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1. Executive Summary

In March 2000, Chief Justice Jean Hofer Toal officially raised the bar in South Carolina to establish a new paradigm for the State court system. Under the leadership of the Chief Justice and the Supreme Court, the Judicial Branch of South Carolina is embarking on a multi-year program to systematically improve and modernize the State court system.

"[Chief Justice] Toal looks forward to systematic improvements in South Carolina's judicial system, particularly in 'better management of the trial court system.'"¹

Under the new **Judicial Branch Modernization Program**, the traditional role, responsibility, and authority of the Judiciary and the Judicial Branch of South Carolina, based in constitutional and statutory law and tradition, will not change. However, traditional core business processes and administrative practices are to be systematically examined and challenged. Further, traditional technology-based processes and practices (such as court business applications, data and information repository management, information and documents exchange, and records and document management) are to be examined and challenged. Where proven prudent, feasible, and cost effective, some traditional core business processes, administrative practices, and other technology-based processes and practices will be revised and enhanced to modernize the day-to-day operations of the State court system.

1.1 Modernization Program—Goal and Objectives

The goal of the Judicial Branch Modernization Program is to enhance and revitalize the human resources (people and organization), business processes, and information technologies of the State court system. The terms Judicial Branch and State court system, as used in this report, include the following:

- Court jurisdictions and administrative and organizational entities and personnel of the Judicial Department, which are funded by the State Legislature
- Court jurisdictions and administrative and organizational entities and personnel that are funded by the local (county and municipal) units of government in which they reside

To effectively monitor and evaluate progress to goal, the Chief Justice has established specific technology leadership and technology enhancement objectives for the Judicial Branch Modernization Program.

¹ *President's Report*, University of South Carolina, 1999, Pg. 27.



1.1.1 Technology Leadership Objectives

The Chief Justice has established five technology leadership objectives:

1. **Support Criminal Justice Information Systems Initiatives.** The Judicial Department will participate in the initiatives of the Governor’s Standing Committee on Criminal Justice Information Systems (CJIS) and the Committee’s ongoing effort to “seek increased continuity of criminal justice information across its business units to improve services both internally and externally.”²

To that end, the Judicial Department is currently participating in the Criminal Justice Integration Planning Needs Assessment (Project) and will coordinate, integrate, and leverage the technology strategies, actions, and initiatives of the Governor’s Standing Committee project(s) with the ongoing projects and initiatives of the Judicial Branch Modernization Program.

2. **Sponsor and Promote Integrated Justice Information Systems Initiatives.** The Judicial Department will sponsor and promote Integrated Justice Information Systems (IJIS) initiatives. These initiatives are to plan, design, engineer, develop, integrate, deploy, and implement integrated civil, juvenile, and administrative and regulatory law systems (that is, IJIS) within the Judicial Branch, and between State, county, and municipal levels of government in South Carolina. The Judicial Department will sponsor and promote the establishment of policies, laws, procedures, processes, and IJIS that are fully integrated and that facilitate the secure electronic exchange of information and documents between litigants (civil law, juvenile/family law, administrative and regulatory law) who file and litigate cases before the courts of the State of South Carolina. The Judicial Department will work in partnership with the leadership of the Executive and Legislative Branches of South Carolina to accomplish this objective.
3. **Sponsor and Support Internet and e-Government Technology Initiatives.** The Judicial Department will sponsor and support initiatives that promote the use of the technologies and capabilities of the Internet and e-government business systems, to facilitate the secure exchange of information and documents among the following:
 - Jurisdictions and agencies of the Judicial Branch
 - Agencies of State and local government and the public
 - Integrated Criminal Justice Information Systems
 - Integrated Justice Information Systems
 - Other proprietary systems of the Judicial, Executive, and Legislative Branches of State and local government in South Carolina

² State of South Carolina, *Criminal Justice Integration Planning Needs Assessment – Discussion Draft*, MTG Management Consultants, LLC, August 28, 2000, Pg. 1.



The Judicial Department will work in partnership with the leadership of the Executive and Legislative Branches of South Carolina to accomplish this objective.

4. **Promote and Support Uniform Electronic Records Legislation.** The Supreme Court will promote and support the submission and passage of uniform electronic records legislation for the State of South Carolina. The legislation will address the legal and procedural dimensions of the use of electronic documents, signatures, and so forth as official records and as admissible in a court of law. This action will follow that of other states like the State of Florida and further empower the private and the public sectors of the State to fully use the Internet and to realize the cost savings, efficiencies, and other benefits of the e-government age. The Judicial Department will work in partnership with the leadership of the Executive and Legislative Branches of South Carolina to accomplish this objective.
5. **Revise Court Rules and Procedures to Incorporate Provisions of New Electronic Records Law.** The Supreme Court will, subject to the passage of new electronic records law by the Legislature of South Carolina, revise the existing Court Rules and Procedures to embrace and reflect the provisions of the new law.

1.1.2 Technology Enhancement Objectives

The Chief Justice has established six technology enhancement objectives:

1. **Empower and Enable Participation in the Modernization Program.** The Judicial Department will use the capabilities of the Internet and a Judicial web site to empower and enable State court system participants (the Judicial Department, Bar, public, and agencies of the Executive Branch and the South Carolina Legislature) to actively participate in and have input into the ongoing projects and activities of the Judicial Branch Modernization Program.
2. **Enhance Court Operations and Administration.** The Judicial Department will use Internet-based technologies and the capabilities of e-government and e-justice business systems to enhance the day-to-day operations and administration of the State court system.
3. **Adopt Technology Blueprint.** The Judicial Department will adopt a strategic technology blueprint to serve as the vision and guide the enhancement and modernization of the technology infrastructure of the State court system.
4. **Adopt Technology Roadmap.** The Judicial Department will adopt a strategic technology roadmap to serve as the action plan and to guide the enhancement and modernization of the technology infrastructure of the State court system.
5. **Adopt Technology Standards.** The Judicial Department will adopt, and to the extent allowed by the oversight powers of the Supreme Court, enforce compliance with uniform technology standards for



the Judicial Branch so that the State court system may realize full technological benefits of the Modernization Program and cost savings derived from the associated economies of scale.

6. **Promote Technology Integration and Interoperability.** The Judicial Department will promote, and to the extent allowed by the oversight powers of the Supreme Court, enforce the full integration and interoperability of technologies, business systems, and networks to facilitate the end-to-end electronic exchange of information, documents, photos, and so forth within the State court system and across State, county, municipal, and, where appropriate, federal systems and networks.

1.2 Strategic Technology Plan—Commission

As the first step in the Modernization Program, Chief Justice Jean Hoefer Toal commissioned an examination, in the form of a *Strategic Technology Plan*, of the current and potential future use of technology to capture, store, process, and exchange electronic records and information across all jurisdictions of the State court system.

“We’ve commissioned a major study of the use of technology in the courts from stem to stern. It’s time to bring this system into the modern era with Internet access to court proceedings and the capability for electronic filings.”³

1.3 Strategic Technology Plan—Challenge and Goal

During the past 5 years, the use of the Internet and web-based applications to capture, store, process, and exchange electronic records and information in government—e-government—has dramatically increased. Nowhere has e-government had a greater impact than in the judicial branches of federal and state governments. State appellate and trial courts are revising court rules and procedures and enacting new electronic records law to take maximum advantage of the capabilities of the Internet and the evolving technologies and solutions of e-government.

The challenge for the Judicial Branch of South Carolina is to determine how to plan, engineer, and deploy new Internet capabilities and e-government solutions to best serve the information and electronic records processing needs of the Judicial Branch including the State-funded Judicial Department, the locally funded Trial and Summary Courts, the State Bar and other officers of the courts, and the public in general. Infusing the Internet and Internet-related technologies into the State court system will challenge the system in unprecedented ways. Over time, expectations regarding the Internet and e-government will continue to rise.

³ *President’s Report*, University of South Carolina, 1999, Pg. 27.



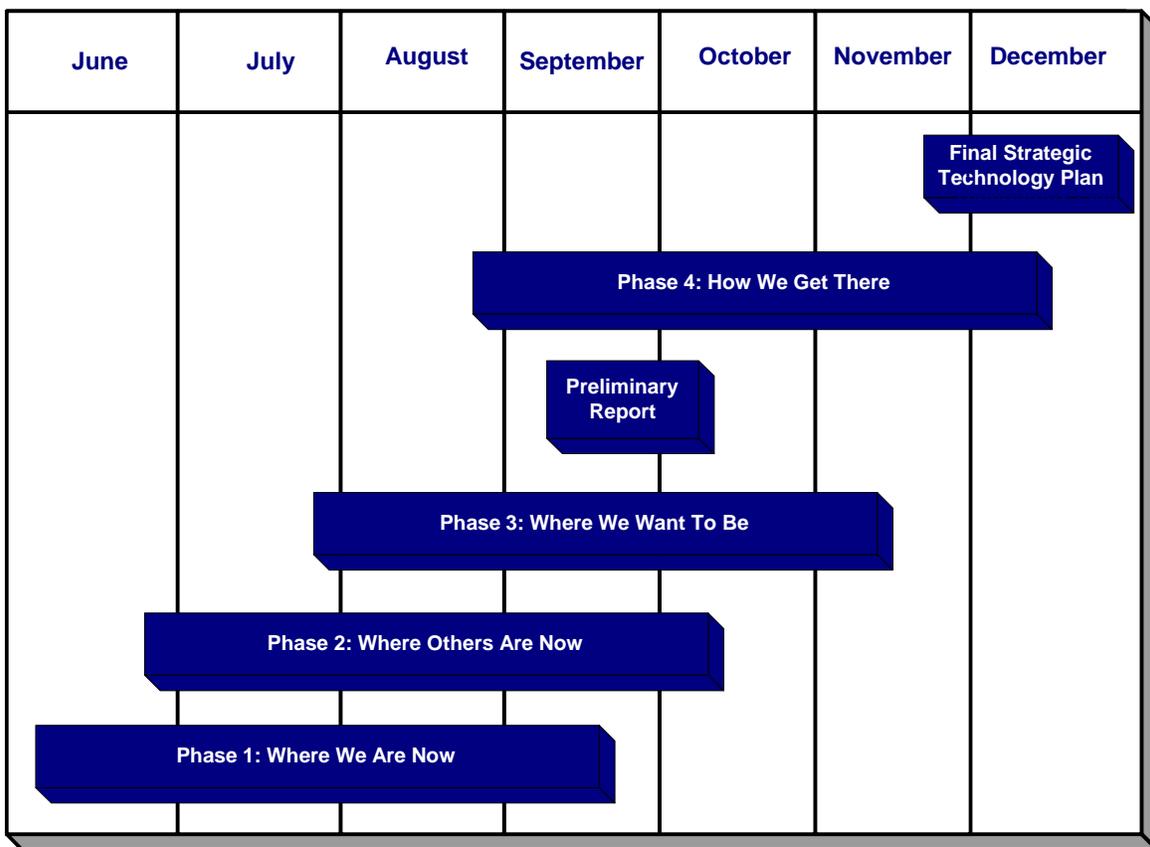
The goal of the *Strategic Technology Plan* is to establish the overall technology direction (vision, blueprint, and roadmap) for the Judicial Branch and the State court system for the next 5 to 10 years. The capabilities of the Internet and the evolving solutions of e-government will play a key role in the overall vision and blueprint for the State court system of South Carolina.

1.4 Strategic Technology Plan—Approach

Working as a team with the Judicial Department and the National Center for State Courts (NCSC), KPMG Consulting created a customized approach for developing the *Strategic Technology Plan*. This approach comprised four phases that were completed during June to December 2000 as depicted in Figure 1-1.

Figure 1-1

Judicial Department Strategic Plan Project Schedule





A series of site visits and interviews were conducted to understand the business processes and current usage of technologies within the South Carolina Judicial Department.

The following vehicles were used for the information gathering:

- Initial survey and supplemental follow-up survey of each of the 46 County Clerks of Court
- Onsite visits and interviews with more than 130 court and court-related personnel from across the State (Appendix A lists these individuals)
- Site visits and walkthroughs of the following courts selected as representatives for their specific level of court:
 - Supreme Court
 - Court of Appeals
 - Circuit Court—Charleston, Florence, Greenville, and Laurens
 - Masters-in-Equity—Charleston and Lexington
 - Family Court—Charleston, Florence, Greenville, and Laurens
 - Probate Court—Aiken and Richland
 - Magistrate Court—Oconee and Richland
 - Municipal Court—Oconee and Richland
 - Register of Deeds—Oconee, Florence, and Richland
- Four focus group meetings:
 - Operational/Functional Focus Group
 - Bar Focus Group
 - Technology Focus Group
 - Agencies Associated with the Courts Focus Group
- Presentations, question and answer sessions, and general discussion at all the major State judicial conferences held in South Carolina from September to December 2000, including the following:
 - South Carolina Judicial Conference for all Supreme Court Justices, Court of Appeals Judges, Circuit Court and Family Court Judges, and all of their law clerks
 - Circuit Court Judges Advisory Board
 - Family Court Judges Advisory Board
 - Summary Court Judges Conference



- Probate Judges Conference
- Clerks of Court Association Conference
- Association of County Administrators Winter Meeting
- South Carolina Criminal Justice Information System (CJIS) Conference

The results of the data gathering and analysis were used to define the following for the Judicial Department:

- Where we are now
- Where others are now
- Where we want to be
- How we get there

1.5 Where We Are Now

Section 3 of this *Strategic Technology Plan* documents the details of the assessment. The observations have been summarized into the three major categories that must be assessed when considering any technology projects: people, processes, and technology.

1.5.1 People—Key Observations

The primary findings about people resulting from the inventory and assessment phase are as follows:

- Technical support is provided to end users in a variety of ways:
 - Some courts have no IT support at all (many rural counties)
 - Some courts use county IT staff for support (Richland)
 - Some courts have their own IT staff comprised as a subset of county IT (Greenville)
 - Some courts have subcontracted their IT services to a vendor and the vendor’s staff has effectively become part of the court’s organization (Charleston)
- Most end users are Microsoft Windows literate but not necessarily Windows competent (most have used PCs and the Internet in their personal lives)
- Most end users receive little to no training regarding technology. They teach themselves how to use systems and applications, which results in underuse of the systems, frustration and discouragement, and the use of other means to accomplish the same task when possible



- Routine communications between the IT staff and other Judicial Department personnel have begun; however, for many years previously, this communication was minimal except in problem and issue situations
- Within Court Administration, several positions and people are responsible for Judicial Department information technology (IT) which results in conflicting messages and directions with regards to technology
- The technical skills of the Court Administration IT staff are not comparable with the level of enterprise systems being developed, deployed, and supported. In addition, skill enhancement programs currently do not exist specifically for training the IT staff on the evolving technologies

1.5.2 Processes—Key Observations

The primary findings about processes resulting from the inventory and assessment phase are as follows:

- Metropolitan areas have embedded technology and automation into their judicial processes. Small-to medium-size counties and courts that have incorporated some technology and automation are using it in a manner redundant to their manual processes. The primary reasons for this redundancy are that these counties and courts do not trust the technology and the technology is not truly serving their needs
- Currently, an electronic records law does exist within the State of South Carolina that serves as an initial umbrella for addressing the legal issues such as authenticity, electronic signatures, copies, and so forth
- The Court Reporter performs numerous duties in addition to transcription. Consequently, a significant transcription backlog exists that is causing a considerable delay at several points throughout the entire judicial process
- Several standalone processes exist within the Judicial Department that appear to put a significant workload on various Judicial Department personnel without providing any apparent results
- The Judicial Department's culture and many of its processes are constituency-focused. The desire to satisfy and appease all parties involved in every judicial event is commendable; however, as the Judicial Department constituency continues to grow, this extreme level of service becomes harder to maintain. This approach also introduces false expectations among the constituencies that the judicial process centers upon their convenience rather than the judicial process driving the involved parties. Consequently, delays are being introduced into the courts inadvertently



1.5.3 Technology—Key Observations

The primary findings about technology resulting from the inventory and assessment phase are as follows:

- Most technology currently deployed within the South Carolina Judicial Branch is very problematic:
 - Much of the technology is already obsolete and needs to be replaced, but the users cannot afford to upgrade or replace it
 - Most of the nonobsolete technology is beyond the midpoint of its life cycle and is less than three years from obsolescence
- Although every Clerk of Court has a court case management system, most Clerks use it as an additional workload to their staff rather than integrating it in their processes. The main reason for this parallel process is that the current systems do not meet Clerks' operational needs and upgrading or improving them is too costly. Furthermore, most deployments are essentially island systems that have minimal interoperability with other systems
- No technology standards exist within the Judicial Department
- Connectivity (communications) exists in all metropolitan areas, but it is very unreliable in the rural areas. In some rural courts, there still is no data network connectivity
- Not every person within the Judicial Branch has a PC (desktop/laptop), and people in some of the extreme rural areas lack access to one
- Greenville area is employing an application service provider (ASP) model for the Northwest region of the State, which includes Greenville County, bordering counties, and surrounding municipalities and counties. The foundational technology being used is near the end of its life cycle; however, it meets the Greenville area's needs and is the center for integration and access to information in the region
- Case volume is distributed as follows:
 - Approximately 35 percent of the case volume is concentrated in the three major metropolitan areas: Greenville, Richland, and Charleston
 - The next significant portion of the caseload is concentrated in Lexington, Spartanburg, Horry, York, Berkeley, Aiken, Florence, Beaufort, Sumter, and Pickens
 - The remaining 33 counties account for less than 30 percent of the State's caseload
- The courts are extremely paper intensive and will continue to be so for the foreseeable future. As technology is being used today, minimal, if any, paper is actually being saved. However, properly designed and implemented technology systems are saving significant processing time in court operations. Some of the courts are using imaging technologies successfully



- A need for videoconferencing exists at all levels of the court, but in varying degrees. Some of the lower courts are already using it for bond hearings and arraignments. It greatly reduces the costs and threats to physical security, both to court personnel and victims. Higher level courts have a need for internal administrative meetings in which face-to-face contact would be beneficial, but does not warrant travel expenses. These meetings are good candidates for using low-cost Internet videoconferencing

1.6 Where Others Are Now

Section 4 of the *Strategic Technology Plan* presents pertinent information about judicial department expenditures in states similar in size to South Carolina and identifies courts currently considered to be “best in class” in their use of the Internet and web.

1.6.1 Budget Analysis

The budget analysis compared the budgets of other judicial departments in states with populations and demographic profiles similar to South Carolina’s. The State of South Carolina has a population of approximately 3.8 million. Data was collected from states with populations between 2.8 million and 4.8 million.

The states’ judicial department budgets for FY 2000 ranged from 0.55 percent to 3.01 percent of the states’ total annual budgets. The South Carolina Judicial Department’s budget is approximately 0.82 percent of the State’s total budget, which ranks South Carolina ninth out of 11 in the comparison with similar states.

An analysis of each state’s judicial department budget based on per capita contribution reveals that the states’ per capita contributions for FY 2000 ranged from \$92.20 to \$10.38. The South Carolina Judicial Department’s per capita contribution is approximately \$10.38, which ranks South Carolina last in the comparison with similar states as shown in Table 1-1.

Table 1-1
Judicial Budget Comparisons

State	Population	FY 2000 Judicial Budget	Dollars per Capita
Connecticut	3,282,031	\$302,592,159	\$92.20
Colorado	4,056,133	\$242,094,812	\$59.69
Kentucky	3,960,825	\$189,004,400	\$47.72
Iowa	2,869,413	\$112,619,199	\$39.25



Arizona	4,778,332	\$181,421,000	\$37.97
Oregon	3,316,154	\$121,466,667	\$36.63
Minnesota	4,775,508	\$163,000,000	\$34.13
Alabama	4,369,862	\$110,473,406	\$25.28
Louisiana	4,372,035	\$73,254,821	\$16.76
Oklahoma	3,358,044	\$47,790,000	\$14.23
South Carolina	3,885,736	\$40,349,907	\$10.38

1.6.2 Other Courts' Web Sites

A major component of the Judicial Branch Modernization Program will be the use of the Judicial Department web site as a portal to provide information and services through the Internet. The Judicial Department plans eventually to use this web site as a portal for judges, employees, law professionals, and the public. For this reason, the Best in Class Study analyzed other courts' use of Internet web sites.

During this study, 13 judicial web sites shown in Table 1-2 were selected for analysis.

Table 1-2
Web Sites Selected

State Courts	URL
Alaska Court System	http://www.alaska.net/~akctlib/index.htm
Arkansas Judiciary	http://www.state.ar.us/supremecourt
Florida State Courts	http://www.flcourts.org
Missouri Judiciary	http://www.osca.state.mo.us/
New Mexico Judiciary	http://www.nmcourts.com/
North Dakota Supreme Court	http://www.court.state.nd.us/
County Courts	URL
Arizona—Maricopa County Superior Court	http://www.maricopa.gov/supcrt/supcrt.html
California—San Diego Superior Court	http://www.sandiego.courts.ca.gov/superior/index.html
Florida—Orange County	http://www.ninja9.net/
Georgia—Chatham County	http://www.chathamcourts.org/
Indiana—Marion County	http://www.indygov.org/courts/
Other Courts	URL
Georgia Probate	https://gaprobate.gtri.gatech.edu/
High Court of Australia	http://www.hcourt.gov.au/



The primary findings from the study of the top judicial web sites are as follows:

- Web sites must be focused to support the public; 12 out of 13 sites met this criteria
- Web sites must be attractive and be easy to use. The results showed that 9 out of 13 sites scored at least 7 out of 9 points; only 1 site did not score well. If the web site has been designed for public use and implemented with a modular approach, functionality can be added when ready
- Web sites must be functional and not just brochureware. Some examples of court functions being implemented on the web include online forms, self-help, indexing, calendaring, and financial transactions. None of the evaluated court web sites had all of these functions; however, each web site has won recognition for its use of the web and Internet for judicial operations. This fact demonstrates varying strategies in taking the courts to the web with no right or wrong approach on how to get there. Some strategies will have bigger impacts than others, but with impact comes risk

1.7 Where We Want To Be

Section 5 of this document presents the Judicial Department technical vision regarding infrastructure and applications portfolio.

In South Carolina, the Judicial Branch will accomplish the vision through the use of the uniform and interoperable capabilities of the Internet and the ASP model. Deployment of the technology infrastructure will establish and provide a common and standard level of court automation services to all of the various court jurisdictions and administrative entities of the State court system, to include those currently funded by the county and municipal tax bases.

1.7.1 Enterprise Technology

To reach the electronic vision presented in this *Strategic Technology Plan*, the Judicial Department must begin to think in terms of enterprise technology. The term enterprise technology refers to technology that has scope over the entire business process. Enterprise technology is used across the entire Judicial Department to integrate disparate court systems throughout the State. Enterprise technology is based on industry and international standards that permit access to the entire system of computers, applications, databases, and network services through a single workstation that is easy to use and operates with a common user interface. Enterprise technology is made up of computers, databases, and communication networks that act as an electronic nervous system capable of supporting a wide array of applications and services. Today, South Carolina's technology platform is more a collection of separate technologies that do not always serve the corporate needs of the Judicial enterprise. The overarching goal for enterprise

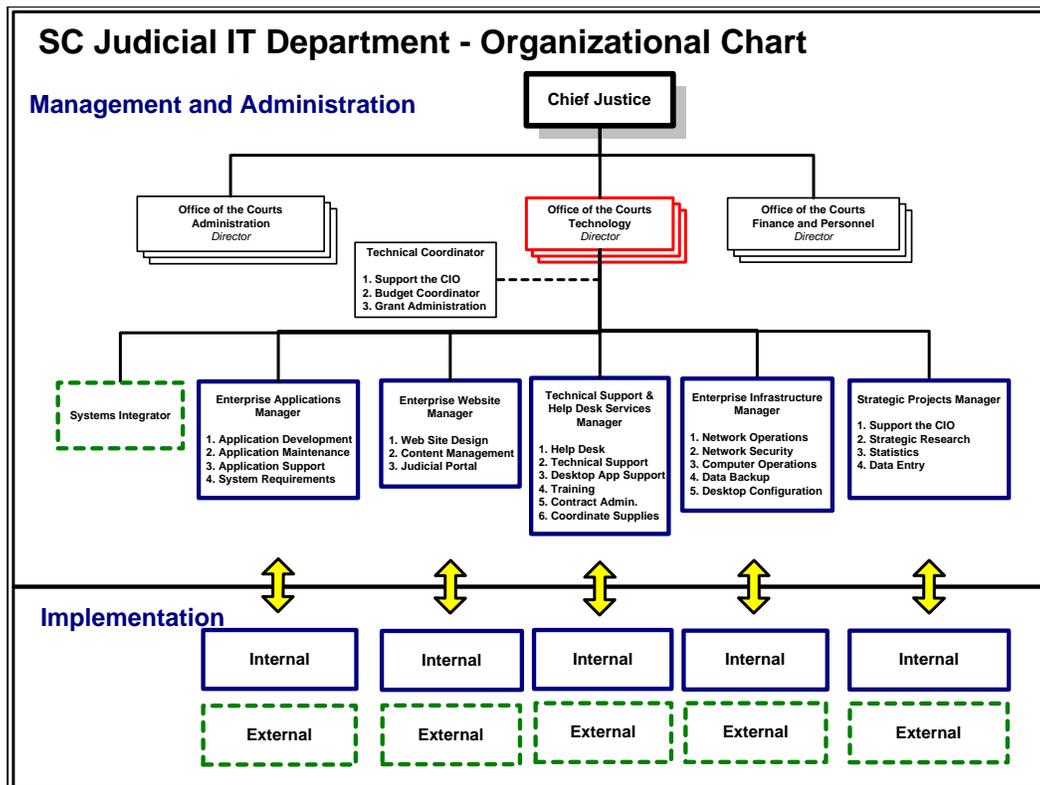


technology is to increase the quality of services provided by the Judicial Department and, at the same time, reduce the cost of those services.

1.7.2 Judicial Department IT Organization

The people and process aspects of the Judicial Department vision center on the need for the Judicial Department to focus on the management and administration of information technology, not the development of it. The Judicial Department needs a strong information technology management organization to oversee the development and operation of court technology projects as illustrated in Figure 1-2. The Judicial Department reorganized in October 2000 according to this structure.

Figure 1-2



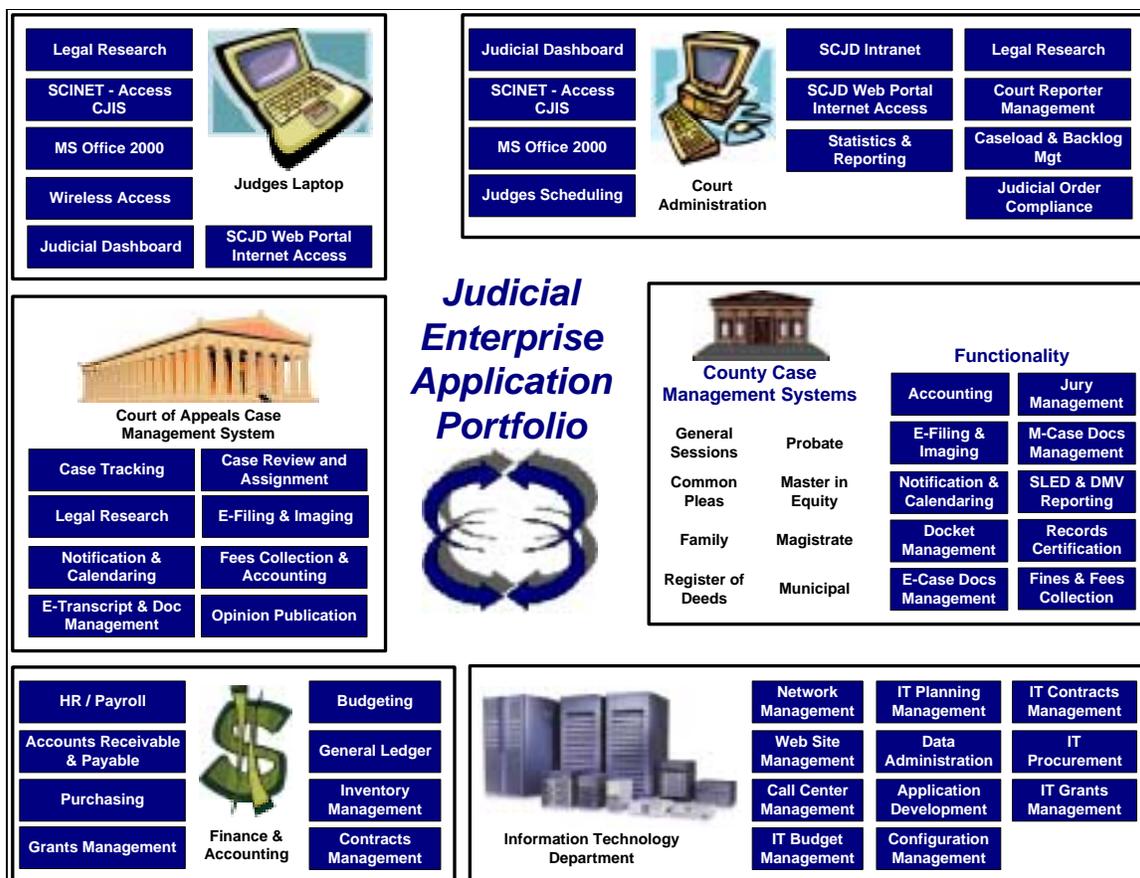
To successfully complete major technology projects, project teams will need to be assembled using skills and resources from all of these Judicial Department IT functional area teams and systems integrator. In addition, all major IT projects teams will need to be joint project teams that comprise technical people from Judicial Department IT and nontechnical judicial personnel performing daily functions in court houses and court rooms.



1.7.3 Judicial Department Applications Portfolio

The enterprise applications portfolio provides a high-level definition of the “logical portfolio” of uniform and interoperable electronic business applications that will be deployed to serve the Judicial Department. The enterprise applications portfolio shown in Figure 1-3 is the collection of computer applications that process, exchange, and manage information for all court jurisdictions and administrative divisions of the State court system (that is, the “Judicial enterprise”).

Figure 1-3
Judicial Department Enterprise Applications Portfolio



1.7.4 Application Service Provider Model

During the last few years, a revolution has been brewing in the computing world. History recalls the advent of the PC, nearly two decades ago. Its creators and proponents saw it as a cut-down version of the larger, more serious computers then used by big business. They believed it could play a valuable role in bringing business computing within the budget of smaller enterprises—organizations that many industry



leaders felt were not in the right league to buy serious computers from IBM, DEC, Data General, Wang, and others. We now know how industry leaders' preconceptions were overturned by what followed. These leaders missed one of the greatest opportunities in business. History is about to be repeated. The next revolution is more fundamental than the previous one. In this revolution, the notion of owning servers and software products will be transformed into a service model. Access to information and outsourced applications over the network will be as ubiquitous as picking up the telephone and hearing a dial tone.

Even though no one stops to think about it, the habit of outsourcing applications is already deeply ingrained in the everyday routine of the Internet. Whenever users access a search engine, check the latest sports scores, call up a stock index chart, or check the weather, they are taking advantage of an application that someone else installed, set up, and maintains on the Internet for their benefit. Essentially these are outsourced services that can be used by anyone, anywhere in the world, who has access to the Internet. Does anyone even consider the people, hardware, and software that provide these services? The answer is no, just as people do not think about the technology that creates the telephone's dial tone or electricity in the wall outlet.

Section 3 of this *Strategic Technology Plan* documents the current technology inventory at the county courts across the State. The bottom line is that most local courts are using systems based on 10- to 15-year old technology and do not have an opportunity to upgrade because they lack financial and IT resources. At the same time, these courts are paying hefty software maintenance contracts to their current software vendors. Essentially, local courts are trapped in a cycle of being forced to accept the status quo because they lack viable options. A site visit to the Laurens County Clerk of Court summed up the situation at the local courts:

"If you do NOT have IT resources then you do NOT have a lot of choices."

—Barbara Wasson, Laurens County Clerk of Court

Think of the economies of scale that could be achieved at the local level if the complexities of owning, upgrading, and operating case management systems were eliminated. The advantages to the entire Judicial Department echo the benefits found in the commercial world:

- Eliminates local courts' need for advanced hardware
- Centralizes management of additional hardware to accommodate growth
- Centralizes management, monitoring, and reporting of all hardware and network
- Centralizes operating system, database administration, and performance tuning
- Eliminates local courts' need to employ expensive specialized IT staff



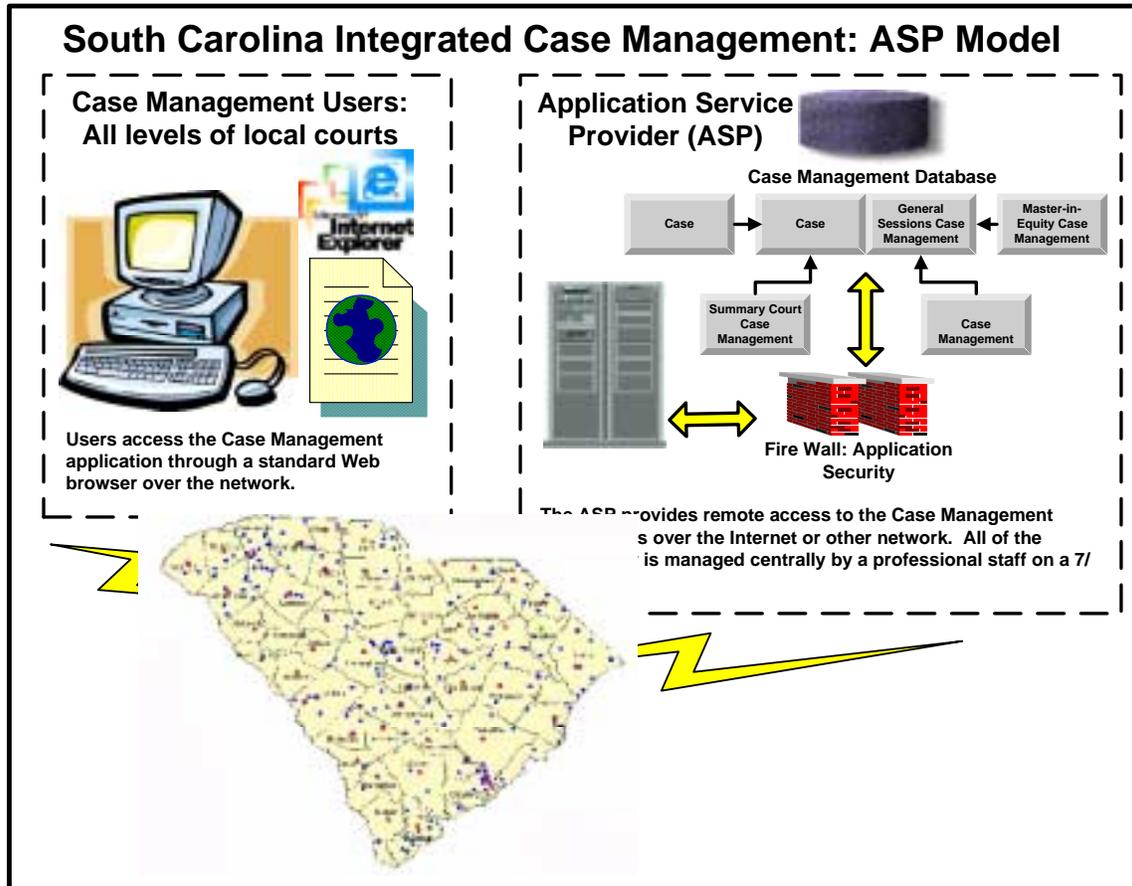
- Standardizes court operations across the State
- Standardizes reporting and statistics
- Centralizes security administration
- Offers very high system availability: 99.99 percent
- Centralizes management of backup and retrieval
- Centralizes disaster recovery
- Centralizes capacity planning
- Centralizes network services: bandwidth capacity and connectivity
- Provides system monitoring 7 days a week, 24 hours a day
- Provides automatic upgrades to latest version or table updates (charge codes)

The application service provider (ASP) model would enable the Judicial Department to provide the same level of technology services to all counties in South Carolina, not just to the largest counties that have the population and financial resources to afford the latest technology. Every county from Allendale to Richland, Bamberg to Greenville, and Jasper to Charleston would have access to the same enterprise technology. Figure 1-4 illustrates the ASP model as it could be implemented in the Judicial Department. The ASP would be professionally managed by the Judicial Department in a central location by a staff of highly trained IT professionals. The case management applications would be served over the enterprise network to the local courts through a standard web browser (such as Internet Explorer) interface or a Java program. The local courts require only a networked PC to access the case management application. The ASP model leaves the complexities of managing a high-technology application to a dedicated team of professionals while allowing the local courts to focus on the administration of justice, their core business.

The detailed implementation of the judicial ASP model will be determined by the Judicial Department working closely with the counties to ensure both the operational and technical needs of the Clerks and existing county IT are successfully met. The Judicial Department will be responsible for managing the ASP that will deliver outsourced case management application to the local courts. The Judicial Department may or may not choose to actually operate the ASP. As previously mentioned, the core business of the Judicial Department is justice; it is not information technology. The actual development and operation of the Judicial ASP may be outsourced to organizations and/or business partners that focus on information technology as their core competency. State agencies like the OIR or counties with capable IT operations or a private business partner are all options for the Judicial Department to explore and entrust the development and operation of the Judicial ASP.



Figure 1-4



1.7.5 Network Communications Infrastructure

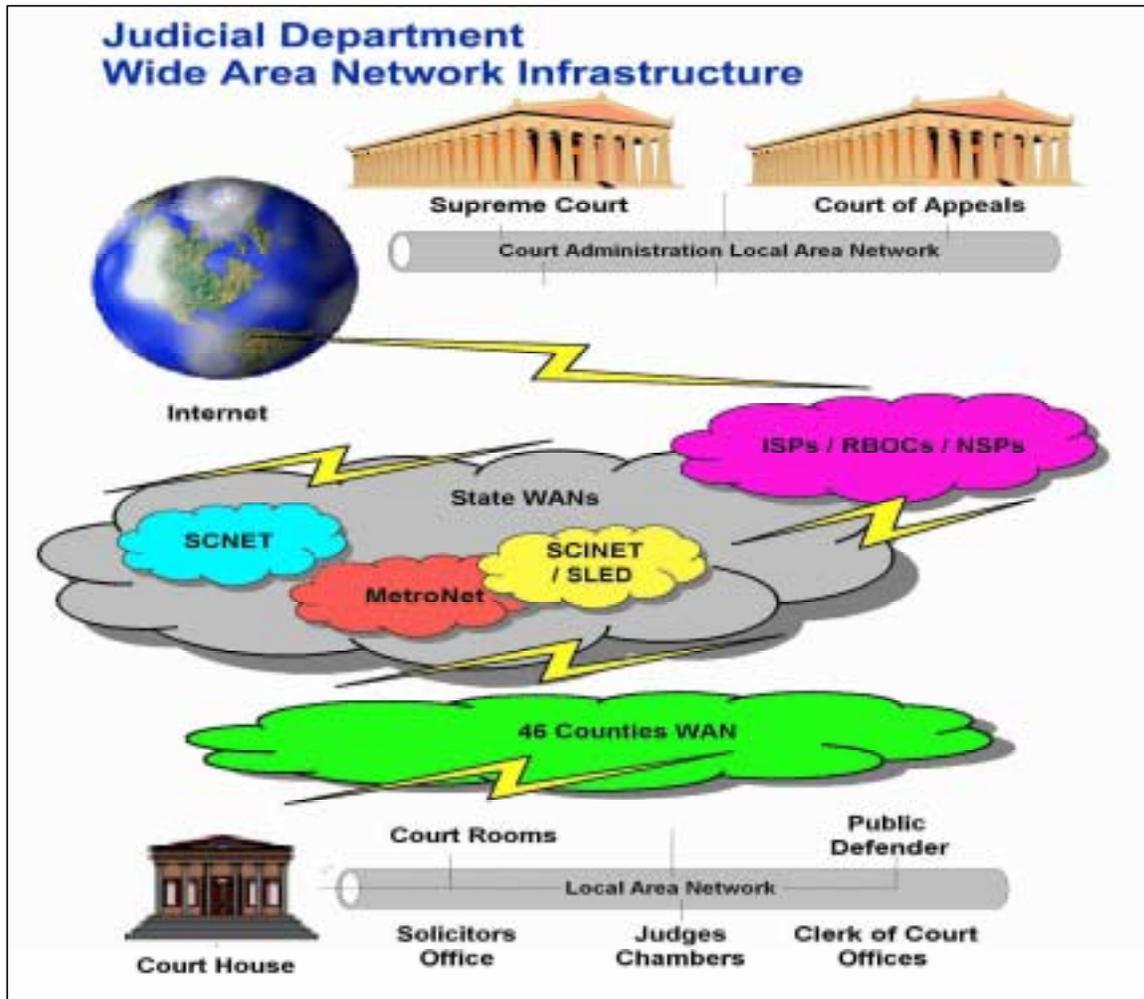
The transformation of the Judicial Department into an electronic business is predicated on reliable, secure network communications to transfer information between all personnel within the Judicial Branch and other agencies. The strategic vision for the Judicial Department is an electronic business process supported by a statewide network infrastructure that connects every office within the Judicial Department and Judiciary. The challenge of the Judicial Department is to develop a network infrastructure that is reliable, secure, and maintainable at an economically viable cost.

All enterprise applications developed for the Judicial Department will be designed for secure access over the public Internet. These applications will take advantage of modern security technologies including virtual private networks (VPN) and encryption. These technologies will enable the Judicial Department to create virtual circuits that tunnel through the Internet. Essentially, if a court can get to the Internet, it will



have secure access to the information resources of the Judicial Department. Figure 1-5 illustrates the Judicial Department vision for network connectivity.

Figure 1-5



With any electronic network connectivity, security is always a concern. The goal of the security architecture is to define technical safeguards and standards that provide a consistent and complete security posture. The architecture should define the common security infrastructure, common solutions and standards that can be applied across organizations, and a range of technical safeguards required to support business processes.

The security architecture should be based on a layered approach that provides a consistent level of protection across the wide range of threats and vulnerabilities. The first step is to define a logical model



that identifies security domains with similar security requirements for confidentiality, integrity, and availability. These domains should be based on the business processes and information that need to be protected. Once the security requirements and security services for each of these domains have been determined, technology solutions and standards can be defined to satisfy those requirements. These solutions should be determined based on risk management principles.

The best method of securing a network or host server is to use multiple security technologies together as part of a layered security architecture. A layered security architecture is modular. Network and systems infrastructure layers support higher level applications. Each layer has its own security requirements and, to get complete coverage, all layers have to provide information protection measures. Finally, technology standards will be established for the Judicial Department to achieve the following objectives:

- Provide consistency in platforms to enable direct data exchange between systems
- Receive reduced pricing based upon economies of scale and quantity discounts
- Minimize the quantity and complexity of training required by end users
- Minimize the diversity of support required to maintain, operate, troubleshoot, and enhance existing systems

1.8 How We Get There

Section 6 of this *Strategic Technology Plan* presents the initiatives which form the technology roadmap for the Judicial Department.

The Judicial Department *Strategic Technology Plan* is designed to move the Judicial Department from reliance on standalone legacy technology into a modern, fully electronic business that is supported by enterprise systems. These enterprise systems will integrate all levels of the Judicial Department by harnessing the power of the Internet and allowing these systems to integrate the business of the Judicial Department from the Supreme Court in Columbia to the Summary Courts in the smallest rural counties in South Carolina. The vision for the Judicial Department includes the execution of a series of projects that will be developed in concert to create the enterprise applications, networks, and technology platforms that will enable the Judicial Department to bring this *Strategic Technology Plan* to fruition. None of these projects is going to be executed in a vacuum; rather, each of these initiatives is a piece of the puzzle that must come together to complete the vision. As has been emphasized throughout the development of this *Strategic Technology Plan*, the three factors—**people**, **processes**, and **technology**—each play critical roles in the Judicial Department’s current and future operations.

Organizations expend resources on technology projects to improve the overall performance of their businesses. In the government world, technology projects are performed to increase the services provided



by an agency or to increase the efficiency of the services provided. During the next few years, technology within the judicial system of South Carolina will be deployed through projects and supported by efforts led by the Judicial Department IT organization. Satisfaction of judicial and nonjudicial personnel in using the court systems and technologies will be paramount in the South Carolina Judicial Branch Modernization Program. This satisfaction will be the primary driver of the program's success. Metrics need to be established so that the progress or lack of it can be measured and the appropriate adjustments made. Therefore, to manage the overall technology efforts of the courts, the Judicial Department IT organization will establish metrics and methods of measuring individual projects and support efforts.

1.8.1 Initiatives

Table 1-3 identifies the initiatives required for the Judicial Department IT to realize the technology vision of the Judicial Department.

The introduction of technology will be driven by the concept of "timing and dosage." This philosophy suggests that individuals can only absorb so much change within a given period of time. In addition, it will be critical to proactively prepare people for the coming changes by instituting a comprehensive program. Many users across the Judicial Branch have very limited exposure to modern technology including Microsoft Windows and the operation of web browsers. All of these initiatives are designed to help **people** cope with "future shock." People are the key resource in all endeavors. Challenging and trusting the people involved and in responsible for producing the desired results are fundamental to the success of any initiative, technical or nontechnical. In addition, all successful initiatives require sponsorship and leadership from the top. This *Strategic Technology Plan* is no different.

Two principles serve as the underlying drivers for the people initiatives:

- The mission, business, and operations of the courts are unique and require a level of expertise that is gained only from working in the South Carolina courts. This expertise is absolutely critical to maintain within the Judicial Department in conjunction with the implementations of technology within the South Carolina courts
- The Judicial Department must provide the leadership to modernize the South Carolina courts with the use of technology through clear direction and guidance



Table 1-3
Judicial Department Strategic Plan Initiatives

People Initiatives
Establish a new Judicial Department IT organization
Establish a change management program
Establish an enterprise training program
Establish a human resources evaluation program
Process Initiatives
Develop information security policies
Develop an enterprise statistics and reporting process
Coordinate technology license agreements
Develop a systems implementation planning and oversight process
Develop an electronic records law process
Develop an ongoing formal strategic planning process
Technology Initiatives
FOUNDATIONAL TECHNOLOGY INITIATIVES
Establish an enterprise network infrastructure
Develop an enterprise imaging system for the Appellate Courts
Develop the judicial web portal
Develop an enterprise case management system with the ASP model
Establish an enterprise call center
Systems integration
New equipment and hardware refresh
HIGH-TECH TECHNOLOGY INITIATIVES
Criminal Justice Information System (CJIS) efforts
Court reporter transcript automation
Court room identification of defendants
Register of Deeds case management and imaging system
Probate Court case management system
Drug Court case management system
Enterprise financial system

Every modern IT organization requires standard management processes that govern the way systems are designed, developed, implemented, and maintained. In some instances, the processes will be driving the technology initiatives and in other cases, the technology will be driving the processes.

Two fundamental principles serve as the underlying drivers for the process initiatives:



- Technology will only be used to serve a function for the court that can be inherent in the operational processes of the court, not adjunct or additional, and produces a result directly used by a judge to administer justice more effectively or for the clerks and administrators to manage and operate the courts more efficiently
- Technology will become the process. Once incorporated into day-to-day operations, automation will not increase the workload of court personnel

Once the Judicial Department has developed organizational and management structures to assist people with change and standard management processes that govern the way systems are developed, the Judicial Department will be ready to implement the enterprise vision documented in this *Strategic Technology Plan*. The technology initiatives have been divided into two categories. The first category is the core infrastructure initiatives that will provide the technical foundation for the overall automation project. The second category is “high-tech.” These initiatives will be developed once the core technology has been deployed and additional resources are available.

Upon the successful completion of the major technology initiatives, the Judicial Department will have been transformed into an electronic business. Enterprise applications will be developed with the following two fundamental design principles to ensure rapid development and repeatability and to avoid risk:

- All enterprise applications will begin with a commercially proven off-the-shelf software package as a starting point for customization
- The ASP model will be used for the operation of the enterprise applications that the Judicial Department will deploy. The idea is to move all enterprise applications to an Internet model that can be easily extended across the State

1.8.2 Forecasted Benefits

In every generation, a significant invention causes a paradigm shift that dramatically changes life as people know it. The automobile was one, the television was another, and now computers and the Internet are fundamentally changing the world in which everyone lives and works. The adoption of Internet technology has completely transformed the way that business is conducted. The Judicial Department has developed this *Strategic Technology Plan* to create a unified vision for the future of the justice system that capitalizes on the power of Internet technology. The key word is “unified.” In the past, the Judicial Branch has not developed technology with an enterprise vision. The Judicial Department developed technology to support Court Administration and Appellate Courts; and each county Clerk of Court was responsible for the development of his or her “own” technology. As a result, every county has its own standalone system, procured from one of a host of different vendors, which is not integrated with the rest of the State.



The mix of heterogeneous case management systems (CMS) across the State makes it difficult to integrate critical information and deploy new functionality. A person wanted in one county is a first-time offender in another because a unified system to track “wants and warrants” is lacking. It is difficult for law enforcement agencies to integrate new programs with courts because there is no single point of contact to deploy technology to 46 counties and the Judicial Department. Current examples of this problem include disposition reporting, registering protective orders, and tracking warrants statewide. In addition, it is difficult for Court Administration to change the reporting requirements of the local courts because it requires changes to every production system in the State. Quite simply, the information technology environment within the Judicial Branch is fractured and without any unified direction.

As documented in Section 3, the majority of the Clerks of Court are using operating systems that are past the end of their technology life cycle. During the development of this *Strategic Technology Plan*, several counties contacted the Judicial Department to request direction and guidance in procuring court automation. These courts are interested in upgrading their systems with modern technology to streamline operations, exchange electronic information with other agencies, and provide better service to the legal community. To continue in the future with the same “business as usual” technology development will only accelerate the number of disparate systems across the State.

The Judicial Department has seized upon an excellent opportunity to set a strategic vision for technology within the Judicial Branch.

Through the leadership of the Chief Justice, the Judicial Department can lead the county courts to an enterprise CMS that can address the limitations of the past. The burden of procuring, supporting, and managing technology can be lifted from the local courts and centralized within the Judicial Department. The benefits of developing a unified CMS would include:

- Standardization of the business of the courts
- A single electronic interface for the other agencies to access and exchange information
- Upgrade of all courts to a modern Internet-based technology platform
- Unified wants-and-warrants tracking system
- A unified system for entering protective orders
- Integration of disposition reporting directly with the criminal history at South Carolina Law Enforcement Division (SLED)
- Consistent information by which to manage the courts
- Flexibility to enact policy changes uniformly and effectively
- Ability to leverage economies of scale



- Increased public safety
- A single platform to develop enhancements (develop the enhancement once instead of 46 times)
- Centralized end-user support



2. Introduction

In June 2000, Chief Justice Jean Hoefler Toal engaged KPMG Consulting to conduct a comprehensive examination of the current use and application of information technology (IT) by the Judicial Branch of South Carolina. This document, *South Carolina Judicial Department Strategic Technology Plan*, presents the findings, observations, and recommendations of this study.

2.1 Strategic Technology Plan—Goal and Measurable Objectives

The goal of this *Strategic Technology Plan* was to establish the strategic direction (technology blueprint and technology roadmap) for the deployment and use of information technology by the State court system for the next 5 to 10 years. To meet this goal, the Judicial Department accomplished the following objectives:

- Defined the status of the technology infrastructure of the State court system
- Identified which business processes and workflows of the State court system are automated and how
- Evaluated current and proposed technology plans and systems at the State court system level, from the Appellate to the Trial and Summary Courts
- Defined which core business processes and workflows of the State court system should be automated and how
- Defined which technologies, including the Internet, may be applied and used effectively throughout the State court system
- Defined changes (if any) to the existing policies, core business processes, workflows, and technology infrastructure of the State court system that may be required (over time) to accomplish the overall modernization goal
- Identified strategies and mechanisms for obtaining funds (from the State Legislature and the county and municipal governments) required to underwrite the technology infrastructure modernization of the State court system
- Defined how the results and success of the technology infrastructure modernization effort will be monitored and evaluated

2.2 Strategic Technology Plan—Challenge and Focus

During the past 5 years, the use of the Internet and web-based applications to capture, store, process, and exchange electronic records and information in government—e-government—has dramatically increased.



Nowhere has e-government had a greater impact than in the judicial branches of state and federal governments. State appellate and trial courts are revising court rules and procedures, and enacting new electronic records law, to take maximum advantage of Internet capabilities and the evolving technologies and solutions of e-government.

The challenge in South Carolina is to determine how best to plan, engineer, and deploy new Internet-based solutions to serve the information and electronic records processing needs of the Judicial Branch, including the State-funded Judicial Department, the locally funded Trial and Summary Courts, the State Bar and other officers of the courts, and the public in general. Infusing the Internet and e-government technologies into the State court system will challenge the system in unprecedented ways. Over time, expectations regarding e-government and e-justice will continue to rise.

The focus and focal point of the *Strategic Technology Plan* are the people, processes, and technologies of the State court system of South Carolina, including the Supreme Court, Court of Appeals, Circuit Court, Masters-in-Equity Court, Family Court, Probate Court, and Magistrate and Municipal Courts. The Judicial Department of South Carolina understands that Internet and e-government technologies are a means to an end, not an end in themselves. The Judiciary understands that the mission, goals, and operating policies and procedures (that is, court rules) drive and direct the human resources (people), the business processes and workflows (processes), and technology infrastructure (technology) of the State court system of South Carolina.

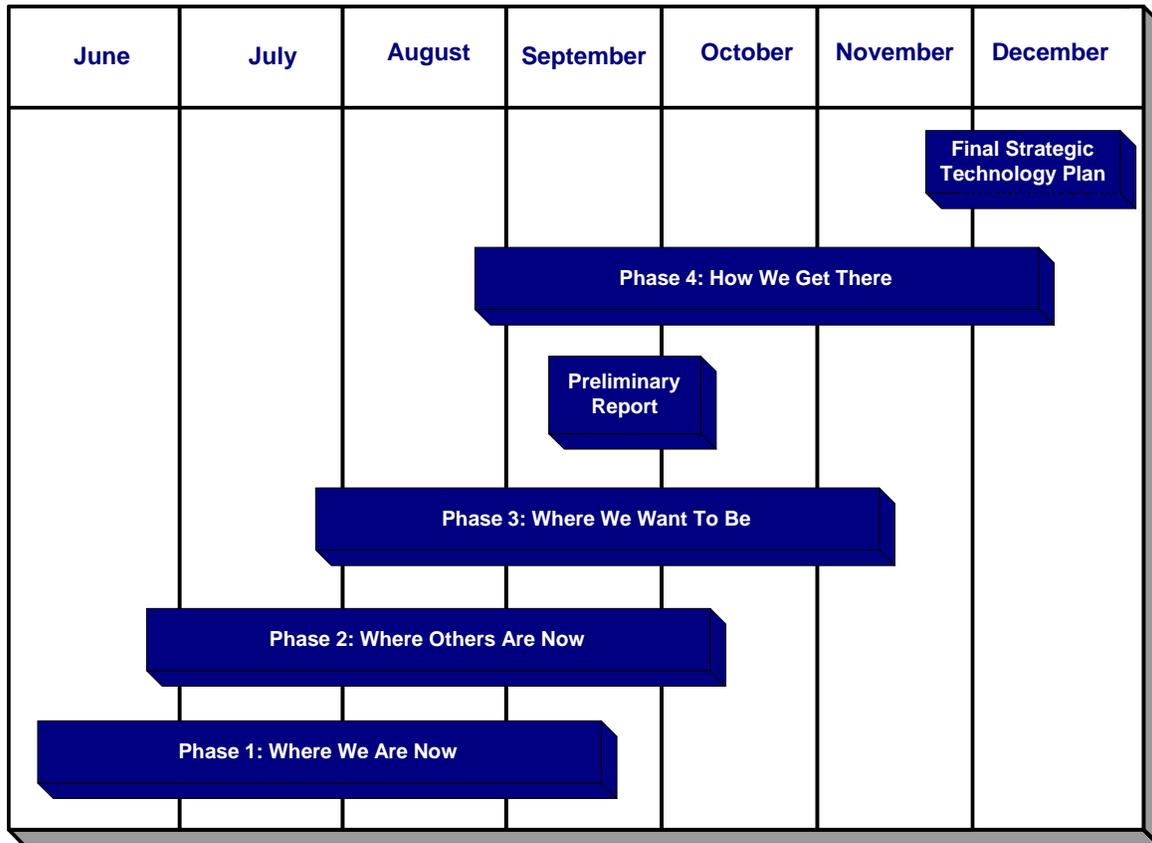
2.3 Strategic Technology Plan—Methodologies and Approach

Working as a team with the Judicial Department and the National Center for State Courts (NCSC), KPMG Consulting developed a customized approach to creating the *Strategic Technology Plan*. The Plan was accomplished in four phases over a 6-month period as depicted in Figure 2-1.



Figure 2-1

Judicial Department Strategic Plan Project Schedule



The four phases of the approach were as follows:

- Phase 1: Where We Are Now
- Phase 2: Where Others Are Now
- Phase 3: Where We Want To Be
- Phase 4: How We Get There

2.3.1 Phase 1: Where We Are Now

Phase 1 involved an examination of the current technical infrastructure of the State court system, including the key processes and workflows, and the key automated systems and technologies deployed to



support the courts and the administration of the Judicial Department of South Carolina. The examination focused on the three key components of the as-is business model: the **people, processes, and technology**.

During Phase 1, the following vehicles were used for information gathering:

- Initial survey and follow-up supplemental survey of each of the 46 county Clerks of Court
- Onsite visits and interviews with more than 130 court and court-related personnel from across the State (Appendix A lists these individuals)
- Site visits and walkthroughs of the following courts selected as representatives for their specific level of court:
 - Supreme Court
 - Court of Appeals
 - Circuit Court—Charleston, Florence, Greenville, and Laurens
 - Masters-in-Equity—Charleston and Lexington
 - Family Court—Charleston, Florence, Greenville, and Laurens
 - Probate Court—Aiken and Richland
 - Magistrate Court—Oconee and Richland
 - Municipal Court—Oconee and Richland
 - Register of Deeds—Oconee, Florence, and Richland

2.3.2 Phase 2: Where Others Are Now

Phase 2 involved an examination of how other state court systems and judicial organizations have used the Internet and deployed e-government capabilities and technologies. During Phase 2, KPMG Consulting identified and researched selected judicial agencies and state court systems to identify the best in class that defines “where others are now” in the automating their state court systems.

2.3.3 Phase 3: Where We Want To Be

Phase 3 involved the development of a vision for the new technology infrastructure that will be used as the ultimate technology destination of the Judicial Branch Modernization Program. The Judicial Department will use the vision to guide the enhancement and deployment of the **people, processes, and technology** that will constitute the modernized to-be business model for the future State court system.



During Phase 3, the KPMG Consulting team conducted a series of workshops with representatives of the State court system. During the workshops, participants confirmed the current and future technology requirements and brainstormed alternative technology concepts and solutions for incorporation into the technology blueprint. The specific workshops and major conference presentations included the following:

- Four focus group meetings (listing of participants is included in Appendix A)
 - Operational/Functional Focus Group
 - Bar Focus Group
 - Technology Focus Group
 - Agencies Associated with the Courts Focus Group
- Presentations, question and answer sessions, and general discussion at all of the major State judicial conferences held in South Carolina from September to December 2000. These included the following:
 - South Carolina Judicial Conference for all Supreme Court Justices, Court of Appeals Judges, Circuit and Family Court Judges, and all their law clerks
 - Circuit Court Judges Advisory Board
 - Family Court Judges Advisory Board
 - Summary Court Judges Conference
 - Probate Judges Conference
 - Clerks of Court Association Conference
 - Association of County Administrators Winter Meeting
 - South Carolina Criminal Justice Information Systems (CJIS) Conference

In addition during Phase 3, the team visited the NCSC at its headquarters in Williamsburg to accomplish three objectives:

- View demonstrations of court case management systems (CMS) at the Technology Laboratory
- View leading edge technology in court operations at Courtroom 21
- Hold in-depth discussions with NCSC regarding other states' statewide court automation efforts



2.3.4 Phase 4: The Final Report—How We Get There

Phase 4 involved the development of a strategic-level technology action plan that defines a set of initiatives, estimated costs, performance measures, and a multi-year schedule for deploying the new technology infrastructure in compliance with the vision and building on the current technology infrastructure. The action plan includes the following:

- Definition of **people** strategic initiatives
- Definition of business **process** strategic initiatives
- Definition of **technology** strategic initiatives
- Multi-year schedule that presents people, process, and technology initiatives merged and sequenced into a prioritized and sequenced action plan
- Discussion of funding strategies and mechanisms to be employed to obtain the multi-year financing that will be required to underwrite the modernization of the technology infrastructure of the State court system
- Tailored scorecard methodology including measures to be applied by the Judicial Department in the ongoing monitoring and evaluation of the technology component of the Judicial Branch Modernization Program

This final report documents the work products of Phases 1 through 4.

2.4 Strategic Technology Plan—Insights and Perspectives

The Judicial Branch of South Carolina functions in compliance with constitutional and statutory mandates and operate in conformance with a specific organizational and jurisdictional structure in compliance with uniform court policies and judicial rules and procedures. The role and responsibility of the Judiciary and the State court system may be defined as follows—*to provide a fair and objective forum for the resolution of criminal cases and civil disputes.*

However, the State court system is like all other systems of government; it is managed, directed, and driven by court officers and staff—**people**. While the people carry out their daily responsibilities in conformance with the predefined judicial structure, rules, and procedures, they tend to establish and promote day-to-day business practices that are driven by individual preferences and perspectives, local traditions and legal culture, and differences in their specific roles and responsibilities within the State court system.

The differences in business practices often translate into differences in business **processes and workflows** from jurisdiction to jurisdiction and location to location across the State court system. These



differences affect and drive slight and often subtle variations in the function and features of the automated business systems and information technologies that are deployed to support the diverse processes and workflows. These differences along with the large number of people that directly and indirectly serve roles and functions in the operations of the State court system cause a number of operational problems that must be solved daily.

The State court system is uniform in its jurisdictional, legal, and procedural functions. However, the local operations in each court are not uniform. The processing of manual and electronic information, records, and documents (and associated workflows) by automated business systems and information technologies ends up being highly tailored to local preferences and historical practices. This factor ultimately limits the ability of the Judicial Branch and the State court system to realize the benefits of fully integrated business processes, workflows, business systems, and technologies that can electronically share, compile, and exchange information, statistics, records, and documents timely and effectively. In essence, the various business systems operate as islands of technology, which, from a statewide perspective, are much less efficient and effective and much more costly to deploy and maintain.

The *Strategic Technology Plan* was developed with an understanding of this phenomenon and with the intent to deploy a new technology infrastructure that will reduce and, over time, eliminate the differences in support processes, workflows, and systems.

2.5 Strategic Technology Plan—Acknowledgments

KPMG Consulting would like to express our gratitude and appreciation to the entire Judicial Branch of South Carolina and especially Court Administration and all the individuals who participated in the interviews and workshops (see Appendix A). Their participation and insights were essential to the success of this study. In addition, we would like to express our sincere appreciation to the following individuals who challenged the team and gave us their valuable time, assistance, ideas, advice, and counsel through the course of the study:

- Chief Justice Jean Toal
- Associate Justice James Moore
- Associate Justice E.C. Burnett
- Associate Justice John Waller
- Associate Justice Costa Pleicones
- Dan Shearouse, Supreme Court Clerk of Court
- Rachel Beckford, Chief Staff Attorney for the Supreme Court



- Chief Judge Kaye Hearn
- Ken Richstad, Court of Appeals Clerk of Court
- Joan Assey, Director of Court Technology
- Rosalyn Frierson, Court Administrator
- Tom Timberlake, Director of Finance and Personnel
- Regis Parsons, Director Office of Information Resources
- Tom Fletcher, Deputy Director Office of Information Resources
- Major Mark Huguley, South Carolina Law Enforcement Division
- Julie Armstrong, Clerk of Court Charleston County
- Burke Fitzpatrick, Department of Public Safety Grants Coordination
- Kathy Williams, Assistant Director, South Carolina Association of Counties
- Robert Wells, Executive Director, South Carolina Bar
- Bernadette Turner, Applications Development Manager
- Ray Schmelzer, Network Services Manager
- Judy Riser, Technical Support Manager
- Winkie Clark, Webmaster
- Andy Surles, Research and Statistics
- Sara Fullmer, Director, Information Technology

2.6 Strategic Technology Plan—Final Project Schedule

The final project schedule that was followed weekly by the integrated team consisting of the Judicial Department, NCSC, and KPMG Consulting is presented on the following pages.

ID	Task Name	Duration	Start	Finish	2 '00	Q3 '00	Q4 '00	Q1 '01
					a u	Jul u e	c o e	a e
1	Major Milestones	138 days	Tue 6/13/00	Fri 12/22/00				
2	Begin Project	0 days	Tue 6/13/00	Tue 6/13/00	◆ 6/13			
3	Complete Preliminary Report	0 days	Fri 9/15/00	Fri 9/15/00	◆ 9/15			
4	Complete Final Report	0 days	Fri 12/22/00	Fri 12/22/00	◆ 12/22			
5	Week 1	4 days	Tue 6/13/00	Fri 6/16/00				
6	Conduct Introductory Meeting - Project Kick-off	1 day	Tue 6/13/00	Tue 6/13/00	↓			
7	Gather Overview of IRM Systems	2 days	Wed 6/14/00	Thu 6/15/00	↓			
8	Gather Overview of Network Topology	2 days	Wed 6/14/00	Thu 6/15/00	↓			
9	Launch Project Website	3 days	Wed 6/14/00	Fri 6/16/00	↓			
10	Confirm NCSC & Discuss Bill Hewitt (Court Reporting)	1 day	Thu 6/15/00	Thu 6/15/00	↓			
11	Prepare near-term (4 weeks) project schedule	1 day	Fri 6/16/00	Fri 6/16/00	↓			
12	Register for SEARCH Meeting	3 days	Wed 6/14/00	Fri 6/16/00	↓			
13	Week 2	5 days	Mon 6/19/00	Fri 6/23/00				
14	Begin Work Papers	5 days	Mon 6/19/00	Fri 6/23/00	↓			
15	Meet with Tom Fletcher (OIR)	1 day	Tue 6/20/00	Tue 6/20/00	↓			
16	Walk-through of Court of Appeals Docketing (Ground Floor operations)	1 day	Wed 6/21/00	Wed 6/21/00	↓			
17	Develop Draft Surveys (People, Technology)	5 days	Mon 6/19/00	Fri 6/23/00	↓			
18	Prepare Introductory Materials for Site Visits	3 days	Mon 6/19/00	Wed 6/21/00	↓			
19	Prepare Project Introduction Presentatation Slides	3 days	Mon 6/19/00	Wed 6/21/00	↓			
20	Prepare Court Structure Chart	3 days	Mon 6/19/00	Wed 6/21/00	↓			
21	Review Surveys, Intro Materials, Court Structure Chart, etc...	2 days	Wed 6/21/00	Thu 6/22/00	↓			
22	Send letters notifying selected courts of initial site visits	2 days	Thu 6/22/00	Fri 6/23/00	↓			
23	Determine schedule for Executive Interviews	5 days	Mon 6/19/00	Fri 6/23/00	↓			
24	Week 3	5 days	Mon 6/26/00	Fri 6/30/00				
25	Attend SEARCH Meeting	3 days	Mon 6/26/00	Wed 6/28/00	↓			
26	Begin drafting sections of the Preliminary Report based on gathered info	2 days	Thu 6/29/00	Fri 6/30/00	↓			
27	Week 4	5 days	Mon 7/3/00	Fri 7/7/00				
28	Fourth of July Holiday	2 days	Mon 7/3/00	Tue 7/4/00	↓			
29	Interview SCCA Judges Scheduling Department	1 day	Wed 7/5/00	Wed 7/5/00	↓			

Project: SCJD Strategic Technology P Date: 12/22/2000	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	◆
	Progress		Rolled Up Milestone	◇	Deadline	↓
	Milestone	◆	Rolled Up Progress			
	Summary		External Tasks			

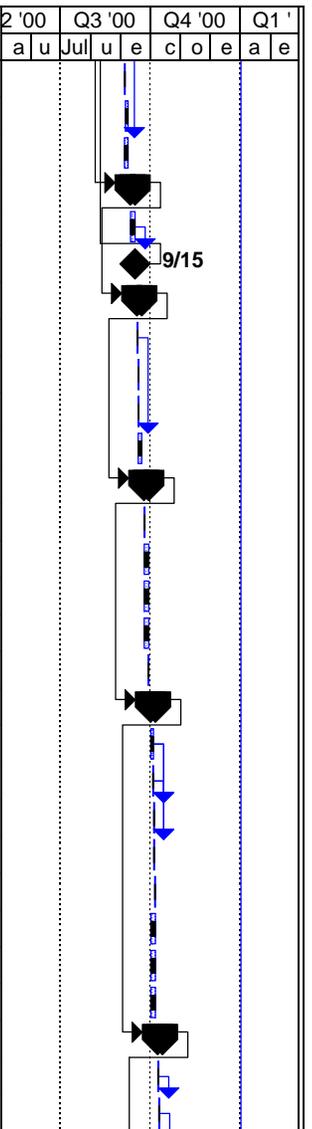
ID	Task Name	Duration	Start	Finish	2 '00	Q3 '00	Q4 '00	Q1 '01
					a u	Jul u e	c o e	a e
30	Participate in Meeting with Adhesive SW regarding Website & Scheduling	1 day	Thu 7/6/00	Thu 7/6/00				
31	Court Admin IT Staff Meeting	1 day	Thu 7/6/00	Thu 7/6/00				
32	Interview Supreme Court Chief Staff Attorney	1 day	Fri 7/7/00	Fri 7/7/00				
33	Interview Supreme Court Clerk of Court	1 day	Fri 7/7/00	Fri 7/7/00				
34	Week 5	5 days	Mon 7/10/00	Fri 7/14/00				
35	Determine Deliverable Format	5 days	Mon 7/10/00	Fri 7/14/00				
36	Conduct Oconee Magistrate Court Site Visit	1 day	Tue 7/11/00	Tue 7/11/00				
37	Conduct Greenville Family & Circuit Court Site Visit	1 day	Tue 7/11/00	Tue 7/11/00				
38	Conduct Laurens Family & Circuit Court Site Visit	1 day	Wed 7/12/00	Wed 7/12/00				
39	Conduct Oconee Municipal Court Site Visit	1 day	Thu 7/13/00	Thu 7/13/00				
40	Week 6	5 days	Mon 7/17/00	Fri 7/21/00				
41	Clerks of Court Surveys completed	1 day	Wed 7/19/00	Wed 7/19/00				
42	Conduct Aiken Probate Court Site Visit	1 day	Tue 7/18/00	Tue 7/18/00				
43	Meet with Statistics @ Court Administration	1 day	Wed 7/19/00	Wed 7/19/00				
44	Tentative: Conduct Help Desk Walkthrough	1 day	Wed 7/19/00	Wed 7/19/00				
45	Meet with the Court Representatives (Liaisons) [Summary Court]	1 day	Thu 7/20/00	Thu 7/20/00				
46	Meet with the Court Representatives (Liaisons) [Circuit / Probate Court]	1 day	Thu 7/20/00	Thu 7/20/00				
47	Meet with the Court Representatives (Liaisons) [Family / Probate Court]	1 day	Thu 7/20/00	Thu 7/20/00				
48	Meet with the Court Representatives (Liaisons) [Judicial Education / ADR Certification]	1 day	Thu 7/20/00	Thu 7/20/00				
49	Attend NC Criminal Justice State Architecture presentation	1 day	Fri 7/21/00	Fri 7/21/00				
50	Review site visit & meeting notes : begin analysis	5 days	Mon 7/17/00	Fri 7/21/00				
51	Week 7	5 days	Mon 7/24/00	Fri 7/28/00				
52	Meet with Office of Personnel & Finance	1 day	Wed 7/26/00	Wed 7/26/00				
53	Meet with Webmaster	1 day	Wed 7/26/00	Wed 7/26/00				
54	Telecon with MTG Consulting (SC CJIS Consultant)	1 day	Tue 7/25/00	Tue 7/25/00				
55	Begin writing of draft deliverable	5 days	Mon 7/24/00	Fri 7/28/00				
56	Week 8	5 days	Mon 7/31/00	Fri 8/4/00				
57	Conduct Lexington Master in Equity Court Site Visit	1 day	Tue 8/1/00	Tue 8/1/00				
58	Court Admin IT Staff Meeting	1 day	Tue 8/1/00	Tue 8/1/00				

Project: SCJD Strategic Technology P Date: 12/22/2000	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	
	Progress		Rolled Up Milestone		Deadline	
	Milestone		Rolled Up Progress			
	Summary		External Tasks			

ID	Task Name	Duration	Start	Finish	2 '00	Q3 '00	Q4 '00	Q1 '01
					a u	Jul u e	c o e	a e
59	Meet with Clerk of Court for the Court of Appeals	1 day	Wed 8/2/00	Wed 8/2/00				
60	Review county surveys and draft confirmation letter & supplemental survey	5 days	Mon 7/31/00	Fri 8/4/00				
61	Draft identified initial sections of Preliminary Report	5 days	Mon 7/31/00	Fri 8/4/00				
62	Week 9	5 days	Mon 8/7/00	Fri 8/11/00				
63	County survey confirmation letter meeting	1 day	Mon 8/7/00	Mon 8/7/00				
64	Handouts for presentations @ Judges' conferences due (Family, Circuit & Summary)	3 days	Mon 8/7/00	Wed 8/9/00				
65	Chief Justice Toal All-Hands meeting	1 day	Tue 8/8/00	Tue 8/8/00				
66	Conduct Richland Register of Deeds Site Visit	1 day	Wed 8/9/00	Wed 8/9/00				
67	Meet with Court of Appeals Docketing 5th floor	1 day	Wed 8/9/00	Wed 8/9/00				
68	Continue writing of Preliminary Report	5 days	Mon 8/7/00	Fri 8/11/00				
69	Send confirmation letters to counties	4 days	Tue 8/8/00	Fri 8/11/00				
70	Week 10	5 days	Mon 8/14/00	Fri 8/18/00				
71	SC Judicial Conference in Columbia	5 days	Mon 8/14/00	Fri 8/18/00				
72	Meet with Supreme Court Justices	1 day	Tue 8/15/00	Tue 8/15/00				
73	Meet with Court of Appeals Judges	1 day	Wed 8/16/00	Wed 8/16/00				
74	Meet with Circuit Court Judges Advisory Board	1 day	Thu 8/17/00	Thu 8/17/00				
75	Meet with Family Court Judges Advisory Board	1 day	Thu 8/17/00	Thu 8/17/00				
76	Meet with Law Clerks and Staff Attorneys	1 day	Thu 8/17/00	Thu 8/17/00				
77	Visit Judge Advocacy Center	1 day	Fri 8/18/00	Fri 8/18/00				
78	Week 11	5 days	Mon 8/21/00	Fri 8/25/00				
79	Meet with Supreme Court Librarian	1 day	Tue 8/22/00	Tue 8/22/00				
80	Conduct Charleston Family & Circuit Court Site Visit	1 day	Thu 8/24/00	Thu 8/24/00				
81	Writing of Preliminary Report	5 days	Mon 8/21/00	Fri 8/25/00				
82	Confirmation letters due back from counties	1 day	Fri 8/25/00	Fri 8/25/00				
83	Week 12	5 days	Mon 8/28/00	Fri 9/1/00				
84	In-depth analysis and deliverable development with McMillan	5 days	Mon 8/28/00	Fri 9/1/00				
85	Court Admin IT Staff Meeting	1 day	Mon 8/28/00	Mon 8/28/00				
86	Week 13	5 days	Mon 9/4/00	Fri 9/8/00				
87	Labor Day Holiday	1 day	Mon 9/4/00	Mon 9/4/00				

Project: SCJD Strategic Technology P Date: 12/22/2000	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	
	Progress		Rolled Up Milestone		Deadline	
	Milestone		Rolled Up Progress			
	Summary		External Tasks			

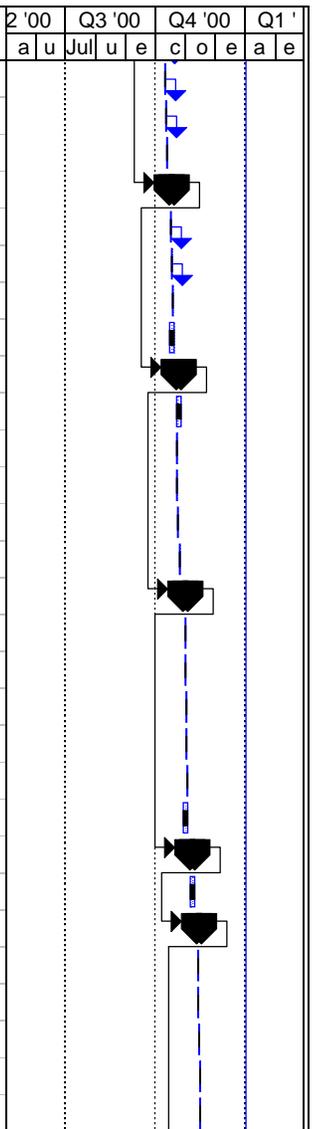
ID	Task Name	Duration	Start	Finish	2 '00	Q3 '00	Q4 '00	Q1 '01
					a u	Jul u e	c o e	a e
88	Meet with Joe Johnson about USC court related systems & projects	1 day	Tue 9/5/00	Tue 9/5/00				
89	Summary Court Judges Conference in Myrtle Beach	3 days	Wed 9/6/00	Fri 9/8/00				
90	Writing of Preliminary Report	4 days	Tue 9/5/00	Fri 9/8/00				
91	Week 14	5 days	Mon 9/11/00	Fri 9/15/00				
92	Finalize Preliminary Report	5 days	Mon 9/11/00	Fri 9/15/00				
93	Deliver Preliminary Report	0 days	Fri 9/15/00	Fri 9/15/00				
94	Week 15: PRELIMINARY REPORT	5 days	Mon 9/18/00	Fri 9/22/00				
95	Present Preliminary Report to Chief Justice Toal & Executive Staff	1 day	Mon 9/18/00	Mon 9/18/00				
96	Probate Court Judges Annual Conference in Charleston	1 day	Tue 9/19/00	Tue 9/19/00				
97	Conduct Charleston Master-in-Equity Site Visit	1 day	Tue 9/19/00	Tue 9/19/00				
98	Incorporate updates to the Preliminary Report	4 days	Tue 9/19/00	Fri 9/22/00				
99	Week 16	5 days	Mon 9/25/00	Fri 9/29/00				
100	Meet with OIR to brainstorm network connectivity for courts	1 day	Mon 9/25/00	Mon 9/25/00				
101	Begin preparations for Focus Group meetings	5 days	Mon 9/25/00	Fri 9/29/00				
102	Begin Best in Class analysis	5 days	Mon 9/25/00	Fri 9/29/00				
103	Review updates to the Preliminary Report with Chief Justice & judicial executive staff	5 days	Mon 9/25/00	Fri 9/29/00				
104	Meet with Finance & Personnel regarding SCJD IT budget request to Governor	1 day	Fri 9/29/00	Fri 9/29/00				
105	Week 17	5 days	Mon 10/2/00	Fri 10/6/00				
106	Finalize updates to the Preliminary Report	3 days	Mon 10/2/00	Wed 10/4/00				
107	Meet with SCJD IT managers individually about reorganization	1 day	Wed 10/4/00	Wed 10/4/00				
108	Present Preliminary Report to Court Admin Staff	1 day	Thu 10/5/00	Thu 10/5/00				
109	Publish Preliminary Report	1 day	Thu 10/5/00	Thu 10/5/00				
110	SC Clerks of Court Association Conference in Rock Hill	1 day	Fri 10/6/00	Fri 10/6/00				
111	Prepare for Focus Group Meetings	5 days	Mon 10/2/00	Fri 10/6/00				
112	Determine status of NCSC Bill Hewitt & Court Reporting Effort	5 days	Mon 10/2/00	Fri 10/6/00				
113	Complete Best in Class analysis	5 days	Mon 10/2/00	Fri 10/6/00				
114	Weeks 18	5 days	Mon 10/9/00	Fri 10/13/00				
115	Complete handout materials and rehearse for Focus Group Meetings	1 day	Mon 10/9/00	Mon 10/9/00				
116	Operational / Functional Focus Group	1 day	Tue 10/10/00	Tue 10/10/00				



Project: SCJD Strategic Technology P
Date: 12/22/2000

Task		Rolled Up Task		Project Summary	
Split		Rolled Up Split		External Milestone	
Progress		Rolled Up Milestone		Deadline	
Milestone		Rolled Up Progress			
Summary		External Tasks			

ID	i	Task Name	Duration	Start	Finish	2 '00	Q3 '00	Q4 '00	Q1 '01
						a u	Jul u e	c o e	a e
117	✓	Bar Association Focus Group	1 day	Wed 10/11/00	Wed 10/11/00				
118	✓	Technology Focus Group	1 day	Thu 10/12/00	Thu 10/12/00				
119	✓	Focus Group debriefing and regrouping for next week	1 day	Fri 10/13/00	Fri 10/13/00				
120	✓	Week 19	5 days	Mon 10/16/00	Fri 10/20/00				
121	✓	Outside Agencies Associated with the Courts Focus Group	1 day	Tue 10/17/00	Tue 10/17/00				
122	✓	Debrief internally results of focus group meetings	1 day	Wed 10/18/00	Wed 10/18/00				
123	✓	Follow-up meetings with individual managers regarding reorganization	1 day	Thu 10/19/00	Thu 10/19/00				
124	✓	Begin development of funding strategies and performance metrics	5 days	Mon 10/16/00	Fri 10/20/00				
125	✓	Week 20	5 days	Mon 10/23/00	Fri 10/27/00				
126	✓	Continue development of funding strategies and performance metrics	5 days	Mon 10/23/00	Fri 10/27/00				
127	✓	Meet with Ginger Dukes CJIS / DPS	1 day	Mon 10/23/00	Mon 10/23/00				
128	✓	Meet with Major Hugeley (SLED)	1 day	Mon 10/23/00	Mon 10/23/00				
129	✓	Meet with PCSS	1 day	Tue 10/24/00	Tue 10/24/00				
130	✓	Meet with Supreme Court Disciplinary Counsel	1 day	Thu 10/26/00	Thu 10/26/00				
131	✓	Week 21	5 days	Mon 10/30/00	Fri 11/3/00				
132	✓	SCJD IT Management Meeting	1 day	Wed 11/1/00	Wed 11/1/00				
133	✓	Telecon meeting with MTG Consulting regarding SC CJIS	1 day	Wed 11/1/00	Wed 11/1/00				
134	✓	Meet with Smith Data	1 day	Thu 11/2/00	Thu 11/2/00				
135	✓	Meet with DOR and OIR regarding statewide network connectivity	1 day	Thu 11/2/00	Thu 11/2/00				
136	✓	Meet with ASG @ USC (Joe Johnson)	1 day	Fri 11/3/00	Fri 11/3/00				
137	✓	Continue development of funding strategies and performance metrics	5 days	Mon 10/30/00	Fri 11/3/00				
138	✓	Week 22	5 days	Mon 11/6/00	Fri 11/10/00				
139	✓	Brainstorming & confirming with NCSC in Williamsburg: Funding Strategies & Performance Met	5 days	Mon 11/6/00	Fri 11/10/00				
140	✓	Week 23	5 days	Mon 11/13/00	Fri 11/17/00				
141	✓	Conduct Oconee Register of Deeds Site Visit	1 day	Tue 11/14/00	Tue 11/14/00				
142	✓	Project PM Meeting	1 day	Tue 11/14/00	Tue 11/14/00				
143	✓	Meet with DSS regarding Child Support IV-D networking infrastructure	1 day	Wed 11/15/00	Wed 11/15/00				
144	✓	SCJD IT Management Meeting	1 day	Thu 11/16/00	Thu 11/16/00				
145	✓	Court Admin staff meeting with Chief Justice Toal	1 day	Thu 11/16/00	Thu 11/16/00				



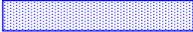
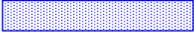
Project: SCJD Strategic Technology P Date: 12/22/2000	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	
	Progress		Rolled Up Milestone		Deadline	
	Milestone		Rolled Up Progress			
	Summary		External Tasks			

ID	Task Name	Duration	Start	Finish	2 '00	Q3 '00	Q4 '00	Q1 '01
					a u	Jul u e	c o e	a e
146	State CJIS Meeting in Charleston presented by MTG Consulting	1 day	Fri 11/17/00	Fri 11/17/00				
147	Begin writing ASP section of report	5 days	Mon 11/13/00	Fri 11/17/00				
148	Week 24	5 days	Mon 11/20/00	Fri 11/24/00				
149	Conduct Florence Circuit and Family Court Site Visit	1 day	Tue 11/21/00	Tue 11/21/00				
150	Begin drafting 5 year technology action plan	3 days	Mon 11/20/00	Wed 11/22/00				
151	Thanksgiving	2 days	Thu 11/23/00	Fri 11/24/00				
152	Week 25	5 days	Mon 11/27/00	Fri 12/1/00				
153	Continue writing the first draft of the Final Report	5 days	Mon 11/27/00	Fri 12/1/00				
154	Meet with Ginger Dukes regarding DPS CJIS Grants (1:30pm)	1 day	Tue 11/28/00	Tue 11/28/00				
155	Meet with DSS Grant Coordinators: Don Adams and Marcus Mann (3:30pm)	1 day	Tue 11/28/00	Tue 11/28/00				
156	Meet with Regis Parsons OIR (11:00am)	1 day	Wed 11/29/00	Wed 11/29/00				
157	Meet with David Gerth OIR (1:00pm)	1 day	Wed 11/29/00	Wed 11/29/00				
158	Internal Project Mgt including SCJD Grant Management Meeting	1 day	Wed 11/29/00	Wed 11/29/00				
159	SCJD IT Management Meeting (2:00pm)	1 day	Thu 11/30/00	Thu 11/30/00				
160	Week 26	5 days	Mon 12/4/00	Fri 12/8/00				
161	Meet with Barbara Scott - Richland County Clerk of Court (1:30pm)	1 day	Mon 12/4/00	Mon 12/4/00				
162	Meet with Imaging/Microfiche company of Supreme Court (Data on CD) (10:00am)	1 day	Tue 12/5/00	Tue 12/5/00				
163	Conduct Richland Probate Court Site Visit (Amy McCulloch) (9:00am)	1 day	Wed 12/6/00	Wed 12/6/00				
164	Conduct Elgin Municipal Court Site Visit (Judy Darby) (1:30pm)	1 day	Wed 12/6/00	Wed 12/6/00				
165	Internal Project Mgt including SCJD Grant Management Meeting	1 day	Wed 12/6/00	Wed 12/6/00				
166	County Managers - Administrators Conference in Columbia (11:00am)	1 day	Thu 12/7/00	Thu 12/7/00				
167	Continue development of the first draft of the Final Report	5 days	Mon 12/4/00	Fri 12/8/00				
168	NCSC Electronic Filing - Privacy and Public Access Conference	5 days	Mon 12/4/00	Fri 12/8/00				
169	Week 27	5 days	Mon 12/11/00	Fri 12/15/00				
170	Conduct Richland Magistrate Court Site Visit (Judge Davis) (2:00pm)	1 day	Mon 12/11/00	Mon 12/11/00				
171	Meet with Major Huguley regarding CJIS Grants & Network Connectivity (10:00am)	1 day	Tue 12/12/00	Tue 12/12/00				
172	SCJD IT Management Meeting	1 day	Thu 12/14/00	Thu 12/14/00				
173	Complete the first draft of the Final Report	5 days	Mon 12/11/00	Fri 12/15/00				
174	Week 28: FINAL REPORT	23 days	Mon 12/18/00	Wed 1/17/01				

Project: SCJD Strategic Technology P Date: 12/22/2000	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	
	Progress		Rolled Up Milestone		Deadline	
	Milestone		Rolled Up Progress			
	Summary		External Tasks			

ID	i	Task Name	Duration	Start	Finish	2 '00		Q3 '00		Q4 '00		Q1 '01	
						a	u	J	u	e	c	o	e
175	✓	Prepare Final Report	5 days	Mon 12/18/00	Fri 12/22/00								
176	✓	Meet with Jim Kleckley of SC Highway Patrol regarding Network Connectivity (2:30pm)	1 day	Tue 12/19/00	Tue 12/19/00								
177	✓	Complete Final Report	1 day	Fri 12/22/00	Fri 12/22/00								
178	✓	Present the final report to Chief Justice and Executive Staff (To be Rescheduled)	1 day	Wed 1/17/01	Wed 1/17/01								

Project: SCJD Strategic Technology P
Date: 12/22/2000

Task		Rolled Up Task		Project Summary	
Split		Rolled Up Split		External Milestone	
Progress		Rolled Up Milestone		Deadline	
Milestone		Rolled Up Progress			
Summary		External Tasks			



3. Judicial Department—Where We Are Now

3.1 Introduction

KPMG Consulting conducted a series of site visits and interviews to understand the business processes of the Judicial Department and the court jurisdictions and administrative divisions of the State court system of South Carolina. The examination focused on the key court jurisdictions and related administrative processes, and the embedded workflows that involve the exchange of information at key court events.

The examination used the following vehicles for information gathering:

- An initial survey and supplemental follow-up survey of each of the 46 County Clerks of Court
- Onsite visits and interviews with more than 130 court and court-related personnel from across the state (Appendix A lists these individuals)
- Site visits and walkthroughs of the following courts selected as representatives for their specific level of court:
 - Supreme Court
 - Court of Appeals
 - Circuit Court—Charleston, Florence, Greenville, and Laurens
 - Masters-in-Equity—Charleston and Lexington
 - Family Court—Charleston, Florence, Greenville, and Laurens
 - Probate Court—Aiken and Richland
 - Magistrates Court—Oconee and Richland
 - Municipal Court—Oconee and Richland
 - Register of Deeds—Oconee, Florence, and Richland
- Four focus group meetings:
 - Operational/Functional Focus Group
 - Bar Focus Group
 - Technology Focus Group
 - Agencies Associated with the Courts Focus Group



- Presentations, question and answer sessions, and general discussion at all of the major State judicial conferences held in South Carolina from September to December 2000 including the following:
 - South Carolina Judicial Conference for all Supreme Court Justices, Court of Appeals Judges, Circuit and Family Court Judges, and all of their law clerks
 - Circuit Court Judges Advisory Board
 - Family Court Judges Advisory Board
 - Summary Court Judges Conference
 - Probate Judges Conference
 - Clerks of Court Association Conference
 - Association of County Administrators Winter Meeting
 - South Carolina Criminal Justice Information System (CJIS) Conference

Understanding of the court's key business processes (or the as-is business model) and analysis of the embedded workflows and uses of technology provided the basis for recommendations to modernize the technology infrastructure of the State Judicial Department and the entire State court system. This section presents the results of the examination in four parts as follows:

- Legal Jurisdiction (where applicable)
- Organization and Staffing
- High-level Functions and Workflow or Process
- Technology Inventory

The description of each key business process includes a high-level narrative description and a high-level diagram of each process' embedded workflow. The workflow diagram depicts the major process events and information flows for each key process. The narratives and flowcharts are not intended to depict the complete business process or workflows for each court jurisdiction or administrative division. Further, while all court jurisdictions and administrative divisions comply with the uniform court rules and procedures, significant differences and variances were observed in local practices that impart differences in the key processes and workflows from county to county within the State court system.

The descriptions and diagrams define and describe how each key court jurisdiction and administrative division operates and exchanges information within the State court system. A fundamental understanding of the key processes and of how technology is currently deployed to support the processes is fundamental



to the development of a technology blueprint for the modernization of the State court system and the Judicial Branch of South Carolina.

The flowcharts are presented in chronological order from left to right. Each party involved in the process is represented as a horizontal row of the diagram and separated by a dotted line. The flowcharts show three types of processes: Paper (green), Human (blue), and Computer (red). Processes are connected by information flows in which a standard line represents a manual transfer and a lightning bolt represents an electronic transfer. Figure 3-1 is the diagram key.

Figure 3-1
Workflow/Process Diagram Key



3.2 South Carolina Judicial Department—The Courts

3.2.1 Supreme Court

Legal Jurisdiction

The Supreme Court is the highest court in South Carolina. It has both appellate and original jurisdiction. In its appellate capacity, the Supreme Court has exclusive jurisdiction over certain cases such as cases where the death penalty has been imposed, cases setting a public utility rate, cases involving a constitutional challenge to a state statute or local ordinance, cases involving public bonded indebtedness, and challenges to an election. Additionally, cases filed in the Court of Appeals are sometimes transferred to the Supreme Court when the appeal involves novel issues. The Supreme Court also reviews decisions of the Court of Appeals by way of petitions for writs of certiorari and decides petitions for writs of certiorari from the circuit and family courts in post-conviction relief matters. In its original jurisdiction, the Supreme Court may issue mandamus, certiorari, and other extraordinary writs and may answer questions of law certified to it by the highest court of another state or a federal court.

In addition to deciding cases, the Supreme Court promulgates rules of practice and procedure for all South Carolina courts, licenses all attorneys practicing in the state, and disciplines lawyers and judges for misconduct.

The Chief Justice, as the administrative head of the Judicial Branch, is responsible for administering the courts, setting terms of court, and assigning judges to preside at those terms.



Organization and Staffing

The Supreme Court is composed of the Chief Justice and four Associate Justices. Justices are elected by the legislature for ten year terms. Each Justice employs two law clerks and the Supreme Court has a Staff Attorneys Office which is composed of eleven attorneys. The Supreme Court Clerk of Court has seventeen staff members and performs duties similar to the Clerk of the Court of Appeals. The Clerk of the Supreme Court also coordinates the process for publishing opinions issued by the Supreme Court and the Court of Appeals and orders issued by the Supreme Court. The Supreme Court Clerk of Court also administers the Bar Admission process.

The Office of Disciplinary Counsel, Office of Court Administration, Office of Finance and Personnel, and Office of Information Technology are all divisions of the South Carolina Judicial Department that report to the Chief Justice.

3.2.2 Court of Appeals

Legal Jurisdiction

The Court of Appeals was created in 1983 to hear all appeals from the Circuit and Family Courts with the exception of the appeals that fall into one of the seven classes of exclusive jurisdiction listed under Supreme Court.

Organization and Staffing

The Court of Appeals consists of a Chief Judge and eight Associate Judges, who are elected to staggered terms of six years each. The Court customarily sits in three-judge panels, whose membership is systematically rotated. The Court is authorized to sit en banc. The Court is authorized to hear oral argument in cases or motions in any county of the state. Each Judge has two law clerks and an administrative assistant. The Court employs nine Staff Attorneys, including a Chief Staff Attorney and a Deputy Chief Staff Attorney. The Staff Attorneys share one administrative assistant. The Clerk's office of the Court comprises fifteen employees, including a Clerk and a Deputy Clerk. The Clerk's office receives, files, docket, and manages all aspects of the case files, including certification of the court records. The Court employs one Librarian.

High-Level Functions and Workflow: Appellate Process

An appeal begins when one party (appellant), who is dissatisfied with all or part of the trial court's ruling, serves on the opposing party (respondent), a notice of appeal from the ruling. The appellant must pay any required filing fee and file the notice and proof of service with the appellate Court. The appellant must also request that the Court Reporter transcribe the lower court proceedings and must inform the Clerk of the Appellate Court and the opposing party of the arrangements with the Court Reporter.



Once the Court Reporter transcribes and delivers the transcript to the appellant, the appellant must prepare, serve on the respondent, and file with the Court of Appeals an Initial Brief and Designation of Matter. After reviewing the appellant's Initial Brief, the respondent prepares an Initial Brief, along with a Designation of Matter to be included in the official record, serves it on the appellant, and files it with the Appellate Court. Part 1 of the Appellate Court process is illustrated in Figure 3-2.

After receiving the respondent's Initial Brief, the appellant has the option of preparing a Reply Brief, with further designations. Once the Reply Brief has been served on the respondent, the appellant files the brief with the Appellate Court, along with proof that the brief was served on the respondent. The appellant must then prepare the Record on Appeal, which consists of the matter that the parties designated to be included in the record. This record will usually include all or part of the transcript of the lower court proceedings, the lower court's order, and exhibits. The appellant must serve three copies of the Record on Appeal on the respondent. Each party must then prepare the Final Brief, as a rule changing only the references in the Initial Brief to conform to the Record on Appeal. Each party must serve the other party with three copies of the Final Brief and file fifteen copies of the Final Brief with the Appellate Court. With the appellant's Final Brief, the appellant files fifteen copies of the Record on Appeal with the Appellate Court.

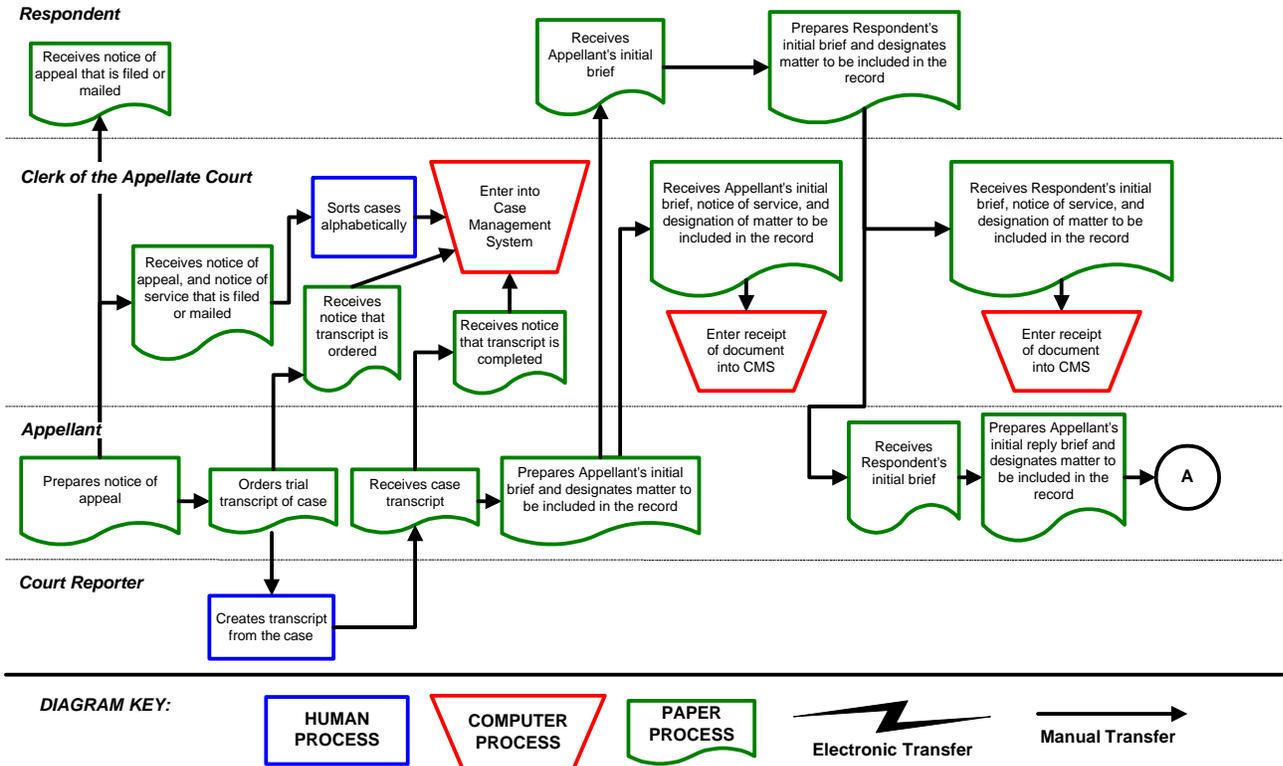
All of these documents are date and time stamped and, in addition to maintaining files of all copies of documents filed, the Clerk of the Appellate Court records the documents filed into the Appellate Case Management System (CMS), an internal computerized case monitoring system. Additionally, any motions filed during the appellate process are tracked both in the CMS and manually in a notebook.



Figure 3-2
Appellate Process Part 1

Appellate Process

Appellate Court Judges



Part 2 of the Appellate Court process is illustrated if Figure 3-3.



Figure 3-3
Appellate Process Part 2

Appellate Process

Appellate Court Judges

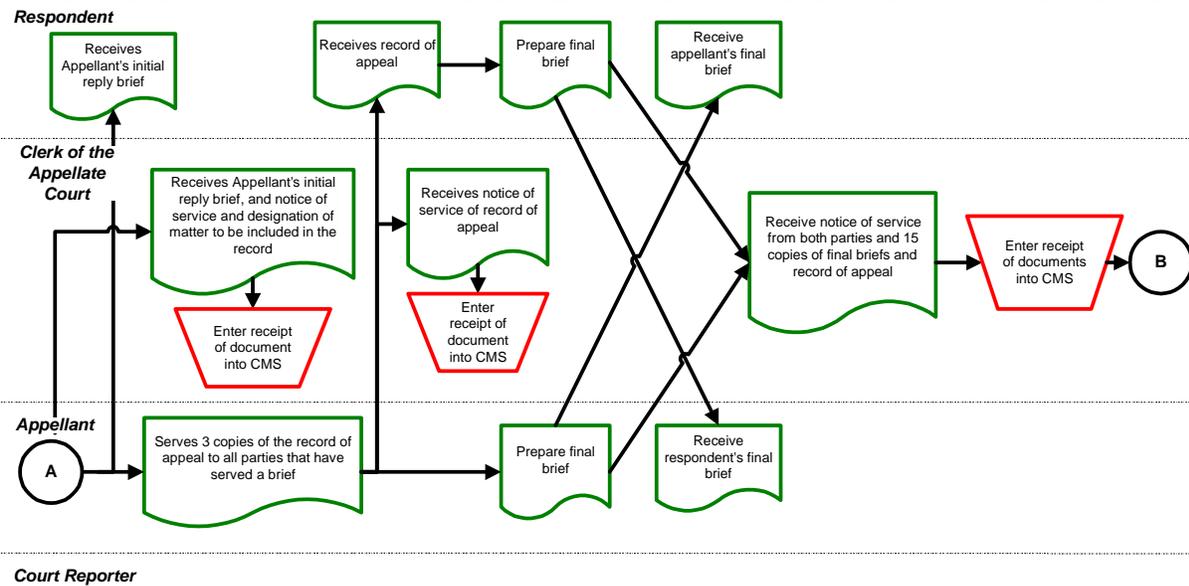


DIAGRAM KEY:



The Staff Attorney's Office is responsible for researching and reviewing cases sent to the South Carolina Appellate Court. Staff attorneys begin to prepare a preliminary memorandum for the court by researching the case precedence using legal research tools from West Law and Lexis/Nexis. A judicial agenda meeting is held to evaluate the preliminary memorandum and determine which cases will be assigned to the Supreme Court, and which cases will be retained in the Court of Appeals. Certain types of cases, such as death penalty and utility rates, can only be decided by the Supreme Court.

Once all Final Briefs and the Record on Appeal have been filed, a reconciliation report is generated for those cases to be decided by the Court of Appeals to determine whether any of the judges are disqualified on any given cases. Based on those disqualifications, cases are assigned for decision to the next available panel and term of court. If a Judge is disqualified, a substitute Judge is assigned. Each of the nine



Appellate Court Judges is assigned to one of three 3-member panels. Panels A and B hear oral arguments while Panel C handles the submitted cases.

Cases are first assigned and reviewed in chambers for tracking to Panel C for expedited disposition on the record or to Panels A and B for treatment first by the staff attorneys and later possible oral argument. In cases retained by Panel C, parties receive a notice that the case has been submitted to the court for decision on the record. Judges notify the Clerk's office which Panel A and B cases will receive oral argument. Panel A and B cases are then scheduled on a preliminary list, by means of which some parties are notified that their cases will be heard and some are notified that their cases will be submitted, that is, decided without oral argument.

At least fifteen days before a term of court begins, the Clerk mails the roster of cases to be heard at that term to all interested parties. Enclosed with the roster is an acknowledgement to be returned to the Clerk's office to show receipt of the roster. The Clerk's office tracks the acknowledgements to ensure all parties have been notified. Part 3 of the Appellate Court process is illustrated in Figure 3-4.

After hearing or submission, an opinion deciding the issues in the case is prepared and is generally completed in one to three months. Panels A and B each hear approximately 25 cases each month, while Panel C handles approximately 50 submitted cases. These numbers vary depending on the number and the nature of the cases before the Court. Once an opinion is prepared, it is circulated and reviewed by the remaining judges on the panel for content and then proofed for formatting. Published opinions are circulated for comment to any judges not on the panel who are not disqualified in the case. When the opinion is ready to be filed, it is sent to the Clerk of Court in both hardcopy and electronic copy formats. If the opinion is to be published, the Clerk then transmits it to the legal publishers and to the Judicial Department Webmaster for publication on the Judicial Department's website. If the opinion is to be unpublished, it is placed into a WordPerfect file for internal access. A hard copy of the opinion is mailed via the US Postal Service by the Clerk's office to all interested parties. After receiving the opinion, either party has 15 days to request rehearing. If no petition for rehearing is filed, the remittitur is sent to the lower court on the 16th day and the case is closed. The Clerk's office will record the opinion in the CMS and mark the case with the status "Remittitur."

A party dissatisfied with the decision of the Appellate Court may seek review in the Supreme Court by way of a petition for a writ of certiorari. To take advantage of this review, the party must file a petition for rehearing in the Appellate Court, receive a ruling on that petition, and otherwise comply with the procedures of the Appellate Court rules concerning the petition for a writ of certiorari. Part 4 of the Appellate Court process is illustrated in Figure 3-5. If the Court of Appeals decision is appealed to the Supreme Court and the case is agreed to be heard by the Supreme Court, then the whole appeals process is repeated as described, but this time in the Supreme Court. In the Supreme Court, there are no panels. All five Justices serve en banc on all cases that are heard.



Figure 3-4
Appellate Process Part 3

Appellate Process

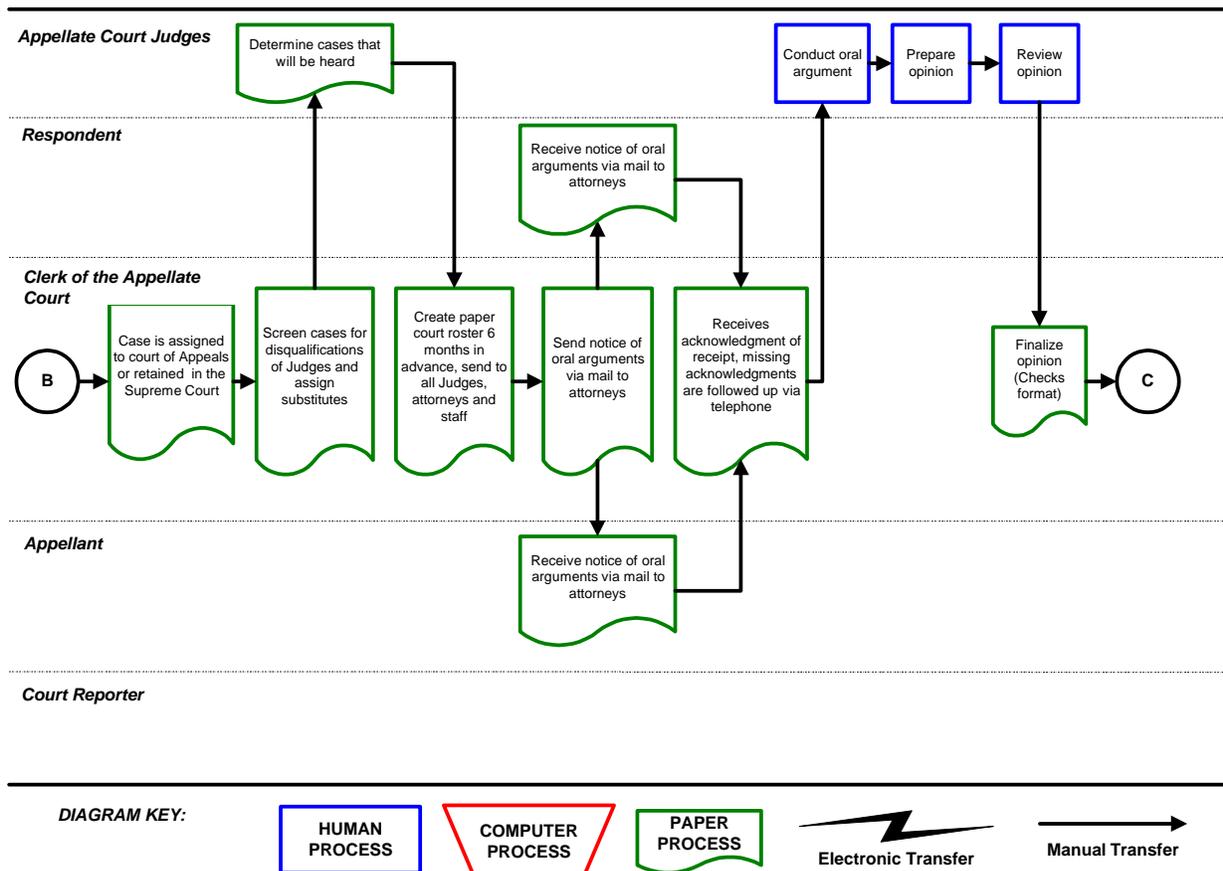




Figure 3-5
Appellate Process Part 4

Appellate Process

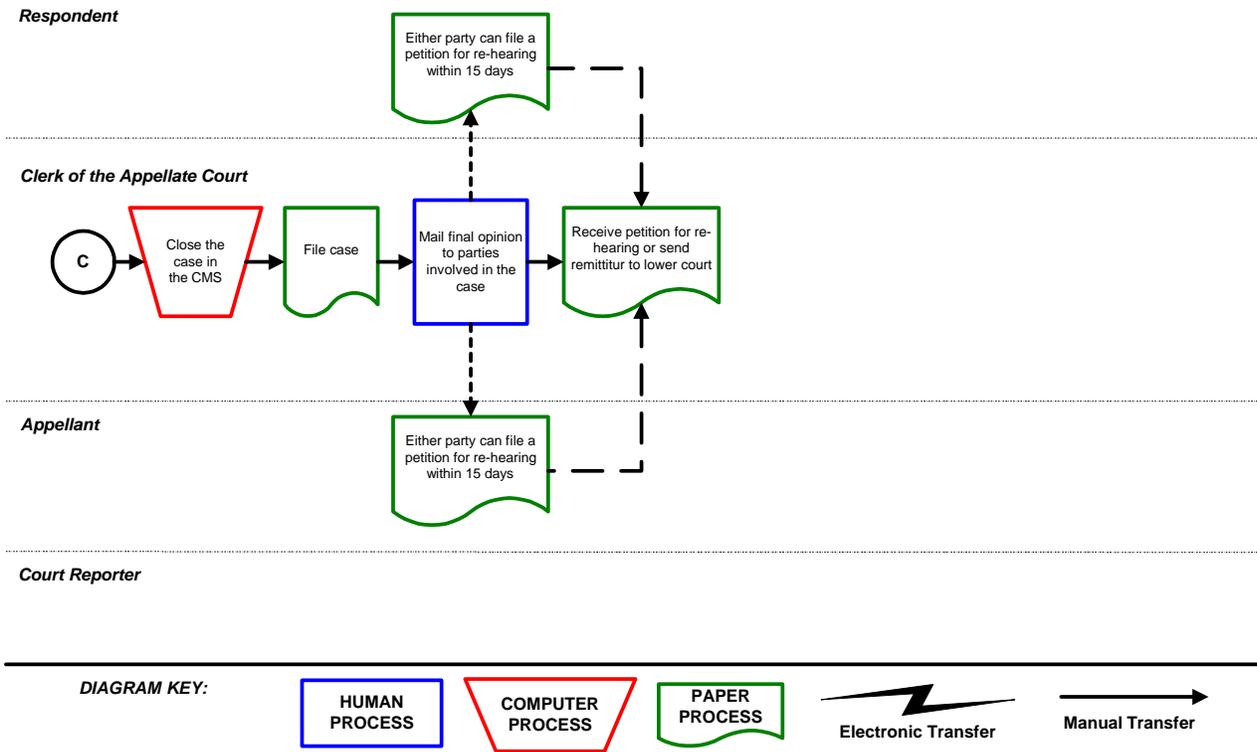
Appellate Court Judges

Respondent

Clerk of the Appellate Court

Appellant

Court Reporter



Supreme and Appellate Courts—Technology Inventory

The Appellate Court Case Management System (CMS) is a client-server application that has been developed in-house by the SCJD. The application was developed with the PowerBuilder toolset and uses Oracle as the Relational Database Management System (RDBMS). The CMS application has been integrated with WordPerfect to automatically generate standard forms and documentation. The Appellate CMS is used to docket court filings and motions through the Appellate process. The CMS is designed to produce utilization and case age statistics for the Supreme and Appellate Courts.



3.2.3 Business Process Workflow for South Carolina Courts

The following sections provide a high-level process overview for each of the trial-level courts in the South Carolina Judicial System. Most jurisdictions and courts throughout the State are rural in nature. These descriptions are overviews of their workflows, which incorporate some technology and a significant amount of manual processing. The three large metropolitan areas and some medium-sized jurisdictions use more technology than the rest of the State, so their workflow is more integrated with technology than indicated in these workflows. Therefore, the business process diagrams in this section are not necessarily indicative of these larger counties that operate more advanced case management and imaging systems. The typical business process flows for each type of respective court are described in the following sections.

3.2.4 Circuit Court (16 Judicial Districts)

Legal Jurisdiction

The Circuit Court is a trial court of general jurisdiction that has three sections: General Sessions for criminal matters, Common Pleas for civil matters, and Family Court for domestic and juvenile matters. There are 16 Judicial Circuits in the State of South Carolina.

Organization and Staffing

The Circuit Court is staffed by 104 Judges, which includes 46 Judges for General Sessions and Common Pleas Court, and another 58 Judges for the Family Courts. Each of the Circuit Judges has two support staff members, a law clerk and a secretary. The law clerk is typically a recent law school graduate assigned to the Judge for 1 year. The secretary is hired by the Judge. The Circuit and Family Court Judges travel among the circuits within the state as assigned to terms of court by the Judicial Department. Each Judge serves 6 months of the year in his or her home circuit and the other 6 months of the year serving in other circuits across the State that are not in his or her home circuit. Traveling the circuit is provided for by the state constitution and offers numerous benefits to the Judicial Branch and citizens of South Carolina; therefore, circuit riding is not a topic for review.

Circuit and Family Court Judges Technology Inventory

Court Administration provides the Circuit and Family Court Judges with a Gateway Solo 200 laptop running Microsoft Windows NT 4.0. The standard Court Administration desktop configuration includes Microsoft Office 2000 with Netscape as the standard e-mail client, although a transition to Outlook 2000 for e-mail has already been initiated. Judges access the Internet and e-mail through a dialup connection to Court Administration.



Clerk of Court

Administrative support functions for the Circuit and Family Courts are provided by each of the 46 counties through the local Clerk of Court. The counties provide the court facilities and maintain the operating budget of the Clerk's office. The Clerk's office is responsible for all of the administrative tasks of Circuit and Family Courts, including:

- Docketing court documents
- Collecting fines, fees, and assessments
- Administration of Child Support
- Jury management
- Archival of court documents
- Reporting case information to Court Administration

Across the State, the organization and staffing of each Clerk's office vary greatly depending on the population and size of the county, which is also indicative of the caseload. Many of the smaller counties operate with relatively small organizations, while the larger counties are much more complex, with highly specialized positions for each functional area within the Clerk's office to successfully handle the volume of work.

Clerks of Court Technology Inventory—Case Management Systems

At the Circuit Court level, the use of technology across the State is divided among the three largest counties, which are highly automated, and the medium and small counties, which are less automated. Charleston, Greenville and Richland make up the "Big Three" counties. Each operates an integrated court case management system (CMS) from a major court CMS software vendor. The Big Three counties require a modern software application to handle their caseloads. These three counties represent approximately one-quarter of the population of the State of South Carolina.

Greenville operates a commercial CMS package from Professional Computer Software Services (PCSS) Corporation, Charleston uses a CMS package from SCT Corporation, and Richland uses a hybrid solution based on PCSS but heavily modified with a custom system developed by the Richland County IT staff. Essentially, these large counties operate an integrated court system in which case information can be shared among the Clerk's office, lower courts, and other criminal justice agencies. Table 3-1 shows the case management system and the level of technology integration at the three largest counties in the State.



Table 3-1
“Big Three” Counties’ Case Management Systems

County	Population	Circuit Court	Family	Probate	Master	Magistrate	Public Defender	Solicitor
Greenville	358,936	PCSS	PCSS	PCSS	Delta	PCSS	None	PCSS
Charleston	319,921	SCT	SCT	SCT	SCT	SCT	Time matters	In-house
Richland	307,279	PCSS	In-house	In-house	None	PCSS	In-house	In-house

NOTES:

- PCSS: Judicial Enforcement Management System (JEMS) from Professional Computer Software Services
- SCT: SCT Courts application from SCT Corporation
- In-house: Software custom-developed by the county

In addition to the Big Three counties, there is a middle tier of counties that represent much of the State’s court case volume. All of the counties in the middle tier have populations that exceed 100,000. Table 3-2 shows the case management system and the level of technology integration at the middle tier counties in the State.

Table 3-2
Medium-Sized Counties’ Case Management Systems

County	Population	Circuit Court	Family	Probate	Master	Magistrate	Public Defender	Solicitor
Spartanburg	249,636	Smith	Smith	Smith	None	Smith	None	Smith
Lexington	208,972	In-house/ Evans	In-house	PrCt Program	Quicken	In-house	Amicus Attorney	In-house
Horry	178,550	Capers Strawn	Capers Strawn	Capers Strawn	N/A	Capers Strawn	In-house	Capers Strawn
York	158,180	Smith	Smith	Smith	N/A	PCSS	Time Matters	In-house
Berkeley	142,300	Delta	Delta	Delta	None	Vision	None	In-house
Aiken	135,401	In-house	In-house	In-house	In-house	PCSS	In-house	In-house
Florence	125,229	Capers Strawn	Capers Strawn	Smith	N/A	Capers Strawn	Capers Strawn	Capers Strawn
Beaufort	112,973	Smith	Smith	Smith	None	Smith	Time Matters	In-house
Sumter	112,412	IDS	IDS	In-house	None	Vision	None	Prosecutor Dialog
Pickens	108,126	Smith	Smith	Smith	None	In-house	None	PCSS

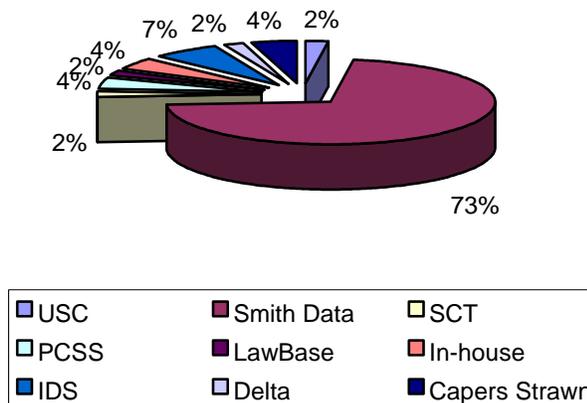
The middle tier and rural counties in the State do not have the population, case volume, or financial resources to support a modern CMS application. These counties rely on software applications from



smaller second and third tier vendors to support their court operations. The most prevalent CMS application in the smaller counties is the Clerk of Court Indexing application from Smith Data Corporation. Across the State, 33 of the 46 counties, approximately 73 percent of the county clerks, use the Smith Data application for the Circuit Court. The remaining counties use one of many smaller third tier vendors or a home grown system for their CMS. Table 3-3 shows the breakdown of the Circuit Court case management systems.

Table 3-3
Circuit Court Case Management Systems

System Vendor	County Installations
Smith Data	33
USC	1
SCT	1
PCSS	2
LawBase	1
In-house	2
IDS	3
Delta	1
Capers Strawn	2



Clerks of Court Technology Inventory—Network Assessment

Based on the initial survey and supplemental follow-up survey conducted with all 46 County Clerks of Court as well as the site visits to the selected courts, the following numerical results indicate the current network connectivity:

- 8 (17 percent) Clerks of Court are connected to a high speed network connection
- 0 (0 percent) Clerks of Court have a high speed network connection to Court Administration
- 20 (43 percent) Clerks of Court use dial-up modems to connect to Court Administration and the remainder submit information manually
- 8 (17 percent) Clerks of Court are connected to a county network
- 5 (11 percent) Clerks of Court transmit data to State agencies
- 7 (15 percent) Clerks of Court transmit data to other local agencies



3.2.5 General Sessions (Criminal Jurisdiction—Felony/Misdemeanor)

Legal Jurisdiction

The General Sessions of the Circuit Courts are responsible for processing criminal cases that have been indicted by a grand jury or transferred from the Magistrate Court. General Sessions Courts have jurisdiction over criminal offenses that carry penalties of greater than 30 days or fines greater than \$500. All criminal cases originate in the Municipal or Magistrate Court; cases that exceed the threshold for criminal penalties are transferred directly to General Sessions.

High-Level Functions and Workflow

The General Sessions Court process begins when the Clerk of Court receives a “Certificate of Transmittal” packet from the Municipal or Magistrate Court containing a list of warrants that have been transferred from the lower court. The Certificate of Transmittal is a standard form containing an itemized list of the warrants that are being transferred. The transmittal packet contains the original warrant, the bond paper, and a checklist of the defendant’s advisement of rights.

Once the transmittal packet has been received, each warrant will be time stamped and the warrant information will be entered into the Clerk of Court’s CMS. The Clerk will store the warrant case documents corresponding to the warrant in a paper case folder under the defendant’s last name.

The Solicitor is responsible for evaluating the facts and determining the validity of the case. Once the Solicitor has determined the case is valid, he or she will bring the case in front of the Grand Jury for indictment. If the Grand Jury returns a “true bill,” then the case will move forward to trial. If the Grand Jury does not find enough evidence for a trial, they will return a “no bill” and the case cannot proceed. The true bill and no bill documents as well as all other associated documents that are filed, presented, or generated by the court are noted in the CMS and the original documents are stored in the case folder.

Through the life of the criminal court case, the Clerk is responsible for recording and tracking all documents that are submitted and filed with the court. The Clerk of Court is the official record-keeper of the courts. The Solicitor, Public Defender, private attorneys, or defendant may file these documents. As documents in the case are filed, the Clerk’s office records the receipt of the documents and the date and time they were received. The physical documents are then filed into the paper case file. An authorized court officer will be able to use the CMS to see the types of documents filed and the date they were submitted to the court, but the actual content of the documents is stored on paper that is kept in the paper case folder.

The Judges Scheduling section of Court Administration uses case load reports to estimate the current backlog of General Sessions’ cases in order to effectively schedule terms of court in the county. The

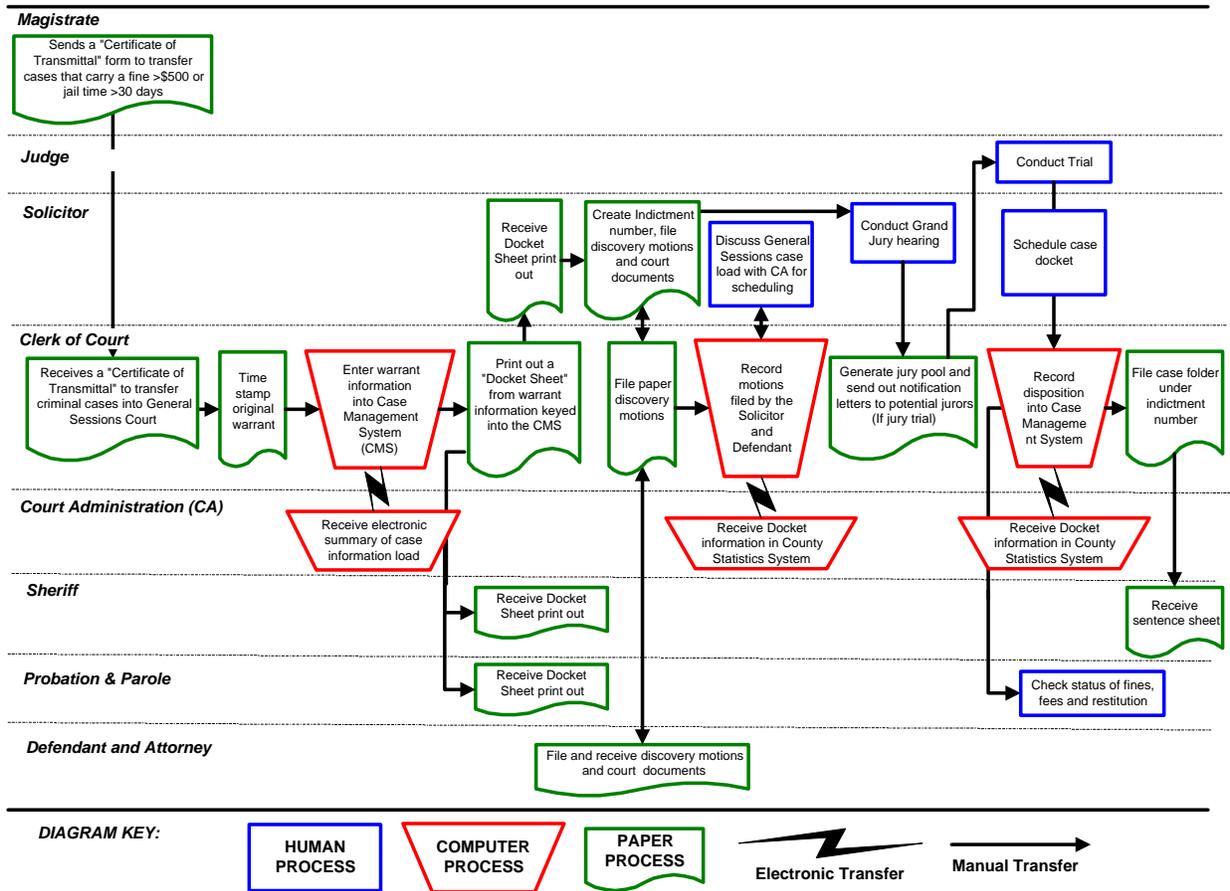


Solicitors report an estimate of the complexity of the case to further quantify the amount of court time required to process a given case. The Solicitors are also responsible for scheduling the case docket in General Sessions Court.

After the verdict has been rendered in the case, the Clerk's office will record the disposition in the CMS and file the paperwork in the case folder under the indictment number. The Clerk's office is required to send case load information to Court Administration on a monthly basis. This case load information is transmitted either electronically or via docket sheets. For most offices, the gathering and submission of this case load information to Court Administration are manual processes that are quite labor intensive and time consuming. The General Session Court process is illustrated in Figure 3-6.

Figure 3-6

General Sessions Court: Current Process





3.2.6 Common Pleas (Civil Jurisdiction—Over \$5,000)

Legal Jurisdiction

The Court of Common Pleas decides civil matters at the Circuit Court level. It is responsible for processing civil case matters where the amount in dispute exceeds \$5,000. The Magistrate Courts will refer cases that exceed the \$5,000 threshold directly to the county Clerk of Court to file the case. As of January 1, 2001, the threshold for civil cases to be heard in Common Pleas Court will be increased to \$7,500.

High-Level Functions and Workflow

Unlike criminal cases, there is not a need to send civil cases from the Magistrate Court to Common Pleas through a Certificate of Transmittal packet. The Magistrate Courts will refer civil cases exceeding the \$5,000 (\$7,500 after 1/1/01) threshold directly to Common Pleas Court.

A Common Pleas case begins when the plaintiff files a summons and complaint with the Clerk of Court. The Clerk's office will time and date stamp the receipt of the complaint into the CMS and assign a case number. Then all proceeding documents will be recorded in the CMS and filed in the paper case folder. The plaintiff (or his or her attorney) is responsible for serving a notice of the case to the defendant. Once the case has been served, the plaintiff will file an affidavit of service with the Clerk's office. The defendant will have 30 days from the filing of the affidavit of service to respond to the action in writing to the Clerk's office. The average Common Pleas case requires 18 months from filing before the trial is held. Typically, only 2 percent of Common Pleas cases actually go to trial.

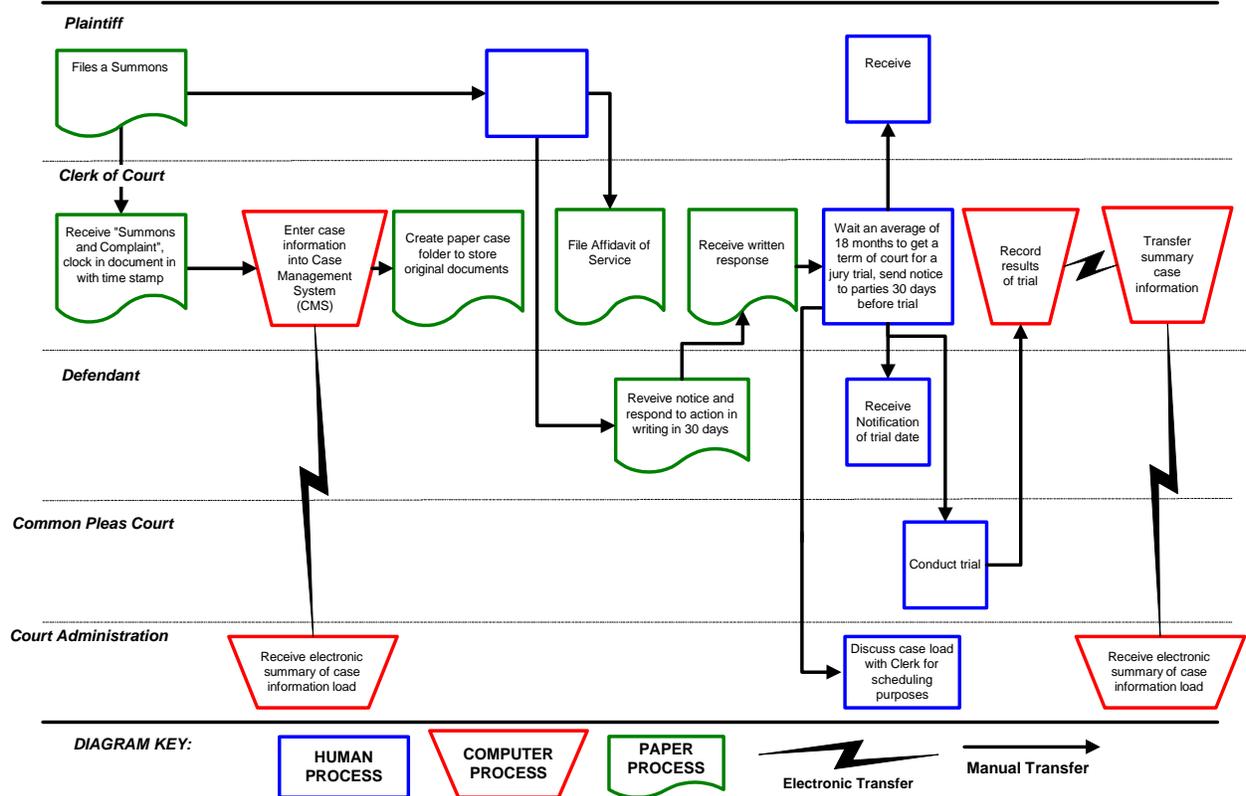
Court Administration schedules terms of Common Pleas Court 6 months in advance, twice a year. Terms of Common Pleas Court are scheduled in advance based on historical caseloads; however, the Clerk's office may contact Court Administration to communicate caseloads that are lower or higher than expected.

Once the trial has been completed, the Clerk's office will record the disposition into the CMS and file the entire paper case folder by order of case number or under the defendant's last name, depending upon the individual county's filing process. The Clerk's office is required to send caseload information on a monthly basis to Court Administration. Similar to General Sessions, for most courts, the gathering and submission of monthly statistical reports to Court Administration are manual processes that are quite labor intensive and time consuming. The Common Pleas Court process is illustrated in Figure 3-7.



Figure 3-7

Common Pleas Court: Current Process



3.2.7 Family Court (Exclusive Jurisdiction)

Legal Jurisdiction

Family Court is responsible for handling all domestic law cases such as divorce, property settlements, child custody and child support, child abuse and neglect cases, termination of parental rights, and criminal cases involving juvenile offenders.

High-Level Functions and Workflow

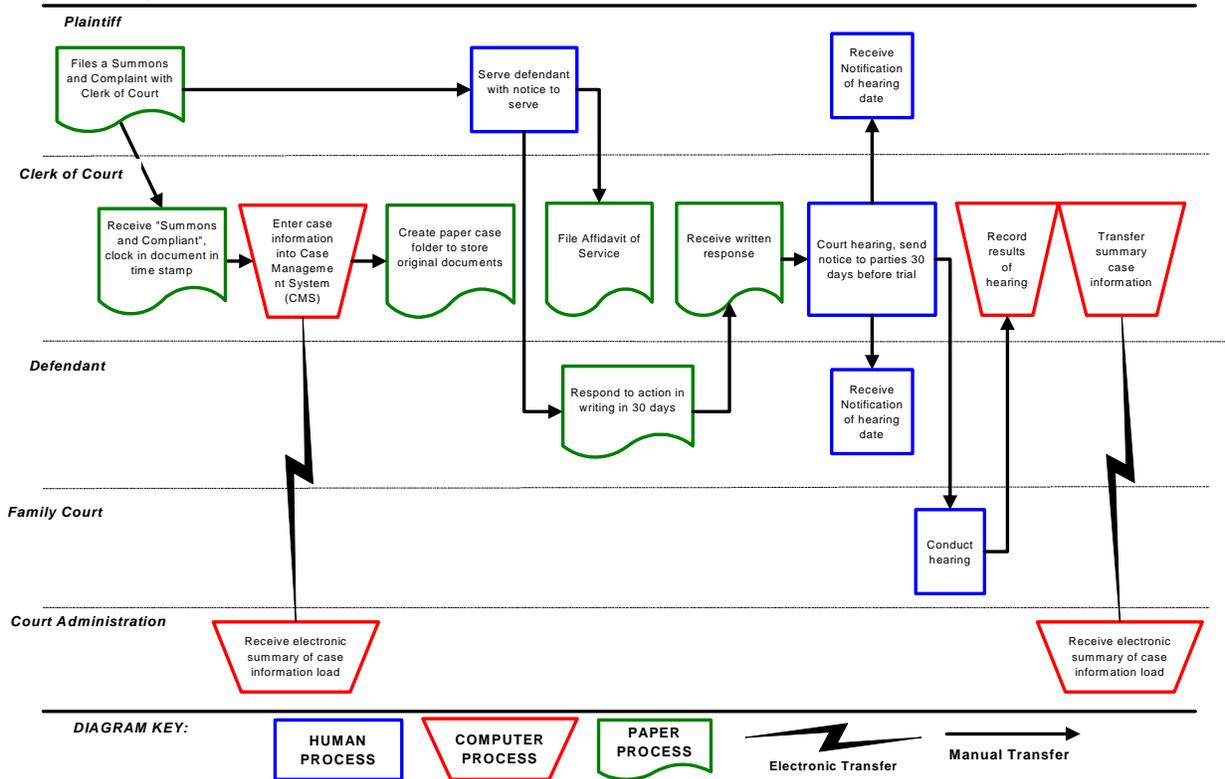
A Family Court case begins when a plaintiff files a complaint with the Clerk of Court. The Clerk’s office will record the complaint into the CMS and assign it a case number. The plaintiff (or his or her attorney) is required to serve the defendant with the complaint and file an affidavit of service with the court. Once the complaint has been filed, the defendant has 30 days to respond to the initial complaint.



Approximately 90 days after the defendant’s response is received, a hearing is scheduled. A notice is sent to each party via U.S. mail or fax 30 days before the hearing date. Once the hearing has been completed, the Clerk’s office will record the disposition into the CMS and file the paper case folder. The Clerk’s office is required to send a monthly statistical report to Court Administration. The calculation and submission of these monthly reports are labor intensive and time consuming. Issuance of protective orders by the court are sent to law enforcement for entry into the National Crime Information Center (NCIC) protective order registry. Currently, this process is completely paper based. The Family Court process is illustrated in Figure 3-8.

Figure 3-8

Family Court: Current Process



Child Support

Child Support is administered within the Family Courts. The Child Support obligation is determined at a Family Court hearing.

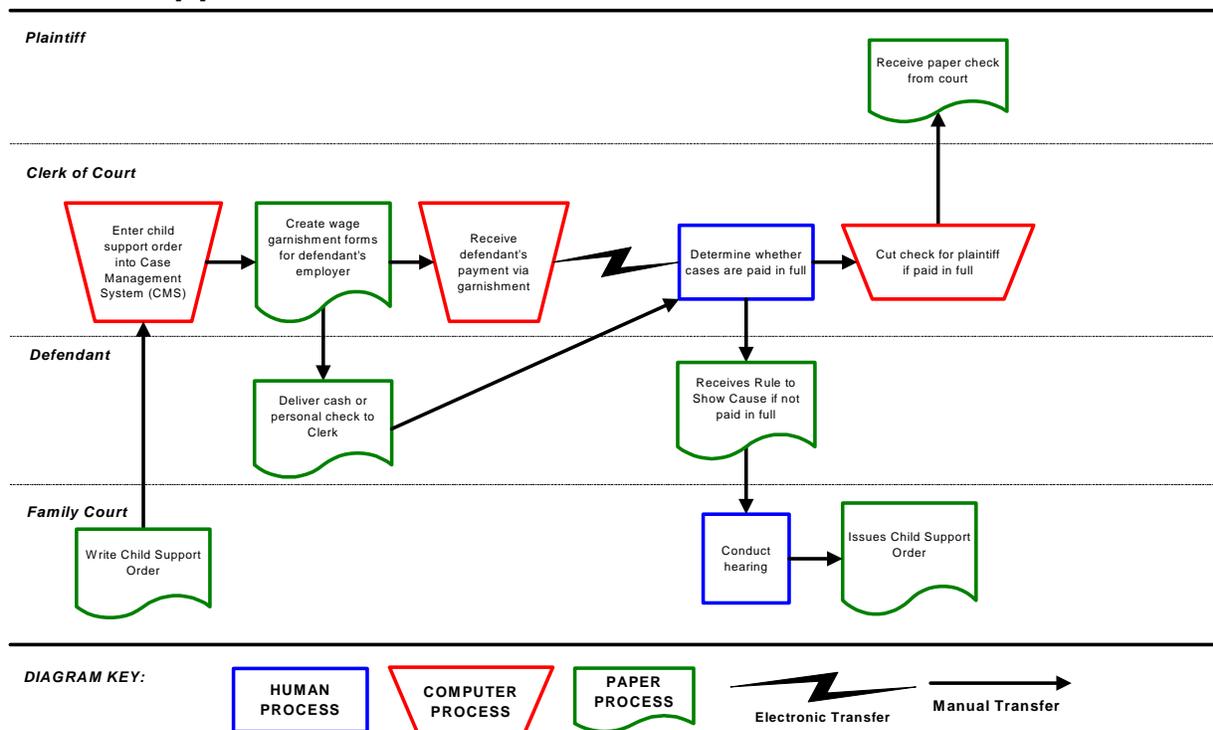
A Child Support case begins when a Family Court Judge writes a Child Support Order after conducting a hearing. This order is entered into the county’s CMS, and the defendant either completes wage



garnishment forms or makes arrangements for child support payments through the Clerk’s office in person. As monies are received, checks are manually prepared for the plaintiffs and delivered via U.S. Mail. On a monthly basis, balances are reviewed to ensure that payments are being made. If payments are not being received, a Rule to Show Cause is generated and delivered to the payor via law enforcement or U.S. Mail. Following a hearing, the Judge determines appropriate action and issues a Child Support Order. If the respondent does not attend the hearing, a bench warrant may be issued. The Child Support process is illustrated in Figure 3-9.

Figure 3-9

Child Support: Current Process



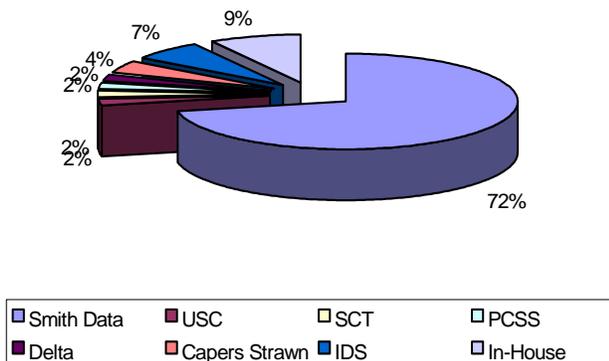
Family Court—Technology Inventory

The Family Courts in South Carolina use a variety of case management systems to perform basic case tracking and docketing. The Smith Data CMS is installed at 33 of the 46 counties, approximately 72 percent of the Family Courts in South Carolina. Greenville and Charleston use integrated CMS packages from PCSS and SCT, respectively. The remaining counties use CMS packages from small software vendors or have written a CMS application of their own (in-house), including Richland. Table 3-4 shows the breakdown of the Family Court case management systems.



Table 3-4
Family Court Case Management Systems

System Vendor	County Installations
Smith Data	33
SCT	1
PCSS	1
IDS	3
USC	1
Delta	1
Capers Strawn	2
In-house	4



3.2.8 Masters-in-Equity

Legal Jurisdiction

The Master-in-Equity Courts are an extension of Common Pleas Court. Master-in Equity Courts are responsible for processing civil cases that concern contract disputes over property or construction and real estate foreclosure. All cases are filed in the Circuit Court and are transferred to the Master-in-Equity Court if both parties involved in the dispute sign an Order of Reference. The need for new Master-in-Equity Courts is reevaluated every decade after the Census data is published.

Organization and Staffing

Master-in-Equity Courts are in the largest 19 counties in South Carolina. Each Master-in-Equity Court has its own Judge, 19 in total. There are both full and part time Master-in-Equity Courts depending on the population of the county. After each U.S. Census, the counties may consider the creation of a Master-in-Equity Court to relieve the Common Pleas Court of contract dispute cases and foreclosures. The Master-in-Equity Courts are funded by the counties. The Masters are either appointed or elected depending upon the county. Each Master-in-Equity Court maintains a Clerk and support staff that varies depending on the population of the county and corresponding volume of caseload.

High-Level Functions and Workflow

A Master-in-Equity Court case begins with the filing of a complaint in Common Pleas Court. The Circuit Court Judge may automatically transfer the case to Master-in-Equity Court when the case involves



contract disputes over property, construction, and real estate foreclosure. In addition, a case may be transferred to Master-in-Equity Court by request of both parties involved in the dispute. In either case, the Common Pleas Court Judge must sign an Order of Reference to transfer the case to Master-in-Equity Court.

All Master-in-Equity cases are bench trials. Once the case has been transferred to Master-in-Equity Court, both parties are required to submit all evidence and motions directly to the Master. Typically, the Master will personally handle the cases involving complex contractual disputes. Standard real estate foreclosures which comprise the majority of the caseload are handled by the Master-in-Equity Clerk and staff under the supervision of the Master.

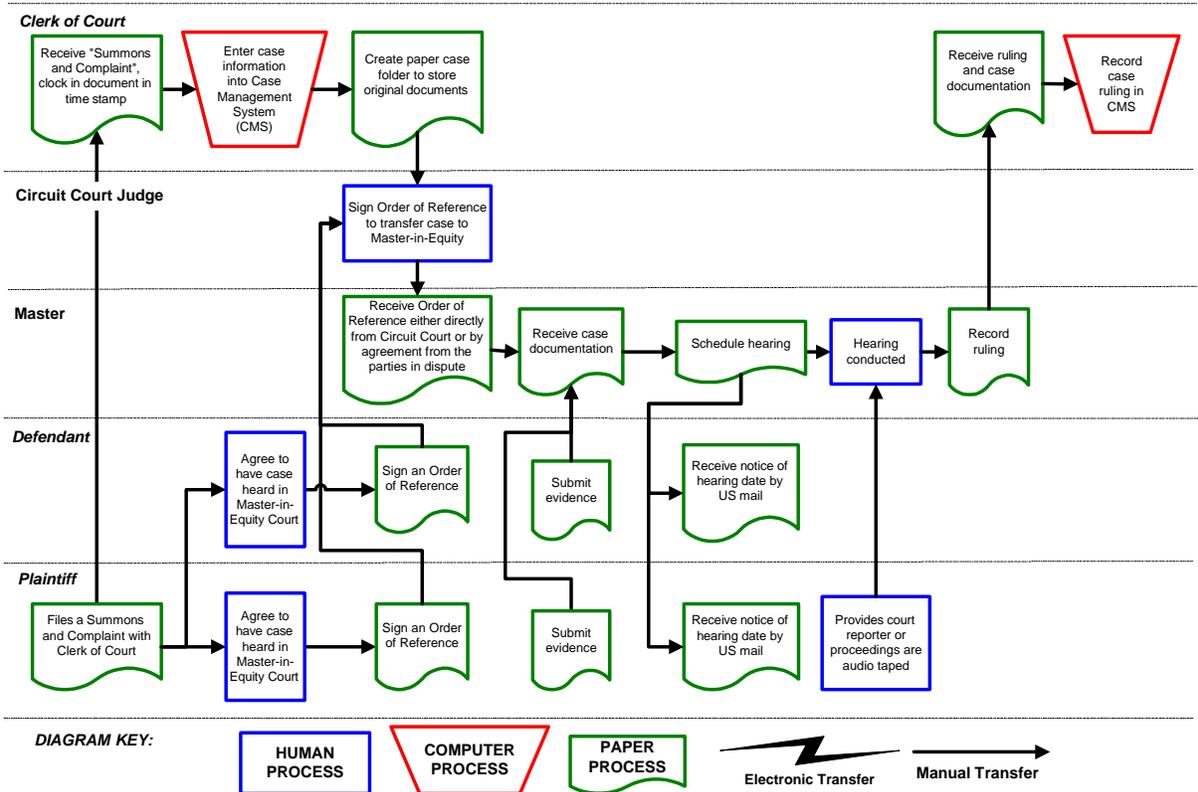
The plaintiff is responsible for scheduling a Court Reporter for the hearing; the Master may instruct either party to compensate the Court Reporter after the hearing. Some Master-in-Equity Courts may also accept audiotape of the proceedings instead of using a live Court Reporter.

After collecting all of the evidence from both parties involved in the dispute, the Master will schedule a hearing. The Master notifies both parties 30 days before the hearing date via U.S. mail. All dispositions rendered in Master-in-Equity Court are binding in Common Pleas Court. Once the hearing has been completed, the Master's Clerk records the disposition and forwards the paper case folder back to Common Pleas Court where the matter is formally closed. The Master-in-Equity Court process is illustrated in Figure 3-10.



Figure 3-10

Master-in-Equity: Current Dispute Process



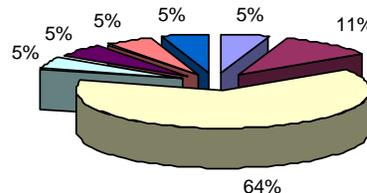
Master-in-Equity Court—Technology Inventory

Most of the 19 Master-in-Equity Courts in South Carolina do not use a computerized case management application to perform basic case tracking and docketing. The remaining counties use CMS packages from small second- and third-tier software vendors or have written a CMS application of their own (in-house). Some counties even use PC-based commercial off-the-shelf (COTS) software, such as the accounting software package Quick Books, as their primary case management system. Table 3-5 shows the breakdown of the Master-in-Equity Court case management systems.



Table 3-5
Master-in-Equity Court Case Management Systems

System Vendor	County Installations
Delta	1
In-house	2
Quicken	1
None	12
SCT	1
Smith Data	1
Stewart Title	1



3.2.9 Probate Court (1 Judge each of 46 Counties)

Legal Jurisdiction

The Probate Courts are responsible for cases that concern:

- Estates and Wills
- Guardianships, Conservatorships, and Trusts
- Involuntary Commitments

They also issue Marriage Licenses.

Organization and Staffing

Each of the 46 counties maintains and funds its own Probate Judge and Court. Each Probate Court maintains a Judge and support staff that varies depending on the population of the county and corresponding volume of caseload.

High-Level Functions and Workflow

The probate of an estate in Probate Court begins with the filing of a death certificate or paid burial cost with the Probate Clerk. The Probate Court staff creates a case number and records the case into the case management system. The Probate staff determines the existence of a last will and testament. If a will does not exist or does not specify a personal representative (PR), one will have to be assigned by the Court. The Court will instruct the PR to obtain the front page of any property deeds, and then assist him or her in

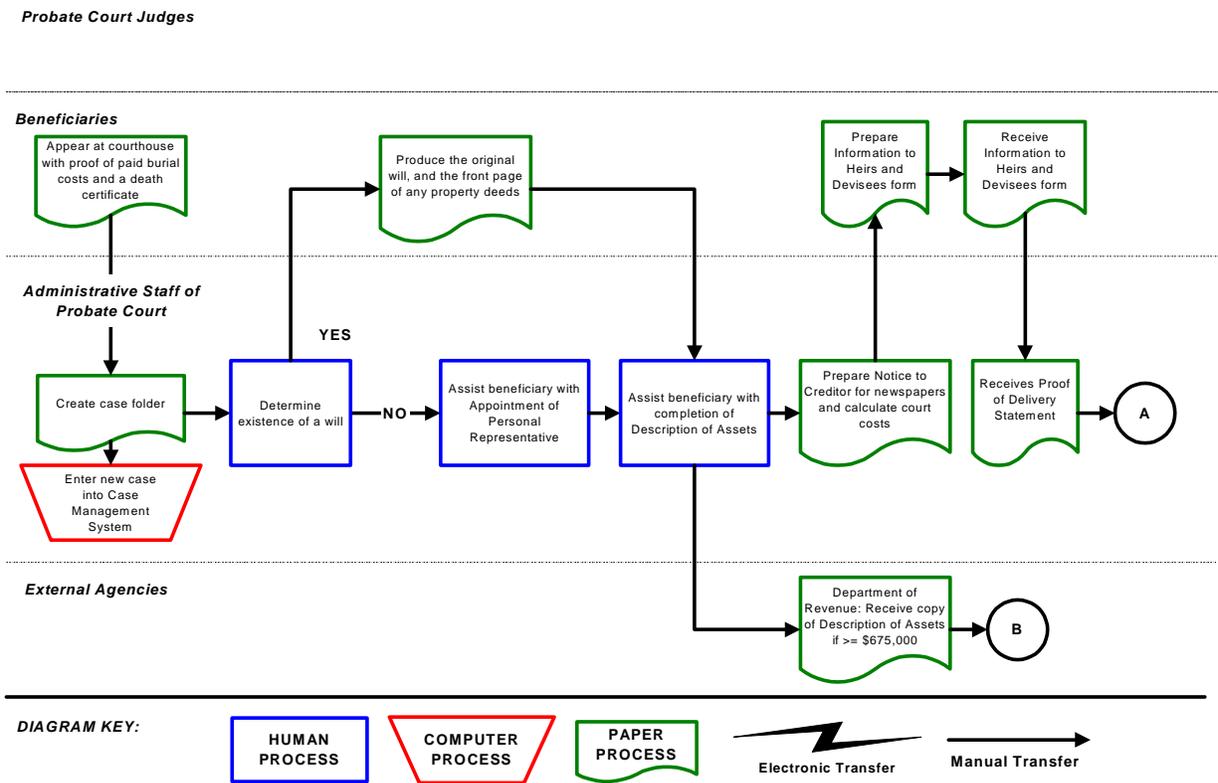


completing the Description of Assets form. Once the form is completed, Court costs are calculated, and a notice to creditors is prepared for the newspaper.

If the estate is valued at greater than \$675,000, the federal and state tax commissions receive a copy of the form. The state Department of Revenue must then issue a closure letter before the estate can be settled. Once the estate has been valued and the notice to creditors has been published, the PR prepares the Information to Heirs and Devises forms to all individuals named in the will, and any other legal relatives. Upon delivery, the PR then files the Proof of Delivery Statement with the Court. Once the case is ready for settlement, the Court determines whether it is necessary to establish a guardianship or conservatorship for one or more of the beneficiaries. Part 1 of the Probate Court process is illustrated in Figure 3-11.

Figure 3-11

Probate Court: Current Process



The PR files a Petition for Settlement and pays the court costs that were calculated earlier. In Probate cases where the settlement is contested, the Probate Judge schedules a hearing to determine the final

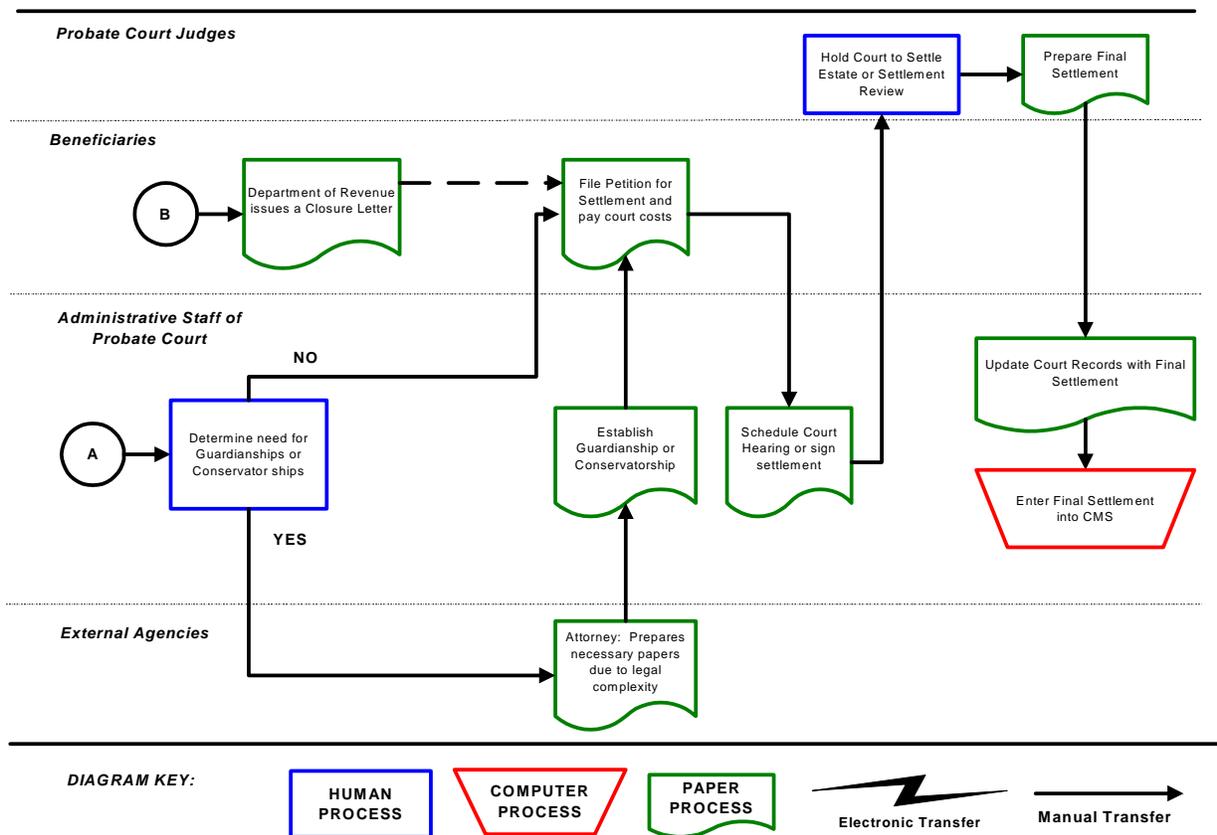


settlement. Cases that are not contested are reviewed and signed by the Judge without a hearing. The court staff then updates the court records and enters the final settlement into the case management system.

Guardianships, Conservatorships, and Trusts are administered by the Courts in instances of minors, and adults who are unable to care for themselves. The Courts monitor these types of accounts, and funds must be kept in FDIC accounts to ensure that the individuals' assets are protected. Each year, the case is reviewed and the accounts are audited. Part 2 of the Probate Court process is illustrated in Figure 3-12.

Figure 3-12

Probate Court: Current Process



Involuntary Commitments

Involuntary Commitments are cases where individuals can be brought before the Court for situations involving chemical dependency or mental illness. These cases are becoming a larger portion of the current workload in Probate Courts. Defendants can be ordered to attend treatment centers or counseling, or be held in contempt of court and face jail time. Case records involving involuntary commitments are kept in



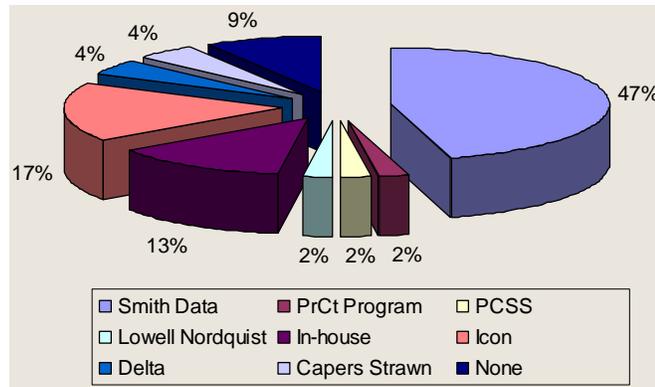
the case management system with very high security, accessible by very few individuals with a need to know.

Probate Court—Technology Inventory: Case Management

The Probate Courts in South Carolina use a variety of case management systems to perform basic case tracking and docketing. The Smith Data CMS is installed at 21 of the 46 counties, approximately 47 percent of the Probate Courts in South Carolina. The remaining counties use CMS packages from small software vendors or have written a CMS application of their own (in-house). Table 3-6 identifies the Probate Court case management systems currently being used within the State.

Table 3-6
Probate Court Case Management Systems

System Vendor	County Installations
Smith Data	21
PrCt Program	1
PCSS	1
Lowell Nordquist	1
In-house	6
Delta	2
Capers Strawn	2
Ikon	8
None	4



The extent and range of technology use within the courts of South Carolina can be witnessed at all court levels. The extreme is most visible in the Probate Courts. At one extreme, Richland County Probate Court uses an in-house case management system integrated with imaging technology. The Probate Court also has a solid web presence under the county web site on which forms and procedures can be downloaded by the general public, and e-mail is the preferred medium for communications. At the other extreme are some of the rural county Probate Courts, in which PCs are used only for word processing, while all operations, forms, and report generation are manual.



3.2.10 Summary Court

Legal Jurisdiction

The Summary Courts are composed of Magistrate and Municipal Courts. Together these courts are responsible for initiating most cases in terms of volume in the South Carolina criminal justice system. The Summary Courts have jurisdiction over criminal offenses that carry penalties of less than 30 days in jail or fines less than \$500. Criminal cases that exceed the threshold are transferred to General Sessions Court. Magistrate Courts are granted greater jurisdiction by statute in some traffic and wild life cases (ie. new DUS law and Title 50-5 cases). Magistrate Courts have jurisdiction in civil cases when the amount in dispute is less than \$5,000. Municipal Courts have no civil jurisdiction. Generally the Magistrate Court will refer civil cases where the amount in dispute is above \$5,000 directly to Common Pleas Court. The \$5,000 threshold will be increased to \$7,500 as of January 1, 2001.

Organization and Staffing

The Summary Courts are staffed by approximately 300 Magistrates and 300 Municipal Judges and their staffs, who are completely funded by the county or municipality, respectively. Most Summary Judges have at least one Clerk, who is responsible for the administrative tasks of the Summary Court, including:

- Docketing court documents
- Transferring cases to Circuit Court
- Collecting fines, fees, and assessments
- Jury management
- Archiving court documents
- Reporting fines, fees, and assessments to the County Treasurer
- Reporting court statistics to Court Administration

High-Level Functions and Workflow

Current Criminal Process

The Summary Court criminal process begins with the presentation of probable cause to the Summary Court Judge by law enforcement, the victim, or both. If the Summary Court Judge finds probable cause, he or she issues an arrest warrant for the defendant. The Summary Court Clerk will record the warrant information into the case management system. The warrant is then sent to the appropriate law enforcement agency, which has the responsibility to serve the warrant, make the arrest, and detain the defendant.



Within 24 hours of the arrest, the defendant appears before the Summary Court Judge for a bond hearing. At the bond hearing, the Summary Court Judge listens to the facts of the case and:

- Sets a bond
- Gives a court date (The Summary Court Judge Clerk generally maintains the court schedule on a paper calendar)
- Gives the defendant the choice of a jury or bench trial

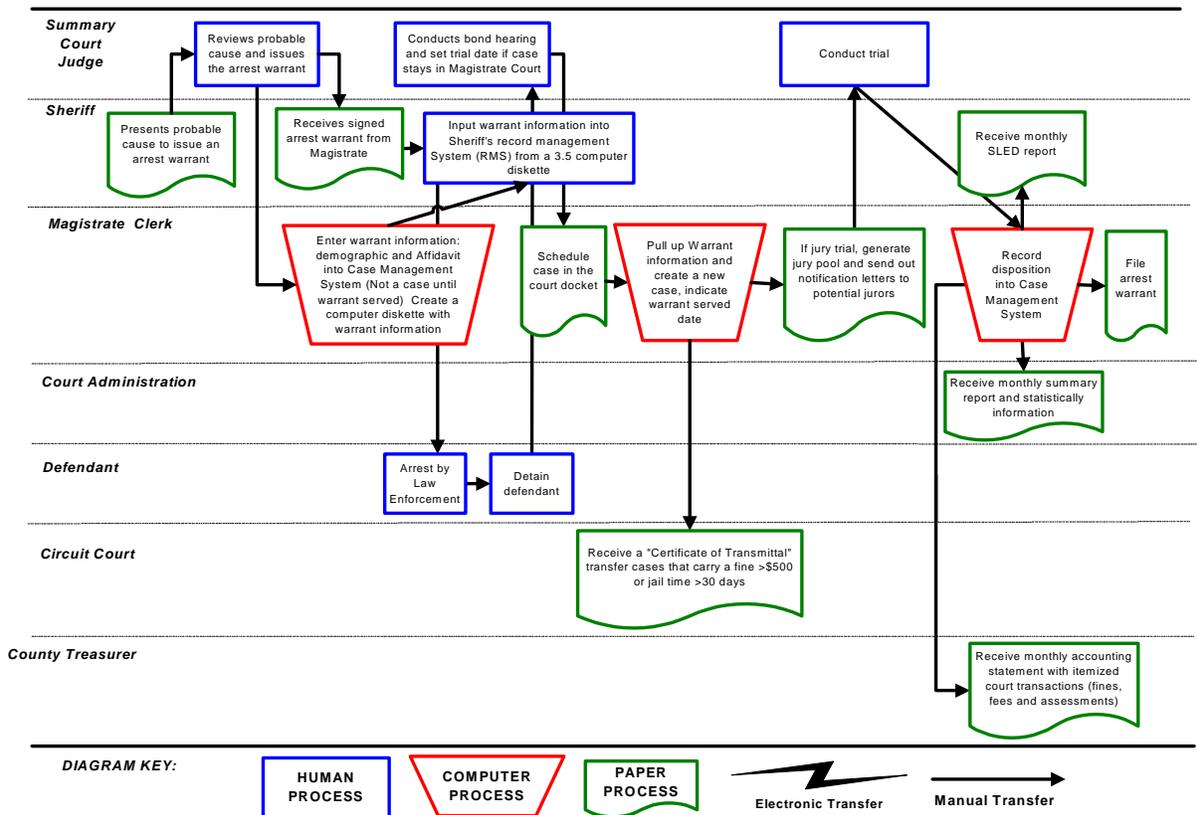
Once the warrant has been served on the defendant, the Summary Court Clerk retrieves the warrant record in the CMS and creates a new court case in the system, noting the warrant served date and bond information. If the defendant chooses a jury trial, the Summary Court Clerk is then responsible for contacting and assembling a jury on the trial date. After the trial has been completed, the Summary Court Clerk records the disposition in the CMS and usually files the original warrant in the defendant's case file which are organized by defendant's last name. The clerk is responsible for sending summary statistics to Court Administration, dispositions to SLED through Court Administration, and financial reports to the County Treasurer on a monthly basis. In most offices, these reports are generated manually.

General discussions with Summary Court Judges estimate that most criminal cases in this level of court are for fraudulent check writing. The Summary Court Criminal process is illustrated in Figure 3-13.



Figure 3-13

Summary Court Criminal Process



Civil Proceeding (Small Claims Court)

The Magistrate Court is the only Summary Court that has civil jurisdiction. Municipal Court does not have any civil jurisdiction.

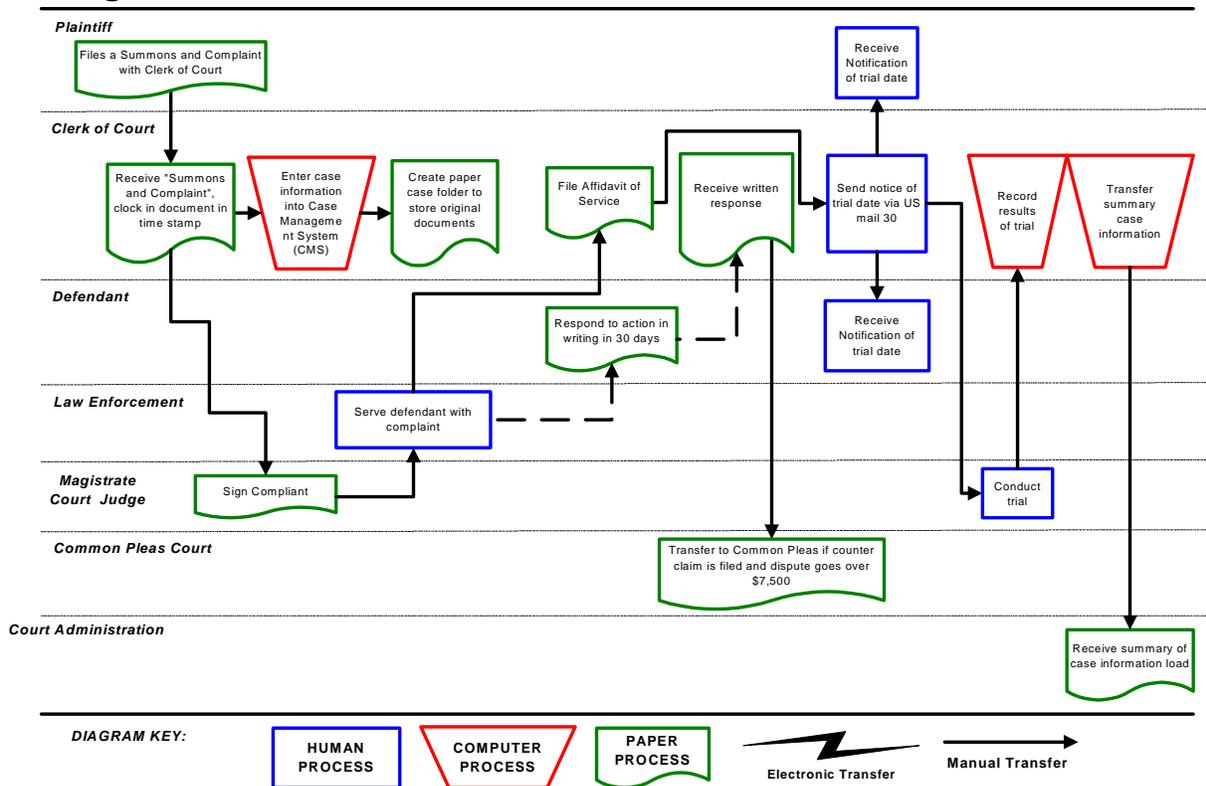
The Magistrate Court civil process begins when the plaintiff files a complaint with the Magistrate Court Clerk. The Magistrate signs the complaint and the Clerk records the action in the CMS. The complaint is then sent to local law enforcement or Magistrate's Constable, which serves the complaint on the defendant and files an affidavit of service with the court. On rare occasions, the plaintiff will pay a private service to serve the paperwork. The defendant has 30 days to respond to the action with the court. The defendant is in default if he or she does not respond within 30 days and judgment is then rendered in favor of the plaintiff. If the defendant responds to the action, a trial date is set. The Clerk notifies the parties of the trial date 30 days in advance via U.S. mail. After the trial is held, the Clerk records the final disposition in the CMS. The Clerk is responsible for sending summary statistics to Court Administration,



and financial reports to the County Treasurer on a monthly basis. In most offices, this reporting is done manually. The Magistrate Court Civil process is illustrated in Figure 3-14.

Figure 3-14

Magistrate Court Civil Process



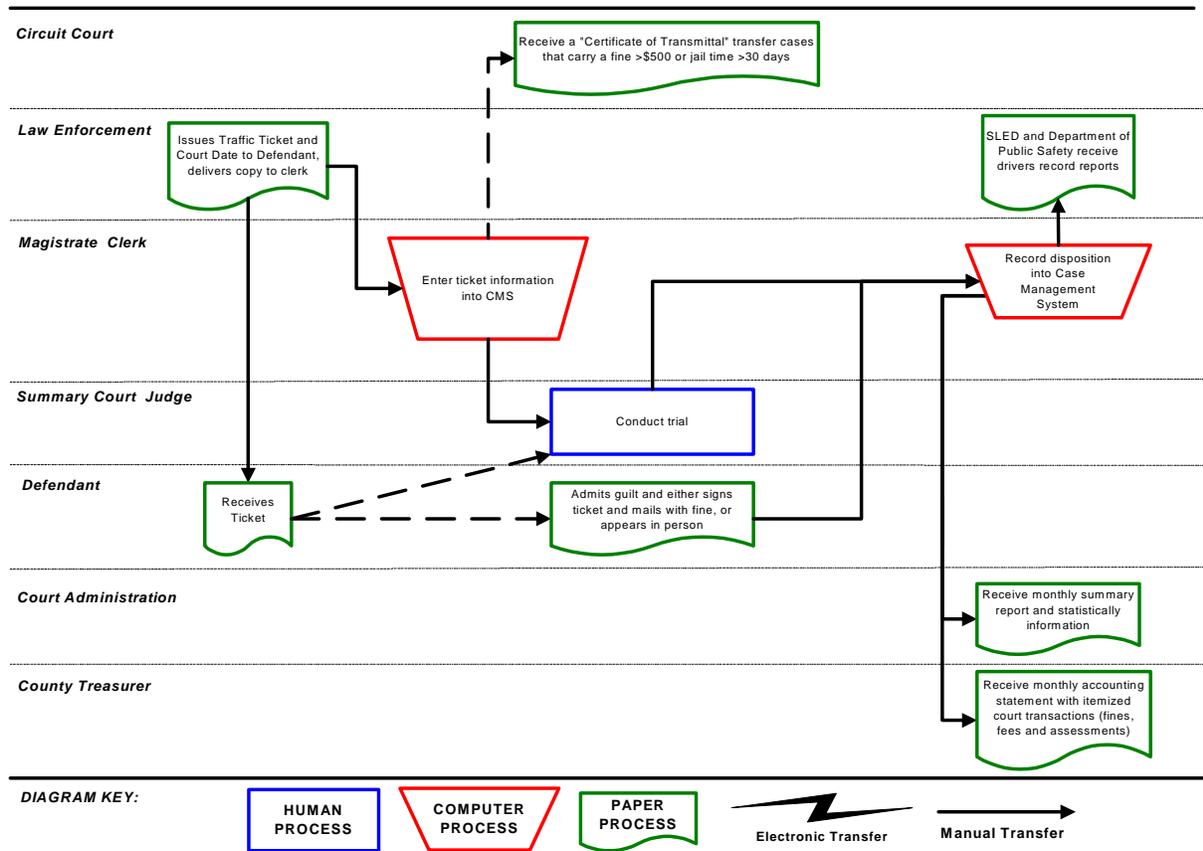
Traffic Court

A Traffic Court case begins when Law Enforcement issues a defendant a ticket for a traffic violation. The ticket lists the court date for the violation to be heard. For the majority of traffic tickets, the defendant waives the right to trial and simply mails in the fine. Depending on the severity of the violation, the defendant may be required to appear before the Summary Court Judge to have the case heard in Traffic Court or may choose to dispute the violation in which case he/she also goes to Traffic Court. Severe criminal traffic violations may require a bond hearing before the trial is conducted by the Magistrate or Circuit Court if it is transferred. Also on some severe traffic violations, the trial may be a jury trial. After the Summary Court Judge conducts the trial, with or without a jury, the Clerk records the disposition of the case into the CMS. The Clerk is responsible for sending summary statistics to Court Administration, dispositions to the Department of Motor Vehicles, and financial reports to the County Treasurer on a monthly basis. The Summary Court traffic process is illustrated in Figure 3-15.



Figure 3-15

Summary Court Traffic Process



Summary Court Information Exchange

The exchange of information between the Summary Court and other courts and criminal justice agencies is primarily a manual paper process. The Summary Courts use the CMS primarily for statistical and accounting reports required by the County Treasurer, Sheriff’s office, and Court Administration. Many Summary Courts still perform these functions manually and use the computer systems as subsets and redundant processes for their parallel paper bookkeeping. At an operational level, the CMS is unable to electronically transfer information to or receive information from other agencies directly involved in the process. The Summary Court’s primary method for transferring case information is hand delivery of paper documents; however, some enterprising counties are developing custom interfaces, including network and computer disk transfers, to input and export case information from the CMS to the other agencies involved in the judicial process.

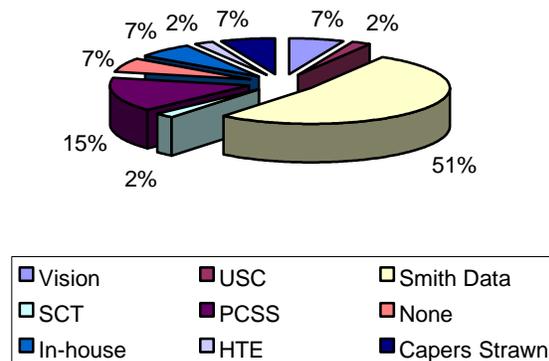


Summary Court—Technology Inventory

The Summary Courts in South Carolina use a variety of case management systems to perform basic case tracking and docketing. The Smith Data CMS is installed at 24 of the 46 counties, approximately 52 percent of the Summary Courts in South Carolina. Table 3-7 shows the break down of the Summary Court case management systems.

Table 3-7
Summary Court Case Management Systems

System Vendor	County Installations
Vision	3
USC	1
Smith Data	24
SCT	1
PCSS	7
None	3
In-house	3
HTE	1
Capers Strawn	3



3.2.11 Register of Deeds

Legal Jurisdiction

The Register of Deeds (ROD) is responsible for maintaining and certifying all land records in the county. The local county government decides whether to authorize and fund the formation of a Register of Deeds office separate from the County Clerk of Court or to keep the function under the County Clerk of Court.

Organization and Staffing

In approximately half of the counties, the Clerk of Court also serves as the Register of Deeds. In the larger counties, the Register of Deeds is a separate office with its own dedicated staff. Most of these staffs are composed primarily of one or two managers who report to the Register of Deeds and several clerical personnel. Depending upon the size of the county, which usually indicates case volume for land records, staff sizes range from a handful to 20 or 30.



High-Level Functions and Workflow

The Register of Deeds is responsible for registering property and land documents for the county. The process of registering a record begins when an individual presents a document to the ROD office, either in person or by mail. The ROD office will always confirm that the information has been completed and that appropriate signatures are present. Once the content of the document has been validated, the ROD will verify the notary signature and seal. Finally, the ROD will confirm that the appropriate derivation statement is included in the document. If any of these criteria are not met, the document is returned to the individual with instructions to complete the missing requirements. Once the document has passed the confirmation phase, it is time stamped and officially accepted by the ROD. The appropriate fees are hand calculated and collected. The ROD will record the amount of the fees on:

- Original document
- Department of Revenue report
- Day Book

After the registration fees have been collected, the document is assigned a book and page number that will serve as the index for locating the document. The book and page are stamped onto the document manually with a rubber stamp. The document is entered into the document management system (DMS) for indexing. After the document has been entered into the DMS, it is manually entered and the original documents are sent to the tax center for processing. The ROD maintains a paper transfer log to ensure that all documents sent to the tax center are returned to the ROD office properly.

The tax center receives these documents, and the assessor and auditor review them for various tax information. Deeds and plats are reviewed to ensure that they are in accordance with county records. The documents are typically returned to the ROD office during the same business day.

When the documents are returned from the tax center, they are verified against the transfer log. Finally, the documents are filmed or imaged for the document management vendor. The originals are then placed in a vault, and the film is sent to the document management vendor for developing. The film vendor returns the printed pages to the ROD office within 7 to 10 days. The vendor retains the original film for long-term archival. The ROD office proofreads the printed pages against the originals from the vault, and then adds the pages to the official ROD books. The original documents are then mailed back to the appropriate party.

At the end of each business day, the ROD office manually reconciles the tax reports, day books, and monies collected in order to prepare a bank deposit ticket. The deposit ticket is then taken to the bank at the end of each business day. Monthly reports are manually prepared for the Department of Revenue and



check requests are prepared for the Finance Department to distribute assessments to the State. The Register of Deeds process is illustrated in Figures 3-16, 3-17, and 3-18.

Figure 3-16

Register of Deeds: Current Process

Document Management Vendor

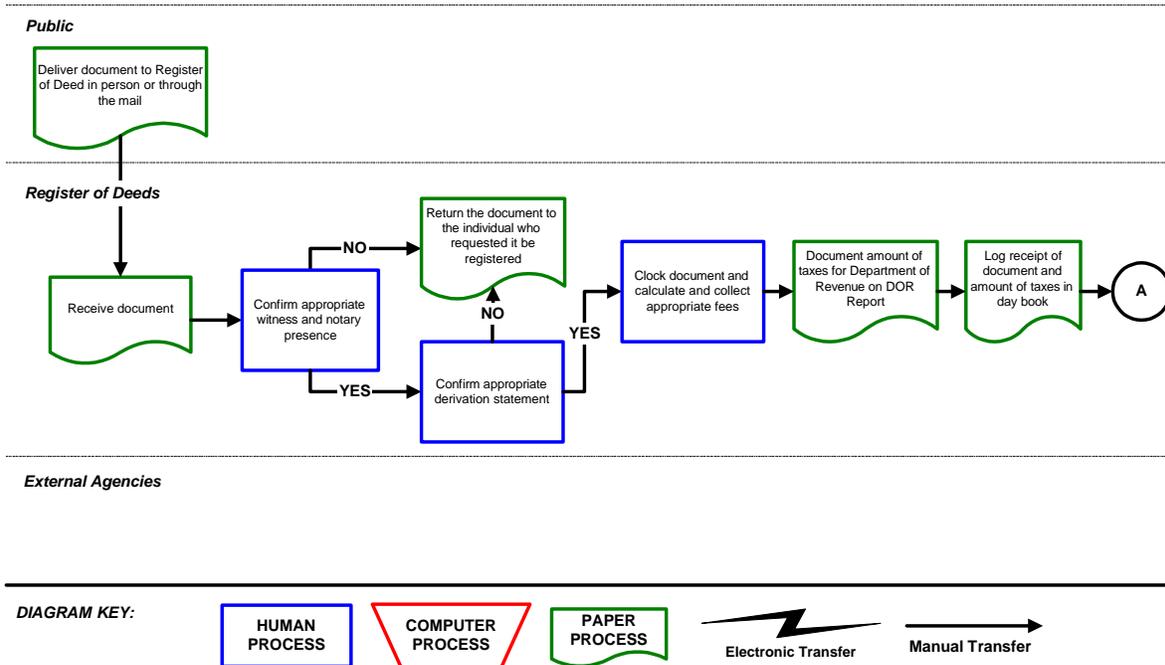




Figure 3-17

Register of Deeds: Current Process

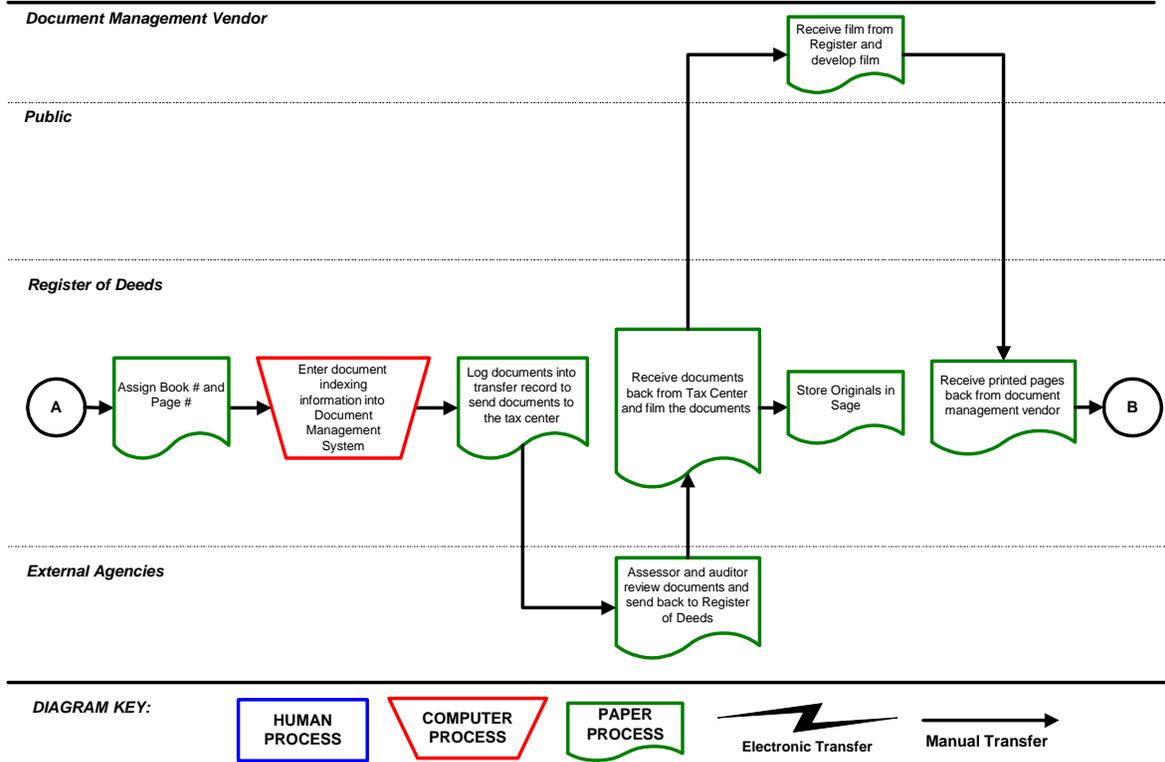
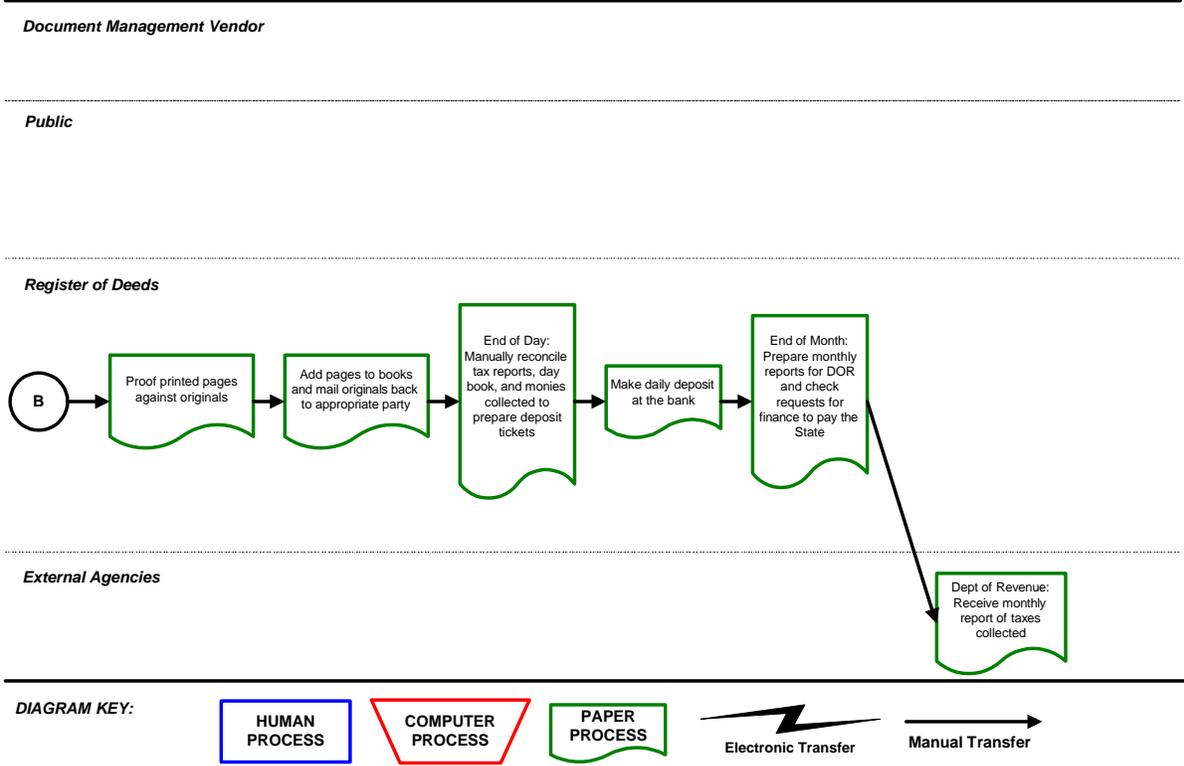




Figure 3-18

Register of Deeds: Current Process



Register of Deeds—Technology Inventory

Register of Deeds offices vary across the State. The primary technology solution in each office revolves around the document management vendor. It usually includes an indexing machine, a recording device (camera, scanner, and so forth), and a mechanism to produce reports. No other technology is apparent in most of these offices.

The Richland County Register of Deeds is an exception. Richland County has implemented an imaging and workflow solution to streamline its process that is completely integrated with its financial systems. The Richland County ROD partnered with Team IA and the Richland County IT Department to design, develop, and implement an imaging solution using modern technology. Documents are taken in through the window and given a bar code label, which is used as a tracking device for the document. Documents are then imaged, scanned, proofed, and made available to the public within 48 hours. Richland County Register of Deeds is a best in class example.



3.2.12 Jury Selection and Management

Jury selection is a manual process administered by the Clerks of Court at the Circuit Court and Magistrate Clerk at the Summary Court. Potential jurors are selected from a pool of candidates that the Election Commission provides annually. The list of eligible jurors includes registered voters and those who have drivers' licenses or identification cards issued by the Department of Public Safety and are qualified to vote. The list of eligible jurors is distributed by computer disk or tape each year. To be qualified, an eligible juror must live within the Court's territorial jurisdiction, must be qualified to vote, and must not:

- Have been convicted in a state or federal court of record of a crime punishable by imprisonment for more than 1 year and his or her civil rights have not been restored by pardon or amnesty
- Be unable to read, write, speak, or understand the English language
- Be incapable by reason of mental or physical infirmities to render efficient jury service. Legal blindness does not disqualify an otherwise qualified juror
- Have less than a sixth grade education or its equivalent

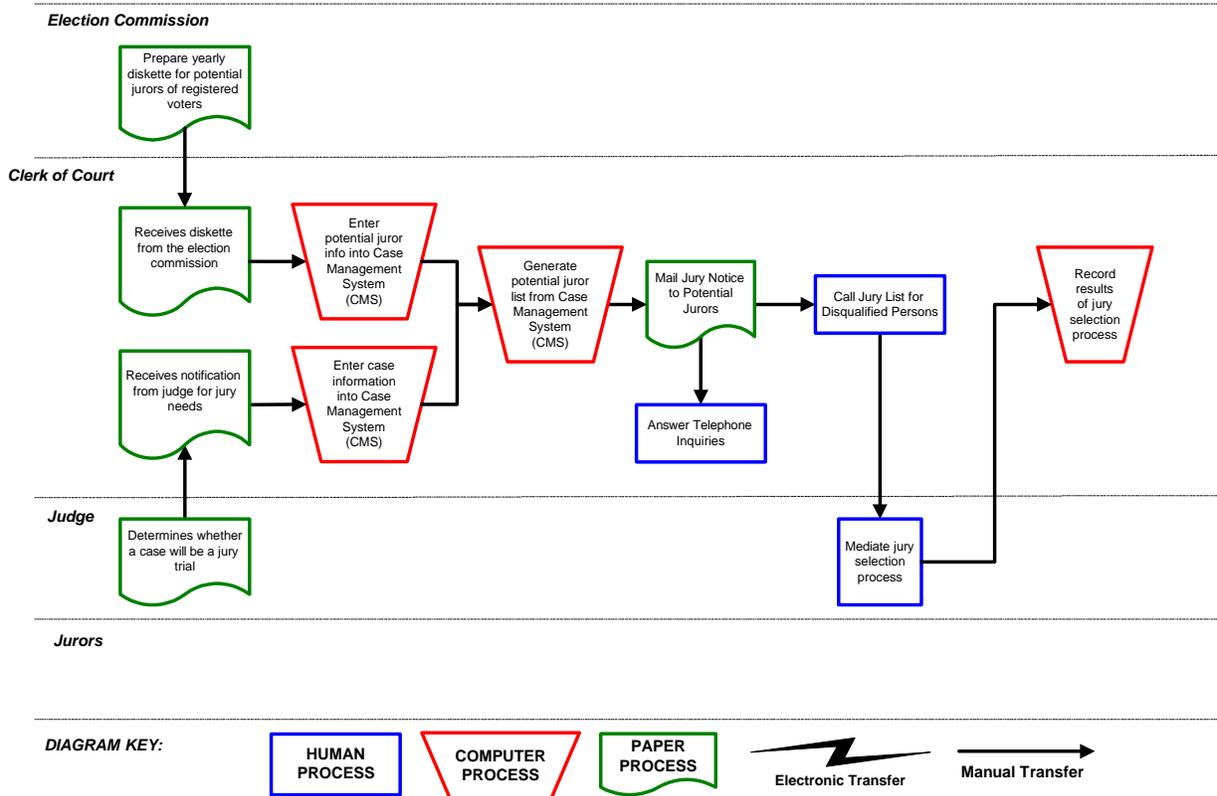
The list of voters is not screened against the above criteria, and can even contain deceased individuals. The list of eligible jurors is loaded into the case management system of those courts that have one, and potential jury lists are drawn from it.

The jury selection process begins when the Clerk pulls a random pool of jurors from the CMS. Potential jurors are then notified by mail or served by law enforcement with a jury summons. Typically, the Clerk needs to draw a pool three to five times as large as the number of jurors required for court due to the quality of the data comprising the jury pool. Many Clerks have reported jury pools containing individuals who have been deceased for years. The jury selection process is illustrated in Figure 3-19.



Figure 3-19

Jury Selection: Current Process



3.3 South Carolina Judicial Department—Court Administration

3.3.1 Court Administration—Information Technology Staff

The Court Administration’s Information Technology staff is organized under three major teams: Information Technology Infrastructure, Applications Development, and Judicial Web Site. Each team reports directly to the Director of Court Administration. Court Administration has a full-time Webmaster assigned to develop and maintain the Judicial web site. The Information Technology Infrastructure team is responsible for supporting network services, e-mail, desktop management, help desk, and server maintenance. A team of six programmers and analysts and a database administrator staff the Application Development Team. The team is responsible for developing and maintaining applications for Court Administration as well as the operations and technical support of the two RS-6000 systems and their connectivity. A complete list of the applications Court Administration supports is included in Section 3.3.2.



3.3.2 Court Administration—Technology Inventory

The South Carolina Judicial Department has developed a series of computer and office productivity applications to automate and manage business units within Court Administration. The applications were created with a variety of software development tools including Excel, Access, HTML, CGI, Pro C, Oracle Forms, and PowerBuilder. The major applications use Oracle for the RDBMS. Table 3-8 documents each of the applications developed and operated by Court Administration.

Table 3-8
Court Administration Software Applications

Appellate Case Management System	
Status:	Production
Users:	35
Hardware Platform:	RISC 6000
Database:	Oracle 7.1
Development Tool:	PowerBuilder
Functionality:	The Appellate case management system docket and tracks cases for the Supreme Court and Court of Appeals
County Statistics	
Status:	Production
Users:	3
Hardware Platform:	RISC 6000
Database:	Oracle 7.1
Development Tool:	Pro C/Oracle Forms
Functionality:	The County Statistics application is used to develop utilization and caseload statistics from the Circuit Courts (General Sessions and Common Pleas) and Family Court. Data is entered into the system through either an automated interface or a manual data entry process from hardcopy reports submitted by the county courts. Reports are generated in batch mode on a monthly and quarterly basis. They are distributed manually on paper to Court Administration and then throughout the Judicial Department on paper
Who's Who	
Status:	Production
Users:	35
Hardware Platform:	RISC 6000
Database:	Oracle 7.1
Development Tool:	PowerBuilder
Functionality:	This application is a standalone directory of Judges, Clerks, and Secretaries throughout the State. It includes basic information, such as name, telephone number, and address



Court Reporter System	
Status:	Production
Users:	4
Hardware Platform:	RISC 6000
Database:	Oracle 7.1
Development Tool:	Oracle Forms
Functionality:	The Court Reporter system is used to manage the court reporters' assignments, workload including extensions, vacation requests, and requests for transcripts
Advance Sheets	
Status:	Production
Users:	3
Hardware Platform:	95/98/NT
Database:	Access
Development Tool:	Access
Functionality:	The Advance Sheet application provides invoices and mailing labels to maintain registration of individuals who receive the Advance Sheet publication of published Supreme Court and Court of Appeals opinions
Municipal Statistics	
Status:	Production
Users:	1
Hardware Platform:	95/98/NT
Database:	Access
Development Tool:	Access
Functionality:	The Municipal Statistics application is used to develop utilization and caseload statistics from the Municipal Court

Departmental Office Productivity Applications

Several departmental computer and office productivity applications are used within Court Administration but not supported by the Application Development Team. These smaller applications were typically developed internally by a department to meet its specific requirements. All of these applications have been written using desktop office productivity tools (Access or Excel), by users within these groups with the proper skills. Table 3-9 documents these software tools.



Table 3-9
Court Administration Software Applications
Not Developed by the Application Development Team

Judicial Commitment	
Status:	Production
Users:	2
Hardware Platform:	95/98/NT
Database:	N/A
Development Tool:	Excel
Functionality:	The Judicial Commitment system is used to track the cases when examiners were appointed to assess the condition of a person who may be committed for mental or chemical dependency issues. The state pays for these services.
ADR Pilot	
Status:	Production
Users:	2
Hardware Platform:	95/98/NT
Database:	Access
Development Tool:	Access
Functionality:	The Alternative Dispute Resolution Pilot system is used to track the applications and certifications of mediators and arbitrators
Magistrate Statistics	
Status:	Production
Users:	3
Hardware Platform:	95/98/NT
Database:	Access
Development Tool:	Access
Functionality:	The Magistrate Statistics application is used to develop utilization and caseload statistics from the Magistrate Court
Inventory System	
Status:	Production
Users:	3
Hardware Platform:	95/98/NT
Database:	Access
Development Tool:	Access
Functionality:	The inventory database is used by the current help desk to track information technology assets such as PCs, printers, and fax machines. This system is integrated with the User Information database



Help Desk Calls	
Status:	Production
Users:	3
Hardware Platform:	95/98/NT
Database:	Access
Development Tool:	Access
Functionality:	The Help Desk Calls database is used to track incoming calls to the help desk. It is integrated with the User Information system for its reference table information
User Information System	
Status:	Production
Users:	3
Hardware Platform:	95/98/NT
Database:	Access
Development Tool:	Access
Functionality:	The User Information system contains basic reference information about employees and office locations. The system is integrated with the Inventory system and the Help Desk database

Court Administration—PC Desktop Configuration

Court Administration is responsible for managing approximately 200 PC desktops at the Supreme Court and Calhoun buildings. Approximately 200 additional desktops and laptops are managed remotely for the Circuit and Family Court Judges and their staffs. The desktop standard is Gateway Pentium III class PCs running under a Microsoft Windows NT 4.0 operating system. Microsoft Office 2000 is the standard office productivity suite with Netscape as the e-mail client. A transition to Outlook 2000 is planned. Norton is the desktop standard for anti-virus software.

Court Administration—Communication Infrastructure

Court Administration operates a local area network (LAN) within the capitol complex that includes the Supreme Court and Calhoun buildings. A fiber optic cable that provides 100 megabits of bandwidth connects the buildings. The LAN drops within the buildings support 100 megabit connection speeds. The Office of Information Resources (OIR) provides Internet connectivity through a 10 megabit connection. Firewall security has been outsourced to BSDI Gauntlet, which is responsible for maintaining the configuration and updating security patches to the firewall server. E-mail services are provided by the Microsoft Exchange 5.5 e-mail server, which is managed by Court Administration.



3.3.3 Office of Finance and Personnel

The Office of Finance and Personnel (OFP) is composed of 14 staff professionals who perform the Judicial Department's finance, benefits, human resources, and payroll functions. The Office of Finance and Personnel oversees an annual budget of \$42 million, of which \$32 million is for payroll, employee benefits, and retirement. The Office of Finance and Personnel serves 557 people within the Judicial Department, including the Supreme Court Justices, Court of Appeals Judges, Circuit and Family Court Judges, their Clerks and staffs, Court Reporters, and Court Administration. The Judicial Department's budget is funded directly from the State Legislature. The Judicial Department receives limited direct revenue from:

- Filing fees within the Appellate Courts
- Fines and fees from the Supreme Court
- Copying fees from the Supreme and Appellate Court Library
- Advanced sheet subscriptions
- ADR registration fees

Office of Finance and Personnel—Technology Inventory

The OFP uses a financial application from Palmetto Software to manage the general ledger, accounting, and receipts, and directly interfaces with the State's general ledger system.

3.3.4 Department of Research, Planning, and Statistics

Organization and Staffing

The Research, Planning, and Statistics Department of Court Administration is managed by an Assistant Director of Court Administration. The department has four full-time positions: the Assistant Director, two auditors, and one administrative clerk. The auditors work directly with county Clerks of Court to ensure that the statistical data collected by Court Administration is accurate and consistent. The Department is responsible for the collected caseload data from the local courts, for verifying reports, and for developing statistical reports for Court Administration. In addition, the Department may be required to develop ad hoc reports for the Legislature, press, public, or Court Administration.

High-Level Functions and Workflow

Court Administration produces both scheduled and ad hoc statistical reports. Scheduled statistical reports are produced both monthly and quarterly. Approximately 50 reports are generated from the totals that are



transmitted from the counties to Court Administration. Three actions trigger submissions that are included in the statistics:

- Warrants/filings
- Dispositions
- Modifications to a case

All General Sessions, Common Pleas, and Family Court data can be transmitted electronically; however, some counties still submit their information manually. All data from the Probate Courts is manually submitted and then entered at Court Administration. The electronic submission of Probate Court data is an existing project within Court Administration.

Ad hoc reports are usually requested by the Chief Justice, the Legislature, the press, the community, or from within Court Administration. If the request is a simple one, the data is usually queried and results are available within 1 day. However, complex requests must be routed through the Applications Development Team. These requests are then prioritized and assigned to a programmer. Once the program is written, the report is generated and distributed to the appropriate individuals. For various reasons, these complex ad hoc requests generally require 3 to 14 days to complete.

3.3.5 Judges Scheduling

Organization and Staffing

The Scheduling Section of Court Administration has three full-time positions: a manager and two administrative clerks.

High-Level Functions and Workflow

The Judges Scheduling Section of Court Administration is responsible for scheduling terms of Circuit and Family Courts throughout the State of South Carolina. Before June 2000, the terms of Circuit and Family Courts were performed 2 months in advance. The schedule is now being posted 6 months in advance on a biannual basis. The schedule for January through June 2001 was mailed out to the legal community in July 2000; similarly, the schedule for July through December 2001 will be mailed out in December 2000.

The development of the court schedule is a manual process completed with a paper calendar and pencil. The schedule depends on three primary constraints: Judges' availability, court room availability, and caseload for each court jurisdiction. Court room availability can become an issue because many counties use the same court facility to conduct Family, General Sessions, and Common Pleas hearings. The Judges Scheduling Section is responsible for scheduling approximately 104 Circuit and Family Court Judges.



Circuit Court Judges travel throughout the judicial circuits on a rotating basis in which 6 months are spent in their home circuit and 6 months in another circuit. A Judge's availability is determined by the Judge's travel, special events, and vacation schedule in a given circuit.

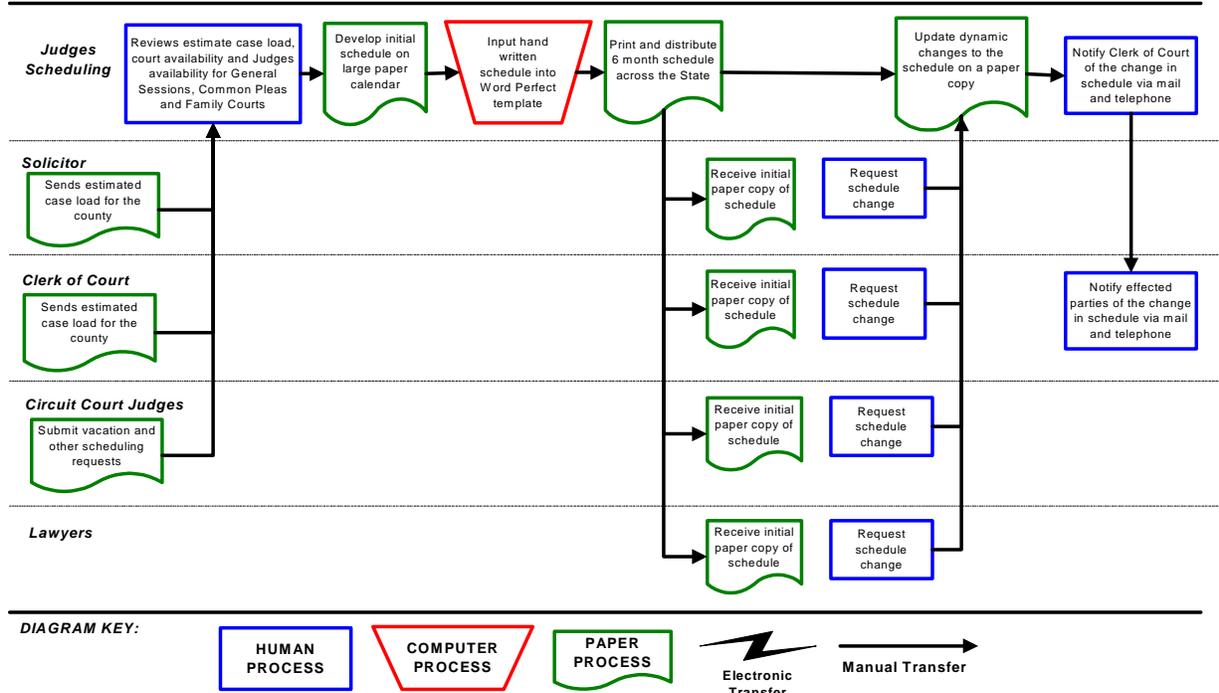
Caseload is established from information provided to IT by the Clerks of Court as well as informally surveying the Solicitors. This information is then used to determine the number of terms of General Sessions Court, Common Pleas Court, and Family Court to be scheduled. The Judges Scheduling Section estimates that 20 cases can be adjudicated in one term of court over the course of a week. The average Common Pleas case is not scheduled for court for 18 months unless otherwise requested by the interested parties. All of these constraints are considered and cross-checked by hand as the Judges Scheduling Section develops the initial schedule.

Once the draft schedule is completed, it is keyed into a WordPerfect template in which each month of the schedule is represented as a single page. The final schedule is copied several hundred times and mailed across the State to the judicial community at a considerable cost to Court Administration. To accommodate changes in caseload, court facilities or other extraordinary reasons, the Solicitor, Clerk of Court, Trial Lawyer, or Judge may request an adjustment to the schedule. As these adjustments occur, the Judges Scheduling Section maintains a master paper copy of the schedule to document the changes. The Judges Scheduling Section must notify the Judge, Clerk of Court, who is then responsible for communicating the changes to the appropriate parties involved in the affected cases. If the change is to a General Sessions term, then the Solicitor and Public Defender are also directly notified. The Clerk of Court requires at least 4 weeks' notice to react to schedule changes for a jury trial. The judges scheduling process is illustrated in Figure 3-20.



Figure 3-20

Judges Scheduling: Current Process



3.3.6 Court Reporters

Responsibilities and Authority

Court Reporters are responsible for creating a timely, accurate, verbatim record of lower court proceedings which may be transcribed for use in subsequent proceedings. In addition, Court Reporters serve as the primary administrator in the court room during hearings. They coordinate, assemble, and maintain proper operations in the court room for the Judge.

High-Level Functions and Workflow

There are 120 Court Reporters (114 staffed and 6 vacancies) serving all the Circuit and Family Courts throughout the State. The Court Reporting Scheduling Section of Court Administration is responsible for scheduling a Court Reporter for every term of court within the Circuit and Family Courts. A court proceeding cannot be held without the presence of a Court Reporter. The Court Reporter schedule is developed after the Circuit and Family Court schedule is received from the Judges Scheduling Department of Court Administration. The Court Reporter Scheduling Department uses a court reporter application to track Court Reporter assignments that are determined and scheduled manually. The system

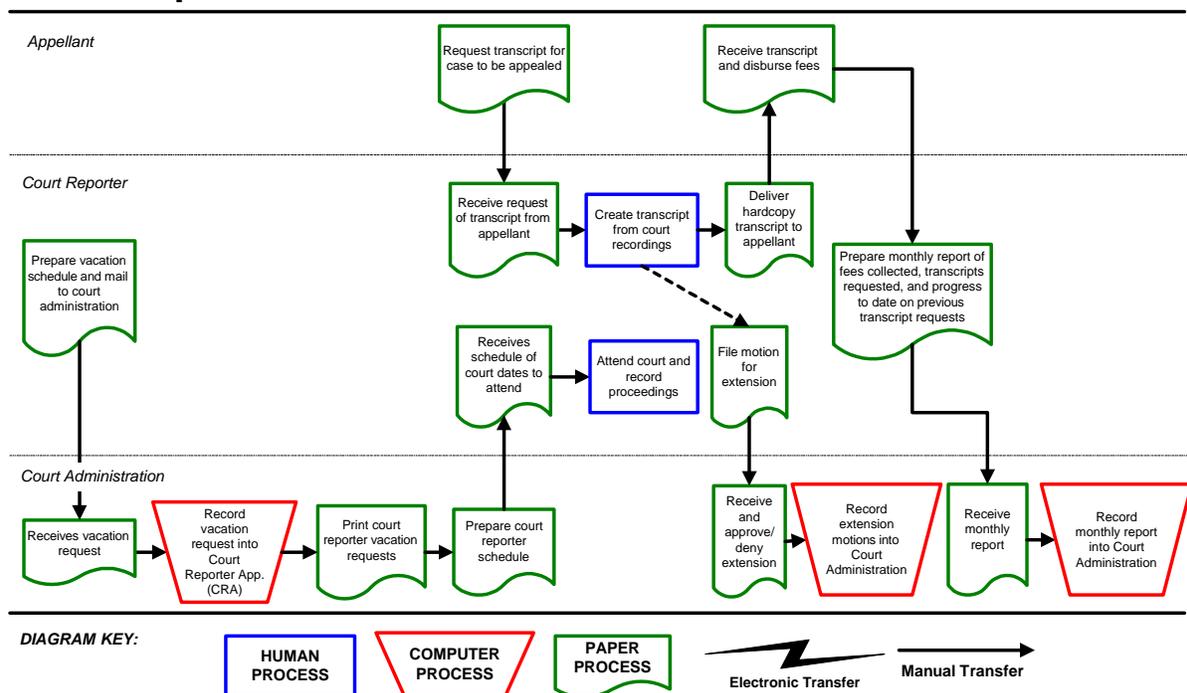


also monitors the transcripts that are requested. The court reporter schedule is mailed to the Court Reporter via standard U.S. mail.

Interested parties seeking a court transcript are responsible for contacting and compensating individual Court Reporters. The Court Reporter has 60 days to prepare and deliver the transcript or he or she is required to submit a request for extension to Court Administration. Court Administration has the authority to approve or deny up to three requests for extension. Before the 10th of each month, Court Reporters are required to submit a paper report listing all transcript requests and progress on previous requests. Fees collected are reported quarterly. Court Administration keys the information from the monthly reports into the court reporter application. The Court Reporter process is illustrated in Figure 3-21.

Figure 3-21

Court Reporter: Current Process



3.3.7 Judicial Web Site

During the course of development of this *Strategic Technology Plan*, the South Carolina Judicial Department developed and launched its initial web site. The site went live on October 27, 2000. WebOS from Adhesive Software is used as the content management tool for the site. Dreamweaver is used as a development and initial test environment. The site initially offered the following:



- General information and overview of the Judicial Department
- Biographies of all of the Supreme Court Justices, Court of Appeals Judges, Circuit Court Judges, and Family Court Judges
- Results of the Bar Admissions examination
- What's new
- Contact information

The site will also provide the following dynamic content:

- Court calendar
- Published Supreme Court and Court of Appeals opinions from 1997 through the present

The site is continually evolving. Future iterations of the judicial web site will provide a single point of contact for the legal community to communicate with the Judicial Department.

3.4 Summary—Key Observations

3.4.1 People—Key Observations

The inventory and assessment phase of this strategic technology planning effort resulted in the following findings related to people:

- Technical support is provided to end-users in a variety of ways:
 - Some courts have no IT support at all (many rural counties)
 - Some courts use county IT staff for support (Richland)
 - Some courts have their own IT staff comprised of a subset of county IT (Greenville)
 - Some courts have subcontracted their IT services to a vendor and the vendor's staff has effectively become part of the court's organization (Charleston)
- Most end users are Windows literate, but not necessarily Windows competent (most have used PCs and the Internet in their personal lives)
- Most end-users receive little or no training in technology. They teach themselves how to use systems and applications, which results in under use of the systems, frustration and discouragement, and the use of other means to accomplish the same task whenever possible



- Routine communications between the IT staff and other Judicial Department personnel have begun; however, for many years this communication was minimal except in problem and issue situations
- Within Court Administration, several positions and people are responsible for Judicial Department information technology (IT) which results in conflicting messages and directions with regards to technology
- The technical skills of the Court Administration IT staff are not comparable with the level of enterprise systems being developed, deployed, and supported. In addition, skill enhancement programs currently do not exist specifically for training the IT staff on the evolving technologies

3.4.2 Processes—Key Observations

The inventory and assessment phase resulted in the following findings related to processes:

- Metropolitan areas have embedded technology and automation into their judicial processes. Small- to medium-sized counties and courts that have incorporated some technology and automation are using it in a manner redundant to their manual processes. The primary reasons for this redundancy are that these counties and courts do not trust the technology and that the technology is not truly serving their needs
- Currently, an electronic records law exists in the State of South Carolina that serves as an initial umbrella for addressing legal issues such as authenticity, electronic signatures, copies, and so forth
- The Court Reporter performs numerous duties in addition to transcription. Consequently, a significant transcripts backlog exists that is causing considerable delay at several points throughout the judicial process
- Several standalone processes exist within the Judicial Department that appear to put a significant workload on various Judicial Department personnel without providing any apparent results
- The Judicial Department's culture and many of its processes are constituency-focused. Although this desire to satisfy and appease all parties involved in every judicial event is commendable, as the Judicial Department constituency continues to grow, this extreme level of service becomes harder to maintain. This approach also introduces false expectations among the constituencies that the judicial process centers on their convenience rather than the process driving the involved parties. Consequently, delays are being introduced to the courts inadvertently.



3.4.3 Technology—Key Observations

The inventory and assessment phase resulting in the following findings related to technology:

- Most technology currently deployed in the Judicial Branch is very problematic
 - Much of the technology is already obsolete and needs to be replaced, but the users cannot afford to upgrade or replace it
 - Most of the nonobsolete technology is beyond the midpoint of its life cycle and is less than three years from obsolescence
- Although every Clerk of Court has a court case management system, most clerks use it as an additional workload on their staff rather than integrating it in their processes. The main reason for this is that current systems do not meet their operational needs and it is too costly to upgrade or improve them. Furthermore, most deployments are essentially island systems that have minimal interoperability with other systems
- No technology standards exist within the Judicial Department
- Connectivity (communications) exists in all metropolitan areas, but is very unreliable in the rural areas. In some rural area courts, there still is no data network connectivity
- Not every person within the Judicial Branch has a PC (desktop/laptop), and some extreme rural areas lack access to one
- The Greenville area is employing an application service provider (ASP) model for the Northwest region of the State, which includes Greenville County, bordering counties, and surrounding municipalities and counties. The foundational technology being used is near the end of its life cycle; however, it works for the Greenville area's needs and is the center point for integration and access to information in the region
- Case volume is concentrated as follows:
 - Approximately 35 percent of the case volume occurs and is concentrated in the three major metropolitan areas: Greenville, Richland, and Charleston
 - The next significant portion of the caseload is concentrated includes Lexington, Spartanburg, Horry, York, Berkeley, Aiken, Florence, Beaufort, Sumter, and Pickens
 - The remaining 33 counties account for less than 30 percent of the State's caseload
- The courts are paper intensive and will continue to be so for the foreseeable future. As technology is being used today, little if any paper is actually being saved. However, properly designed and implemented technology systems are saving significant processing time in court operations. Some of the courts are using imaging technologies successfully



- A need for videoconferencing exists at all levels of the court, but at varying degrees. Some of the lower courts are already using videoconferencing for bond hearings and arraignments. This greatly reduces cost and threat to physical security, both to court personnel and victims. Higher level courts have a need for internal, administrative meetings in which personal, face-to-face contact would be beneficial but does not warrant travel expenses. These meetings are good candidates for low cost Internet videoconferencing



4. Judicial Department—Where Others are Now

This section presents pertinent information regarding expenditures of states similar in size to South Carolina and courts currently considered to be best in class in their use of the Internet and the web. In addition, the section presents the results of KPMG Consulting’s initial examination of leading court case management systems (CMS) commercially available in the marketplace today. This section is intended for information purposes for the Judicial Department to learn from others.

4.1 Budget Analysis

The budget analysis compares the budgets of other judicial departments in 11 states with populations and demographic profiles similar to South Carolina’s. The State of South Carolina has a population of approximately 3.8 million. Data was collected from states with populations between 2.8 million and 4.8 million. The states included in the analysis are shown in Table 4-1.

Table 4-1
States Selected for Budget Analysis

State	Population
Arizona	4,778,332
Minnesota	4,775,508
Louisiana	4,372,035
Alabama	4,369,862
Colorado	4,056,133
Kentucky	3,960,825
South Carolina	3,885,736
Oklahoma	3,358,044
Oregon	3,316,154
Connecticut	3,282,031
Iowa	2,869,413

The states’ judicial department budgets for FY 2000 ranged from 0.55 percent to 3.01 percent of the states’ total annual budgets. The South Carolina Judicial Department’s budget is approximately 0.82 percent of the State’s total budget, which ranks South Carolina ninth out of 11 in the comparison with similar states. The results of the analysis are shown in Table 4-2.



Table 4-2
Judicial Departments' Budgets as a Percentage of Total Annual Budgets

State	FY 2000 State Budget	FY 2000 Judicial Budget	Percentage of State Budget
Arizona	\$6,017,399,300	\$181,421,000	3.01%
Connecticut	\$10,958,900,000	\$302,592,159	2.76%
Iowa	\$4,865,100,000	\$112,619,199	2.31%
Colorado	\$11,119,128,930	\$242,094,812	2.18%
Alabama	\$7,110,531,136	\$110,473,406	1.55%
Oregon	\$9,806,333,333	\$121,466,667	1.24%
Kentucky	\$16,215,151,000	\$189,004,400	1.17%
Oklahoma	\$4,741,000,000	\$47,790,000	1.01%
South Carolina	\$4,944,864,072	\$40,349,907	0.82%
Minnesota	\$20,628,000,000	\$163,000,000	0.79%
Louisiana	\$13,245,641,371	\$73,254,821	0.55%

An analysis of each state's judicial department budget based on per capita contribution reveals that the states' per capita contributions for FY 2000 ranged from \$92.20 to \$10.38. The South Carolina Judicial Department's per capita contribution is approximately \$10.38, which ranks South Carolina last in comparison with similar states. The results of the analysis are shown in Table 4-3.

Table 4-3
Judicial Budget Comparisons

State	Population	FY 2000 Judicial Budget	Dollars per Capita
Connecticut	3,282,031	\$302,592,159	\$92.20
Colorado	4,056,133	\$242,094,812	\$59.69
Kentucky	3,960,825	\$189,004,400	\$47.72
Iowa	2,869,413	\$112,619,199	\$39.25
Arizona	4,778,332	\$181,421,000	\$37.97
Oregon	3,316,154	\$121,466,667	\$36.63
Minnesota	4,775,508	\$163,000,000	\$34.13
Alabama	4,369,862	\$110,473,406	\$25.28
Louisiana	4,372,035	\$73,254,821	\$16.76
Oklahoma	3,358,044	\$47,790,000	\$14.23
South Carolina	3,885,736	\$40,349,907	\$10.38



4.2 Best in Class Study

The Best in Class Study analyzed similar technology efforts underway throughout the country. The Study assessed “where others [States] are now” to determine which states are undertaking innovative projects using technology to improve the judicial process. The Study concentrated on the judicial web sites of other states and enterprise CMS software from the private sector.

4.2.1 Best in Class Judicial Web Sites

A major component of the Judicial Branch Modernization Program will be the use of the Judicial Department web site as a portal to provide information and services through the Internet. The Judicial Department plans eventually to use this web site as a portal for judges, employees, law professionals, and the public. For this Best in Class Study, 13 judicial web sites from other states were selected. Because the Study concentrated on web site use, it was not limited solely to state judicial departments. Among those selected, 12 were recent winners of the Justice Served award.

Justice Served is an alliance of court management and justice experts providing management services, consultation, and training to courts, justice agencies, and their partners in technology, with particular emphasis on aiding courts in migrating court services to the web. Annually, Justice Served evaluates court web sites worldwide to determine the top 10 sites. Their winners for 2000 and two prominent winners from 1999 were included in this study. In addition, the North Dakota Supreme Court was selected. This site won the Court Technology Conference 6 (CTC6) award, sponsored by the National Center for State Courts, for best judicial web site.

The selected courts fall into one of three categories:

- State Courts
- County Courts
- Other Courts

The selected courts are listed in Table 4-4.

Table 4-4
Court Web Sites Selected

State Courts	URL
Alaska Court System	http://www.alaska.net/~akctlib/index.htm
Arkansas Judiciary	http://www.state.ar.us/supremecourt
Florida State Courts	http://www.flcourts.org



Missouri Judiciary	http://www.osca.state.mo.us/
New Mexico Judiciary	http://www.nmcourts.com/
North Dakota Supreme Court	http://www.court.state.nd.us/
County Courts	URL
Arizona—Maricopa County Superior Court	http://www.maricopa.gov/supcrt/supcrt.html
California—San Diego Superior Court	http://www.sandiego.courts.ca.gov/superior/index.html
Florida—Orange County	http://www.ninja9.net/
Georgia—Chatham County	http://www.chathamcourts.org/
Indiana—Marion County	http://www.indygov.org/courts/
Other Courts	URL
Georgia Probate	https://gaprobate.gtri.gatech.edu/
High Court of Australia	http://www.hcourt.gov.au/

During its study, Justice Served used three categories, with multiple subcategories, to evaluate these web sites. They are:

- Court Functionality
 - Online Forms (download and print or fill in on line)
 - Self-Help (presence and extent)
 - Indexing (simple versus complex search, search the site, or search opinions)
 - Calendar (display only or request updates)
 - Financial Transactions
- Web Functionality
 - Navigation (ease, standard)
 - Links (availability, applicability)
 - Aesthetics
- Additional Feature
 - High Public Impact (focus on the public or the Bar)
 - Recent Updates (presence of update dates on time-sensitive material)
 - Feedback (presence, telephone number, e-mail, or online form)



Court Functionality

The Court Functionality category was evaluated to determine the type and extent of functional activity available through the judicial web site. Specifically, the following criteria were used:

- Online Forms—Zero points were awarded if forms were not available; a Low rating was given if forms were only available by call in, mail, or fax; a Medium rating was given if forms were downloadable; a High rating was given if forms could be completed on line
- Self-Help—Points were awarded for instructions that enabled users to understand procedures and complete forms
- Indexing—Points were awarded if users had access to a searchable database of court cases
- Calendar—Points were awarded if the current court calendar was available on line
- Financial Transactions—Points were awarded if a user could pay fines and fees on line using a credit card

The first item of Court Functionality is online forms. Forms posted on the web site make it convenient for the public to download and print them, but citizens are better served if the forms can be completed on line. The next item, self-help, is often overlooked, but online help can be of significant importance to the general public. The third item, indexing, can be of great assistance to users if they are unable to find information through navigation. Some judicial web sites offer users the ability to search through a site for web pages, while others allow users to search through opinions. This gives the public a powerful tool that can save the user valuable time when searching for a particular type of case. Next, web sites that post court calendars on line can save a judicial entity time and money. Interested parties can see when they are scheduled to be in court and possibly even request changes and file motions through the web site.

The last item of Court Functionality, and perhaps the one that can have the greatest impact, is financial transactions. Courts provide an important service to the public when they allow these transactions to be conducted over the web. It essentially places a clerk's office in every citizen's home, 24 hours a day, 7 days a week. If one calculates the average time it takes a citizen to travel to the clerk's office, park, wait in line to pay a fine, and return to his or her original location, the time savings to the public can be tremendous. The clerks can also save time. More than 800,000 traffic tickets were issued by the State of South Carolina last year. If only 10 percent of those tickets are paid over the Internet, it could represent an incredible savings to the counties.

Web Functionality

The Web Functionality category is more a qualitative than a quantitative measure. These Best in Class web sites were compared to other judicial web sites to assess navigation techniques between the sites. The following subcategories were specifically evaluated:



- Navigation—Users should be able to navigate the site easily; web site content should be easily accessible, without the need for extraneous mouse clicks, and navigation buttons should be intuitive and conveniently placed. An internal search engine is also desirable, to enable users to locate specific information within the site. Subjective High, Medium, and Low ratings were given
- Links—The court site should have links to other web resources of interest to users such as District Attorney’s Office, Public Defender’s Office, Justice Agencies, and Legal Aid. Subjective High, Medium, and Low ratings were given
- Finding the Site—The court site should be listed with multiple search engines and cross-referenced at other government web sites, so that even relatively inexperienced users can readily find the site. Subjective High, Medium, and Low ratings were given
- Aesthetics—The site should have good design, color, and layout. Subjective High, Medium, and Low ratings were given

Emphasis was placed on (1) standard navigation that has been accepted by the public and (2) ease of use. The sites were then judged to compare and evaluate first whether the site had links to other web sites, and then whether those links were relevant to the site content. Finally, each web site was evaluated based on standard graphical user interface principles of aesthetics. Items such as font, color, alignment, and other formatting options were considered.

Additional Features

This final category allowed judicial web sites to score additional points for various features. The following specific features were evaluated:

- High Public Impact—A special rating was given if a court site focused on serving the public directly instead of attorneys or other users of court services. A separate merit rating could also be given if a site marketed to and was particularly useful to frequent court customers such as attorney services or trust companies
- Recent Updates—Points were awarded if the site indicates when time-sensitive information was last updated, and the information is kept current
- Feedback—Points were awarded based on openness to public comment about the site and its content. A Low rating was given for only a webmaster e-mail address; a Medium rating was given if an online feedback form was also available; a High rating was given if contact was addressed to a specific court department or representative

4.2.2 Findings

The results of comparing the selected court web sites are documented by category.



Court Functionality

Table 4-5 shows a score based on the number of items present on each web site. The five categories are Online Forms, Self-Help, Indexing, Calendar, and Financial Transactions. The best score possible is 5.

Table 4-5
Court Online Functionality Ratings

Judicial Entity	Online Forms	Self-Help	Indexing	Calendar	Financial Transactions	Score
Alaska Court System	X	X	X	X		4
Arizona—Maricopa County Superior Court	X	X	X	X		4
San Diego Superior Court	X	X	X	X		4
High Court of Australia	X	X	X	X		4
North Dakota Supreme Court	X	X	X	X		4
Orange County, Florida	X		X	X		3
Florida State Courts	X	X		X		3
Missouri Judiciary	X		X	X		3
New Mexico Judiciary	X	X	X			3
Arkansas Judiciary	X		X			2
Georgia—Chatham County				X	X	2
Georgia Probate	X	X				2
Indiana—Marion County	X				X	2

Of the five judicial entities that scored a 4, none had Financial Transactions on their web sites. Only two entities, both of which scored a 2, had implemented Financial Transactions as part of their web sites. This scoring demonstrates varying strategies in taking judicial business to the web. Although South Carolina will eventually want to score a 5 in this category, there is no right or wrong approach to achieving this. Some approaches have bigger impacts than others, but with impact comes risk.

Web Functionality

Web Functionality ratings were scored using High, Medium, and Low as shown in Table 4-6. A score of High received 3 points; Medium, 2 points; and Low, 1 point. Because there are three categories, web sites can score between 3 and 9 points.



Table 4-6
Web Functionality Ratings

Judicial Entity	Score (3-9)
California—San Diego Superior Court	9
Florida—Orange County	9
Indiana—Marion County	8
Arizona—Maricopa County Superior Court	7
Arkansas Judiciary	7
Georgia—Chatham County	7
High Court of Australia	7
Missouri Judiciary	7
New Mexico Judiciary	7
Florida State Courts	6
Georgia Probate	6
North Dakota Supreme Court	5
Alaska Court System	4

Only the Alaska Court System did not do well in this evaluation. The San Diego Superior Court and the Orange County Florida systems scored very high. These sites are great examples of clean navigation and clear aesthetics. The sites also have links to other web sites that are well organized and highly appropriate.

Additional Features

The Additional Features category rated three items: High Public Impact, Recent Updates, and Feedback opportunities. Each web site scored a 2 with the exception of Florida State Courts, which scored a 3, and Georgia Probate, which only had a High Public Impact. The Arkansas Judiciary and Florida State Courts were the only sites that had Recent Updates indicators. The Arkansas Judiciary site was focused on the Bar and legal community instead of the public and therefore only scored a 2 in this area. Every site had a feedback section.

4.2.3 Conclusion

This study of the top judicial web sites highlights several key findings. First, web sites must be focused to support the public; 12 out of 13 sites met this criteria. Second, web sites must be attractive and be easy to use. The results show that 9 out of 13 sites scored at least 7 (out of 9 points) with only 1 site not doing well. If the web site has been designed for public use and implemented with a modular approach, then



functionality can be added when ready. The winners showed a range of functionality, proving that there is no prescribed script for a Best in Class web site.

4.3 Best in Class Case Management Software Packages

An introductory examination of six leading case management software packages was conducted based on technology overviews submitted by commercial vendors to the NCSC:

- Courtview 2000 by CCI-Maximus
- CourtConnect by SCT
- Court Enterprise by HTE-Vanguard
- JEMS by PCSS
- JIS by BIS
- Caseload by Evans

The ideas resulting from this preliminary analysis can be discussed during future Judicial Department focus groups. The analysis can also serve as an initial starting point for the selection of a commercially available, proven CMS for the Judicial Department.

4.3.1 Categories

Five key areas were investigated during this study:

- Case Management
- Integration
- Jury Management
- Technology
- Other

Each of these categories is defined in the following paragraphs.

Case Management

The Case Management category describes the types of functional courts that the package supports. The two standard court types are criminal and civil, but consideration is also given for specialized modules of



family, juvenile, probate, traffic, drug, and appellate courts. All of the packages have appellate-level functionality, but it is part of the criminal and civil module, not a separate module.

Integration

The Integration category identifies which packages have capabilities to support functionality in addition to the clerk's office. Some of the types of integration that were identified include modules for the prosecutor's office, public defenders, juvenile detention, probation, and the accounting department.

Jury Management

Jury Management is an important component of any case management solution. The ability to generate juror notifications, record attendance, and generate payments or payment data is a highly important consideration. Additional functionality, such as interactive voice response (IVR), kiosk, and bar-coding support, was not explored at this time, but would certainly be desirable in the long term.

Technology

Technology is perhaps the easiest category to evaluate, yet the biggest factor in selecting a Best in Class solution. In this category, database, server, and client requirements are analyzed. The Judicial Department currently supports Oracle and uses both NT and UNIX servers.

Other

The last category, Other, identifies the miscellaneous features that each application has integrated into its baseline product. Applications should get credit for this additional functionality, but credit should not be taken away if it is not included; a package may include functions that are not referenced in the company's high-level marketing material. Obviously, some of these features are much more desirable than others, but this study merely identifies the presence of a feature, not its desirability or its extent.

4.3.2 Findings

Case Management

All packages had the basic capabilities to perform case management, but the specialized modules were limited to just a few. Family court was primarily handled in the civil module, and only PCSS had a separate module. Packages such as BIS and Evans are still developing the family, juvenile, and probate modules.



Integration

BIS and PCSS seem to be the leaders in the Integration category. Both of these vendors have modules to support the prosecutor's office, accounting, and probation, which integrate with the court case management system. BIS takes it a step further and offers a public defender's office module, as well. CCI-Maximus includes a module for juvenile detention.

Jury Management

All packages except BIS either include their own jury management functionality or directly integrate with a preferred third-party vendor such as Omni. The depth of integration between SCT and Evans and their third-party vendor should be examined to determine if it is truly integrated or is a batch interface.

Technology

Each of the packages supports Oracle. Each package supports the NT server and UNIX environments, except for PCSS, which only supports the NT environment. Further investigation is needed to determine which server components are required to run the application. For example, are the batch processes limited to NT? The Oracle database should be platform independent, but this needs to be confirmed. The client environment is a key differentiator among these packages. Four of the six packages have an Internet-based version in production; BIS and CCI-Maximus are still developing their Internet versions. Additional information is needed to determine the level of functionality available over the web for each of these packages. For example, is the whole application web enabled, or are only some public access reports available?

Other

The initial findings indicate that all these packages include functionality such as:

- Guardianships
- Public Web Access
- Imaging
- e-Payments
- e-Filing

Guardianships function is of interest to the Probate Courts. HTE-Vanguard supports this functionality in its baseline product. Public Web Access is part of the baseline CCI-Maximus product, but this functionality could easily be added to the other products. Perhaps the two more important features are Imaging and e-Payments. If it is assumed that imaging includes workflow, then CCI-Maximus, PCSS,



and Evans get special credit. If it is simply imaging and indexing, they get less credit. The e-Payments functionality present in PCSS and SCT products could have a great impact on the lower courts for traffic fine payments. Security will be a critical component of this functionality. The last miscellaneous functionality category is e-Filing. SCT supports this functionality, but like Public Web Access, this functionality should not be difficult to integrate as a modification.

4.4 Best in Class Within South Carolina

Based on the interviews, site visits, walkthroughs, discussions, and surveys conducted during this study, the courts listed in Table 4-7 constitute the Best in Class for Internet and web use within the State of South Carolina. These courts could serve as examples and initial starting points for leadership and lessons learned as technology and automation begin to be introduced, deployed, and customized for each of the courts throughout the State. This list is for information purposes only and not all personnel in all of these jurisdictions use the technology nor the systems available to them.

Table 4-7
Best In Class for Internet and Web Use

Court Level	Best in Class	Highlights
Supreme Court	Supreme Court	There is only one State Supreme Court
Court of Appeals	Court of Appeals	There is only one State Court of Appeals
Circuit	Greenville Charleston	Completely integrated system within the county and beginning to serve surrounding counties Uses technology to manage workload, achieve "a day's work in a day's time," and reduce logistical problems of the Court such as parking
Master-in-Equity	Charleston	Uses existing system to greatest capacity and incorporates the web as much as technically feasible within operational constraints
Family	Greenville Charleston	Same as Circuit Same as Circuit
Summary	Greenville Richland	Completely integrated with the other courts and various criminal justice agencies in the jurisdiction regarding case management Uses case management, videoconferencing, Internet, and e-mail such that all internal operations can be performed through technology
Probate	Richland	Completely integrated imaging and case management systems. Uses the web to provide greater service to the public and reduce the burden on Court personnel
Register of Deeds	Richland	Completely integrated imaging/workflow and financial systems. Uses technology to eliminate redundancy and streamline personnel needs



5. Judicial Department—Where We Want to Be

The Judicial Department of South Carolina is developing a *Strategic Technology Plan* to guide the modernization of the State court system. The plan is based on the vision and concept of the deployment (over time) of a uniform, standard, and fully interoperable technical environment, one that serves the collective and unique needs of the key people and processes of the Judicial Branch.

This section of the *Strategic Technology Plan* focuses on the technology vision for the Judicial Department—“Where We Want to Be.”

A uniform and interoperable technology environment is not a new or untested concept; the judicial branches of several states, including Minnesota and New Mexico, have successfully implemented this type of vision during the past 15 years using what is now an older generation of technology. In South Carolina, the Judicial Branch will accomplish the vision by using the uniform and interoperable capabilities of the Internet and the Applications Service Provider (ASP) model, which are introduced in this section. The deployment of the uniform technology infrastructure will establish and provide a common and uniform level of court automation services to all the various court jurisdictions and administrative entities of the State court system, to include those currently funded by county and municipal tax bases. This section presents a vision of an electronic future for the Judicial Branch.

5.1 Enterprise People and Processes—Vision

The Enterprise People and Processes provides a vision of how the key people and processes will be infused with the new technology to create new integrated workflows to better serve the State court system. The following sections provide a vision of the future for the South Carolina Judicial System. This vision of the future is based on ideas presented by the KPMG Consulting Public Safety and Justice Team, National Center for State Courts (NCSC), and the Justice Web Collaboratory of the Chicago-Kent School of Law. This section defines the future vision of technology from the viewpoint and perspective of the Clerk of Court, Court Room, and Judge’s Chambers.

5.1.1 Clerk of Court’s Vision

In the future, there is only information, only content. The paper that used to be the life blood of the legal system has been made obsolete by technology and electronics records laws. The future vision for the Clerk of Court is a fully integrated electronic business process where court documents are filed and docketed electronically over the Internet. Hardcopy documents that are taken in at the window of the Clerk’s office are immediately scanned and indexed into a document management system; the original paper documents are simply shredded and thrown away. No longer is any special regard given to the paper that was once essential to the operation of the judicial system. With the appropriate authorization,



members of the legal community can access entire electronic case folders across the Internet. The Bar is no longer required to keep reams of paper case folders—instead, documents can be accessed electronically as needed. The Clerk is still responsible for the management and storage of the case documents except that they are no longer paper. Paper records that used to take up half of the Clerk's office space have been electronically squeezed into an enterprise storage system the size of a small refrigerator.

A legal document is content—it has nothing to do with the paper it is written on.

Although this scenario may sound futuristic, many courts across the country are using this technology every day. Changes are resulting from case management, imaging, and document management functions that can be combined in an electronic Clerk's office environment. The direction in which the courts and administrative offices are moving is stimulating the development of a virtual court Clerk's office. The idea is to encourage attorneys to submit all case-related documents to the court electronically. Attached to the submitted document is an electronic cover page containing all the necessary identifiers and administrative information required for the Clerk's office to accept the document and docket it. Some cover page information is extracted and entered onto the court's electronic (official) docket for the case. Any paper documents not available to the filing party electronically would be scanned by the party and submitted electronically or scanned by the court at the time of intake. Once a legal document has been logged onto the system and "filed," electronic notification can be sent to everyone in the court who needs to know (for example, probation or pretrial officers, the court room deputy and chambers staff of the judge or judges assigned to the case, and the jury administrator). Notice and service can be also be accomplished electronically.

Electronic documents and other materials to be used at trial, or pointers to them, can be assembled and approved beforehand. All judicial actions requiring docketing, and any related judicial documents, would also be handled electronically, reversing the information flow from chambers "through the Clerk's office" and "out" to parties and others with need to know. In the event of an appeal, the record can be sent electronically to the Appellate Court.

One goal of this type of case management system is to reduce the volumes of paper. Paper files can be cumbersome to organize and retrieve quickly, are usually only available to one person at a time, and require constant maintenance and significant storage space. They may be lost, disassembled, or misfiled, and are difficult to keep up to date. Paper pleadings must be transmitted by mail or by hand delivery in multiple copies for manual distribution. Thus, as now conceived, the electronic case files project aims to enhance the values of expedition, timeliness, and accountability for public resources.

The system sets the foundation for another very valuable service by the court to its customers: creating a complete case file on line with links from docket entries at the highest level screen into all the documents cited by the docket. This functionality will enable users of the system to see a reference to all the



documents in a given case simply by clicking on the reference to retrieve a copy of the document from anywhere worldwide. This linkage can be taken one step further if the citations found in the lawyers' pleadings and the judges' opinions were in the form of links to the source documents. For example, if a document references another court opinion, the user can simply click on that link to access the supporting document electronically. The key is to think of documents as content, not as individual pieces of paper.

5.1.2 Court Room Vision

The Courtroom 21 Project is a joint venture of the William and Mary School of Law and the NCSC to create the world's most technologically advanced court room, an international demonstration and experimental project that seeks to determine how technology can best improve all components of the legal system. The Courtroom 21 Project demonstrates how technology can be used to increase the efficiency of the legal process once court is in session. Courtroom 21 uses a number of audio/visual technologies including document and physical evidence presenters, videotape and laser disk players, electronic recording, projectors for videotape and computer displays, and computer-aided stenography with real-time display, all designed bring a new visual intensity to the proceedings.

A major rationale for court investments in concentrated court room technology is the ability to present information (evidence, testimony, visual aids to argument) developed at an earlier time. Often, the information (such as documents, depositions, views, "days-in-the-life," confessions, animations, and simulations) has been previously recorded with the intent of displaying it during trial. Its form and content are controlled by evidentiary rules intended to maximize the benefits and minimize the risks of its use. In addition, it is now possible to install real-time identification systems based on automatic fingerprint identifications systems (AFIS) directly into the court room. Today's court rooms are apt to have (either installed or as needed) technology for:

- Electronic court reporting and depositions
- Evidence presentation
- Real-time AFIS based identification
- Language interpretation
- Electronic briefs
- Electronic Bench Book
- Assistance for hard-of-hearing
- Foreign language translation
- Analog audiotape court record
- Digital audio recording either as a primary court record or as a court reporter back-up



- Video court record
- Information and evidence display system
- Media feeds
- Videoconferencing/teleconferencing that may include remote first appearance, remote hearing, remote testimony, and remote appellate appearance capabilities

5.1.3. Judicial Vision

In the future, the productivity of a judge will not be tied to any physical location or based on the accessibility of paper documents. The judge will be able to access work files while at home or while traveling on the Circuit, or to load files on a laptop for work on an airplane or other location. This option will be available through various remote storage and advanced network connectivity technologies. In the next several years, all major airlines will be offering broadband Internet connectivity in-flight. Imagine a judge from South Carolina able to access any relevant legal document from a laptop at 33,000 feet. In short, judges may take advantage of the benefits of an electronic office without losing the substantial benefits of courthouse architecture and space allocations.

In legal research and decision support, technology and service providers of fee sites and other legal research systems (for example, CD-ROM) assure that the fruits of new search, retrieval, and analytic capacities will be available to the courts whenever the demand will support the costs of development. In general, advances that support the Bar will also be useful to the bench. In addition to commercial developments, there are other sources of enhanced decision support for judges in chambers. In the specialized area of criminal sentencing, for example, there is a program developed by the U.S. Sentencing Commission, called ASSYST, that aids probation officers, or judges if they choose to use it, in working through offender and offense characteristics to arrive at sentencing ranges. With the electronic integration of judicial and criminal justice systems, the judge will be able to access any level of detail that he or she deems necessary for background checks, legal research, associated cited cases, and past case history in any other court from any location in which the judge is working. Secure and authorized access will be the primary criteria required for the judge to be able to see his or her new electronic case folder.

5.2 Technology Management Organization

Information technology (IT) has become integral to the business processes of every modern organization. The onslaught of new technology has forced government agencies to focus on their core business in order to direct talents and resources on these core competencies. Organizations are realizing that the development of information technology is a specialized and complex undertaking that is best performed by highly skilled and technology-dedicated professionals.



The core business of Judicial Department is justice; it is not information technology.

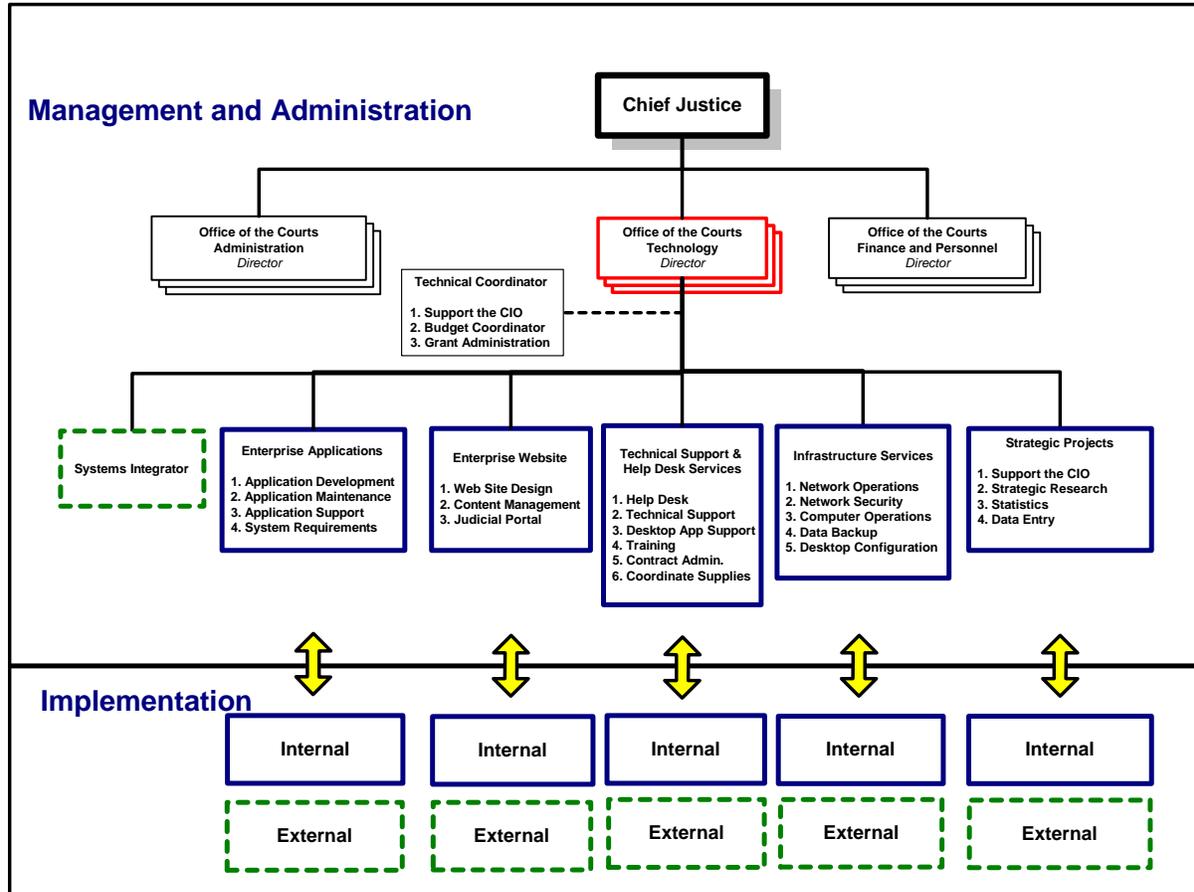
The Judicial Department needs to focus on the management and administration of information technology, not the development of it. The Judicial Department needs a strong information technology management organization to oversee the development and operation of court technology projects. The first step is to appoint a dedicated Director of Court Technology that reports directly to the Chief Justice. The Director of Court Technology will develop an information technology organization to manage and administer information technology for the Judicial Department. The actual development of technology projects may be outsourced to organizations and business partners that focus on information technology as their core competency. Such organizations may include state agencies such as the Office of Information Resources (OIR) and private business partners who employ people with very specialized technical skills.

5.2.1 IT Organizational Chart

An organizational structure for performing the information technology functions of the Judicial Department must have clear lines of responsibility, authority, and accountability, as well as the flexibility to grow and shrink in different areas as required based on specific needs. The structure needed for the Judicial Department IT organization to accomplish the vision of the *Strategic Technology Plan* is illustrated in Figure 5-1. The Judicial Department IT organization will be responsible for managing IT initiatives, but technology projects may be implemented by internal and/or external resources. Leveraging both internal and external resources will enable the IT organization to use specialized IT resources as necessary and appropriate.



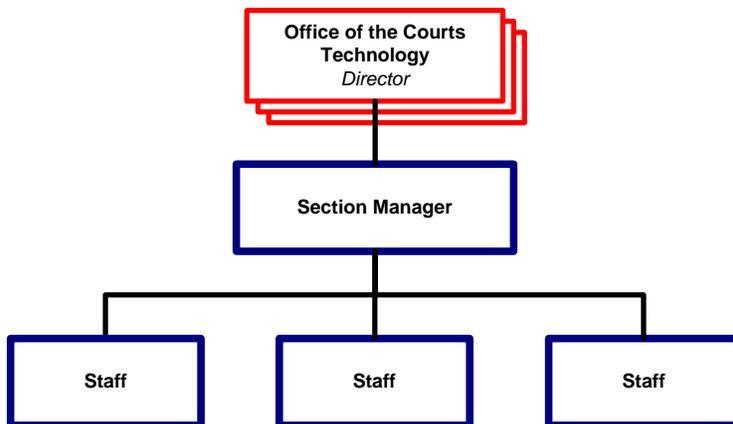
Figure 5-1
Judicial Department IT Organization



The Judicial Department IT organization will essentially be a three-tier structure. The Director of Court Technology will have six section managers as direct reports. These managers will lead their respective staffs regarding the technology responsibilities and focus assigned to them as illustrated in Figure 5-2.



Figure 5-2
Judicial Department IT Organization: Three-Tier Structure



The recommended organizational structure defines responsibilities and accountability in a straightforward manner, which will streamline decision-making and ensure tangible, visible results. Formal sponsorship and leadership start from the top. At the same time, the organization is fairly flat, which allows for the addition or reduction of resources as needed in a relatively simple manner. The Judicial Department will be organized and managed by the Office of Court Technology Director and will include the following six major sections:

- Systems Integrator
- Enterprise Application Management
- Enterprise Web Portal Management
- Technical Support and Help Desk Services
- Enterprise Infrastructure Management
- Strategic Projects

In addition to the six major sections, joint project teams, a policy advisor board, and a systems change control board will be formed.

5.2.2 Office of the Court Technology Director

The Office of the Court Technology Director will have executive authority for all technology and automation within the Judicial Department. The Court Technology Director will report directly to the Chief Justice. The Court Technology Director will have administrative support staff to assist in normal day-to-day office operations, as well as the procurement, contractual, and budgetary oversight of all



projects associated with the Judicial Department technology and its related efforts. The Office of the Court Technology Director will be responsible for awareness and proactive pursuit of grant (federal, state, and local) funding for the Judicial Department IT organization, as well as for representing the SC Judicial Department at local, state, and federal functions to ensure the needs, requirements, initiatives, plans, and positions on issues are properly expressed. All technology and automation decisions are accountable to this position.

5.2.3 Systems Integrator

The Systems Integrator (SI) will be responsible for assisting the Judicial Department IT organization with the overall execution the *Strategic Technology Plan*. The SI will be responsible for the strategic direction of the Judicial Department IT organization (that is, this *Strategic Technology Plan*) and the architecture, development, and implementation of the enterprise vision established in this document. The SI will report directly to the Court Technology Director. The SI will ensure that all new projects are justified from the court's business perspective as well as developed with an appropriate enterprise technical solution and best practices. SI will contribute specific domain knowledge in court operations and technology including:

- Project management
- Integrated Criminal Justice Information Systems (ICJIS)
- Technology policy
- Change management
- Quality assurance
- Configuration management
- Project metrics
- System requirements

5.2.4 Enterprise Infrastructure Management

Enterprise Infrastructure Management will be responsible for the development and administration of the overall networking and communications infrastructure for the Judicial Department. This team will be responsible for the administration and support of the backend systems including:

- Server operation (24x7)
- Operating systems configuration and management
- Hardware administration (PCs, printers, and routers)



- Network operation, administration, and support
- Security operations
- Backup and disaster recovery
- E-mail administration

Enterprise Infrastructure Management will work closely with the SI to ensure that all new systems are compatible with existing systems and can be operated and supported within the communications infrastructure of the Judicial Department. In addition, Enterprise Infrastructure Management will work with the Help Desk Services to analyze trends and anticipate problems based on help desk feedback received from the field.

5.2.5 Enterprise Web Portal Management

Enterprise Web Portal Management will be responsible for establishing, maintaining, and upgrading the Judicial Department web site and its content. This team will be responsible for the administration and support of all aspects of the Judicial Portal operation including:

- Content management
- Web portal security
- Utilization statistics
- Requirements definition
- Web portal applications development oversight

5.2.6 Enterprise Application Management

Enterprise Application Management will be responsible for the overall administration and management of the Judicial Department portfolio applications. This team will be accountable for the management and administration of all aspects of judicial applications including:

- Project management
- Applications maintenance and support
- Application upgrades
- Database management
- Application-level security
- Application development standards



- Requirements definition

5.2.7 Technical Support and Help Desk Services

Technical Support and Help Desk Services Management will be responsible for the overall administration and management of the judicial call center and its related support operations including:

- Call center operations
- Desktop management
- Training
- Software support
- Hardware inventory and management
- Administration of software licenses
- Coordination of IT equipment and replacement
- Coordination of office supplies

5.2.8 Strategic Projects

Strategic Projects Management will be responsible for supporting the Director of Court Technology with both near-term and long-term strategic initiatives. The current near-term initiatives include:

- Strategic research
- Support for strategic projects including the State CJIS
- Statistics and operational reporting
- Data entry

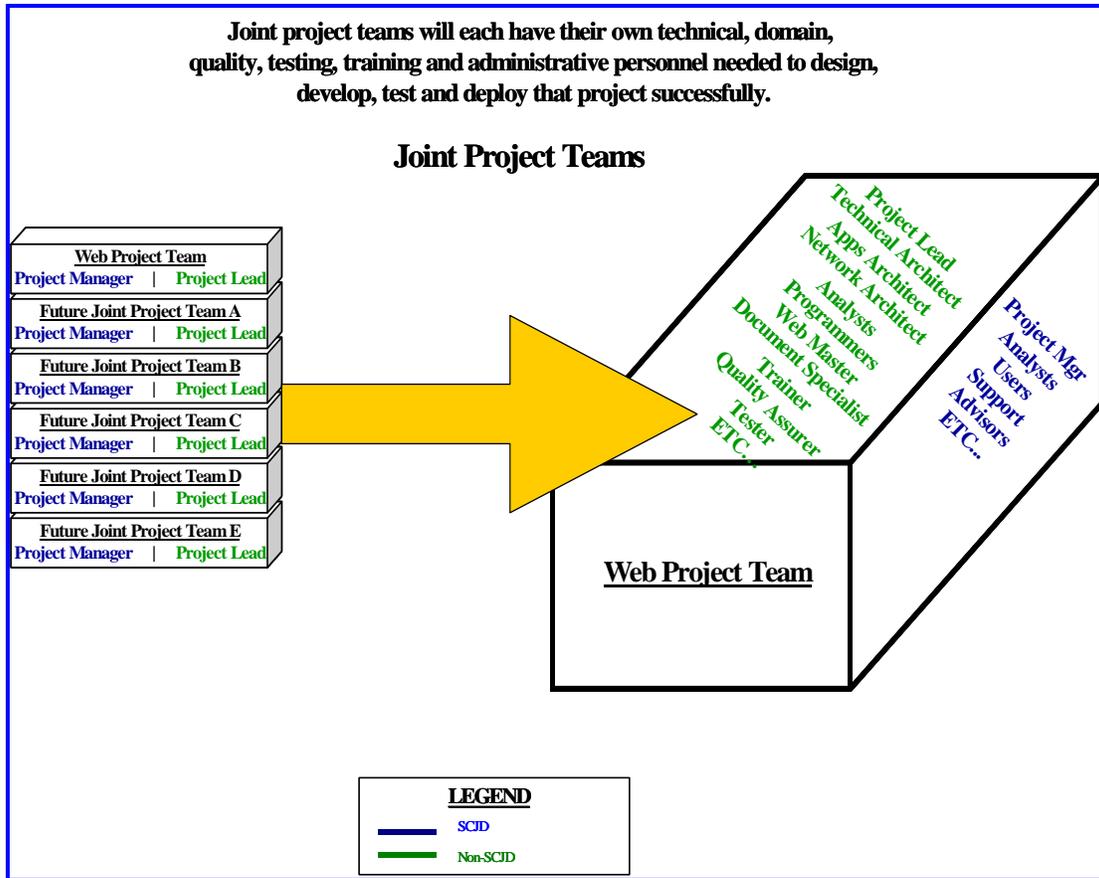
5.2.9 Joint Project Teams

To successfully complete major technology projects, project teams will need to be assembled using skills and resources from all six of these functional area teams. Therefore, all major IT projects teams will need to be joint project teams comprising team members from each of the functional groups. Each joint project team will be led by a dedicated person who will take overall responsibility for the success of the project. Joint project teams will be dynamic teams that can increase or decrease staff as major initiatives are identified, developed, and completed. Consultants may be engaged to assist in major software development efforts, enabling the Judicial Department to use specialized IT resources as needed. Furthermore, team members who serve as staff on one project may be a team lead on another project. An



individual may lead one project and have a particular person as a staff member on that project; at the same time, these two individuals' positions and roles on another project team may be reversed. Figure 5-3 illustrates the integrated nature of these teams.

Figure 5-3
Joint Project Teams



These joint project teams will ensure that new projects are developed with contributions and perspectives from all six sections of the IT organization including:

- Office of the Court Technology Director
- Systems Integrator
- Enterprise Infrastructure Management
- Enterprise Web Portal Management



- Enterprise Application Management
- Technical Support and Help Desk Services
- Strategic Projects

In addition, most large-scale projects will require outside assistance from other government agencies or private vendors. This outside assistance team will be integrated as part of the overall project team.

5.2.10 Policy Advisor Board

The Policy Advisory Board (Executive Steering Committee) will comprise the top Judicial Department executive management and high-ranking executives from other agencies or entities associated either directly (Clerks, Court Reporters, and so forth) or indirectly with the courts (such as the State Legislature, Bar Association, and CJIS Board) who will review Judicial Department events, rules, procedures, priorities and proposed new initiatives within the broad context of the State court focus. Ideally, this board will be thinking, analyzing, and recommending from the perspectives of people, processes, and technology. This Policy Advisory Board should be dedicated to the Judicial Department and headed by the Chief Justice.

5.2.11 Systems Change Control Board

The Systems Change Control Board (SCCB) will comprise the technical leadership within the Judicial Department IT organization and will be headed by the Director of Court Technology. The SCCB should review all new Judicial Department-proposed technology initiatives and ensure that both the business justification for the effort and the initial proposed high-level technical solution are feasible, aligned with the principles and guidelines of the Judicial Department IT organization that will be established, and cost justified before these proposals are submitted to the Policy Advisor Board and/or Chief Justice. The SCCB will also ensure that new initiatives can be supported within the structure and context of the Judicial Department IT organization and that all major enhancements to any system or application is in accordance with the existing architectures, functionality, systems, and support of the Judicial Department IT organization.

5.3 Definition of Enterprise Technology

To reach the electronic vision presented in this *Strategic Technology Plan*, the Judicial Department must begin to think in terms of enterprise technology. The term enterprise technology refers to technology that has scope over the entire business process. Enterprise technology is used across the entire Judicial Department to integrate disparate court systems across the State. Enterprise technology is based on industry and international standards that permits access to the entire system of computers, applications, databases, and network services through a single workstation that is easy to use and operates with a



common user interface. Enterprise Technology is made up of computers, databases, and communication networks that act as an electronic nervous system capable of supporting a wide array of applications and services. Today, South Carolina's technology platform is more a collection of separate technologies that do not always serve the corporate needs of the judicial enterprise. The overarching goal for enterprise technology is to increase the quality of services provided by the Judicial Department while at the same time reducing the cost of those services.

5.4 Enterprise Application Portfolio

The enterprise applications portfolio provides a high-level definition of the "logical portfolio" of uniform and interoperable electronic business applications that will be deployed to serve the Judicial Department. The enterprise applications portfolio is the aggregate collection of computer applications that process, exchange, and manage information for all court jurisdictions and administrative divisions of the State court system (that is, the Judicial Enterprise). This enterprise includes the local courts and the administrative divisions that are funded by the State, as well as the county and municipal levels of government in South Carolina.

The establishment of a uniform, standard, and interoperable enterprise applications portfolio will present obvious operational benefits for all court jurisdictions and administrative divisions statewide. In addition, it will position the Judicial Department and county and municipal governments to realize significant costs savings through the acquisition of master software licenses (for the licensed software products) and/or master application service provider (ASP) services agreements required to physically deploy the applications across the Judicial Enterprise. The master software licenses and/or master ASP agreements, and associated maintenance and services contracts, if administered centrally by the Judicial Department, may position the State and local funding entities to realize significant service and price concessions driven by the economies of scale. These applications are business tools designed to support the six primary business users within the Judicial Department:

- Justices and Judges
- Court Administration
- County Clerks of Court
- Appellate Clerks of Court
- Judicial Department Finance and Accounting Department
- Judicial Department Information Technology Department

Figure 5-4 presents the Judicial Enterprise Applications Portfolio in an attempt to simplify the quantity and complexities of all of the various components through the eyes of the six primary business users.



Figure 5-4
Enterprise Applications



5.4.1 Enterprise Applications Portfolio Overview

These uniform enterprise applications will (over time) replace the functionality and information processing capabilities of the standalone systems that are currently used by the Judicial Department at all levels. The enterprise applications will be collectively designed to meet the needs of the Judges, Law Clerks, Clerks of Court, Court Administration, and other personnel and entities of the State court system. Each application will be uniformly engineered, deployed, and integrated into the day-to-day processes and workflows of the Judges, Clerks of Court, and other court personnel of the State court system. Data will be captured or generated as a natural byproduct of the work processes, not as a separate or parallel work tasks. Data will be captured or generated once and used many times. This capturing of information at the source of origin will reduce or eliminate duplicative data entry processes and redundant, labor-intensive tasks associated with the generation of court and legal records and documents. The applications



will support the automation and integration of the records and documents that are part of the different case workflows in compliance with court rules and procedures.

The applications will support the automatic, event driven, electronic exchange of information and documents with other CJIS and ICJIS at the State, county, and municipal levels of government. The integration will allow judicial and court administration personnel to collect, organize, index, store, and retrieve court, case and legal information, records, and documents with less effort and in less time. The court applications will support the automatic, event-driven transfer of data from one application function or repository to another. Each application will be designed, on the basis of a predefined event, to forward data automatically to other court or administrative applications for incorporation in their respective repositories and workflows. The applications will improve the accessibility, relevance, accuracy, and quality of the court and case records, documents, and information created and used by authorized personnel throughout the State court system. The following sections describe the functionality provided to each of the six primary business operations within the Judicial Department.

Court Administration Applications

Court Administration is responsible for the day-to-day processing and management of information within the South Carolina Judicial Department. The Court Administration application portfolio will support all of the back-office administrative business functions required to operate the Judicial Department. The applications that compose the Court Administration's section of the enterprise portfolio, as shown in Figure 5-4, include:

- Statistics and Reporting
- Judges' Scheduling
- Court Reporter Management
- Office Productivity (Microsoft Office)
- Judicial Order Compliance
- Caseload and Backlog Management
- Access to the SCJD Intranet
- Access to the SCJD Web Site and Internet (Judicial Portal)
- Judicial Dashboard
- Access to CJIS



Judges' Applications

Judges' applications are designed to support the requirements of the Judges (and Justices) by providing information on a just-in-time basis. These applications enable the Judicial Department to maximize the judicial resource by enabling the Judges to get information directly from their computers whether they are on the bench, in chambers, or at home. The applications that compose the Judges' section of the enterprise portfolio, as shown in Figure 5-4, include:

- Legal Research
- Access Judicial Orders (Judicial Dashboard)
- Office Productivity including Electronic Mail (Microsoft Office)
- Access to Court Rules (Judicial Dashboard)
- Access to Court Schedule (Judicial Dashboard)
- Access to Clerk of Court Case Management Systems (Judicial Dashboard)
- Access to the SCJD Web Site (Judicial Portal)
- Wireless Access
- Access to CJIS

County Court Case Management Applications

As shown in Figure 5-4, the County Court Case Management applications support the local levels of court by providing the core operational case management software including:

- Criminal—General Sessions, Municipal, and Magistrate
- Civil—Common Pleas, Municipal, and Magistrate
- Family
- Juvenile
- Master-in-Equity
- Probate
- Register of Deeds
- Case Docketing
- Accounting
- E-Filing and Imaging



- Notification and Calendaring
- Docket Management
- Electronic Case Document Management
- Manual Case Document Management
- Jury Management
- Records Certification
- Statistics and Reporting
- Integration with Other Agencies (such as South Carolina Law Enforcement Division, Department of Motor Vehicles, and County Treasurer)
- Collections of Fines, Fees, and Assessments

Appellate Court Case and Records Management Applications

As shown in Figure 5-4, the Appellate Court Case and Records Management applications support the Appellate Court by providing the core operational case management software including:

- Case Tracking
- Case Review and Assignment
- Docketing
- Notification and Calendaring
- Electronic Filing and Imaging
- Fees Collection and Accounting
- Opinion Publication
- Legal Research
- Statistics and Reporting
- Electronic Transcript and Document Management

Finance and Accounting Applications

The Finance and Accounting Department is responsible for the day-to-day processing and management of financial and personnel information within the South Carolina Judicial Department. The applications that compose the Finance and Accounting section of the enterprise portfolio, as shown in Figure 5-4, include:



- Human Resources and Payroll
- Purchasing
- Budgeting
- General Ledger
- Accounts Receivable and Payable
- Inventory Management
- Contracts Management
- Grants Management

Information Technology Applications

The IT organization is responsible for providing and administering technology to the Judicial Department. The portfolio of IT applications will enable the IT organization to develop, deploy, manage, and support court automation. The applications that compose the Court Administration's section of the enterprise portfolio, as shown in Figure 5-4, include:

- Network Management
- Web Site Management
- Call Center management
- IT Budget Management
- IT Planning Management
- Data Administration
- Application Development
- Configuration Management
- IT Contracts Management
- IT Procurement
- IT Grants Management

5.4.2 Application Service Provider Model

During the last few years, a revolution has been brewing in the computing world. History recalls the advent of the PC, nearly two decades ago. Its creators and proponents saw it as a cut-down version of the larger, more serious computers then used by big business. They believed it could play a valuable role in



bringing business computing within the budget of smaller enterprises—organizations that, many industry leaders felt, were not in the right league to buy serious computers from IBM, DEC, Data General, and Wang. We now know how these industry leaders' preconceptions were overturned by what followed. These leaders missed one of the greatest opportunities in business. History is about to be repeated. The next revolution is more fundamental than the previous; in this revolution, the notion of owning servers and software products will be transformed into a service model. Access to information and outsourced applications over the network will be as ubiquitous as picking up the telephone and hearing a dial tone.

Outsourced Applications Are All Over the Internet

Even though no one stops to think about it, the habit of outsourcing applications is already deeply ingrained in the everyday routine of the Internet. When users access a search engine, check the latest sports scores, call up a stock index chart, or check the weather, they are taking advantage of an application that someone else installed, set up, and maintains on the Internet for their benefit. Essentially these are outsourced services that can be used by anyone, anywhere in the world, who has access to the Internet. Does anyone even consider the people, hardware, and software that provide these services? The answer is no, just as people do not think about the technology that creates the telephone's dial tone or the electricity in the wall outlet.

These services are not provided out of charity. Regardless of how much its early supporters denigrate the commercialization of the Internet, most people acknowledge that it is impossible to have a networked economy without money changing hands. Even though many application services appear to be free on the web, those services are being provided for payment that has been either displaced or deferred. Instead of the user paying the provider directly, the service is indirectly funded, either by advertising revenues, from access fees, or—to a surprisingly large extent—from the proceeds of stock market flotations or investments by large corporations, made in the expectation of returns to be generated from future advertising and subscription income.

Server hosting is another form of outsourcing that has become commonplace on the Internet. When organizations first decided to build a presence on the web, it was only natural that they should turn to their access provider for assistance. The Internet service providers themselves were glad of the extra revenue opportunity, while users happily avoided becoming entangled in the complications of setting up online servers with all the wide area networking and security issues which that entailed.

What started out as simple web server hosting has become increasingly complex. Sites have progressed from brochureware to electronic commerce and from intranet notice boards to messaging and groupware platforms. Users are no longer renting slices of hard disk on a server. They are buying sophisticated resources and management services for applications that have become critical to the successful operation of their businesses.



It Is Time to Start Outsourcing Applications

One simple anomaly is holding this process back from reaching its logical conclusion. Because of the way that computing has evolved, users think of software as something that they must own and operate. In reality, this perception is simply a historical aberration. Software is no more than the underlying mechanism that delivers an application, and it is the application that users are interested in.

Gradually, the Internet is chipping away at this belief in software ownership. In a computing paradigm where applications are server-based and servers are hosted, there is no longer any sustainable reason for users to own and operate software applications.

This is already implicitly recognized in the way that specialized services are provided to web site operators in the Internet. Many web site banner advertisements are managed and delivered by third-party servers in return for a regular contractual payment. Payment processing, digital certificate management, and e-mail subscription lists are other examples. The software that operates these processes remains the property of the service provider, while the client pays for the application according to usage.

5.4.3 What are Application Service Providers?

Application service providers (ASPs) are the companies that provide remote access to applications over the Internet and other networks and sometimes, but not always, charge money for their use. Applications are broadly defined. For example, a web site with dynamic content can be considered an application, and a portal site that charges money for transactions or for providing services to its subscribers is effectively an ASP. Examples would include America Online (AOL) and E-Trade. ASPs offer an outsourcing mechanism whereby they develop, supply, and manage application software and hardware for their customers, thus freeing customers' internal IT resources.

One factor that led to the growth of ASPs is the high cost of specialized software. As the costs grow, it becomes nearly impossible for a small business to afford to purchase the software, so the ASP makes using the software possible. Another important factor leading to the development of ASPs has been the growing complexity of software and software upgrades. Distributing huge, complex applications to the end user has become extremely expensive from a customer service standpoint, and upgrades make the problem worse. In a large company, which may have thousands of desktops, distributing software (even something as simple as a new release of Microsoft Word) can cost millions of dollars. The ASP model eliminates most of these problems.

Common Features of an ASP

ASP common features include the following:

- The ASP owns and operates a software application



- The ASP owns, operates, and maintains the servers that run the application
- The ASP employs the people needed to maintain the application
- The ASP makes the application available to customers everywhere via the Internet, either in a browser or through some sort of thin client
- The ASP bills for the application either on a per-use basis or on a monthly/annual fee basis

Benefits of the ASP Model

Benefits of the ASP model include provision of the following:

- Initial hardware
- Additional hardware to accommodate growth over time
- Management, monitoring, and reporting of all hardware
- Operating system and database administration
- Performance tuning
- Standardization of operations
- Security administration
- High availability
- Backup and retrieval
- Disaster recovery
- Capacity planning
- Network services: bandwidth capacity and connectivity
- 24x7 monitoring
- Automatic upgrades to latest version

Examples of ASPs

ASPs come in all shapes and sizes. One way to understand ASPs is to look at them from several different angles using real-world examples. If a user were to start a small business today, he or she would probably begin by investigating four common ASPs described in the following paragraphs.



Web-Hosting ASPs

Companies like Digex, Interland.com, and webHosting.com provide a classic ASP scenario—virtual web hosting. These companies develop, host, and maintain other companies' web sites at their data centers. Effectively, ASPs allow their customers to get out of the web site business while providing them with hardware, software, bandwidth, and people to host and operate web sites. These ASPs can host hundreds of major commercial web sites from a single data center. This scenario takes advantage of economies of scale that allow the ASP to pool the monetary resources of its customers to reliable, cost effective outsourced solutions. The cost of managing and operating one data center is less than if each individual organization operated its own server and provided the necessary support personnel and network connectivity.

E-Mail ASPs

A web hosting company usually provides some type of e-mail service to a web hosting account. Other alternatives include:

- Free services like HotMail.com or Yahoo Mail
- Pay services like America Online (AOL), which provides millions of e-mail accounts to AOL members around the world for \$22 per month
- E-mail Server ASPs, which run Exchange servers, POP servers, or IMAP4 servers and provide e-mail service on a monthly fee basis. For example, InterPath, a company in the Raleigh area, offers a complete e-mail solution at a rate of \$8 per month per account (as of April 10, 2000). The question is, "What does your organization pay to maintain application services? Considering salaries, hardware, software licenses, upgrades, maintenance, and help desk support, the answer may surprise you"—InterPath

Fax ASPs

Efax (www.efax.com) is an example of a provider of a free fax service that delivers faxes directly to a customer's e-mail account. This is a classic example of a free ASP. Efax also offers premium fax services that include multiple fax numbers, online storage space for queuing faxes, and toll free numbers. These services can provide a small business with an enterprise fax solution, thus eliminating the business need to purchase and maintain advanced hardware and software.

Enterprise Resource Planning

The largest opportunity for commercial ASPs is the outsourced deployment of enterprise resource planning (ERP) software. ERP software comprises the entire suite of back-office financial and operations applications offered by industry leaders SAP, Oracle, JD Edwards, and others. Much of the ASP media coverage centers on these providers of total backend corporate solutions. In the past, ERP



implementations have cost millions of dollars and taken years to implement. With the advent of ASPs like Quest Cyber.Solutions, UUNET, and PSINET, some companies have effectively outsourced their entire backend operations to ERP providers at a fraction of the time and cost. New startup companies have created entire financial departments by signing contracts with ASPs.

5.4.4 Using the ASP Model in the South Carolina Judicial Department

The previous sections defined ASPs in the commercial world, but how can the Judicial Department use this model? The concept put forth in this *Strategic Technology Plan* is for the Judicial Department to manage an ASP for the local courts by providing an outsourced case management system for each level of local court. Section 3 of this plan documented the current technology inventory at the county courts across the State. The bottom line is that most local courts are using systems based on 10- to 15-year-old technology; they do not have an opportunity to upgrade because they lack financial and IT resources. At the same time, these courts are paying hefty software maintenance contracts to their software vendors. Essentially, local courts are trapped in a cycle of being forced to accept the status quo because they lack any viable options. A site visit to the Laurens County Clerk of Court summed up the situation at the local courts:

“If you do NOT have IT resources then you do NOT have a lot of choices.”

—Barbara Wasson, Laurens County Clerk of Court

What if the Judicial Department through the leadership of the Chief Justice was able to pool the collective resources of the 46 Clerks of Court and the hundreds of Summary Courts to provide a state-of-the-art case management system? Think of the economies of scale that could be achieved at local levels if the complexities of owning, upgrading, and operating case management software were eliminated. The advantages to the entire Judicial Department echo the benefits found in the commercial world:

- Eliminates local courts’ need for advanced hardware
- Centralizes management of additional hardware to accommodate growth
- Centralizes management, monitoring, and reporting of all hardware and network
- Centralizes operating system, database administration, and performance tuning
- Eliminates local courts’ need to employ expensive, specialized IT staff
- Standardizes court operations across the State
- Standardizes reporting and statistics
- Centralizes security administration
- Very high system availability: 99.99%

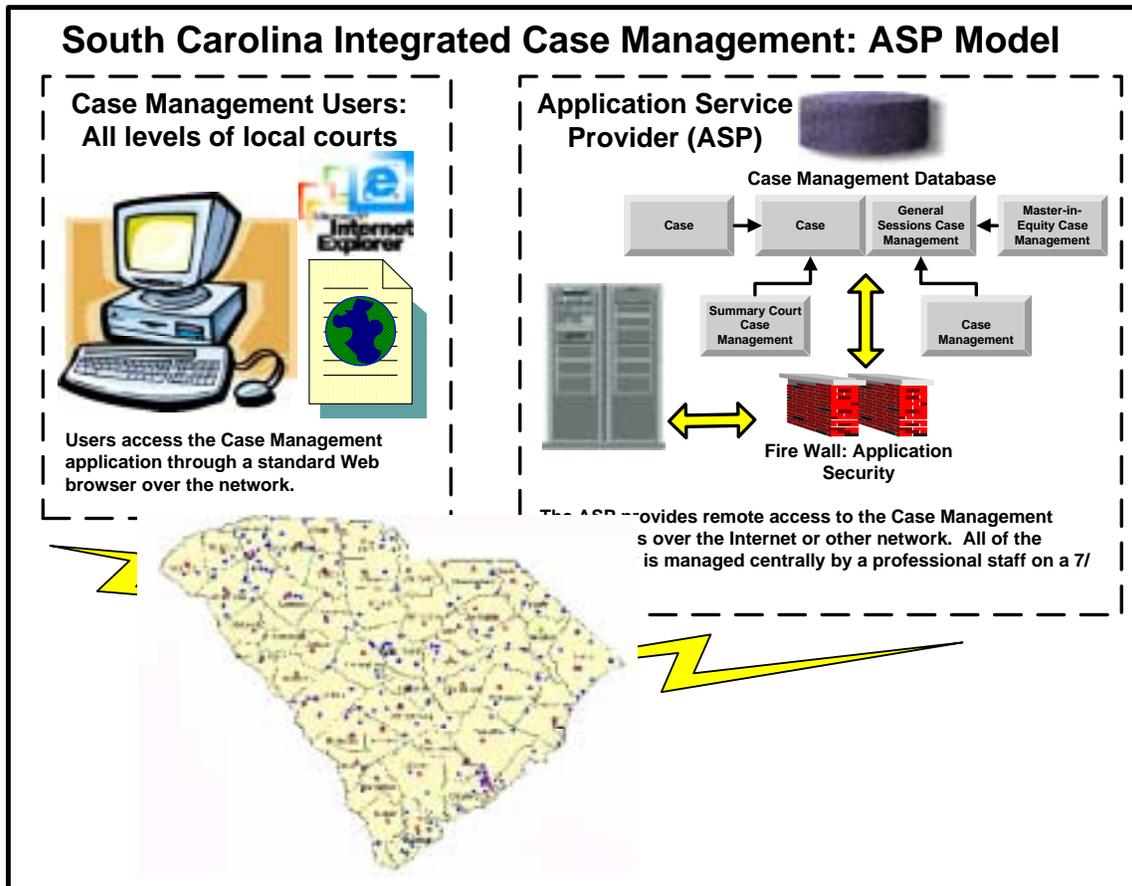


- Centralizes management of backup and retrieval
- Centralizes disaster recovery
- Centralizes capacity planning
- Centralizes network services, including bandwidth capacity and connectivity
- Provides system monitoring 24 hours a day, 7 days a week
- Provides automatic upgrades to latest version or table updates (charge codes)

The ASP model would enable the Judicial Department to provide the same level of technology services to all counties in South Carolina, not just to the largest counties that have the population and financial resources to afford the latest technology. Every county from Allendale to Richland, Bamberg to Greenville, and Jasper to Charleston would have access to the same enterprise technology. Figure 5-5 illustrates the ASP model implementation in the Judicial Department. The ASP is professionally managed by the Judicial Department in a central location by a staff of highly trained IT professionals. The case management applications are served over the enterprise network to the local courts through a standard web browser (Internet Explorer) interface or a Java program. The local courts require only a networked PC to access the case management application. The ASP model leaves the complexities of managing a high-technology application to a dedicated team of professionals while allowing the local courts to focus on the administration of justice, their core business. The detailed implementation of the Judicial ASP model will be determined by the Judicial Department working closely with the counties to ensure both the operational and technical needs of the Clerks and existing county IT are successfully met.



Figure 5-5
Application Service Provider Model for the Judicial Department



5.4.5 Who will operate the Judicial ASP?

The Judicial Department will be responsible for managing the ASP that will deliver outsourced case management application to the local courts. The Judicial Department may or may not choose to actually operate the ASP. As previously mentioned, the core business of the Judicial Department is justice; it is not information technology. The actual development and operation of the Judicial ASP may be outsourced to organizations and/or business partners that focus on information technology as their core competency. State agencies like the OIR or counties with capable IT operations or a private business partner are all options for the Judicial Department to explore and entrust the development and operation of the Judicial ASP.



5.4.6 ASP Availability

Under the ASP model, the local courts will effectively be outsourcing their core technology to the Judicial Department. An interruption in the ASP could be detrimental to court operations because the CMS would be unavailable. Once the CMS becomes inherent in the daily operations of the courts, losing its availability would be like losing paper in most courts today. Fortunately, one of the major advantages of the ASP model is the centralized maintenance and support of the enterprise applications by a professional IT staff. The goal of the project would be to provide the local courts with application availability approaching 99.99 percent, termed “factor 4 of availability.” At this level of service, the ASP would be expected to have less than 50 minutes of downtime per year. Table 5-6 illustrates the total system availability on a percentage and actual time basis. The higher the degrees of availability (the more 9s) correspond to higher and higher cost of operations. There is a direct cost associated with system downtime and a cost associated with increasing the overall system availability. At some point, the economics of increasing the system availability will begin to overtake the direct cost of system downtime.

Table 5-6
Uptime and Availability Chart

Availability	Downtime	Typical application
90.0% (one nine or less)	>1 month	Desktop systems
99.0% (two nines)	3.5 days	Intermediate business systems
99.9% (three nines)	8 hours 45 minutes	Most business data systems and workgroup servers
99.99% (four nines)	50 minutes	High-end business systems and neighborhood telecom
99.999% (five nines)	5 minutes	Telecom data centers, ISPs
99.9999% (six nines)	30 seconds	Major banking and financial services data centers
99.99999% (seven nines)	>3 seconds	Mission critical military data centers

The key to system availability is the identification of single points of failure within the application that can affect the system. It would be remiss if this section did not document the single points of failure that could affect the availability of the local courts CMS under the ASP model. Two primary single points of failure in the ASP model must be addressed:

- Application and database servers
- Network infrastructure

A failure of any of these major subsystems would cause the application to be unavailable. The key to minimizing these risks of system downtime is to provide redundancy and failover. The development of the Judicial ASP will include hardware redundancy for the critical application and database servers. In the



event of a catastrophic hardware failure, the system will have the capability to shift the processing and storage load to another hardware resource.

Network connectivity disruptions between the local courts and the ASP represent the most likely cause of downtime in the ASP model. No matter how the enterprise network infrastructure is developed, the actual operation of the network will be essentially outsourced to one of the major Internet Service Providers (ISP) and/or Regional Bell Operating Companies (RBOCs) such as WorldCom or BellSouth. Everyone is familiar with the horror stories of the backhoe operator who cuts the fiber optic backbone of a major carrier, bring down a regional portion of the network. Network interruptions are a part of life and must be addressed with redundancy. It is recommended that the larger local courts install redundant network connections from different network service providers that would serve as backup connectivity in case of failure of primary network providers.

5.5 Enterprise Data Model

The enterprise data model provides a high-level definition of the “logical repository” of electronic information, documents, records, photos, and fingerprints (that is, “objects”) that will be uniformly captured, indexed, stored, recalled, modified, and archived by the specific enterprise applications in compliance with State and federal laws and regulations, and court rules and procedures. The logical data model will include information generated and captured by all court jurisdictions and administrative divisions of the State court system (that is, the judicial enterprise). This model includes the court and administrative divisions that are funded by the State and by the county and municipal levels of government in South Carolina. All court jurisdictions and administrative divisions of the State court system are to be responsible for the custody, maintenance, and supervision of data in conformance with a uniform set of standards and procedures (electronic and hardcopy), as prescribed by court rules and procedures and by the body of State electronic records laws and regulations that exists and will continue to evolve over time.

The establishment of a uniform, standard, and interoperable enterprise data model will present obvious operational benefits for all court jurisdictions and administrative divisions statewide. Again, this will position the Judicial Department and county and municipal governments to realize significant cost savings through the acquisition of master software licenses (for database management software products) and/or master ASP services agreements required to physically deploy the applications across the judicial enterprise. The master software licenses and/or master ASP agreements and associated maintenance and services contracts, if administered centrally by the Judicial Department, may position the State and local funding entities to realize significant service and price concessions driven by the economies of scale.

The enterprise data model is a continuation for the enterprise theme that is the cornerstone of this *Strategic Technology Plan*. The enterprise data model refers to a logical, unified database that has scope



over the entire judicial business process. Currently, Judicial Department information is stored in hundreds of physical locations across the State in the various case management systems used at the eight court levels. Court Administration collects basic summary and statistical information through a dialup connection for Circuit and Family Courts. The Summary Courts are only required to report basic statistics annually. The Judicial Department is a classic case of a disparate data model where there is no central repository. The enterprise data model will probably be implemented in a distributed manner but logically integrate the information collected across all levels of the Judicial Department. The enterprise data model will allow the Judicial Department to run complex queries against aggregate data to discover data patterns and operational trends needed to make strategic and policy decisions. The application of these types of knowledge-based systems will enable the criminal justice policy makers (the Chief Justice) to identify trends and direct the limited resources of the justice system to make the greatest impact on public safety.

The Court and Administrative applications will support the automatic, event-driven update or deletion of index records in the enterprise master index. The master index will also provide a single point to which any authorized individual may inquire from any jurisdiction or location in the State, to determine whether a jurisdiction or agency of the Judicial Branch has an electronic record or document or a hardcopy document or report containing information about a specific current or historical litigant or case adjudicated in the State court system of South Carolina. The master index will provide the ability to connect or link the inquiry automatically to a selected record in an application repository or in the judicial enterprise data repository, subject to appropriate security authorizations and clearances.

5.6 Enterprise Technical Infrastructure

The enterprise technical infrastructure provides a high-level definition of the uniform, standard, interoperable technical infrastructure that will be deployed to provide:

- Security services (end-to-end) across the State court system and the enterprise applications, enterprise data repository, and the enterprise technical environment
- Network connectivity and transmission services required by both the enterprise applications and the enterprise data repository across the State court system
- Enterprise computing platforms and standards

The establishment of a uniform, standard, and interoperable technical infrastructure for the judicial enterprise will present obvious operational benefits for all court jurisdictions and administrative divisions statewide. In addition, it will position the Judicial Department and county and municipal governments to realize significant costs savings through the use of master equipment and maintenance services contracts. Such contracts, if administered by the Judicial Department, may allow the State and local funding entities to realize significant service and price concessions driven by the economies of scale.



The enterprise technical infrastructure provides a vision and discussion of the new technology management organization that will be established to plan, coordinate, and administer the deployment and ongoing support of the new technology infrastructure across the State court system. The Judicial Department will use the strategic blueprint to guide the enhancement and deployment of the key people, processes, and technologies that will form the basis of the future business model for the Judicial Branch. The technology vision for the Judicial Branch of South Carolina includes the deployment of a standard and uniform enterprise infrastructure to serve the collective and individual data and information needs of Court Administration and all the court jurisdictions of the State court system. The vision is briefly described in the following sections.

5.6.1 Enterprise Security Services—Vision

The rapid advances in network technology are enabling the reshaping and reengineering of governments, improving efficiency and effectiveness in ways that could have only been imagined just a few years ago. In this exciting and challenging “information revolution,” the importance of information security is rapidly coming into focus. Security has been a technically challenging problem with computers almost from the first instances of their operational use. Networking brought greater security challenges, and the advent of the “network of networks,” which we refer to as the Internet, is bringing even greater challenges. When governments use electronic networks, especially the Internet, security and privacy are fundamental requirements. Information security must be a fundamental part of the Judicial Department’s *Strategic Technology Plan*.

Security management involves managing risks and practicing an appropriate standard of care. Executive management alone cannot achieve this task. Business managers, information systems specialists, and security practitioners must collaborate to achieve a balanced solution. In particular, it is important that the business managers be involved in the process and that security is seen as a business issue. Security should be viewed as an enabler for change and as a necessary component of an electronic business process.

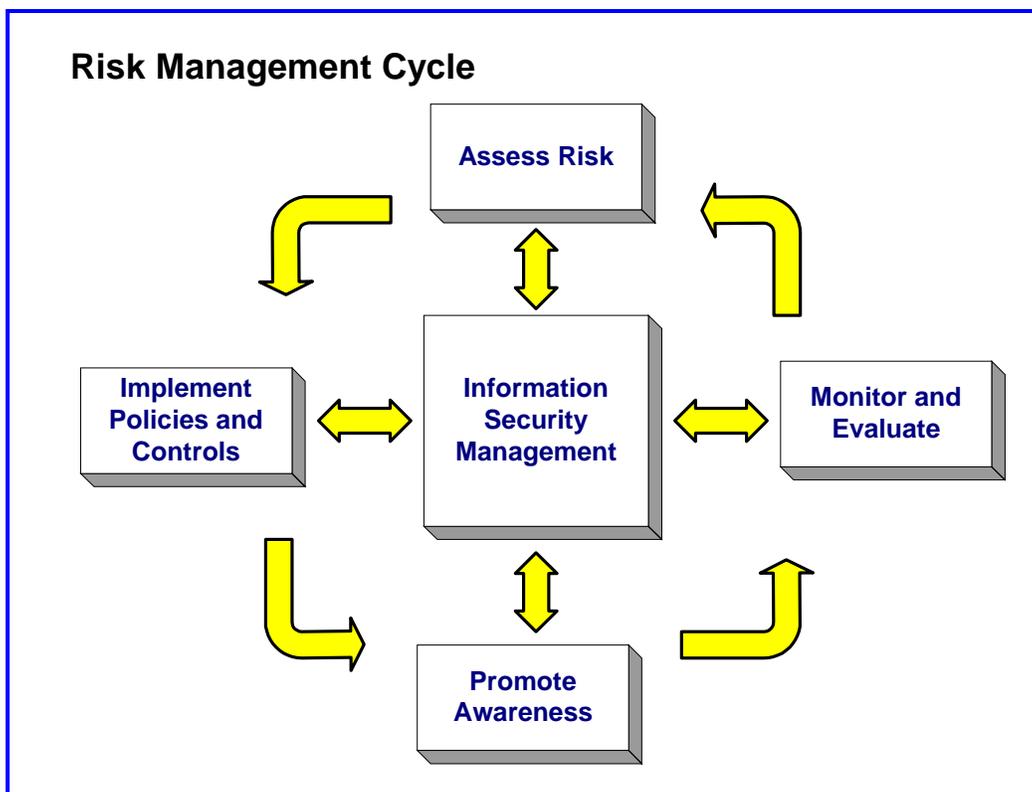
Risk management is at the heart of information security. A risk assessment should be a fundamental part of the business development process. Part of the risk management challenge is that information systems are changing quickly. At the same time, security risks are also changing quickly as new threats, vulnerabilities, and attack tools are introduced. Consequently, a static risk assessment process is no longer sufficient. Risk management must now be designed as a continuous process that reacts quickly to changes.

The principle of risk management is at the heart of information security. Security management should follow a risk management cycle such as the one depicted in Figure 5-7. This model is based on the five common risk management principles applied by leading organizations:



- Determine needs based on an assessment of information security risks that affect business operations
- Establish a security management office to direct policy
- Implement appropriate policies and related controls
- Promote awareness to continually educate both users and managers on risks and related policies
- Monitor and evaluate the effectiveness of policies and controls

Figure 5-7



Technical security solutions must align with the overall security strategy. The Judicial Department should not rush to implement narrowly targeted security “point solutions”: a firewall here, virus protection there. Such quick fixes may do more harm than good because they likely will not provide a complete and consistent level of protection, and they may provide a false sense of security. Implementing a security architecture requires a structured process that takes into account both security and business requirements. A sound overall security architecture is essential to satisfy the demanding security requirements in a networked environment. The goal of the security architecture is to define technical safeguards and standards to provide a consistent and complete security posture. The architecture should define the

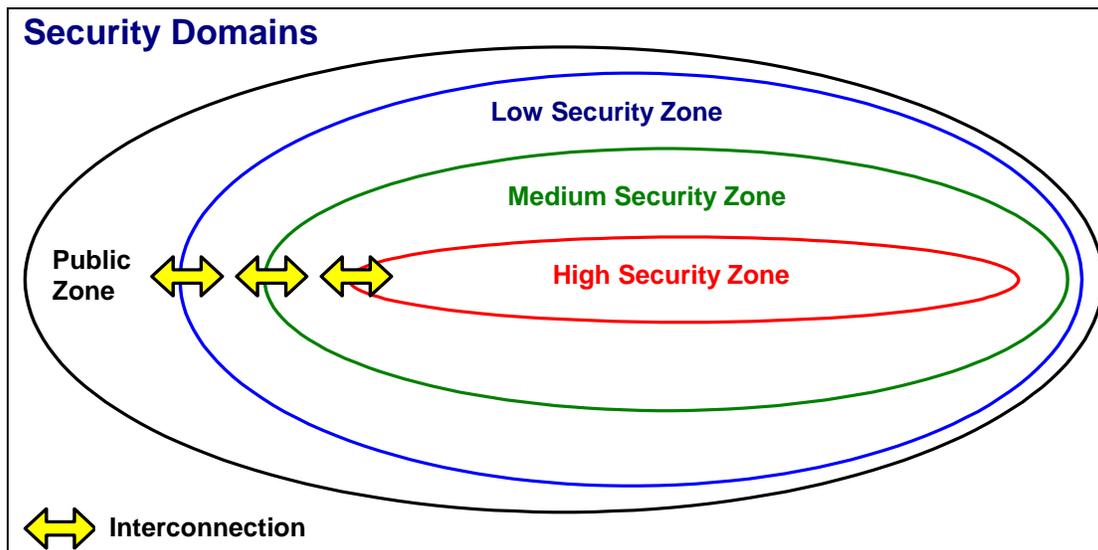


common security infrastructure, common solutions and standards that can be applied across organizations, and a range of technical safeguards required to support business processes.

The security architecture should be based on a layered approach that provides a consistent level of protection across the wide range of threats and vulnerabilities. The first step is to define a logical model that identifies security domains with similar security requirements for confidentiality, integrity, and availability. These domains should be based on the business processes and information that need to be protected. Once the security requirements and security services for each of these domains have been determined, technology solutions and standards can be defined to satisfy those requirements. These solutions should be determined based on risk management principles.

Figure 5-8 depicts the notion of security domains within a layered security architecture. The circles represent security domains, or zones, with similar security requirements. These domains can be logically separated using security technologies, but can also be interconnected using appropriate security safeguards.

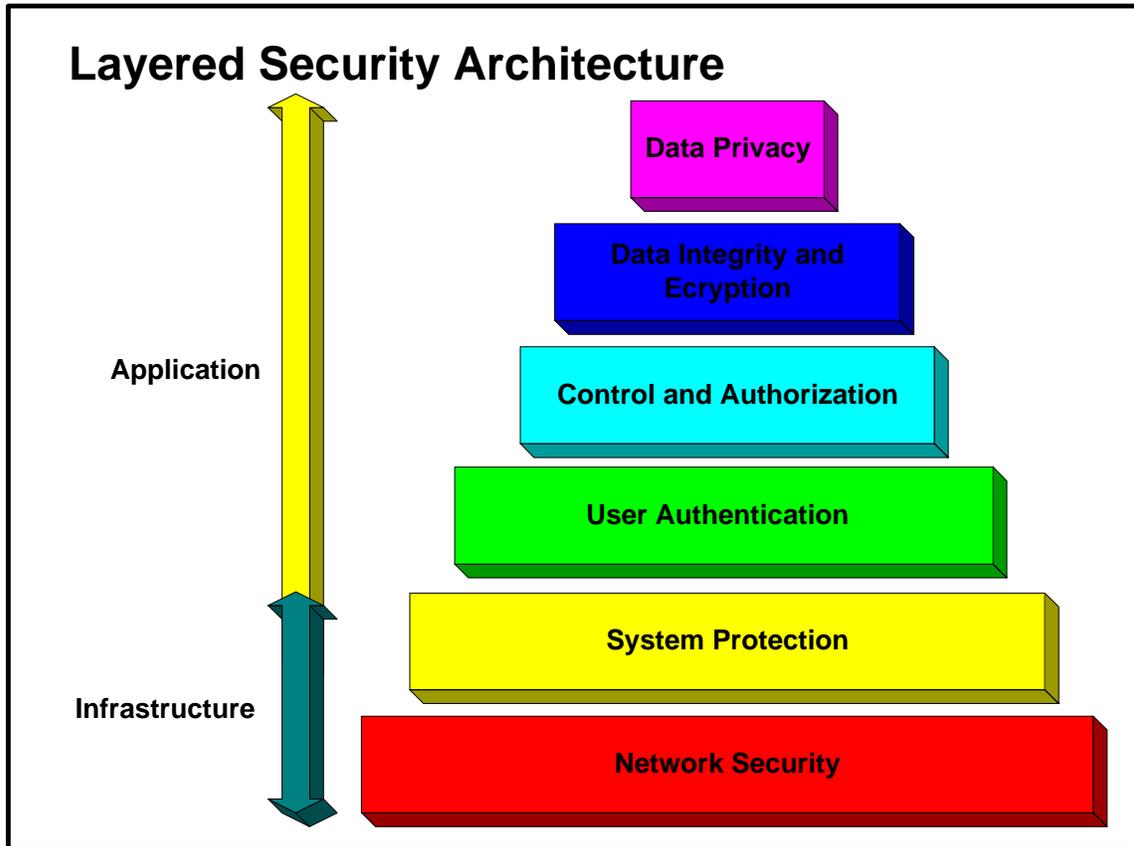
Figure 5-8



The best method of securing a network or host server is to use multiple security technologies together as part of a layered security architecture as depicted in Figure 5-9. A layered security architecture is modular. Network and systems infrastructure layers support higher level applications. Each layer has its own security requirements and, in order to get complete coverage, all layers have to provide information protection measures.



Figure 5-9



There are a wide variety of advanced security technologies such as Public Key Infrastructure (PKI), firewalls, virtual private networks (VPNs), intrusion detection systems, operating system security, smart cards, digital signatures, and others. A layered security architecture takes advantage of a balanced set of these technologies, but also takes into account policies and procedures, risk management, incident handling, vulnerability analysis, and other essential activities. Because no combination of security technologies can be completely secure, the Judicial Department must also be prepared to respond to attacks against information resources. The following provides an overview of common security technologies:

- **Application Layer Security.** Application layer security provides end-to-end or writer-to-reader security for transactions. Application layer security services protect application-specific information and transactions. Some specific application layer security services include authentication, transaction encryption and digital signatures, and transaction logging and recovery mechanisms. Some security services—notably nonrepudiation—can be performed only at the application layer



- **Operating System Security.** The operating system provides a barrier to protect the applications and data on a computer. An operating system has direct control over applications and provides security services to and around an application. Operating systems can create a strong shell of security around the applications, provide secure communications among applications, limit penetrated applications from spreading their influence, and limit the leakage of critical information out of an application. Some examples of operating system security features include trusted path, least privilege, nondiscretionary access protection, and strong authentication
- **Network Layer Security.** The network layer provides domain-to-domain security. Network layer security provides security services including access control, confidentiality, and integrity protection that all applications can use. A VPN is created using encryption to isolate the traffic between two communicating hosts from other traffic on the network. Because network layer security provides a barrier for all applications, it can reduce costs and reduce application integration problems. However, network layer security cannot perform “transactional” security services such as nonrepudiation because the information contained in transactions is only understood at the application layer
- **Firewalls.** Firewalls provide perimeter defense. As the term implies, a firewall restricts overall access from an untrusted environment (the Internet) to a friendly environment (the local network). Firewalls police network traffic that enters and leaves a network. A firewall may completely disallow some traffic or may perform some sort of verification on traffic. A well-configured firewall can block many known attacks and can prevent attacks by disallowing protocols that an attacker could use. By limiting access to host systems and services, firewalls provide a necessary line of perimeter defense. However, firewalls do not, in most environments, adequately reduce the risk for active content or transaction-oriented services. For example, firewalls do not typically have the ability to analyze downloaded Java applets. New transaction-based Internet services make these perimeter defenses less effective and the boundaries between the internal and external environments blur. A firewall controls broad access to all networks and resources that lie inside it. Once packets traverse the firewall and enter the internal network, the firewall cannot prevent access to or modification of internal resources. For Internet-based transaction systems, the security mechanisms must be able to provide or deny access to particular web pages, applications, and databases on the basis of individual user profiles and authentication. Firewalls are unable to provide such detailed security measures.
- **Public Key Infrastructure.** The PKI manages electronic identities and cryptographic keys. Because most security technologies today rely on encryption and digital signatures, a PKI is normally a fundamental part of a security architecture and is integral to the secure service delivery model. A PKI provides a mechanism to manage and ensure trust in electronic identities, which is critical because almost all security services rely on identification and authentication. In addition, a PKI provides an infrastructure to support trusted interactions between the Judicial Department and external agencies, and the public. A PKI is the only technology that can provide



such an infrastructure. The PKI supports encryption and digital signature capabilities across a broad range of both application and network layer products to provide authentication, integrity, confidentiality, and nonrepudiation. A typical PKI integrates digital certificates, public-key cryptography, and certificate authorities into a total, enterprise-wide security architecture. It also encompasses the issuance of digital certificates to users and servers; end-user software; certificate directories; tools for managing, renewing, and revoking certificates; and related services and support.

- **Authentication Technology.** This technology confirms the identity of users or administrators. Authentication technology is important because almost all other security mechanisms rely on it. “Simple” authentication refers to mechanisms such as passwords and PINs. “Stronger” authentication mechanisms include challenge-response schemes, one-time passwords, and cryptographic schemes such as digital signatures using X.509 certificates (PKI). Additional assurance can be obtained using so-called “two factor” authentication, in which the cryptographic technology is securely contained in a smart card or token.
- **Intrusion Detection.** Intrusion detection systems (IDSs) provide the security alarm system. IDSs detect unauthorized use of, or attacks on, a computer or network. Given that it is not possible to prevent all potential attacks, IDSs are extremely valuable tools for detecting, analyzing, and responding to attacks when they do occur. Using an IDS to support so-called “active” information protection is becoming an important component of a security architecture. There are two basic types of IDSs: network-based and host-based. Network-based IDSs are effective tools that provide insight into network activities to detect and analyze attacks. Host-based IDSs are effective at detecting and analyzing attacks based on audit files of a specific host. IDSs are an emerging technology and do have limitations. IDSs normally detect attacks that have occurred but cannot prevent attacks. They must therefore be used in conjunction with other forms of preventive security measures. In addition, they are normally only able to detect attacks that have previously identified “attack signatures” that have been analyzed by the IDS vendor
- **Virus Detection Software.** Virus detection software monitors computers and detects malicious code. Virus detection software must monitor all points of entry. For example, virus checkers on e-mail servers that scan e-mail attachments should supplement virus checkers on hosts. Because new viruses are constantly being identified, virus detection software needs to be updated frequently. Despite frequent updates, it is possible that new fast-spreading viruses can infect a network before virus-detection manufacturers can release software updates. In addition, virus-detection software can only detect viruses that a vendor has previously identified and included in the software

A successful information security architecture will employ these technologies in layered approach designed to protect the information resources of the Judicial Department. Different security technologies have different strengths and weaknesses, but together they can create a reasonably strong barrier against



most attackers. Understanding the strengths and weaknesses of the technologies is also necessary to develop appropriate security policies, practices, and procedures.

5.6.2 Enterprise Network Services—Vision

The transformation of the Judicial Department into an electronic business is predicated on reliable, secure network communications to transfer information between all personnel within the Judicial Branch and other agencies. The strategic vision for the Judicial Department is an electronic business process supported by a statewide network infrastructure that connects every office within the Judicial Department and Judiciary to each other. The challenge of the Judicial Department is to develop a network infrastructure that is reliable, secure, and maintainable at a cost that is economically viable.

All the enterprise applications developed for the Judicial Department will be designed for secure access over the public Internet. The enterprise applications will take advantage of modern security technologies including VPNs and encryption. These technologies will enable the Judicial Department to create virtual circuits that tunnel through the Internet. Essentially, if a court can access the Internet, it will have secure access to the information resources of the Judicial Department.

The term “network infrastructure” is generally used to describe the entire voice, data, image, and video communications system. This system includes not only the physical wiring of cables and routers but also the interconnection of heterogeneous networks from various public and private service providers from across the State. In today’s current environment, the implementation of network infrastructure is diverse and maturing as demonstrated by the numerous wide area network (WAN) initiatives installed across South Carolina by many State agencies including:

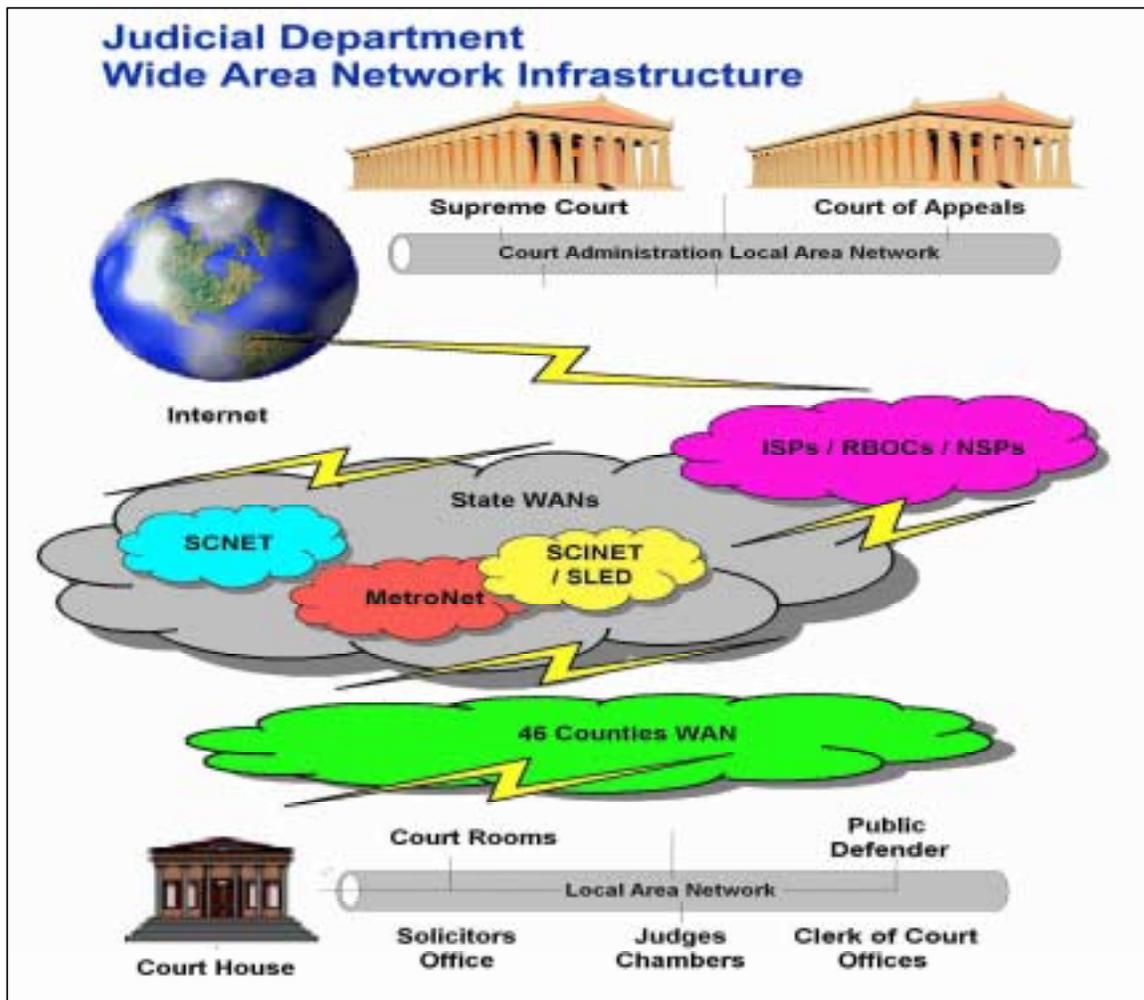
- South Carolina Law Enforcement Division (SLED)
- South Carolina Highway Patrol
- Office of Information Resources: SCINET
- Office of Information Resources: MetroNet
- Department of Public Safety (DPS)
- Department of Probation, Parole, and Pardons Services (DPPPS)
- South Carolina Department of Corrections (SCDC)
- Department of Education

Many private ISPs and RBOCs provide network services across the State of South Carolina. Most counties have installed a metropolitan area network (MAN) to connect local government offices including the Clerk of Court. In the future, all court rooms, Judges’ chambers, administrative offices, and Clerk’s



offices will be connected on a seamless network infrastructure to the Judicial Department. This infrastructure will give them ready access to all authorized systems within the Judicial Department, as well as electronic connectivity to other agencies and businesses through the Internet. Figure 5-10 shows the overlapping web of local and State networks, and government and private networks that will need to be used to develop a network infrastructure to connect all internal and external users to the Judicial Branch.

Figure 5-10



5.6.3 Enterprise Computing Platforms and Standards

The complexity of today's computing environment is constantly increasing as computers become more powerful and less expensive. At the same time, software makers continue to develop more complex



versions of operating systems and applications. There is a constant battle to get server A running operating system X version 4 to work with server B running operating system Y version 2000.

The challenge for IT managers is to make all elements work together to conduct the business of the Judicial Department. In the future, the Judicial Department will set up a list of standard computing platforms to minimize the complexity of the IT environment. A computing platform will be developed for each functional and technical business requirement including:

- Desktop computer configuration
- Laptop computer configuration
- User software configuration
- Workgroup server
- Enterprise server
- Printer configuration

Desktop Computer Configuration: It has been estimated that the initial purchase price of a desktop computer represents less than one-third of the total cost of ownership. The remaining two-thirds of the cost is spent on support services by the IT staff. The key to minimizing PC support cost is a stable, homogeneous desktop environment. In the future, every desktop computer in the Judicial Department will be from the same manufacturer and will belong to the same product family. Any hardware or warranty-related problems will be resolved through a standard procedure with the vendor. The vendor will automatically notify the IT managers of software patches and potential system problems.





Laptop Computer Configuration: The laptop configuration will include a docketing station and standard remote access procedures that may include network, dialup, and wireless access to the Judicial Department network. Remote laptop users will get secure, seamless access to information resources within the Judicial Department regardless of their geographic location.



User Software Configuration: Every user's desktop will include a package of standard office productivity and communication applications. The desktop configuration will allow for the automated distribution and rollout of software upgrades and new applications.



Workgroup Server Configuration: The workgroup servers will be standardized in the same manner as the desktop configuration. Each system will be from the same manufacturer and belong to the same product family. Each server will be configured with the same version of the same network operating system. Workgroup servers will be used for e-mail, file and print services, firewalls, and web services.



Enterprise Server: The enterprise server will be the workhorse of the IT organization. This class of server will handle the central database and core applications that run the business. These systems will be expected to run 7 days a week, 24 hours a day at 99.99 percent uptime.





Printers: There will be a standard configuration for all black and white laser-quality printers throughout the Judicial Department. Metrics will be established to determine the distribution of printers across the Judicial Department to ensure human resources are not being wasted walking to and from the printer. In addition, specific departments may require a standard color laser-quality printer that also has integrated copy capabilities to meet unique requirements.



5.6.4 South Carolina Judicial Department IT Standards

Technology standards are established by organizations to achieve one or more of the following objectives:

- Provide consistency in platforms to enable direct data exchange between systems with minimal complications
- Receive reduced pricing based upon economies of scale and quantity discounts that are sometimes available
- Minimize the quantity and complexity of training required by end users
- Minimize the diversity of support required to maintain, operate, troubleshoot, and enhance existing systems

The Judicial Department wishes to recommend and enforce standards to achieve these benefits. However, standards also have potential limitations that must be considered:

- Flexibility to leverage nonstandard technologies is limited
- Determining when and how nonstandard technologies currently in place should be exempted from the standard or replaced

An awareness of these limitations is necessary; however, it is anticipated that the recommended standards will enable the Judicial Department to gain the benefits desired, while encountering minimal constraints as it begins to implement its *Strategic Technology Plan*. The recommended technology standards for the Judicial Department are based on the information gathered regarding:

- State of South Carolina and its overall efforts to begin to establish statewide technology standards



- Currently deployed technologies within the Judicial Department
- Skills of Judicial Department and county IT personnel
- Industry defacto standards

Note that the standards listed in Table 5-11 should be periodically refreshed and evolve as the needs and complexities of the courts evolve and the technology available in the marketplace continues to mature. Refreshing of hardware standards and equipment is especially necessary because increasing the speeds and capacities of hardware make previous standards and equipment not only obsolete, but also unavailable. For this reason, the recommended hardware standards should be viewed as minimum standards. Also, manufacturers have been suggested in some cases because it is preferable that the Judicial Department and all affiliated entities use commercially proven and viable manufacturers to ensure future compatibilities and minimize warranty issues.

Table 5-11
Technology Standards

Local Area Network Infrastructure	
Cabling	TIA/EIA 568A standard for all cable installations - Category 5 UTP or better
Protocols (data link layer)	IEEE 802.3 - 10/100BaseT (TX) (F) (FX), or higher
Desktop Computer Configuration	
Processor	Pentium III, 500 MHz or greater
Memory	128 MB or greater
Operating System	Windows NT4.0/2000 or successor
Hard Drive	6 Gigabytes or greater
Floppy Drive	3.5"; 1.44 MB
CD-ROM	20/48x
Modem	56 Kb
Network Interface Card (NIC) 100Mbit	100 Mb UTP: (Suggested manufacturers include 3Com, Intel, SMC, DEC)
Display	AGP/PCI graphics accelerator with a minimum of 2 MB RAM 17-inch monitor—800x600x64K colors, VESA compliant, Energy Star compliant
Suggested Desktop Manufacturers off the State Contract	Dell, IBM, Gateway: First Tier manufacturers
Laptop Computer Configuration	
Processor	Pentium III, 400 MHz or greater
Memory	128 MB or greater
Operating System	Windows NT4.0/2000 or successor
Hard Drive	6 GB or greater



Floppy Drive	3.5"; 1.44 MB
CD-ROM	20/48x
Network Interface Card (NIC) 100 Ambit & Modem Card	100 MB and 56 Kb NIC, Modem Combo Card: This card should have an RJ-45 connector built in (no dongle)
Display	AGP/PCI graphics accelerator with a minimum of 2 Mb RAM 17-inch monitor—800x600x64K colors, VESA compliant, Energy Star compliant
Suggested Desktop Manufacturers off the State Contract	Dell, IBM, Gateway: First Tier manufacturers
* Server Computer Configuration	
Processor	Pentium III, 900 MHz or greater
Memory	256 MB or greater
Operating system	Windows NT4.0\2000 or successor
Hard drive	6 GB or greater
Floppy Drive	3.5"; 1.44 Mb
CD-ROM	20/48x
Modem	56 Kb
Network Interface Card (NIC) 100 Ambit	100 MB UTP: (Suggested manufacturers include 3Com, Intel, SMC, DEC)
Display	AGP/PCI graphics accelerator with a minimum of 2 MB RAM 17-inch monitor—800x600x64K colors, VESA compliant, Energy Star compliant
Suggested Desktop Manufacturers off the State Contract	Dell, IBM, Gateway: First Tier manufacturers
Office Productivity Software Configuration	
** Word Processor	Microsoft Word and/or Corel WordPerfect: Support for Microsoft Word, Corel Word Perfect, HTML, and XML.
Other Office Productivity Applications	Microsoft Office 2000: Word, Excel, PowerPoint, Project, and Access
*** E-Mail: Outlook 2000	Internet capable along with POP3, IMAP, VPN, LAN capabilities
File Compression	WinZip Version 8.0
web Browser	Microsoft Internet Explorer Version 5.x
Read-Only Document Software	Acrobat Reader or full version of Acrobat
Anti-Virus	Norton Anti-Virus Latest Version

* Note: This server configuration is in addition to the South Carolina AS400 platform which is currently deployed and represents a significant installed base throughout the state (>50% counties and OIR) thereby making the AS400 platform a defacto standard within SC.

** Note: Historically, the Judicial Department has primarily used WordPerfect; however, the State of South Carolina has selected Microsoft Office as its desktop standard for office productivity. Therefore, when confronted with an equal choice based upon requirements between the two word processors for future projects, Microsoft Word should be chosen.

*** Note: In the past, the Judicial Department was using Netscape and is in the process of migrating all users to Outlook to comply with the suggested State standard of the Microsoft suite. Currently, the Judicial Department is supporting both platforms, but anticipates the transition to be complete by spring, summer 2001.



Database Software

Modern relational database management systems (RDBMS) that support Open Database Connector (ODBC) are recommended. Suggested manufacturers are IBM DB2, Oracle and Microsoft SQL Server. Recommend using a database-modeling tool for the definition and establishment of the logical database design and maintaining an accurate model at all times that reflects the physical implementation.

Printer Configuration

Office environments: Network-capable LaserJet printer. Black and white will be adequate for most court environments. Color printers may be required in some judicial administrative offices. Suggested manufacturer is Hewlett Packard. Standalone, small office environments (five individuals or less) should consider network-capable multipurpose printing devices that provide printing, scanning, and faxing capabilities.

Interface Standards

The Judicial Department IT organization will adopt Extensible Markup Language (XML) as the enterprise-messaging standard for structured data exchange between heterogeneous systems across the network.



6. Judicial Department—How We Get There

6.1 Overview

The Judicial Department *Strategic Technology Plan* is designed to move the South Carolina Judicial Department away from reliance on standalone legacy technology into a modern, fully electronic business supported by enterprise systems. These enterprise systems will integrate all levels of the Judicial Department by harnessing the power of the Internet, allowing these systems to integrate the business of the Judicial Department from the Supreme Court in Columbia to the Summary Courts in the smallest rural counties in South Carolina. The vision for the Judicial Department includes the execution of a series of projects that will be developed in concert to create the enterprise applications, networks, and technology platforms that enable the Judicial Department to bring this *Strategic Technology Plan* to fruition.

This section of the *Strategic Technology Plan* will document the specific projects that will be executed by the Judicial Department to realize the enterprise vision presented in Section 5, Judicial Department—Where We Want To Be. None of these projects is going to be executed in a vacuum; rather, each initiative is a piece of the puzzle that must come together to complete the vision presented in this document. As has been emphasized throughout the development of this technology study, the three factors of people, process, and technology each play a critical role in the current operations and future of the Judicial Department.

6.2 Initiatives—People, Processes, and Technology

People, processes, and technology have been recurring themes throughout this *Strategic Technology Plan*. The overall success of the technology initiatives documented in this section will require the people of the Judicial Department to follow modern software development and management processes. In addition, the Judicial Department must provide a series of advanced human resource development programs to enable the people to adapt to the changes that technology will bring to the Judicial Branch. The following sections detail the initiatives of the *Strategic Technology Plan* that will support the people, processes, and technology of the Judicial Department.

Table 6-1 identifies all of the initiatives for the Judicial Department information technology (IT) to begin the journey to realize the technology vision of the Judicial Department.



Table 6-1
Judicial Department Strategic Plan Initiatives

People Initiatives
Establish a new Judicial Department IT organization
Establish a change management program
Establish an enterprise training program
Establish a human resources evaluation program
Process Initiatives
Develop information security policies
Develop an enterprise statistics and reporting process
Coordinate technology license agreements
Develop a systems implementation planning and oversight process
Develop an electronic records law process
Develop an ongoing formal strategic planning process
Technology Initiatives
FOUNDATIONAL TECHNOLOGY INITIATIVES
Establish an enterprise network infrastructure
Develop an enterprise imaging system for the Appellate Courts
Develop the judicial web portal
Develop an enterprise case management system with the ASP model
Establish an enterprise call center
Systems integration
New equipment and hardware refresh
HIGH-TECH TECHNOLOGY INITIATIVES
Criminal Justice Information System (CJIS) efforts
Court reporter transcript automation
Court room identification of defendants
Register of Deeds case management and imaging system
Probate Court case management system
Drug Court case management system
Enterprise financial system

The cost estimates associated with each of the initiatives in the following sections are based on the following assumptions:

- Only new costs to the Judicial Department are estimated
- Maintenance and support costs of existing systems are not included in these estimates



- Internal personnel costs to the Judicial Department are not included in these estimates

The following sections document each of the major people, process, and technology initiatives that compose the action plan for this *Strategic Technology Plan*. Throughout the remaining sections the terms “project team” and “joint project team” refer to the development team composed of members from the various functional groups of the Judicial Department IT organization, the systems integrator, judicial and non-judicial personnel involved in that particular project, and other state or local agencies or commercial vendors. These joint project teams will be the primary resources performing each of these major strategic plan initiatives.

6.3 People Initiatives

Modernizing the South Carolina Judicial Department is a significant undertaking. Achieving this goal will require several initiatives that will transform the Judicial Department people, processes, and technology. The introduction of enterprise systems within the Judicial Department will bring a tremendous amount of technology and will therefore change into every aspect of the Judicial Department. Nearly 30 years ago, Alvin Toffler wrote his landmark book, *Future Shock*, describing what happens when people are no longer able to cope with the pace of change. Toffler’s main concern was a human being’s limited capacity to adjust physically, psychologically, and socially to a torrent of change that is increasingly expanding into more and more areas of individuals’ lives. Who would have thought that his book would be more relevant now than it was in 1970? Over the last 30 years, the rate of change due to technology has actually increased.

The greatest challenge for the Judicial Department is to manage the change brought to the Judicial Department by the introduction of enterprise technology into every aspect of the business process. The Judicial Department must develop a series of organizational and management structures designed to assist the people of the Judicial Department to accept and integrate with technology as it is deployed in the Judicial Department.

The introduction of technology will be driven by the concept of “timing and dosage.” This concept suggests that individuals can only absorb so much change within a given period of time. In addition, it will be critical to proactively prepare people for the coming changes by instituting a comprehensive program. Many users across the Judicial Branch have very limited exposure to modern technology, including Windows and the operation of web browsers. All of these initiatives are designed to help people cope with future shock. People are the key resource in all endeavors. Challenging and trusting the people responsible for producing the desired results are fundamental to the success of any initiative, technical or nontechnical. Also, all successful initiatives require sponsorship and leadership from the top. This action plan is no different.



Two principles serve as the underlying drivers for the people initiatives. These principles are:

- The mission, business, and operations of the courts are unique and require a level of expertise that is only gained from working in the South Carolina courts. This expertise is absolutely critical to maintain within the Judicial Department in conjunction with the implementations of technology within the South Carolina courts
- The Judicial Department must provide the leadership to modernize the South Carolina courts with the use of technology through clear direction and guidance

The following sections document the specific initiatives that will be developed to assist the people of the Judicial Department with the change this *Strategic Technology Plan* will generate.

6.3.1 Establish a New Judicial Department IT Organization

Priority	Timeframe
High	10/2000–6/2001

Purpose

To establish clear and direct lines of authority and responsibility for all technology within the Judicial Department.

Description

After acceptance of the Preliminary Report in September 2000, the Judicial Department executed a reorganization based on the structure defined in Section 4. In addition, the Judicial Department IT organization named a Director of Court Technology with responsibility and authority for all technology related to the Judicial Department. Five managers report to the Director of Court Technology. Each manager is responsible for the one of the following areas:

1. Enterprise Infrastructure Management
2. Enterprise Web Site Management
3. Enterprise Application Development
4. Technical Support and Help Desk Services
5. Strategic Projects



6.3.2 Establish a Change Management Program

Priority	Timeframe
High	1/2001–6/2001

Purpose

To inform and prepare the judicial employees and users of the South Carolina court system about the integration of technology into the day-to-day operations of the courts.

Description

The success of the *Strategic Technology Plan* depends on clear communication between the leadership of the IT organization and the entire judicial community. Keeping people informed of the coming changes in technology and process is another tool for reducing future shock. Once the technology has been deployed in the field, it is too late to prepare people for the change that the technology has caused. That is why communication and training must occur before the technology is deployed. The Change Management Program is responsible for anticipating change and preparing training and assistance programs to help users cope with transition. The Judicial Department is aware that the changes caused by the implementation of enterprise technology will also affect people outside the Judicial Department, including the Bar, Law Enforcement agencies, Solicitors, Public Defenders, Corrections, and other non-CJIS agencies. Each entity must be aware of the change introduced by this modernization program.

As discussed in Section 5, major IT projects will be developed by joint project teams composed of both Judicial and IT personnel. Each joint project team will be required to develop an application rollout strategy that will include a detailed plan to train and support the users of the technology. Technology projects will not be developed without input from users and support staff

The first step in the communications program has already been implemented with the establishment of regular management meetings with the managers of each functional area of the IT organization. These meetings are designed to develop a cross-functional dialogue with each manager concerning the design and implementation of the technology initiatives being undertaken by the IT organization.

The Judicial web site will serve as a conduit of communication for the Judicial Department. People across the Judicial Department will have a central focal point to learn about the technology initiatives being planned and currently under development. The IT organization intends to post timely notifications to the web site to document the progress of the Judicial Department automation project. In addition, the web site



will allow agencies doing business with the Judicial Department to keep abreast of issues that may affect them.

Other mediums of education for change management will be determined and established to include two way communications so that the concerns and issues from the field can be heard, addressed and resolved as they are pertinent and important to those involved. In this manner, these topics can be incorporated into the solutions giving all contributors a sense of ownership, instead of having to wait until after the technology is trying to be deployed and it is too late.

6.3.3 Establish an Enterprise Training Program

Priority	Timeframe
High	10/2000–6/2001

Purpose

To provide a means for all users of the Judicial Department systems and technologies to receive expert training on these systems and technologies in a timely manner.

Description

The Technical Support and Help Desk Services group will begin development of an enterprise training strategy to prepare everyone affected by the implementation of technology across the Judicial Department. The goal of the training program is to ensure that each user is fully trained in and comfortable with each piece of technology before the IT organization actually deploys it. Preparation begins with the awareness the communication program generates and continues with a comprehensive training session. Each training session may use any number of training tools, including:

- Instructor led classroom training
- Computer based training (CBT)
- Comprehensive user manuals
- Peer-to-peer training initiatives
- User group meetings

The Judicial Department should be aware that development of human resources across the Judicial Department might be the greatest challenge to the overall success of this automation project. The site



visits conducted during this effort have shown that there is great variation in the computer proficiency among individuals across the Judicial Department. All of the application specific training will assume that each user has achieved a minimum standard of computer proficiency. The Judicial Department should commit itself to bringing every user in the department, both state and county employees, up to a minimum standard of computer proficiency, including:

- Windows navigation skills
- Web browser navigation skills
- E-mail proficiency

6.3.4 Establish a Human Resources Evaluation Program

Priority	Timeframe
High	1/2001–6/2001

Purpose

To provide a structure for personnel to take responsibility for their own career paths in a proactive manner and to provide constructive feedback to employees regarding their performance.

Description

In order to recruit and maintain the best people, the Judicial Department must begin to institute a Human Resources Evaluation Program to track the personnel and professional development of the Judicial Department’s employees. As part of this formal process, each employee in the Judicial Department IT organization will receive an annual performance evaluation to ensure that he or she is meeting the department’s expectations while serving in a position that enriches his or her professional development. Each employee will have an opportunity to suggest ways to develop his or her skill set and value to the Judicial Department. Suggestions might include attending a conference (like the Court Technology Conference sponsored by the National Center for State Courts) or receiving specialized training in a new technology. In addition, the IT organization should promote an open door policy for employees to speak with management about career development.



6.4 Process Initiatives

Every modern IT organization requires a series of standard management processes that govern the way systems are designed, developed, implemented, and maintained. In some instances, the processes will drive the technology initiatives and in other cases, the technology will be driving the processes.

Two fundamental principles serve as the underlying drivers for the process initiatives:

- Technology will only be used to serve a function for the court that can be inherent in the operational processes of the court, not adjunct or additional, and produces a result directly used by a judge to administer justice more effectively or for the clerks and administrators to manage and operate the courts more efficiently
- Technology will become the process. Once incorporated into day-to-day operations, automation will not increase the workload of court personnel

6.4.1 Develop Information Security Policies

Priority	Timeframe
High	1/2001–6/2005

Purpose

To establish a formal information security and Internet usage policy for all users of information resources in the Judicial Department.

Description

To establish formal information security policies that provide documented security guidelines, rules and operating procedures for all technology usage within the Judicial Department. Development and operation of enterprise systems will require the establishment of specific security policies, rules, and operating procedures before these systems are deployed. The security policies will assign the appropriate levels of protection for different types of information in the Judicial Department. For example, the security of requirements for a court case involving a juvenile will be greater than that for a standard civil filing. Similarly, applications distributed and accessed over the Internet will require more security than applications that are developed to run behind the Judicial Department firewall.



6.4.2 Develop Enterprise Statistics and Reporting Process

Priority	Timeframe
High	1/2001–6/2005

Purpose

To evaluate the current statistical reporting process of the Judicial Department to ensure accurate and timely reporting of judicial statistics to Court Administration and the Chief Justice. To develop technology to completely automate the collection and generation of court statistics across South Carolina.

Description

Traditionally, statistics and reports have been generated to gauge the court’s workload, activities, and accomplishments for historical purposes. Transitioning the management of the courts from a passive function to a proactive one will require numbers that accurately reflect the workload, events, and needs of the courts in a real-time manner. Assigning judges; scheduling terms of court; and determining increases and decreases in types and complexity of cases, effectiveness of penalties, and fines and sentences judges issue are factors that proactive court management needs to consider in order to effectively deploy judicial resources.

The natural byproduct of modern court case management systems (CMS) is the ability to take a snapshot of the current status of the courts at any time, day or night, from both predefined standard reports and ad hoc reports. No additional manual processing is required. No extra data entry is needed to get the information. Because of the accuracy and timeliness of the information, actions can be taken to proactively manage the courts. Any system’s statistics and reports are only as good as the data entered into it. Therefore, this initiative has four focal areas:

- To determine the true value to Court Administration and the local courts of the current data being collected and transmitted
- To determine the specific data Court Administration and the local courts need to provide valuable information to each
- To determine which functions can be added inexpensively to the Judicial web site to increase the accuracy and timeliness of the current statistical process
- To develop and deploy the resulting functions to the Judicial web site
- To ensure that all data being captured is at the source



- To ensure that reasonable flexibility is built into the future system or systems to enable them to adapt to evolving reporting requirements
- To deploy industry standard reporting tools to generate reports and ad hoc queries to analyze statistics that Chief Administrative Judges can use to manage courts proactively

6.4.3 Coordinate Technology License Agreements

Priority	Timeframe
High	1/2001–6/2005

Purpose

To consolidate various licensing agreements to provide a standard mechanism for judges, Clerks of Court, and administrative personnel to procure technology statewide and benefit from economies of scale provided by statewide purchasing.

Description

The Judicial Branch as a whole could achieve significant volume discounts and establish some standardization by requesting and purchasing needed technology licenses as a single entity, rather than by individual courts or offices as is presently being done. Furthermore, such volume purchases would enable the smaller counties to acquire technology that these counties now cannot afford. Legal research licenses are also license agreements that would benefit all judges in all eight levels of courts because all are said to need it; however, currently very few lower court judges can afford these licenses on an individual basis.

6.4.4 Develop Systems Implementation Planning and Oversight Process

Priority	Timeframe
High	1/2001–6/2005

Purpose

To develop processes for the business justification of new technology projects and sound systems engineering methodologies for the systems development life cycle.



Description

While technology can provide great benefits, it can also cause great frustration and financial drain. The key to controlling technology development is an executive management process for making business decisions regarding technology implementation. This process must begin with the initial business case justification for the system, and checks and balances must be put in place for its development, management, enhancements, and replacement.

Without such a process, the deluge of ad hoc requests that will be received from both technical and nontechnical personnel will have no solid criteria upon which to be evaluated. Baseline criteria need to be established to determine which ideas are worthy of pursuing and which are not. Furthermore, such processes ensure consistency and executive awareness, and avoid spur-of-the-moment technical decisions that may seem attractive but have negative results in the long term. The process for business case justification for large-scale systems within the Judicial Department will include the development of a request outlining the business case and tentative solution. This request will be measured against a set of criteria that will include the project's alignment with the Judicial Department's mission, technology strategy, business needs, affordability, and feasibility of the proposed technology. The Judicial Department IT organization will establish a formal software development methodology based on industry standard practices for the systems development life cycle. Every new system developed after the adoption of the *Strategic Technology Plan* will follow the same structured approach that will include deliverables and reviews for each of the following development phases:

- Requirements Definition and Business Analysis
- Technical Design
- System Development
- System Testing
- Deployment
- Training
- Support

This structured approach will reduce risk dramatically and provide the IT organization with a consistent method of managing systems from cradle to grave.



6.4.5 Develop Electronic Records Law Process

Priority	Timeframe
High	1/2001–6/2005

Purpose

To develop a process to review the legal requirements of proposed enterprise systems across the Judicial Branch. Examples would include the legal implications of introducing electronic documents and electronic filing in South Carolina. This process may lead the Chief Justice to suggest changes in South Carolina laws to permit the use of electronic instruments that were not available in the past.

Description

The Judicial Department IT organization is responsible for the management and direction of enterprise technology, which may require changes to South Carolina law in order to enable legal transactions to be completed electronically. The IT organization will need to engage legal resources within the Judicial Department to assist with the identification and documentation of any modifications to law required to enable electronic business transactions. It is recommended that the IT organization develop a formal legal policy board that will include the Chief Justice and selected members of the Staff Attorney’s Office, who can assist the IT organization with navigating the legal issues involved in validating electronic versions of official court documents, court orders, and warrants. As the volume of technology and complexity of issues involving technology continue to evolve, the corresponding necessary laws, rules, and procedures will need to evolve as well.

The Electronic Commerce Act enacted by the General Assembly of the State of South Carolina, which amended Title 26, Code of Laws of South Carolina, 1976, with Chapter 5, was approved by the Governor and took effect on May 26, 1998. A copy of this legislation is included in Appendix B of this document.

6.4.6 Develop Ongoing Formal Strategic Planning Process

Priority	Timeframe
High	1/2001–6/2005

Purpose

To implement an internal process to periodically update the *Strategic Technology Plan*.



Description

This Judicial Department *Strategic Technology Plan* should serve as a living document that evolves as the Judicial Department implements projects and technology evolves over time. Consequently, a mechanism should be established that periodically reviews and refreshes the plan so that it continues to provide guidance and direction. Once these initial technology projects begin to be implemented, the goal in the future will be to continually evolve with technology. The *Strategic Technology Plan* should be updated annually to reflect advances in technology and successful deployments of enterprise systems.

6.5 Technology Initiatives

Once the Judicial Department has developed organizational and management structures to assist people with change, and standard management processes that govern the way systems are developed, the Judicial Department will be ready to implement the enterprise vision documented in this *Strategic Technology Plan*. The technology initiatives have been broken down into two categories. The first category is the core infrastructure initiatives that will provide the technical foundation for the overall automation project. The second category is high-tech; these initiatives will be developed once the core technology has been deployed and additional resources are available. The fundamental technology initiatives are composed of five enterprise system projects and two initiatives focused on systems integration and hardware refresh to ensure interoperability. The high-tech initiatives are seven projects that will build on the fundamentals and dramatically enhance court services.

The successful completion of the major technology initiatives will transform the Judicial Department into an electronic business. Enterprise applications will be developed with two fundamental design principles to ensure rapid development and repeatability and avoid risk:

- All enterprise applications will begin with a commercially proven off-the-shelf software package as a starting point for customization
- The ASP model will be used for the operation of the enterprise applications that the Judicial Department will deploy. The idea is to move all enterprise applications to an Internet model that can be easily extended across the state

The technology action plan is composed of individual projects that can be executed as individual efforts, but some depend on others in order to be successful. With cooperation among project teams, the results of these efforts will build on each other to continue achieving greater and greater results.



6.5.1 Establish Enterprise Network Infrastructure

Priority	Timeframe
High	2001 - 2005

Purpose

To establish broadband communications capability to the Internet for all judicial facilities and the capability of Internet connectivity for all judicial personnel in South Carolina.

Description

The Network Infrastructure project will provide every level of court with a broadband connection to the Internet that will serve as the communication link to the Judicial Department. The transformation of the Judicial Department into an electronic business is predicated on reliable network communications to access information around the Judicial Branch. The vision of the Judicial Department is to leverage the power of the Internet as an enterprise network to allow every level of court an opportunity to access the ASP based judicial applications and other online resources.

The Judicial Department must develop a partnership with the 46 county governments across the state in order to realize the network vision presented in this *Strategic Technology Plan*. Most of the costs of operating a broadband communications network are the recurring monthly service charges required to maintain the connection. Presently, it is not financially feasible to the Judicial Department to pay these recurring charges for all county courts. Therefore, each county must be responsible for paying the monthly recurring charges for the network communications. The project team realizes that many counties may be unable to afford these monthly service charges at this time or even in the near future. For this reason, it should be emphasized once again that the Judicial Department *Strategic Technology Plan* has been developed with a long-term perspective. It may take many years for the Judicial Branch to reach the vision of broadband connectivity for all judicial facilities.

Tremendous advances in network technology are occurring everyday; the communications world is being transformed by fiber optics, wireless technology, and microelectronics. The benefit of these technologies becomes apparent if one considers the cost of long distance telecommunications. Three years ago, the cost of a minute of long distance was 15 cents or more; today, the major carriers routinely advertise long distance rates below 5 cents a minute. Wireless carriers have begun offering their customers free long distance service. This trend is going to continue; communication costs will keep declining every year for the foreseeable future. Experts estimate the cost of broadband network communications will decline by



approximately 25 percent annually while service availability will reach out into rural areas with extension of fiber optic trunk lines and affordable broadband wireless service.

This network vision may seem out of reach right now but time and technology are on our side. One suggestion is that the Judicial Department set up a grant program designed to assist the counties of South Carolina in developing a broadband communications infrastructure for county courts. The Judicial Department will offer monetary and human resources to enable each county to connect to the Internet. The Judicial Department will essentially assist the counties in developing their broadband network connectivity to the court by providing hardware (such as routers and hubs), financial support for one-time connection charges, and network services to install and configure the equipment. When the county is ready to support the monthly service charges for the local courts, the Judicial Department will provide initial technical and financial assistance. Each county will be unique due to differences in the existing infrastructure (if one exists). Each county will have different service providers with different offerings, dedicated circuits, digital subscriber lines (DSL), broadband cable, and so forth.

The first step required is the development of a detailed network architecture that will define the individual network connections needed to establish broadband connectivity for each judicial facility in each county. Essentially, this effort will develop 46 individual network architectures, one for each county. This architecture will provide the Clerk of Court and county administrators a comprehensive network communication strategy documenting the following:

- The analysis of the existing county network infrastructure
- The physical location of each court facility
- The proximity to network points of presence (POP), Office of Information Resources (OIR) POPs, and other connected government agencies
- Identification of network service providers in the county
- The estimated connection cost for each court facility
- Provision of a comparison of the cost and availability of the various services offered in each county
- The estimated recurring cost for each network segment
- The estimated hardware cost for each court facility (routers, hubs, and wiring infrastructure)

The network strategy will allow the Clerk of Court in each county to present a comprehensive list of costs that the county would need to support to provide the local court system with broadband network communication. In addition, the network strategy will document the contributions the Judicial Department



will make for the effort including hardware, technical assistance, and financial support for one connection cost. Once the county has agreed to support network communications for local courts, the project team will be able to begin executing the project, including procuring hardware, negotiating the network service providers, and installation.

6.5.2 Develop an Enterprise Imaging System for the Appellate Courts

Priority	Timeframe
High	2001 - 2004

Purpose

To implement imaging at the Supreme Court and Court of Appeals to streamline the microfilming process and, over time, reduce the dependency on paper case files through integration with a complete Appellate CMS.

Description

The Enterprise Imaging System initiative will provide the Appellate Courts with a total case tracking and document management system over the five years of projects associated with this initiative. The Appellate Courts are drowning in a sea of paper. The administration and operation of the Appellate Courts are based entirely on manual, paper based processes. The project’s ultimate goal is to reduce the volume of paper printed, copied, and distributed by the Appellate Courts. Scanning documents into an imaging and document management system at the point of entry will be the beginning. Case files will eventually be managed and archived electronically through the integration of the Appellate CMS and the document imaging system. A justice or judge will be able to view an entire case file through a web browser, see a link to every document that is part of a case, and bring up the document with a single click. The imaging system will be a tool for the court to manage and store documents; it is assumed that the court will print many of these documents during the normal progression of a case. However, a large percentage of documents will likely never be printed in hardcopy, saving money for the courts and the Bar. Once documents have been scanned into the imaging system, they can be directly converted into microfilm to meet the State of South Carolina’s archival requirements.

The first step toward realizing this vision will be the development of an initial imaging archival system to scan and index case files. This project will take the successful implementation at the Richland County Register of Deeds as a starting point. The next year’s workflow will be added to the system. Finally, the



imaging system will be integrated with a complete Appellate CMS. At that time, the current in-house developed Appellate CMS will be evaluated to determine whether it should be enhanced to integrate this functionality or whether it should be replaced. The final system will serve both the Supreme Court and Court of Appeals.

6.5.3 Develop the Judicial Web Portal

Priority	Timeframe
High	1/2001–6/2005

Purpose

To evolve the current Judicial Department web site into a dynamic conduit for all Internet-based interactions with the South Carolina courts.

Description

To transform the Judicial web site into a true web portal by developing a series of dynamic web based applications to serve both judicial and nonjudicial personnel, the Bar, and the public. The term “portal” refers to a web presence that offers more than static information. The portal will serve as the focal point of the Judicial Department’s electronic business vision and the conduit by which all of the systems and the Judicial Department’s information will be accessed, including linking to specific local courts within the State. Over time, the judicial portal will offer online access to the following functionalities:

- Personnel Directory (updated in real time through self-service by employees)
- Court Schedule (updated in real time)
- Indexing of Opinions (completely searchable on multiple indexes)
- Indexing of Court Rules (completely searchable on multiple indices)
- Online Court Reporter Scheduling and Transcript Workload Reporting Applications
- Posting and Validating Monthly Statistics
- Posting and Validating County Statistics
- Access to all Electronic Forms Used in the Judicial Department
- Develop Templates for Currently Non-Automated Counties to Use to Establish a Web Presence (display consistency across courts to the public)



- Online Computer Based Training (CBT)
- Bar Admissions (applications and results)
- Access to Enterprise Case Management System
- Access to Tier 1 Call Center Support
- Links to Other Online Judicial Resources
- Links to Other South Carolina Court Web Sites
- Disciplinary Counsel Case Tracking System
- Alternative Dispute Resolution Case Tracking System
- Personalized Portal View (individualized view of the portal)

The Judicial Department web site and web portal efforts will be the Judicial Department IT organization's first development and production effort that encompasses both enterprise and nonenterprise systems. For all enterprise system efforts, such as the development of the CMS, the web user interface and requirements to link through the judicial portal will be inherent in the requirements of the system. The integration of these enterprise systems with the judicial portal will be an embedded part of the development, testing, and deployment of these enterprise systems.

For all nonenterprise projects, some combination of 4GL web development tools such as Microsoft Dreamweaver, Oracle Forms, or Cold Fusion will be used. All user interfaces of these nonenterprise systems will be consistent with guidelines set forth by the Judicial Department Webmaster.

The current Judicial Department web site (www.judicial.state.sc.us) has been constructed based on a tool, WebOS, developed by the Adhesive Software company. The tool is primarily a content management tool designed for nontechnical personnel posting static information to a web site. The nonrelational aspects of the backend database, combined with the hard coding of scripts required to enforce business rules, are surfacing as significant obstacles as the Judicial Department web site is quickly evolving. This tool, as well as the nonenterprise web development tools, will be evaluated during initial web portal projects. A decision will be made regarding the long-term feasibility and utility of these tools as the web site evolves.

The three largest metropolitan counties in South Carolina (Charleston, Greenville, and Richland) have a significant web presence. Lessons learned, as well as new ideas, will be leveraged with these county IT departments, as appropriate. Talking with these professionals at the beginning of web projects, when it has been determined that their specific web site has similar functionality, will benefit the Judicial Department with immediate experience.



Initially, from the listing of web portal projects identified previously, Judicial Department IT will tackle a single nonenterprise web system while the larger enterprise developments occur in parallel. In this manner, the web site can grow at a manageable rate with successful results without diluting focus and efforts.

6.5.4 Develop an Enterprise Case Management System with the ASP Model

Priority	Timeframe
High	2001 – 2005

Purpose

To develop a web based court Case Management System to integrate and standardize the operation of the 46 Clerks of Court across the State of South Carolina. The CMS will provide the Clerk’s offices with a total solution for case tracking, docketing, statistical reporting, and accounting. The CMS will allow for the electronic exchange of critical information, including dispositions, protective orders, wants and warrants, and financial records, with the other agencies in the justice system and county government. The CMS will evolve over time to include imaging and electronic filing capability.

Description

The Enterprise Case Management System project will enable the Judicial Department to provide a world class Case Management application to Circuit, Family and Summary Courts. The ASP model will enable the Judicial Department to level the technology playing field by providing a standard, outsourced web based CMS distributed remotely across the Internet. Most counties across South Carolina are using Case Management Systems based on 15-year-old technology. This project will enable the local courts to leapfrog an entire generation of technology (client-server) by using the economies of scale the ASP model and the Internet provide. The ASP concept is quite simple—any local court that has access to a robust Internet connection and a standard web browser will be able to access the CMS. The Judicial Department will manage all of the technology centrally. The key word is “managed”; the actual system’s operation may be carried out by an external organization. Examples would include the South Carolina OIR or a commercial ASP whose core business is technology.

The Enterprise CMS project will enable the Judicial Department to rapidly develop, deploy, and operate a world-class application across the State while minimizing upfront cost and avoiding risk. The basic approach will be a nine-step process that will include the following phases:



1. Determine the Members of the Project Team
2. Conduct of Business Requirements Evaluation
3. Select a Proven Commercial CMS Package
4. Modify the CMS Package for the Judicial Department's Requirements for Access Over the Internet
5. Deploy a Pilot CMS at a Selected Clerk of Court
6. Refine the CMS as Needed
7. Create a Deployment Template to Roll Out the Application Statewide
8. Deploy the CMS Statewide
9. Operate and Support the CMS Statewide

The project team will include a selected group of leading court operations professionals that will serve on the CMS Advisory Board. The CMS Advisory Board will assist the project team with selection of a CMS package and the business requirements evaluation that will serve as the core of the Enterprise CMS. The project team will also include a County Clerk of Court and staff that will serve as the first pilot site for the CMS. In addition, the National Center for State Courts (NCSC) will serve as a senior advisor to the CMS project team. The complete project team will include members from the following organizations:

- The Judicial Department IT organization (with members from all functional groups)
- The Systems Integrator (SI)
- The CMS Advisory Board
- Personnel from the selected pilot site (Clerk of Court)
- National Center for State Courts (NCSC)

Using the first fundamental design principle of technology development, the CMS will use a commercially proven, off-the-shelf (COTS) CMS product as the system's starting point. The project team, with guidance from the NCSC, will begin to assemble a list of detailed business requirements to compare against each vendor and package. The project team will conduct a series of vendor demonstrations and evaluations that will include a trip to the Court Technology Lab at the NCSC in Williamsburg, Virginia. The trip to the Court Technology Lab will allow the project team to evaluate the product offerings of each vendor and package. The NCSC will be able to provide the project team with an analysis of the strengths and weaknesses of each vendor and package. The project team will also entertain product demonstrations directly from the leading CMS vendors in Columbia or at a production site at another court operation.

The evaluation process will lead to the development of a formal Request for Proposal (RFP) to solicit the vendor community. The RFP will encourage vendors to submit proposals with creative funding strategies that will allow the Judicial Department to minimize the upfront software procurement cost associated with



the project. A possible funding strategy would be a pay-as-you-go arrangement in which the vendor is compensated as the CMS application is rolled out across the state over time. The incentive for the vendor is the opportunity to have the entire court system of South Carolina as a client. The project team will systematically evaluate each vendor's proposal and oral presentation to determine the winning CMS vendor and package.

Once a COTS CMS vendor and package have been selected, the Judicial Department will identify the modifications to the package necessary to meet the Judicial Department's specific business needs. The project team, along with technical resources from the CMS vendor, will then customize the application to meet the requirements identified by the Business Requirements Evaluation. The customization may also require the development or extension of the product's user interface and security modules to enable the system to operate securely over the public Internet. The Judicial Department will start with a solid, proven application and make modifications to fit the business process of the Judicial Branch and ensure that the system can be deployed securely across the Internet. This approach is designed to minimize risk to the Judicial Department because it is not a grassroots development; we are taking a proven package from the market and customizing it for the business requirements of the Judicial Department and deployment over the Internet.

The project team will begin to develop a comprehensive training program in concert with the customization effort. One county will be selected to serve as the initial pilot site. Court personnel at the pilot site will receive extensive training in preparation for the initial deployment of the CMS. After the final modifications have been completed and thoroughly tested, the CMS will be deployed at the pilot site. The senior members of the project team will orchestrate the initial implementation and provide the pilot site with extensive user and technical support to resolve issues and make required modifications quickly.

During the initial implementation at the pilot site, the project team will develop an implementation template that will serve as the blueprint for deploying the CMS throughout the State. The template will incorporate the lessons learned during the pilot training sessions and implementation. It will enable the project team to conduct a systematic, step-by-step deployment of the CMS and will eliminate many of the usual problems associated with implementing new enterprise applications. Upon successful deployment at the pilot site, the Judicial Department will have a model that can be systematically replicated across the State using the ASP model. Table 6-2 identifies the high-level schedule of the CMS effort.



Table 6-2
CMS Schedule

Step	Date	Activity
1	1/2001	Determine the Members of the Project Team
2	1/2001–6/2001	Conduct of Business Requirements Evaluation
3	1/2001–6/2001	Select a Proven Commercial CMS Package
4	7/2001–3/2002	Modify the CMS Package for the Judicial Department’s Requirements for Access Over the Internet
5	3/2002–7/2002	Deploy a Pilot CMS at a Selected Clerk of Court
6	6/2002–9/2002	Refine the CMS as Needed
7	9/2002–8/2002	Create a Deployment Template to Roll Out the Application Statewide
8	9/2002–FY 2005	Deploy the CMS Statewide
9	9/2002–Ongoing	Operate and Support the CMS Statewide

Data conversion is always an unknown until the exact details are defined concerning what data will be converted and how. Once the ASP model CMS is developed, data conversion will be considered individually with each of the counties. Upon converting to the new system, the Judicial Department will work with each county to decide how much historical data if any, should be converted, and then determine the optimum method for converting it into the new system.

6.5.5 Establish an Enterprise Call Center

Priority	Timeframe
High	1/2001–6/2005

Purpose

To provide an efficient means to deliver responsive and thorough technology support to the users of the Judicial Department technologies and systems.

Description

The Judicial Department will transform the current help desk function into an enterprise call center that will be able to track and assist users across the Judicial Department on an individual basis. The IT organization will procure industry standard help desk monitoring software that will serve as the backbone



of the Technical Support and Help Desk Services group. This software will enable the help desk to create a database of technical support problems and track the progress of each user.

Each time a call for assistance is received, the software will be used to document the problem and the actions taken to resolve the issue. If one user experiences a problem, there likely will be others who experience the same problem. By tracking each issue and its resolution in a database, the help desk software will be able create an index of common problems that the help desk staff can use to assist other users. In addition, the software will track a history of each user’s contact with the help desk. Every incident and issue will be in the database so that the help desk staff will know what actions were taken with that particular user or issue previously. The cost estimate for this initiative is for the purchase of this needed call center system hardware and software, and initial training.

The call center will be set up to operate in multiple support tiers to deal with user issues using an efficient, organized approach. The first tier of support will be e-mail or voice mail communication to the call center to alert the IT organization to minor problems or bug fixes that are not time sensitive. The second tier of support will be provided by a person designated as the super user of a given court or department. The super user will be a local person who has received specialized training and will handle most basic user support issues. This is intended to off-load the most basic user issues to a local person who can answer questions in person on location. If the super user cannot solve an issue, then the Judicial Department help desk, which serves as the third tier of support, will be engaged and the call will be tracked and entered into the database. The fourth tier of support will be an escalation from the help desk to the Judicial Department IT organization, which can provide support for hardware and minor software bugs. The fifth level of support will be to the SI, the CMS vendor, or both for major software development issues and mission critical software or hardware failures. Table 6-3 lists the five levels of call center support.

Table 6-3
Tiers of Call Center Support

Tier	Support Provider
1	Minor Issues that are not Time Sensitive
2	Contact Super User at the Local Court or Within a Department
3	Direct User Support by the Judicial Department Call Center
4	Escalation to the Judicial Department IT Organization
5	Escalation to the Systems Integrator and/or Case Management System Vendor



6.5.6 Systems Integration

Priority	Timeframe
High	1/2001–6/2005

Purpose

To provide integration and technology expertise, guidance, and management to the Judicial Department regarding the development, implementation, and deployment of automated systems across the Judicial Branch.

Description

Systems integration primarily serves two roles for the Judicial Department. First, it facilitates the selection of technologies that appropriately meet the courts’ business needs by eventually becoming an inherent part of court processes. Second, it ensures that the chosen technologies are implemented so that they are interoperable and capable of directly exchanging electronic data with other automated systems.

The systems integration initiative enables the Judicial Department to complement and supplement its IT staff with specific technology resources on an as-needed basis from its chosen systems integrator. In this manner, the Judicial Department can readily expand and shrink its overall staff to quickly meet the needs of the projects and constraints of the department with industry experts.

6.5.7 New Equipment and Hardware Refresh

Priority	Timeframe
High	1/2001–6/2005

Purpose

To purchase new equipment and replace obsolete hardware such as PCs and printers in accordance with the Judicial Department’s technology replacement policy.

Description

The Judicial Department has been on a 4-year replacement cycle for refreshing desktop platforms. It also is now working to equip all Judicial Department personnel with desktop PCs or laptops. Planning for the



periodic refresh of technology is the way an organization can continue to evolve with technology steadily as technology evolves. Not planning for periodic technology refresh creates a crisis situation every 7 to 10 years because the equipment breaks down, it is unsupported, and the operations of the business or organization became dependent on it. These crisis situations then require large expenditures and lots of effort for the business or organization to remain operational. As office supplies must be purchased and replenished, so must the technology.

6.5.8 High-Tech Initiatives

Several long-term initiatives have been identified and should be incorporated into the *Strategic Technology Plan* over time as the initial technology projects are developed and put into production. These projects are categorized as high-tech because they require that the foundational technical infrastructure be in place in order to be truly successful. Also, although these efforts would use proven technologies, they more than likely would be more sophisticated or more leading edge.

6.5.8.1 CJIS Efforts

Priority	Timeframe
High	7/2003–6/2005

Purpose

To conduct joint technology projects with other criminal justice agencies in the State under the guidance of the South Carolina CJIS Strategic Plan.

Description

Because the courts are the central focal point of the judicial process, all integrated criminal justice efforts must include the courts in some manner in order to be successful. Numerous technology projects have been identified as part of the South Carolina CJIS Strategic Plan that was sponsored by the South Carolina Department of Public Safety (DPS), conducted by MTG Consulting, and delivered in December 2000. The Judicial Department will have an integral role in most of their identified projects. Because the Judicial Department is currently working to establish its own technology infrastructure at this time, it is recommended that the Judicial Department be very selective in the near term regarding which efforts it undertakes so that it does not become so diluted that it will not complete its own infrastructure. In the long term, this would severely hinder the Judicial Department’s ability to participate in the statewide CJIS. Because the following information exchanges have been identified as probably the most critical at this time for South Carolina CJIS, it is recommended that the Judicial Department only become involved in the technology projects involving these exchanges over the course of the next 3 years:



- Protective orders with the South Carolina Law Enforcement Division (SLED)
- Wants and warrants with SLED
- Charge dispositions with SLED
- Traffic tickets with the Department of Public Safety
- Sentencing and commitments with the Department of Corrections

6.5.8.2 Court Reporter Transcript Automation

Priority	Timeframe
Medium	7/2002–6/2005

Purpose

To automate the transcript function of court reporters to provide them with more time to efficiently conduct the court room administration and management duties that they must also perform. Automation of the transcript function will also provide the court reporters with the tools to produce the transcripts in a more timely manner.

Description

To provide commercially available, off-the-shelf transcript automation technology to each court reporter to use in developing court transcripts in near real time. Just-in-time training would be conducted with each court reporter as he or she receives the equipment to ensure that he or she can use it properly and that it truly enhances his or her ability to take transcripts and does not hinder it.

6.5.8.3 Court Room Identification of Defendants

Priority	Timeframe
Medium	1/2003–6/2005

Purpose

To properly identify defendants in real time while they are in the court room before the judge.



Description

To deploy single-digit fingerprint readers at each of the 46 main courthouses that are connected to the SLED Automatic Fingerprint Identification System (AFIS). Anyone in the court room, including the Defendant, whose identity that the judge would desire to confirm with the SLED AFIS and criminal history system, could be requested to place his or her finger in the reader. The system would be configured to perform a one-to-one fingerprint match, not a complete ten print. In addition, the search and its results would be done on a real-time basis while all parties were in the court room. Some modifications and integration may or may not be required on the SLED systems. With this type of capability in the court room, it would also be possible, with an integrated court CMS, to transmit dispositions immediately to update the computerized criminal history system (CCH) at SLED once the criminal proceeding is concluded.

6.5.8.4 Register of Deeds Case Management and Imaging System

Priority	Timeframe
Medium	7/2003–6/2005

Purpose

To provide an initial integrated imaging, case management, and financial system to the Register of Deeds (ROD) offices.

Description

In the future, the Judicial Department may develop a statewide ROD CMS composed of an integrated imaging with workflow and financials solution. The ROD CMS should be based on the world-class Richland County ROD operation and its system. Although the Richland ROD system cost approximately \$1 million, it also is one of the largest ROD offices in the state. Since this effort is still 3 years away, the courts will be able to take advantage of decreasing technology prices.

A statewide ROD system could provide the Judicial Department and counties with a revenue stream by providing real-time online access to land records across the State. In Richland County and other counties across the country, ROD systems have paid for themselves relatively quickly. With an online access fee, the total cost of accessing land records over the Internet may be less than the cost of sending a person to the ROD offices. The online access fees could provide for the cost of supporting the enterprise ROD CMS.



6.5.8.5 Probate Court Case Management System

Priority	Timeframe
Medium	7/2003–6/2005

Purpose

To provide a web based Probate Court imaging and case management system.

Description

In the future, the Judicial Department may develop a statewide Probate Court CMS composed of an integrated Probate Court case management and imaging solution. The Probate CMS should be integrated and should operate similarly to the Richland County Probate Court system. In addition, it should enable the non-automated Probate offices to acquire a basic system leveraging the ASP model through the Judicial Department. Since this effort is still 3 years away, the courts will be able to take advantage of decreasing technology prices. Because some Probate offices in the State are still relatively small, their manual processes are working fine. Introducing automation today in those courts would only cause disruption and frustration. Three years from now, they will probably be better prepared. However, the larger Probate Courts such as Richland do now and will continue to benefit greatly from the use of integrated technologies sooner.

6.5.8.6 Drug Court Case Management System

Priority	Timeframe
Medium	7/2004–6/2005

Purpose

To provide a web based Drug Court CMS.

Description

Drug courts are in wide use across the country and are currently being piloted in South Carolina. Operation of drug courts use some standard court case management functions, but they also must track and monitor the availability of various rehabilitative, educational, and counseling programs that are unique to drug courts. In addition, the participation of defendants in these programs must usually be tracked, also. Courts and agencies responsible for diversion programs in other states are developing case



management systems to perform these types of functions. Once the technical foundation is completed in South Carolina, these types of systems should be in their third or fourth generation and the State should be able to enjoy the benefits in functionality, stability, and cost. In addition, 4 years from now, leading court case management vendors will probably have an offering for drug courts as another module. Therefore, a complete grass roots development or customization will not be required.

6.5.8.7 Enterprise Financial System

Priority	Timeframe
Medium	1/2001–6/2005

Purpose

To update the Judicial Department financial system as part of the statewide financials project.

Description

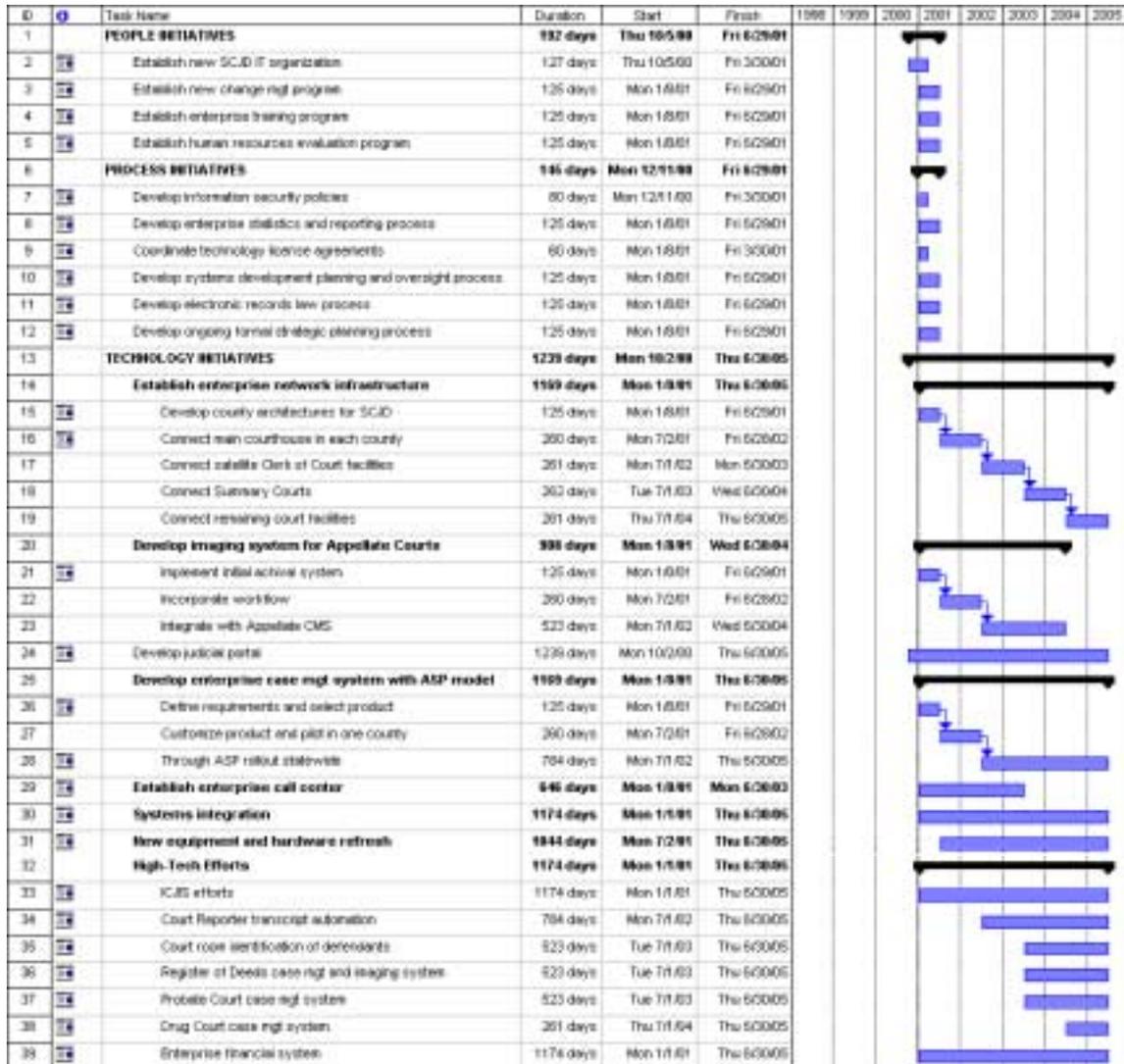
The State of South Carolina has begun a statewide initiative to standardize the financial systems of all major State government departments using an enterprise resource planning (ERP) tool. The Judicial Department should work closely as part of that project to modernize its own financial system so that the department can benefit to the maximum extent from being a significant, cooperating agency.

6.6 Overall Project Schedule

A Gantt chart illustrating the Judicial Department *Strategic Technology Plan* initiatives for the next 5 years is shown in Figure 6-1.



Figure 6-1
Strategic Technology Plan Initiatives



6.7 Forecasted Benefits

Every generation, a significant invention causes a paradigm shift that dramatically changes life as people knew it. The automobile was one, the television was another, and now computers and the Internet are fundamentally changing the world in which everyone lives and works. The adoption of Internet technology has completely transformed the way in which business is conducted. The Judicial Department has developed this *Strategic Technology Plan* in order to create a unified vision for the future of the justice system that capitalizes on the power of Internet technology. The key word is “unified.” In the past,



the Judicial Branch has not developed technology with an enterprise vision. The Judicial Department developed technology to support Court Administration and Appellate Courts, and each county Clerk of Court was responsible for the development of their own technology. As a result, every county has its own standalone system, supplied by one of a host of different vendors, which is not integrated with the rest of the State. The right hand has not known what the left is doing.

6.7.1 Frustration

The mix of heterogeneous CMSs across the State makes it difficult to integrate critical information and deploy new functionality. A person wanted in one county is a first time offender in another because there is not a unified system to track warrants and warrants. It is difficult for Law Enforcement agencies to integrate new programs with courts because they have deployed technology with 46 counties and the Judicial Department instead of a single point of contact. Current examples include disposition reporting, registering protective orders, and tracking warrants statewide. In addition, it is difficult for Court Administration to change the local courts' reporting requirements because it would require changes to every production system in the State. The information technology environment within the Judicial Branch is fractured and lacks any unified direction.

6.7.2 Opportunity

As documented in Section 3, most Clerks of Court are operating systems past the end of their technology life cycle. During the development of this *Strategic Technology Plan*, several counties have contacted the Judicial Department because they are planning to procure court automation and have requested direction and guidance. These courts are interested in upgrading their systems with modern technology to streamline operations, exchange electronic information with other agencies, and provide better service to the legal community. To continue in the future with the same business as usual attitude regarding technology development will only accelerate the number of disparate systems across the State.

The Judicial Department has seized on an excellent opportunity to set a strategic vision for technology within the Judicial Branch.

Through the leadership of the Chief Justice, the Judicial Department can lead the county courts to an enterprise CMS that can address the limitations of the past. The burden of procuring, supporting, and managing technology can be lifted from the local courts and centralized within the Judicial Department. The benefits of developing a unified CMS include:

- Standardizing the business of the courts
- Providing a single electronic interface for the other agencies to access and exchange information
- Upgrading all courts to a modern Internet based technology platform



- Providing a unified wants and warrants tracking system
- Providing a unified system for entering protective orders
- Integrating disposition reporting directly with the criminal history at SLED
- Consistent information with which to manage the courts
- The flexibility to enact policy changes uniformly and effectively
- The ability to leverage economies of scale
- Increasing public safety
- Providing a single platform to develop enhancements (develop the enhancement once instead of 46 times)
- Providing centralized end user support

6.8 Technology Plan Performance Metrics

Organizations expend resources on technology projects to improve their overall performance. In the commercial world, the typical method for determining the success of any project has been a calculation of return on investment (ROI). ROI is the quantifiable business benefit for the dollars spent on a technology project. Commercial organizations are concerned with maximizing shareholder value by increasing profits. Traditionally, ROI calculations in the private sector have centered on increasing revenue, decreasing cost, or both. Within the last several years, this traditional concept of ROI has changed. Organizations are now focusing on customer satisfaction as an essential business benefit that is every bit as important as increasing revenue and decreasing cost. These organizations have realized that it is at least 10 times more expensive to obtain a new customer than it is to provide world-class service to their existing customers.

In the government, technology projects are performed to increase the services an agency provides or to increase the efficiency of the services provided. Over the next few years, technology in the Judicial Department of South Carolina will be deployed through projects and supported by efforts led by the Judicial Department IT organization. The satisfaction of judicial and nonjudicial personnel using the court systems and technologies will be of paramount importance in the South Carolina court modernization effort. This satisfaction will be the primary driver of success of the program. In order to determine whether the program is successful, metrics must be established so that progress or lack thereof can be measured and appropriate adjustments made. Therefore, in order to manage the courts' overall technology efforts, metrics and methods of measuring individual projects and support efforts as well as the IT organization as a whole should be established.



6.8.1 Individual Project Metrics

Technology is being selected, developed, tailored, and enhanced to be deployed into day-to-day operations and meet the unique needs of the South Carolina courts. The manner in which the technology is going to be selected, developed, tailored, enhanced, and deployed is the same for the Judicial Department as it is for other government agencies as well as for commercial industry. It will follow sound systems engineering methodologies. Therefore, the same types of metrics used to manage and gauge the development and execution of individual technology projects in typical enterprise environments should be used by the Judicial Department. These individual project metrics are listed in Table 6-4.

Table 6-4
Individual Project Metrics

Project Metric	Description
Budget	Funding expenditures and resources
Schedule	Meeting calendar deadlines
Customer satisfaction	Meeting customer's expectations
Employee growth	Increasing knowledge and skills of the IT staff
Intangibles	Unique goals for each project

Using performance metrics to measure success requires common sense and adaptability. These same criteria must be used in delivering technology projects. In order to measure the success of individual projects, project plans should be developed defining the initial expected results for these five factors. These definitions then serve as the criteria that should be used to measure and determine the success of the project.

6.8.2 Continuous Maintenance and Support Effort Metrics

Ongoing maintenance and support efforts differ from development projects because they have no definite end that can be measured. Also, the types of results that these efforts deliver involve customer satisfaction rather than a single, concrete, tangible deliverable. Therefore, metrics for the Judicial Department's continuous maintenance and support efforts should be developed individually for each effort, depending on its particular purpose. Not meeting acceptable metrics may indicate that the number of personnel is either too high or too low, personnel capabilities are inadequate, needs have changed, or some combination of these factors. Currently, the Judicial Department has three primary maintenance and support efforts:

- Help desk operations
- Network infrastructure support



- Applications maintenance and support

Initial recommended metrics for these efforts are listed in Table 6-5.

Table 6-5
Initial Recommended Metrics

Goal	Measure
Help Desk Operations	
To respond to the everyday technical problems that users of Judicial Department technologies report	Percentage of calls directly addressed by the help desk
To assist end-users in becoming more proficient solving minor technical difficulties without the help desk	Percentage of calls in which no follow-up is required upon completion of the telephone call
Network Infrastructure Support	
Continuous accessibility and connectivity for all users of the Appellate local area network (LAN) in Columbia	Percentage of network uptime during business hours Percentage of network uptime at all times
Administration of Judicial Department network and e-mail accounts	Number of issues outstanding
Management of network connectivity to Judicial Department systems across the State	Number of issues outstanding
Applications Maintenance and Support	
Continuous usability of supported applications	Number of hours per month applications are not accessible to end users during business hours Number of hours per month applications are not accessible to end users at all times
To keep applications functional	Number of outstanding issues Number of backlogged enhancement requests

6.8.3 Overall Judicial Department Technology Balanced Scorecard

The Judicial Department’s primary overall mission is to provide a fair and objective forum for the resolution of charges, issues, and disputes. For this reason, the Judicial Department IT organization is a technology focused service organization whose mission is to:

- Serve the automation needs of the courts statewide
- Incorporate technology into the everyday operations of the courts to assist the judges, clerks, and administrators in performing their jobs
- Deploy systems within the Judicial Branch to deliver information that is:
 - Complete and accurate



- Timely
- Secure, so that only authorized users have access to it
- Accessible intuitively to judicial personnel and the public

Being a service organization to such a diverse group of people as the Judicial Department presents a seemingly endless series of challenges and issues. For this reason, it is easy for the IT organization to become diverted from its mission, or for this mission to become diluted. By determining an overall set of metrics by which the IT team can continually measure itself and its projects at the organizational level, all members of the team—executives, managers, and staff—can focus on progress and lead the Judicial Department as a whole forward to meet its overall vision, mission, and goals.

The balanced scorecard is a framework that enables this type of focus to be maintained. People do those things in which they are measured. As a result, the balanced scorecard can be used to accomplish five critical management processes:

1. To clarify and translate vision into strategy
2. To communicate and link strategic objectives and measures
3. To plan, set targets, and align strategic initiatives
4. To enhance strategic feedback and learning
5. To adapt and change objectives and metrics when necessary in a supported, timely, and structured manner

The balanced scorecard is based on cause and effect relationships and motivates people by identifying with their purpose and exercising their will to succeed. The balanced scorecard establishes metrics in four areas:

- Financial
- Customer
- Operational
- Organizational learning

The number of metrics must be reasonable in order to be tracked and managed. Too many metrics transition the process into an administrative nightmare with little intellectual and management value. Too few metrics may not yield a complete and accurate assessment, and this can enable problems to go unnoticed until they become a crisis. The Judicial Department desires neither of these situations. The



recommended balanced scorecard metrics for the Judicial Department IT organization are outlined in Table 6-6.

Table 6-6
Recommended Balanced Scoreboard Metrics

Goal	Measure
Financial	
To leverage economies of scale	Number of separate procurement vehicles used to purchase the same technology item within the Judicial Department
To receive funding adequate to perform and deliver desired services	Percentage of requested funds received from all sources (State legislature, federal grants, State grants, and county participation)
Customer	
To increase services available to court personnel, the Bar, and the public	Number of judicial functions available via the web (for example: in June 2000, no services were available over the web. In December 2000, approximately 8 services were available over the web: Bar admissions exam scores, court calendar, opinions, advance sheets, judicial rules and procedures, judges biographies, what's new, and frequently asked questions)
Information readily available to appropriate authorized users in a real-time manner	Time from creation to distribution of judicial data (for example, the time to print and mail reports or information such as advance sheets versus the time to post the same information on the web)
Ease of use (intuitiveness) of technology systems that judicial personnel are to use	Number of legitimate complaints received about technology Percentage of judicial personnel who express satisfaction with the deployed automation
Direct electronic data exchange with other government agencies (CJIS and non-CJIS)	Number of data exchanges that occur manually
Operational	
Ready access to computer and Internet for all judicial employees	Percentage of employees with direct computer and Internet access
To automate mundane, routine tasks	Number of court functions performed using technology without a parallel manual process
Secure access to judicial information from anywhere in the State (rendering this information geography independent)	Percentage of judicial facilities that have secure and reliable access to the South Carolina courts' systems and information
To increase the uniformity of judicial operations among courts of the same level	Percentage of courts using state sponsored court systems Percentage of courts electronically and directly exchanging data with Judicial Department systems that serve both operational and statistical purposes The accuracy and difficulty of courts generating monthly statistical reports
To enable the Chief Justice, as the Chief Administrative Judge of the State courts, to make the executive management decisions deemed necessary based upon timely, accurate, and complete court information	Percentage of time standard reports are on time Percentage of time queries are answered within 1 day with supported data Percentage of time queries are answered within 5 days with supported data



Goal	Measure
To provide the ability to respond accurately and quickly to ad-hoc requests from any source, including the Legislature, Governor's office, public, and others	Percentage of time queries are answered within 1 day with supported data Percentage of time queries are answered within 5 days with supported data
Organizational Learning	
Skilled and knowledgeable users	Percentage of employees demonstrating minimal computer literacy as defined by Judicial Department IT training
To remain current with emerging technologies	Number of unsupported technologies deployed ("unsupported" = no longer commercially available)
To function as a team within IT and with rest of the Judicial Department	Percentage of projects successfully delivered on time of satisfactory quality Percentage of project teams with representation from outside of IT

As stated previously, the Judicial Department IT organization has just recently reorganized and is currently in the process of restructuring and redefining itself. As a result, if measured today, most of the metrics of this balanced scorecard would be relatively low. However, that fact should not be interpreted as negative. On the contrary, it is just the starting point at which the new organization begins. It is an opportunity to excel. It is recommended that the Judicial Department IT management team monitor these metrics on a monthly basis to ensure that the IT team is moving the Judicial Branch forward in its efforts to modernize.

In addition, as new projects and proposed technology needs are presented to Judicial Department IT management, they should be evaluated according to their ability to contribute to the Judicial Department IT scorecard positively. Every enterprise and nonenterprise project should be permitted to proceed if and only if it helps achieve the Judicial Department's overall vision and goals. When completed, that project should improve the Judicial Department IT team's score with regards to one or more of the metrics identified in the Judicial Department Technology Balanced Scorecard.

6.8.4 Judicial Department IT Balanced Scorecard Conclusion

The Judicial Department IT balanced scorecard will enable Judicial Department executives to manage and invest in the long term. It encourages judicial IT personnel at all levels to think and contribute value by evaluating situations and making decisions every day that advance the overall goals of the Judicial Department. By measuring the factors that are vital to moving the vision and goals of the courts forward in the new millennium, the Judicial Department executives can know the overall health of the courts at all times. Furthermore, a foundation of information will begin to be developed and monitored that should provide the Judicial Department executives with the information needed to run the state courts efficiently and effectively. Only those factors that can be measured can be managed.



It is recommended that individual performance goals for the IT staff personnel be developed so that they directly contribute to the Judicial Department IT overall balanced scorecard.



Appendix A—Interview List



Table A-1
Completed Interviews

Last Name	First Name	Position	Agency/Firm
Boswell	Mildred	Deputy Probate Judge	Aiken County Probate Court
Little	Angela	Assistant Judge	Aiken County Probate Court
Mitchell	Rebecca	Assistant	Aiken County Probate Court
Mosely	Kathy	Assistant	Aiken County Probate Court
Richards	Tonya	Legal Investigator	Aiken County Probate Court
Roe	Sue	Judge	Aiken County Probate Court
Bennett	Brenda	Probate Judge	Allendale County
Altine	Joyce	Account Technician	Charleston County
Armstrong	Julie	Clerk of Court	Charleston County
Bellavita	Nancy	Docket Coordinator	Charleston County
Brabham	Cindy	Support Enforcement Supervisor	Charleston County
Crowe	Mary	SCT Technology Manager	Charleston County
Duncan	Robert	Court Management Supervisor (Circuit)	Charleston County
Gascon	Reina	Court Management Supervisor (Circuit)	Charleston County
Haselden	Eddie	Family Court Manager	Charleston County
May	Cherie	SCT Technology Manager	Charleston County
Rueger	Ron	Chief Deputy Clerk of Court	Charleston County
Smalls	Hazel	Court Management Supervisor (Family)	Charleston County
Yon	Patsy	Operations Supervisor (Circuit)	Charleston County
Dawkins	Judy	Equity Clerk of Court	Charleston County Master-in-Equity
McDaniel	Jeffrey	Senior Case Coordinator	Charleston County Master-in-Equity
Young	Roger	Master in Equity Judge	Charleston County Master-in-Equity
Anderson	Ralph King	Associate Judge	Court of Appeals
Carson	Ida	Deputy Clerk	Court of Appeals
Connor	Carol	Associate Judge	Court of Appeals
Cureton	Jasper	Associate Judge	Court of Appeals
Goolsby	Tolbert	Associate Judge	Court of Appeals
Hearn	Kaye	Chief Judge	Court of Appeals
Howard	William	Associate Judge	Court of Appeals
Richstad	Ken	Clerk of Court	Court of Appeals
Shuler	Malcolm	Associate Judge	Court of Appeals
Stilwell	Samual	Associate Judge	Court of Appeals
Aye	Grace	Civil 1st E-K	Court of Appeals Docketing
Buskey	Sonya	Criminal 1st L-Z	Court of Appeals Docketing



Last Name	First Name	Position	Agency/Firm
LeBlanc	Jami	Criminal 2nd A-K	Court of Appeals Docketing
Ponder	Dianne	Supervisor	Court of Appeals Docketing
Adams	Don	Grants Coordinator	Dept. of Social Services
Huckabee	Pamela	Project Administrator	Dept. of Social Services
Lankford	Clayton	Grants Coordinator	Dept. of Social Services
Mann	Marcus	Grants Coordinator	Dept. of Social Services
Darby	Judy	County Clerk	Elgin
Bell	Connie	Clerk of Court (January 2001)	Florence County
Bird	Sherry	Assistant	Florence County
Cagle	Melissa	Assistant	Florence County
Galloway	Janice	Supervisor	Florence County
Gregg	Mary Ann	Supervisor	Florence County
Harris	Linda	Supervisor	Florence County
Jordan	Jane	Assistant	Florence County
Parker	Bernice	Clerk of Court	Florence County
Poulis	Doris	Assistant	Florence County
Sandifer	Betsy	Assistant	Florence County
Simon	Valerie	Assistant	Florence County
Hanley	Leanda	Assistant Clerk	Greenville Circuit Court
Rice	Dale	IT Director	Greenville County
Bruce	Shirley	Assistant Clerk	Greenville Family Court
Whitley	Gerald	Judge	Horry Summary Court
Wasson	Barbara	Clerk of Court	Laurens Family & Circuit Court
Butz	Fredna	Clerk	Laurens General Sessions Court
Davis	Clyde	Judge	Lexington County Master-in-Equity
Driggers	Rhonda	Assistant	Lexington County Master-in-Equity
Fogle	Kristi	Assistant	Lexington County Master-in-Equity
Wheeler	Joe	Manager	MTG Management Consultants
Butts	Dale	Register of Deeds	Oconee County
Hayden	Carl	MIS Director	Oconee County
Smith	Sallie	Clerk of Court	Oconee County
Campbell	Francis	Assistant	Oconee Magistrate Court
Medford	Dillard	Judge	Oconee Magistrate Court
Lawing	Tammy	Assistant	Oconee Municipal Court
Singleton	Danny	Judge	Oconee Municipal Court
Fletcher	Tom	Deputy Director	Office of Information Resources



Last Name	First Name	Position	Agency/Firm
Gerth	Dave	Deputy Director	Office of Information Resources
Herron	Kyle	Network Design	Office of Information Resources
Parsons	Regis	Director	Office of Information Resources
Walsh	Bill	Network Management	Office of Information Resources
Timberlake	Tom	Director	Office of Personnel & Finance
Ross-Bennett	Vivian	Probate Judge	Orangeburg County
Elder	Chris	Network Engineer	PCSS
Ownbey	Gary	VP Sales & Marketing	PCSS
Ownbey	Tracy	VP Technical Operations	PCSS
Davis	Michael	Magistrate	Richland County
McCulloch	Amy	Probate Judge	Richland County
Scott	Barbara	Clerk of Court	Richland County
Watson	Dev	Manager	Richland County IT
Norris	John	Register of Deeds	Richland County ROD
Abraham	Mary	Programmer Analyst	SC Court Administration
Allen	Desiree	Court Reporter Mgr	SC Court Administration
Assey	Joan	Court Technology Project Mgr	SC Court Administration
Billups	Cathey	Circuit Court Reporters	SC Court Administration
Boyd	Meredith	Family & Probate Court Rep	SC Court Administration
Clark	Winkie	Webmaster	SC Court Administration
Dibble	Tammy	Family Court Reporters	SC Court Administration
Frierson	Rosalyn	Director	SC Court Administration
Fullmer	Sara	IT Director	SC Court Administration
Holland	Ted	Circuit & Probate Court Rep	SC Court Administration
Leverette	Terry	Summary Court Rep & Office Mgr	SC Court Administration
Lovett	Jamesetta	Senior Programmer Analyst	SC Court Administration
Osborne	Ellen	Judicial Training / ADR Certification	SC Court Administration
Riser	Judy	Help Desk Manager	SC Court Administration
Schmelzer	Ray	Network Services Mgr	SC Court Administration
Strawther	Toni	Administrative Assistant	SC Court Administration
Surles	Andy	Assistant Director Statistics	SC Court Administration
Talley	Motte	Assistant Director	SC Court Administration
Turner	Bernadette	Application Development Mgr	SC Court Administration
Gantt	Robert	CAMA Coordinator	SC Dept. of Revenue
Garber	Terry	Manager, Technology Management	SC Dept. of Revenue
Kennedy	Debrah	Deputy	SC Dept. of Revenue



Last Name	First Name	Position	Agency/Firm
Kleckley	Jim	Patrol Officer - Technology	SC DPS
Wyatt	GB	State Patrol Officer	SC DPS
Dukes	Ginger	Program Administrator	SC DPS:Criminal Justice Grant Programs
Whitlock	Laura	Program Administrator	SC DPS:Juvenile Justice Grant Programs
Fitzpatrick	Burke	Program Director	SC DPS:State Grant Programs
Hugeley	Mark	Major	SLED
Burnett	Perry	Operations Manager	Smith Data Processing
Hughes	Todd	Computer Service Technician	Smith Data Processing
Littlejohn	Lawrence	Programmer	Smith Data Processing
Ridings	Buford	Programming Supervisor	Smith Data Processing
Beckford	Rachel	Chief Staff Attorney	Supreme Court
Burnett	EC	Associate Justice	Supreme Court
Hardin	Allison	Justice Waller's Law Clerk	Supreme Court
McDonald	Valerie	Justice Moore's Law Clerk	Supreme Court
Meyers	Janet	Librarian	Supreme Court
Moore	James	Associate Justice	Supreme Court
Pauley	Michael	Disciplinary Counsel	Supreme Court
Peoples	Jean	Assistant Clerk	Supreme Court
Pleicones	Costa	Associate Justice	Supreme Court
Richardson	Henry	Director of Disciplinary Counsel	Supreme Court
Shealy	Brenda	Deputy Clerk	Supreme Court
Shearouse	Dan	Clerk of Court	Supreme Court
Tedeshi	Debra	Justice Waller's Law Clerk	Supreme Court
Toal	Jean	Chief Justice	Supreme Court
Waller	John	Associate Justice	Supreme Court
Currie	Hoke	Chief Operations Manager	University of South Carolina-ASG
Johnson	Joe	Director of Advanced Research	University of South Carolina-ASG
Lightle	Ted	Consultant	University of South Carolina-ASG
Yu	Ed	Systems Manager	University of South Carolina-ASG



Table A-2
Focus Groups

Last Name	First Name	Title	Agency/Firm
Anthony	Kenneth	Attorney	The Anthony Law Firm
Armstrong	Julie	Clerk of Court	Charleston County
Bates	Steve	Assistant Legal Counsel	Office of the Governor
Beckford	Rachel	Chief Staff Attorney	South Carolina Supreme Court
Birnie	Stephen	Chief of Staff	Probation, Parole & Pardon Services
Butler	Sheila	Director of Information Technology	Horry County
Calhoon	Paula	Deputy Director	Commission on Prosecution Coordination
Claggett	Janet	CIO/Director	Richland County IT Department
Clark	Winkie	Webmaster	SCJD, Information Technology
Coggiola	Lesley	Public Defender	Richland County
Crum	Mary Elizabeth	Attorney	McNair Law Firm, P.A.
Davis	John	Attorney	Young, Clement, Rivers & Tisdale
Dukes	Ginger	CJIS Representative	SC Department of Public Safety
Estridge	Larry	Attorney	Womble, Carlyle, Sandridge & Rice
Faulkner	Debora	Probate Judge	Greenville County
Fitzpatrick	Burke	Administrator	Office of Justice Programs
Fletcher	Tom	Office of Information Resources	Budget and Control Board
Folkens	Karl	Attorney	Folkens & Jernigan
Frierson	Rosalyn	Director, SC Court Administration	S.C. Judicial Department
Gerrard	Becky	Magistrate Judge	Oconee County
Grady	Jeannie	Systems Coordinator	Greenville County
Haselden	Milton Terry	Attorney	Spartanburg, South Carolina
Heape	Joey	Director of Media Technology	South Carolina Bar
Hendrix	James	Executive Director	State Election Commission
Hinckley	Steve	Associate Dean for Library IT	USC Law School Library
Howell	Teresa	Systems Analyst	Greenville County
Huguley	Major Mark	Assistant Director	SC Law Enforcement Division
Jenkins	Alma	Deputy Clerk of Court	Horry County
Keesley	William	Resident Circuit Judge	Eleventh Judicial Circuit
Kline	Joseph	Magistrate Judge	Beaufort County
Matras	Judy	Automation Manager	US District Court
McDonald	Joyce	Clerk of Court	Kershaw County
Montgomery	Michael	Attorney	Montgomery, Patterson, Potts & Willard
Moore	Jeffery	Executive Director	South Carolina Sheriffs' Association



Last Name	First Name	Title	Agency/Firm
Moore	Lesley	Attorney	Wyche,Burgess,Freeman & Parham
Morehead	A. E. "Gene"	Resident Family Court Judge	Twelfth Judicial Circuit
Moses	Albert	Attorney	Moses, Koon & Brackett
Norris	John	Register of Deeds	Richland County
Pauley	Michael	Deputy Disciplinary Counsel	Commission of Judicial Conduct
Pieper	Daniel	Resident Circuit Court Judge	Ninth Judicial Circuit
Priester	Rhonda	National District Attorney Association	National Advocacy Center
Rice	Dale	Manager of Information Systems	Greenville County
Richstad	Kenneth	Clerk of Court	South Carolina Court of Appeals
Riser	Judy	Help Desk Services Mgr	SCJD, Information Technology
Roberts	Beulah	Clerk of Court	Clarendon County
Schmelzer	Ray	Infrastructure Services Manager	SCJD, Information Technology
Shearouse	Daniel	Clerk of Court	South Carolina Supreme Court
Sommerville	Lisa	Customer Service Manager	Greenville County
Stewart	William	Software Specialist	Buist, Moore, Smythe & McGee
Surles	Andy	Information Services Coordinator	SCJD, Information Technology
Taylor	Blake	Director	SC Department of Corrections
Thomas	Trefor	Attorney	Parker, Poe, Adams & Burnstein, LLP
Timberlake	Thomas	Director, Office of Finance & Personnel	S.C. Judicial Department
Turbeville	R. Wright	Resident Family Court Judge	Third Judicial Circuit
Turner	Bernadette	Applications Manager	SCJD, Information Technology
Wasson	Barbara	Clerk of Court	Laurens County
Wells	Robert	Executive Director	South Carolina Bar
Wilkie	Chief Michael	Police Chief	Springdale Police Department
Williams	Kathy	Assistant Director	South Carolina Association of Counties
Wolf	David	Law Clerk to Judge Daniel F. Pieper	Ninth Judicial Circuit
Worth	David	Director, Information Services	Nelson, Mullins, Riley & Scarborough



Appendix B—South Carolina Electronic Records Law

Bill 1167

Current Status

Bill Number: 1167
Ratification Number: 366
Act Number: 374
Type of Legislation: General Bill GB
Introducing Body: Senate
Introduced Date: 19980402
Primary Sponsor: Holland
All Sponsors: Holland
Drafted Document Number: jud9060.dhh
Companion Bill Number: 5020
Date Bill Passed both Bodies: 19980520
Governor's Action: S
Date of Governor's Action: 19980526
Subject: Electronic Commerce Act, Commerce
Department, Budget and Control Board,
Secretary of State, State
Government

Product of the Legislative Printing Agency-LPITR

History

Body	Date	Action Description	Com	Leg Involved
-----	19980624	Act No. A374		
-----	19980526	Signed by Governor		
-----	19980521	Ratified R366		
House	19980520	Read third time, enrolled for ratification		
House	19980519	Read second time		
House	19980513	Committee report: Favorable	26	HL CI
House	19980428	Introduced, read first time, referred to Committee	26	HL CI
Senate	19980423	Read third time, sent to House		
Senate	19980422	Read second time		
Senate	19980415	Committee report: Favorable	11	SJ
Senate	19980402	Introduced, read first time, referred to Committee	11	SJ

Product of the Legislative Printing Agency-LPITR

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

(A374, R366, S1167)

AN ACT TO AMEND TITLE 26, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGMENTS, BY ADDING CHAPTER 5 SO AS TO ENACT THE SOUTH CAROLINA ELECTRONIC COMMERCE ACT WHICH PROVIDES FOR THE LEGAL STATUS OF ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES AND AUTHORIZES THE BUDGET AND CONTROL BOARD AND SECRETARY OF STATE TO PROMULGATE REGULATIONS RELATED TO ELECTRONIC COMMERCE.

Be it enacted by the General Assembly of the State of South Carolina:

"Electronic Commerce Act" enacted

SECTION 1. Title 26 of the 1976 Code is amended by adding:

"CHAPTER 5
Electronic Commerce Act
Article 1
Title, Interpretation, and Definitions

Section 26-5-10. This chapter is known as the 'South Carolina Electronic Commerce Act'.

Section 26-5-20. The purposes of this chapter are to:

- (1) facilitate and promote electronic commerce and online government by clarifying the legal status of electronic records and electronic signatures in the context of writing and signing requirements imposed by law;
- (2) permit and encourage the continued expansion of electronic commerce and online government through the operation of free market forces rather than proscriptive legislation;
- (3) promote public confidence in the validity, integrity, and reliability of electronic commerce and online government; and
- (4) promote the development of the legal and business infrastructure necessary to support and encourage electronic commerce and online government.

Section 26-5-30. As used in this chapter:

- (1) 'Contract' means a contract for the sale of goods or services, for the sale or license of digital information, or for the lease of tangible personal property.
- (2) 'Electronic' means electrical, digital, magnetic, optical, electromagnetic, biometric, or any other technology that is similar to these technologies.

(3) 'Electronic record' means a record generated, communicated, received, or stored by electronic means.

(4) 'Electronic signature' means any identifier or authentication technique attached to or logically associated with an electronic record that is intended by the party using it to have the same force and effect as a manual signature.

(5) 'Record' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(6) 'Rule of law' means a statute, regulation, ordinance, common-law rule, court decision, or other law enacted, established, or promulgated by the State or any agency, commission, department, court, other authority, or political division or subdivision of the State and relating to transactions by public or private entities.

(7) 'Security procedure' means a methodology or procedure for the purpose of:

(a) preventing access by unauthorized parties;

(b) verifying that an electronic record or an electronic signature is that of a specific party or created by a specific electronic point of origin; or

(c) detecting error or alteration in the communication, content, or storage of an electronic record since a specific point in time.

Section 26-5-40. Notwithstanding any other provision of law, the provisions of this chapter apply to records generated, stored, processed, communicated, or used for any purpose by or with:

(1) Public entity activity - public entities of the State, including state agencies, boards, commissions, or institutions, or local political subdivisions including cities, counties, school districts, or public service districts. Nothing in this section requires any public entity to use or permit the use of electronic records or electronic signatures.

(2) Private entity activity - private, commercial entities for transactions including contracts and recordkeeping. Nothing in this section requires any private entity to use or permit the use of electronic records or electronic signatures.

(3) Contracts - A contract between public and/or private entities is not unenforceable, nor inadmissible in evidence, on the sole ground that the contract is evidenced by an electronic record or that it has been signed with an electronic signature.

Section 26-5-50. (A) The South Carolina Budget and Control Board is authorized to promulgate regulations to coordinate, create, implement, and facilitate the use of common approaches and technical infrastructure, as appropriate, to enhance the utilization of electronic records, electronic signatures, and security procedures by and for local political subdivisions consenting to be governed by such authority and public entities of the State.

(B) The Secretary of State is authorized to develop, implement, and facilitate the use of model procedures for the use of electronic records, electronic signatures, and security procedures for all other purposes, including private commercial transactions and contracts. The Secretary of State is also authorized to promulgate methods, means, and standards for secure electronic transactions including administration by the Secretary of State and/or the licensing of third parties to serve in such capacity.

(C) No action in this section is required as a prerequisite to conduct business pursuant to Section 26-5-510 or Section 26-5-520.

Article 3 Electronic Signatures and Records Generally

Section 26-5-310. A record may not be denied legal effect, validity, or enforceability solely because it is in the form of an electronic record or signature.

Section 26-5-320. (A) An electronic record satisfies any rule of law requiring a record to be in writing or providing consequences if it is not in writing.

(B) This section does not apply:

(1) to the extent that its application would result in a construction of law that is clearly inconsistent with the manifest intent of the lawmaking body or repugnant to the context of the same rule of law. However, the mere requirement that information be 'in writing', 'written', 'printed', 'signed', or any other word that purports to specify or require a particular communication medium, is not by itself sufficient to establish such intent; or

(2) to any record that serves as a unique and transferable physical token of rights and obligations, including negotiable instruments and other instruments of title where possession of the instrument is deemed to confer title.

Section 26-5-330. (A) An electronic signature satisfies any rule of law requiring a signature or providing consequences if a document is not signed.

(B) An electronic record is signed as a matter of law if it contains a secure electronic signature. Otherwise, a signature may be proved in any manner, including by showing that a procedure existed by which a party must of necessity have executed a symbol in order to proceed further in the use or processing of information.

(C) This section does not apply:

(1) to the extent that its application would involve a construction of law that is clearly inconsistent with the manifest intent of the lawmaking body or repugnant to the context of the same rule of law. However, the mere requirement of a 'signature' or that a record be 'signed' is not by itself sufficient to establish such intent; or

(2) to any record that serves as a unique and transferable physical token of rights and obligations, including negotiable instruments and other instruments of title where possession of the instrument is deemed to confer title.

Section 26-5-340. If a rule of law requires a record to be presented or retained in its original form, or provides consequences for the record not being presented or retained in its original form, that requirement is met by an electronic record if there exists a reliable assurance that the information has remained complete and unaltered, apart from additional endorsements or changes that arise in the normal course of communication, storage, or display.

Section 26-5-350. In any legal proceeding, an electronic record or electronic signature is not inadmissible in evidence under the Rules of Evidence on the sole ground that it is:

- (1) an electronic record or electronic signature;
- (2) not in its original form or is not an original; or
- (3) recognized and approved pursuant to Section 26-5-50.

Section 26-5-360. If a rule of law requires that a record be retained, that requirement is met by retaining an electronic record if it accurately reproduces the original record as it existed at the time in question and for so long as may be required by law. Nothing in this section precludes any federal or state agency from specifying additional requirements for the retention of records, either written or electronic, that are subject to that agency's jurisdiction.

Article 5

Secure Electronic Records and Signatures

Section 26-5-510. An electronic signature is deemed to be secure if:

- (1) it is created by application of a security procedure that is commercially reasonable and agreed to by the parties;
- (2) the electronic signature can be verified by use of a procedure that is recognized and approved pursuant to Section 26-5-50; or
- (3) when not previously agreed to by the parties, the electronic signature is:
 - (a) unique to the party using it;
 - (b) capable of identifying such party;
 - (c) created in a manner or using a means under the sole control of the party using it; and
 - (d) linked to the electronic record to which it relates in a manner such that, if the record is changed, the electronic signature is invalidated.

Section 26-5-520. An electronic record is deemed to be secure if:

- (1) it is created by application of a security procedure that is commercially reasonable and agreed to by the parties;
- (2) the electronic record can be verified by use of a procedure that is recognized and approved pursuant to Section 26-5-50; or
- (3) the electronic record can be verified not to have been altered since a specified point in time.

Section 26-5-530. (A) In resolving a civil dispute involving a secure electronic record, it is rebuttably presumed that the electronic record has not been altered since the specific point in time to which the secure status relates.

(B) In resolving a dispute involving a secure electronic signature, it is rebuttably presumed that the secure electronic signature:

- (1) is the signature of the party to whom it correlates; and
- (2) was affixed by that party with the intention of signing the electronic record.

(C) The effect of presumptions provided in this section is to place on the party challenging the integrity of a secure electronic record or challenging the genuineness of a secure electronic signature, both the burden of going forward with evidence to rebut the presumption and the burden of persuading the trier of fact that the nonexistence of the presumed fact is more probable than its existence.

(D) In the absence of a secure electronic record or a secure electronic signature, nothing in this chapter changes existing rules regarding legal or evidentiary rules regarding the burden of proving the authenticity and integrity of an electronic record or an electronic signature.

Section 26-5-540. The status of an electronic record or an electronic signature as secure may be challenged by evidence:

- (1) indicating that the security procedure agreed to between the parties is not commercially reasonable or was not implemented in a trustworthy manner; or
- (2) that a security procedure not agreed to by the parties was not trustworthy because it was not:
 - (a) unique to the party using it;
 - (b) capable of identifying such party;
 - (c) created in a manner or using a means under the sole control of the party using it; or
 - (d) linked to the electronic record to which it related in a manner such that, if the record was changed, the electronic signature would be invalidated."

Time effective

SECTION 2. This act takes effect upon approval by the Governor.

Approved the 26th day of May, 1998.