web site with Nebraska.gov. They intend on creating webinars and posting the webinars on their web site. ODR will be involved in the creation of Hot Docs and the A2J document development for guardian/conservatorship forms. A Case Manager based on the cloud mediation center data management/reporting system is contemplated as well.

### **1.3.7 Probation**

The Office of Probation Administration has a separate Strategic Plan that includes their information technology goals from 2011 to 2016 and will be provided for attachment at a later date.

## **2 Mission Statement**

To proactively represent the computing, communications, and information technology concerns of the judicial branch and legal community in visioning, policy setting, and strategic planning.

To provide timely input, advice, and feedback to the Chief Justice on policy, proposals, implementation projects, and other information technology related issues.

To be a catalyst within the judicial branch in adapting technology to meet the mission of the judiciary and the needs of the people of the State of Nebraska.

### **3 Business Goals**

In Section Three of the Strategic Plan six high level goals have been developed. These goals are further identified and defined in Section Four of the Strategic Plan as Enabling Technology Goals. In Section Five of the Strategic Plan, Benchmark Areas for measuring the progress toward the goals are defined.

#### **3.1 Technologies**

Nebraska's courts will have equal distribution of technology and bandwidth across all courts. Equal distribution of technology and bandwidth will allow Nebraska's court system to provide a better experience for all citizens of Nebraska.

#### **3.2 Standards**

Through the use of standards Nebraska courts will make every effort for the uniform collection of information.

#### **3.3 Jurisdictional Boundaries**

Nebraska courts will use technology to identify and respond to trends that are challenging today's traditional jurisdictional boundaries, recognizing these efforts must consider existing laws, court rules and professional ethics.

(The purpose of this goal is to recognize that through technology there are opportunities to cross geographical and jurisdictional boundaries. It is our intent to be mindful to review and suggest changes to relevant statutes and rules to restrict if appropriate.)

#### **3.4 Technology Rules and Statutes**

Nebraska courts will proactively explore and update court rules to be useful in working with technology advances.

#### **3.5 JUSTICE**

Nebraska courts will develop a long term plan for the JUSTICE case and financial management system.

#### **3.6 Data Collection and Sharing**

Nebraska courts will collect and share data in an appropriate manner.

## 4 Enabling Technology Goals

Section Four of the Strategic Plan contains Enabling Technology Goals that are drilled down and expanded into sub-goals and objectives.

### 4.1 Technologies

**Nebraska's courts will have equal distribution of technology and bandwidth across all courts. Equal distribution of technology and bandwidth will allow Nebraska's court system to provide a better experience for all citizens of Nebraska.**

- 4.1.1 Use video conferencing statewide for remote appearances and virtual attendance in court proceedings.
- 4.1.2 Integrate electronic Appellate Courts records.
- 4.1.3 Allow for simultaneous language translation service (Interpreter) of video and audio recordings.
- 4.1.4 Create a paperless and secure information process for the Judicial Nomination Committee and for the Judicial Qualification Committee.
- 4.1.5 Further study the potential transitions from paper to electronic publication of Appellate Courts opinions.
- 4.1.6 Provide proactive coordination of video conferencing services.
- 4.1.7 Create My Cases page subscription service through Nebraska.gov.
- 4.1.8 Ensure fast communication network bandwidth is available to all courthouses.

### 4.2 Standards

**Through the use of standards Nebraska courts will make every effort for the uniform collection of information.**

- 4.2.1 Develop a technical business plan for all court publications.
- 4.2.2 Create common technology court rules for the use email addresses and texting in JUSTICE.
- 4.2.3 Create a catalog of forms for District Court judges in JUSTICE.
- 4.2.4 Provide speech recognition software for all County Court transcribers.

### **4.3 Jurisdictional Boundaries**

**Nebraska courts will use technology to identify and respond to trends that are challenging today's traditional jurisdictional boundaries, recognizing these efforts must consider existing laws, court rules and professional ethics.**

- 4.3.1 Develop proposed rules for electronic devices in courtrooms.
- 4.3.2 Allow interconnection of personal and work devices for email and network access.
- 4.3.3 Use social media to market court services.
- 4.3.4 Assist trial courts with development of wireless public Internet access in Courthouses.
- 4.3.5 Assist trial courts with the installation and use of MOVI Video conferencing services.
- 4.3.6 Allow for work sharing using electronic access between Clerks of the District Court and Clerk Magistrates.

### **4.4 Technology Rules and Statutes**

**Nebraska courts will proactively explore and update court rules to be useful in working with technology issues.**

- 4.4.1 Identify statutory impediments to electronic transferring of cases in trial courts.
- 4.4.2 Create demand for additional bench use of the JUSTICE Case Management System.

### **4.5 JUSTICE**

**Nebraska courts will develop a long term plan for the JUSTICE case and financial management system. Develop and enhance the JUSTICE Court Case scheduling system that interacts with handheld devices.**

- 4.5.1 Electronic filing on all Criminal, Traffic cases, all case subtypes in all courts.
- 4.5.2 Develop and utilize Juvenile PDF orders for all case types.
- 4.5.3 Develop an attorney contact database with multiple email and physical addresses.
- 4.5.4 Use electronic filing and management for electronic exhibits.
- 4.5.5 Move to a paperless based court case management system.

- 4.5.6 Create full JUSTICE case management system application for downloading of pleadings through a subscription based service.
- 4.5.7 Create an application that electronically transfers the records of a case from County to County.

#### **4.6 *Data Collection and Sharing***

- 4.6.1 Allow electronic access to trial court opinions statewide.
- 4.6.2 Have District Court judges maintain district wide calendars with electronic access to all cases.



## 5 Benchmark Areas

Section Five contains the benchmark measurements for success for each on the sub-goals and objectives in Section Four.

### 5.1 Technologies

**Nebraska's courts will have equal distribution of technology and bandwidth across all courts. Equal distribution of technology and bandwidth will allow Nebraska's court system to provide a better experience for all citizens of Nebraska.**

5.1.1 Use video conferencing statewide for remote appearances and virtual attendance in court proceedings.

*In one year success will be measured for this goal by:*

- Making this service available to all County Courts Clerk Magistrates.
- Marketing the availability of this service to all the Clerks of the District Courts.
- Having 33% of County Courts using this service in a court proceeding.
- Having 20% of District Courts using this service in a court proceeding.
- Communicating with the Nebraska State Bar Association of the availability of this service.
- Piloting the use of this service with practicing attorneys and firms with trial courts.

*In two years success will be measured for this goal by:*

- Having 67% of County Courts utilizing this service.
- Having 50% of District Courts utilizing this service.

*In five years success will be measured for this goal by:*

- Having all County Courts utilizing this service.
- Having all District Courts utilizing this service.

5.1.2 Implement electronic Appellate Courts records.

*In one year success will be measured for this goal by:*

- Having all District Courts utilizing the Electronic Docketing application.
- Having all cases using imaging for document storage.
- Making electronic filing available for attorneys for filing briefs and motions.
- Exploring the use of electronic filing with the State Attorney General's Office, County Public Defenders and the Commission on Public Advocacy

*In two years success will be measured for this goal by:*

- Having 50% of all case filings electronically including motions, briefs and Bill of Exceptions.

*In five years success will be measured for this goal by:*

- Having 90% of all case filings electronically including motions, briefs and Bill of Exceptions.

- 5.1.3 Allow for simultaneous language translation service (Interpreter) of video and audio recordings.

*In one year success will be measured for this goal by:*

- Researching what other states are doing with regard to this issue.

*In two years success will be measured for this goal by:*

- Implement a pilot project using the technology and reporting of the progress to the Technology Committee.

- 5.1.4 Create a paperless and secure information process for the Judicial Nomination Committee and for the Judicial Qualification Committee.

*In one year success will be measured for this goal by:*

- Studying the use of this electronic process for the Judicial Qualification Committee.
- Utilizing password protected portable document file (PDF) format for all correspondence for both committees.

- 5.1.5 Study the potential transitions from paper to electronic publication of Appellate Courts opinions.

*In one year success will be measured for this goal by:*

- Researching what other states have done in this area.
- Working with the Reporter's Office to evaluate potential options for subscriber based web services and to consider a joint recommendation to the Court.

*In two years success will be measured for this goal by:*

- Finding a process to transition from paper to electronic publishing.

*In five years success will be measured for this goal by:*

- To be determined.

- 5.1.6 Provide proactive coordination of video conferencing services.

*In one year success will be measured for this goal by:*

- Working with the Office of the CIO to coordinate video conferencing.
- Conducting a survey of video conferencing users to measure their satisfaction with using the service.

- 5.1.7 Create My Cases page subscription service through Nebraska.gov.

*In one year success will be measured for this goal by:*

- Working with Nebraska.gov to develop this service.

*In two years success will be measured for this goal by:*

- Creating a pilot phase to allow Nebraska attorneys to use the service.
- Surveying the users to measure their satisfaction of the service.

*In five years success will be measured for this goal by:*

- Having full implementation of the application.

- 5.1.8 Ensure fast communication network bandwidth is available to all courthouses.

*In one year success will be measured for this goal by:*

- Ensuring all Nebraska Courthouses have a minimum of 768Kbps upload connectivity and 1.0Mbps download connectivity from the State Data Communications Network.
- Receiving daily usage reports from the Office of the CIO measuring the bandwidth usage at each Courthouse.

*In two years success will be measured for this goal by:*

- Continuing to investigate and monitor the network to ensure a good user experience for data and video connectivity.

*In five years success will be measured for this goal by:*

- To be determined.

## **5.2 Standards**

**Through the use of standards Nebraska courts will make every effort for the uniform collection of information.**

5.2.1 Develop a technical business plan for all court publications.

*In one year success will be measured for this goal by:*

- Working with the Administrative Office of the Courts Public Information Officer, the Office of the Reporter of Decisions and other stakeholders to develop a technical business plan.
- Working with third party developers to develop the technical business plan for court publications.
- Researching other states to find out how they are implementing technical business plans for their court publications.

*In two years success will be measured for this goal by:*

- Working with the Administrative Office of the Courts Public Information Officer, the Office of the Reporter of Decisions and other stakeholders to implement the technical business plan.
- Working with third party developers to implement the technical business plan for court publications.

5.2.2 Create common technology court rules for the use of email addresses and texting in JUSTICE.

*In one year success will be measured for this goal by:*

- Developing party email address and telephone number fields in the JUSTICE Case and Financial Management System for use in notifying parties of court proceedings, hearing dates and time payment notices.
- Providing fields in JUSTICE for email addresses and telephone numbers that are available only to Judges and court staff.

*In two years success will be measured for this goal by:*

- Implementing the application in 100% of the trial courts.
- Producing reports in JUSTICE that will track the use of this technology to produce increased staff productivity and postage savings for county governments.

*In five years success will be measured for this goal by:*

- Continuing to measure usage and implementation.

5.2.3 Create a catalog of forms for District Court judges in JUSTICE.

*In one year success will be measured for this goal by:*

- Completing research of forms for District Court Judges

*In two years success will be measured for this goal by:*

- Implementing the availability of District Court forms in JUSTICE.

5.2.4 Provide speech recognition software for all County Court transcribers.

*In one year success will be measured for this goal by:*

- Researching the availability of speech recognition software (Dragon Naturally Speaking and others); test the software for implementation by transcribers. This would be software similar to real-time reporting software.

*In two years success will be measured for this goal by:*

- Completing a demonstration project of this application.

*In five years success will be measured for this goal by:*

- Mandating the use of speech recognition software by court transcribers and outsourced court transcribers.

### **5.3 Jurisdictional Boundaries**

**Nebraska courts will use technology to identify and respond to trends that are challenging today's traditional jurisdictional boundaries, recognizing these efforts must consider existing laws, court rules and professional ethics.**

5.3.1 Develop proposed rules for electronic devices in courtrooms.

*In one year success will be measured for this goal by:*

- Developing proposed rules for electronic devices in courtrooms, including attorneys, parties and observers in the courtroom.

*In two years success will be measured for this goal by:*

- Recommending the review or adoption of the proposed rules by the Nebraska Supreme Court.

*In five years success will be measured for this goal by:*

- Reviewing the rules for updates or use of new technology.

5.3.2 Allow interconnection of personal and work devices for email and network access.

*In one year success will be measured for this goal by:*

- Working with the Office of the CIO to follow the best business practice for allowing the interconnection of personal devices to the State Data Communications Network.
- Alerting judges and court staff as to how the process works.
- Developing proposed rules for implementation within the Judicial Branch

5.3.3 Assist trial courts with development of wireless public Internet access in Courthouses.

*In one year success will be measured for this goal by:*

- Working with local courts to effectively install and use wireless public Internet access in 10% of local courts.

*In two years success will be measured for this goal by:*

- Working with local courts to expand the use of wireless public Internet access in 50% of local courts.

*In five years success will be measured for this goal by:*

- Working with local courts to expand the use of wireless public Internet access in 100% of local courts.

- 

#### 5.3.4 Assist trial courts with the installation and use of MOVI Video conferencing services

*In one year success will be measured for this goal by:*

- Having 100% of County Courts with MOVI accounts and 50% of County Court judges registered to use MOVI video conferencing.

*In two years success will be measured for this goal by:*

- Having 50% of District Courts with MOVI accounts and 25% of District Court judges with MOVI accounts.

*In five years success will be measured for this goal by:*

- Having all trial courts with MOVI account and all trial court judges with MOVI accounts.

#### 5.3.5 Use social media (Twitter, Facebook, and others) to market court services.

*In one year success will be measured for this goal by:*

- Researching how other states are using social media to market court services and report to the Technology Committee.

*In two years success will be measured for this goal by:*

- Attempting small pilot projects around the State using social media.

*In five years success will be measured for this goal by:*

- Creating a permanent project statewide.

#### 5.3.6 Allow for work sharing using electronic access between Clerks of the District Court and Clerk Magistrates and working with the Court Reengineering Committee to implement this objective.

*In one year success will be measured for this goal by:*

- Implementing a pilot project with a County Court and a District Court.
- Measuring the feedback from the pilot courts to determine what worked and what did not work.
- Working with the Trial Court Services Director for possible changes to the work sharing process.

*In two years success will be measured for this goal by:*

- Adding additional courts to the project.

## **5.4 Technology Rules and Statutes**

**Nebraska courts will proactively explore and update court rules to be useful in working with technology issues.**

- 5.4.1 Identify statutory impediments to electronic transferring of cases in trial courts.

*In one year success will be measured for this goal by:*

- Reviewing potential legislation and identifying additional legislation that may be adopted to enact this objective.

*In two years success will be measured for this goal by:*

- Continuing to monitor the legislative process for achieving this objective.

- 5.4.2 Create demand for additional bench use of the JUSTICE Case Management System.

*In one year success will be measured for this goal by:*

- Developing a plan to implement the use of JUSTICE from the Bench for all District Courts, County Courts and Separate Juvenile Courts judges.
- Building useful JUSTICE applications for judges to use from the bench.

*In two years success will be measured for this goal by:*

- Having JUSTICE applications in place for judges to use from the Bench.

*In five years success will be measured for this goal by:*

- Having 95% of trial court judges using JUSTICE from the Bench.

## **5.5 JUSTICE**

**Nebraska courts will develop a long term plan for the JUSTICE case and financial management system. Develop and enhance the JUSTICE Court Case scheduling system that interacts with handheld devices.**

- 5.5.1 Electronic filing on all Criminal, Traffic cases, all case subtypes in all courts.

*In one year success will be measured for this goal by:*

- Having electronic filing available for all Criminal, Traffic cases through JUSTICE.

*In two years success will be measured for this goal by:*

- Having electronic filing available on all case subtypes in JUSTICE.

- 5.5.2 Develop and utilize Juvenile PDF orders for all case types.

*In one year success will be measured for this goal by:*

- Working with the JUSTICE Juvenile Automation Committee to develop the prototype Juvenile PDF Order and then coding and testing the prototype on JUSTICE.
- Selecting a Pilot Juvenile Court to use the application in JUSTICE.
- Expanding the Pilot to 10 Juvenile Courts.

*In two years success will be measured for this goal by:*

- Making the application available to all Juvenile Courts.

5.5.3 Develop an attorney contact database with multiple email and physical addresses.

*In one year success will be measured for this goal by:*

- Researching the possibility of using the Nebraska State Bar Association's existing attorney database to interface with JUSTICE.
- Developing a pilot project to test the application.

*In two years success will be measured for this goal by:*

- Informing attorneys how the database and data will work in JUSTICE.
- Launching the application statewide.

5.5.4 Use electronic filing and management for electronic exhibits.

*In one year success will be measured for this goal by:*

- Researching other states to find out how they solved this issue.
- Locating additional resources to assist in identifying solutions for this objective.

*In two years success will be measured for this goal by:*

- Developing rules for managing and handling electronic exhibits.

*In five years success will be measured for this goal by:*

- Implementing and adopting rules for this issue.

5.5.5 Move to a paperless based court case management system.

*In one year success will be measured for this goal by:*

- Creating standards and procedures to achieve this objective.

*In two years success will be measured for this goal by:*

- Adopting rules to achieve this objective.

*In five years success will be measured for this goal by:*

- Fully implementing this objective on a state wide basis.

5.5.6 Create full JUSTICE case management system application for downloading of pleadings through a subscription based service.

*In one year success will be measured for this goal by:*

- Researching how this objective can be accomplished.

*In two years success will be measured for this goal by:*

- Developing a business plan to implement this objective.

*In five years success will be measured for this goal by:*

- Fully implementing this objective on a statewide basis.

5.5.7 Create an application that electronically transfers the records of a case from County to County.

*In one year success will be measured for this goal by:*

- Developing standards and practices to accomplish this objective.

*In two years success will be measured for this goal by:*

- Fully implementing this objective on a statewide basis.

## **5.6 Data Collection and Sharing**

5.6.1 Allow electronic access to trial court opinions statewide.

*In one year success will be measured for this goal by:*

- Researching how this is done in other states, how decisions are posted, emailed, are the processes automated and are they integrated with court marketing channels.

*In two years success will be measured for this goal by:*

- Developing a Pilot Project with a small number of courts involved.
- Surveying potential users of the system to identify their needs.
- Expanding the number of participating courts.
- Having JUSTICE post a flag to display the opinion electronically on the Court's web site including a searchable feature.

*In five years success will be measured for this goal by:*

- Implementing on a statewide basis.

5.6.2 Have District Court judges maintain district wide calendars with electronic access to all cases.

*In one year success will be measured for this goal by:*

- Redesign the Calendar application in JUSTICE to allow for increased user friendliness and feature rich product.

*In two years success will be measured for this goal by:*

- Having all District Courts utilizing JUSTICE Calendar applications.
- Working with Nebraska.gov to allow for public internet access to all court calendars.



## **6 Appendices**

### **6.1 Appendix A – 2012 Technology Committee List**

The Honorable William Cassel, Chair, Nebraska Court of Appeals  
The Honorable Kenneth C. Stephan, Nebraska Supreme Court  
The Honorable Gary B. Randall, Douglas County District Court  
The Honorable John A. Colborn, Lancaster County District Court  
The Honorable Robert R. Otte, Lancaster County District Court  
The Honorable Laureen Van Norman, Nebraska Workers' Compensation Court  
The Honorable Roger J. Heideman, Lancaster County Separate Juvenile Court  
The Honorable L. Curtis Maschman, Richardson County Judge  
The Honorable Alan L. Brodbeck, Holt County Judge  
The Honorable Kurt T. Rager, Dakota County Judge  
William J. Lindsay, Jr., Attorney at Law  
William E. Olson, Jr., Attorney at Law  
Audrey M. Elliott, Attorney at Law  
Katherine Hall, Attorney at Law  
Terry R. Wittler, Attorney at Law  
Adam Astley, Attorney at Law  
Neil Williams, Attorney at Law  
Richard Leiter, UNL College of Law  
Craig Dallon, Professor, Creighton School of Law  
Senator Scott Lautenbaugh, Nebraska State Senator  
John Friend, Clerk of the Douglas County District Court  
Ann Rosenberry, Clerk of the District Court, Scotts Bluff County District Court  
Barbara Pousson, Judicial Administrator, Sarpy County Courthouse  
Janet Bancroft, Court Administrator's Office  
Janice Walker, State Court Administrator  
Steve Rowoldt, State Probation Office  
William Miller, Court Administrator's Office

#### Individuals participating but not appointed:

Paula Crouse, JUSTICE Business Analyst Supervisor District Courts  
Sherri Dennis, JUSTICE Business Analyst Supervisor County Courts  
Randy Ceerle, Chief I.T. Officer, Nebraska Workers' Compensation Court