



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.: 21-069*

For business meeting on March 12, 2021

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**Title**

Judicial Branch Technology: Court  
Modernization Funding, Fiscal Year 2020–21,  
Quarter 3

**Agenda Item Type**

Action Required

**Effective Date**

March 12, 2021

**Rules, Forms, Standards, or Statutes Affected**

N/A

**Date of Report**

March 3, 2021

**Recommended by**

Technology Committee  
Hon. Kyle S. Brodie, Chair

**Contact**

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### Executive Summary

The Budget Act of 2020 (Stats. 2020, ch. 7) appropriated \$25 million for the modernization of trial court operations. The Judicial Council asked the Technology Committee to recommend allocation of the funding and later approved allocation of \$12.5 million directly to trial courts for use in one or more identified program categories, \$10 million for branchwide initiatives, and \$2.5 million to be held in reserve for program adjustments. The Technology Committee recommends that the Judicial Council approve allocating \$4.3 million (funded partly from the \$10 million identified for branchwide initiatives and partly from the \$2.5 million held in reserve) to trial courts to allow expanded participation in four branchwide programs. The Technology Committee also recommends that \$25,000 be allocated to each of 32 courts currently engaged in efforts to digitize their paper records (\$800,000 in total which will utilize all remaining funds from the \$2.5 million held in reserve).

### Recommendation

The Technology Committee recommends that the Judicial Council, effective March 12, 2021:

1. Receive and accept the attached lists of Court Technology Modernization Funding: Proposed Additional Allocations to Courts for Branchwide Programs (Attachment B) and Court

Technology Modernization Funding: Proposed Allocations to Courts for Digitizing Documents (Attachment C);

2. Approve the direct trial court allocations itemized in Attachment B; and
3. Approve the allocation of \$25,000 to each of the 32 courts currently digitizing their paper records, as reflected in Attachment C.

### **Relevant Previous Council Action**

The Budget Act of 2020 included a \$25 million appropriation for the modernization of California's trial courts. At the July 24, 2020, Judicial Council meeting, the Chief Justice directed the Technology Committee to recommend a proposal<sup>1</sup> for allocating that funding.<sup>2</sup>

At the September 25, 2020, Judicial Council meeting, the council approved using the \$25 million for 13 approved programs, and directed the Technology Committee to recommend individual allocations to trial courts and report on each program's progress. The 13 approved programs are listed in Attachment A.

At the January 22, 2021, Judicial Council meeting, the council approved \$12.5 million in direct allocations to the trial courts and received a status update.

### **Analysis/Rationale**

#### **Allocation of 4.3 Million to Trial Courts for Four Approved Branchwide Programs**

In addition to the \$12.5 million that was allocated directly to the trial courts, the Technology Committee approved using another \$10 million for programs that will have branchwide benefits, and holding the remaining \$2.5 million in reserve to capture efficiencies or make program adjustments that might be needed. In January 2021, courts were invited to apply for additional funds to expand their participation in 5 of the 13 approved branchwide programs.

Applications were due on February 18, 2021, and 34 courts requested to participate, with a total of 129 applications received. The 129 applications collectively asked for additional resources to participate (or, in some cases, participate more fully) in four different programs: Automated Messaging, Digital Ecosystem (also referred to as "CourtStack"), Remote Appearance, and IT Security Operations.

Some of the recommended allocations will be given to the trial courts as grants, but the allocations involving IT security will be reimbursements for money spent. The Judicial Council

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<sup>1</sup> Judicial Council of Cal., captured captioning (July 24, 2020), p. 16, <https://jcc.legistar.com/View.ashx?M=E3&ID=711582&GUID=90001AF2-7CEE-4F0F-906B-29A03ED9CB43>.

<sup>2</sup> The budget bill language (item 0250-001-0001 of section 2.00) explicitly limits the use of the funding to modernizing trial courts; see [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200AB89](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB89).

has developed a branchwide security framework and this reimbursement will encourage courts to adopt these security best practices.

The following chart summarizes the previously allocated funds and recommended additional funds to be allocated in each of the four programs:

<b>Branchwide Program</b>	<b>Current Program Budget</b>	<b>Recommended Additional Trial Court Allocations</b>
Automated Messaging	\$200,000	\$200,000
Building a Digital Ecosystem	\$1,609,000	\$1,039,200
Judicial Branch Office of Information Security	\$779,000	\$508,400
Remote Appearance Technology	\$3,451,000	\$2,612,000
		<b>\$4,359,600</b>

A detailed list of recommended allocations, including the amount to be allocated to each of the 34 courts, is set forth in Attachment B.

#### **Allocations for Document Digitization**

The Technology Committee also seeks the Judicial Council’s approval to allocate \$25,000 to 32 trial courts for the purpose of digitizing paper records. A budget change proposal was approved for fiscal year 2019–20, awarding \$4.852 million to allow 7 courts to digitize documents. Eight other courts requested money from that budget change proposal, but the available funds were insufficient to grant their requests. An additional 20 courts were allocated money from the modernization fund to digitize documents.

Collectively, a total of 32 trial courts have since demonstrated a need for additional funding to digitize their paper records. That work is foundational for much of the other modernization work currently in progress. Online or remote access cannot be fully implemented if a document exists only in paper form. Courts consistently recognize that reality, and digitizing documents recently ranked as the second highest modernization priority for the branch. Allocating \$25,000 to each of the 32 trial courts listed in Attachment C is an effective use of the modernization fund, and will be an immediate benefit to California’s court users.

#### **Policy implications**

By making additional allocations directly to trial courts, the judicial branch will capture the innovation and collaborative spirit that has been a hallmark of the court IT community in order to better serve the people of California. The allocations will move the entire branch forward by allowing further participation in branchwide programs and provide more service to the public. That modernization is a longstanding judicial branch priority, as reflected in its adopted strategic and tactical plans.

## **Comments**

The proposal was not distributed for public comment because of the significant outreach to courts to gather input, as well as the multiple formal public comment periods provided as part of the Technology Committee–noticed open meetings. The Technology Committee conducted extensive outreach to the courts regarding court technology modernization funding, including to the Information Technology Advisory Committee, the Trial Court Presiding Judges Advisory Committee, the Court Executives Advisory Committee, and the Court Information Technology Managers Forum. Additionally, no public comments were received for the Technology Committee’s open meetings held on January 11, 2021; February 8, 2021; and March 3, 2021.

## **Alternatives considered**

Many alternatives exist and were considered, but the short amount of time left in the current budget year foreclosed most of them. The Technology Committee concluded that a hybrid approach of the Judicial Council implementing projects along with courts applying for opportunities to participate as part of branchwide initiatives most efficiently modernizes the courts in a way that can demonstrate success in delivering services to the public, particularly given the limited time available.

## **Fiscal and Operational Impacts**

Because the allocations are funded from the court modernization appropriation, there will be no direct fiscal impact on any other fund. By March 1, courts were scheduled to submit their first quarterly report regarding the use of their direct allocations. These reports are being reviewed to assess whether adjustments in funding are needed for success within an approved project.

The Technology Committee and Judicial Council staff will continue to track project implementation plans and measurable outcomes, and will provide the council with regular progress updates.

## **Attachments and Links**

1. Attachment A: Court Technology Modernization Funding Program Fiscal Year 2020–21, Branchwide Initiatives–Program Descriptions
2. Attachment B: Court Technology Modernization Funding: Proposed Additional Allocations to Courts for Branchwide Programs
3. Attachment C: Court Technology Modernization Funding: Proposed Allocations to Courts for Digitizing Documents

Attachment A: Court Technology Modernization Funding Program Fiscal Year 2020–21, Branchwide Initiatives–Program Descriptions

Title	Program Description	Branchwide Programs (Grants, Reimbursement and Pilots)
Strategic Goal 1: Promote the Digital Court—Remote Appearances		
Remote Appearance Technology	Deploy video and related equipment for an integrated courtroom that enables remote appearances.	Grant funding, licensing discounts, and professional services available. Grant funding is prioritized for one-time VRI equipment purchases and training. A minimum of \$316K is available for up to 15 court locations; additional funding to be available based on need and availability including for purchase and deployment of video and related equipment and licensing for an integrated courtroom enabling remote appearances.
Digital Evidence	Provide funding for implementation costs, case management system (CMS) integration, and storage of digital evidence.	
Automated Messaging (notifications and reminders)	Provide email notifications and text reminders for the public by enabling courts to access a statewide online reminder system for court appearances regardless of CMS or jury solutions.	Partnering with Los Angeles Superior Court on rolling out a case notification system.
Strategic Goal 1: Promote the Digital Court—Remote Access		
Data Driven Forms	Modernize Judicial Council forms to provide step-by-step and dynamic instruction for filling out required court forms, interactive chat and tool tips functionality, and mobile-friendly and Americans with Disabilities Act–compliant accessibility. Additionally, allow for data integration by courts, justice partners, and others.	
Digitizing of Documents	Provide services for courts to convert their paper and filmed documents to electronic documents.	
Virtual Customer Service Center	Enable courts to add online chat functionality to their public websites to provide customer support.	Seeking court participation in the pilot program enabling courts to add online chat functionality to their public websites to provide customer support for Name change and/or Second domain (TBD).
Trial Court Digital Services	Provide digital services for the virtual and physical courthouse that would include projects such as, but not limited to, improved websites, branchwide online programs, courtroom technology for public access, jury selection, electronic recording (where permitted by law), and digital calendars/communications.	Accepting court requests for technical and/or content migration support to deploy the customizable Trial Court Web Templates, which are ADA compliant, mobile-friendly, and will integrate with statewide digital services (such as intelligent chat).
Statewide Case Index	Create an online searchable case index for all traffic cases statewide.	
Strategic Goal 2: Innovate Through IT Community		
Building a Digital Ecosystem	Expand efforts of the Court Innovations Grant Program—including refining and implementing the technical foundation and software modifications that will enable courts to contribute their solutions for branchwide use and consumption—and lay the foundation for future innovations.	Partnering with Los Angeles, Santa Clara, Monterey, and Orange on rolling out virtual CMS connections for the digital ecosystem.
Strategic Goal 3: Advance IT Security and Infrastructure		
Judicial Branch Office of Information Security	Establish and maintain an Office of Information Security to comply with best practices for management of information security, technical risks, and risks to the data held across the judicial branch.	Accepting court requests for reimbursement of IT security expenses accrued in FY20-21 in alignment with the branch security framework, including security awareness and monitoring programs. Depending on the number of requests and the amounts, the priority will be on awareness first, then monitoring. Invoices or PO's requested.
Next Generation Data Center and Cloud Solutions	Create a consultant service for Judicial Council Information Technology staff to work with courts on next-generation hosting (cloud solutions) and related infrastructure frameworks.	
California Courts Protective Order Registry (CCPOR) Mobile Access and Modernization	Modernize the CCPOR application, including by enhancing secure access of restraining and protective orders for law enforcement officers and for protected and restricted individuals.	
Strategic Goal 4: Promote Rules and Legislative Changes		
Data Governance	Establish and implement a branchwide data governance infrastructure to ensure better use and management of data, including timely submission, accuracy, security, and data access.	Seeking court participation in the next round of pilots, deploying a new JBSIS implementation and branchwide repository.

**Attachment B: Court Technology Modernization Funding: Proposed Additional Allocations to Courts for Branchwide Programs**

<b>Court</b>	<b>Initiative</b>	<b>Total Allocation</b>
Colusa	Remote Appearance (incl. VRI)	\$40,000
Contra Costa	Remote Appearance	\$480,600
Fresno	Security	\$51,200
Kern	Security, Remote Appearance	\$47,500
Kings	Security	\$6,200
Los Angeles	Remote Appearance (incl. VRI), Digital Court Ecosystem, Branchwide Court Notify	\$989,800
Mariposa	Security, Remote Appearance (incl. VRI)	\$18,400
Mono	Remote Appearance	\$15,600
Monterey	Security, Remote Appearance, Digital Court Ecosystem	\$626,300
Nevada	Remote Appearance	\$2,000
Orange	Security, Remote Appearance, Digital Court Ecosystem	\$660,200
Riverside	Remote Appearance	\$21,000
Sacramento	Security, Remote Appearance	\$284,800
San Bernardino	Security, Remote Appearance	\$90,200
San Diego	Security, Remote Appearance	\$115,500
San Joaquin	Security, Remote Appearance	\$6,500
Santa Clara	Security, Digital Court Ecosystem	\$365,200
Santa Cruz	Security, Remote Appearance	\$7,400
Sierra	Remote Appearance (incl. VRI)	\$25,300
Siskiyou	Security	\$2,000
Solano	Remote Appearance	\$182,600
Stanislaus	Security, Remote Appearance	\$233,000
Sutter	Security, Remote Appearance (incl. VRI)	\$23,700
Yolo	Security, Remote Appearance	\$59,900
Yuba	Security, Remote Appearance (incl. VRI)	\$4,700
<b>Grand Total:</b>		<b>\$4,359,600</b>

## Attachment C: Court Technology Modernization Funding: Proposed Allocations to Courts for Digitizing Documents

	<b>Court</b>	<b>Amount</b>
1	Alameda	\$25,000
2	Amador	\$25,000
3	Contra Costa	\$25,000
4	Fresno	\$25,000
5	Humboldt	\$25,000
6	Kern	\$25,000
7	Lake	\$25,000
8	Madera	\$25,000
9	Modoc	\$25,000
10	Monterey	\$25,000
11	Napa	\$25,000
12	Nevada	\$25,000
13	Orange	\$25,000
14	Placer	\$25,000
15	Sacramento	\$25,000
16	San Benito	\$25,000
17	San Francisco	\$25,000
18	San Joaquin	\$25,000
19	San Luis Obispo	\$25,000
20	San Mateo	\$25,000
21	Santa Barbara	\$25,000
22	Santa Clara	\$25,000
23	Santa Cruz	\$25,000
24	Shasta	\$25,000
25	Sierra	\$25,000
26	Siskiyou	\$25,000
27	Solano	\$25,000
28	Stanislaus	\$25,000
29	Sutter	\$25,000
30	Tehama	\$25,000
21	Tulare	\$25,000
32	Yuba	\$25,000
<b>Total</b>		<b>\$800,000</b>