



IJIS Institute

THE ROLE OF COURTS IN CRIMINAL JUSTICE INFORMATION SYSTEMS (CJIS)



IJIS Institute

Courts Advisory Committee

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INTRODUCTION

Criminal Justice Information Systems (CJIS) focus on the collection, processing, preservation, and dissemination of criminal history, case, and incident information among justice partners and courts. Courts and court-related agencies are key to the criminal justice process. Members of the criminal justice community come to the courts to respond to traffic violations, resolve minor and serious criminal charges, adjudicate disputes and cases, obtain due process, and answer criminal charges. By definition, the court is where the facts of a case are decided.

As a result, the criminal justice agencies and courts create, share, and publish significant amounts of information within the CJIS. The courts act as a clearinghouse and repository for much of the criminal justice and offender-related information collected. Efficient court information collection and information sharing is integral to the efficiency of the criminal justice community overall. The ability of court systems to effectively integrate and share data with the criminal justice partners helps reduce operating costs and improves the administration of the criminal justice system.

Most IJIS Institute Members are engaged in providing IT and information sharing solutions to the criminal justice partners of courts. Therefore, understanding court and justice partner relationships and information sharing needs and opportunities is critical to an IJIS Institute Member organization seeking to serve the courts or their justice partners.

Courts also handle other non-criminal matters, including non-criminal traffic, juvenile, family, and civil¹ cases. However, there are differences that impact information sharing for these cases, which are not discussed in this paper. This white paper focuses on the exchange of information within the criminal justice community.

UNDERSTANDING THE ROLE OF COURTS IN CJIS PROJECTS

First, it is vital to understand the variety of courts and players in the justice community. From a 2012 white paper by the IJIS Institute Courts Advisory Committee, *Courts 101: An Understanding of the Court System*, we learn:

“Understanding the court system in the United States is no easy task. There are multiple layers of jurisdiction, authority, and responsibility that span state, county, municipal and federal boundaries, and employ thousands of individuals in roles such as judges, commissioners, clerks, bailiffs and advocates. Adding to the confusion are the many state and federal regulations, case types, and court processes that make it difficult to understand the role of the courts or to describe their place in the overall administration of justice.

¹ While this discussion relates to CJIS, Integrated Justice Information Systems can include civil justice information systems with a growing focus on domestic and juvenile cases not considered as part of the criminal court process. Though not discussed here, this is a major focus of court operations and technologies. The scope and implications of civil justice systems is the topic of a future IJIS Institute Courts Advisory Committee white paper.

The justice system includes all judicial branch courts at the state, local and federal level that administer justice, including any agency involved in the arrest, investigation, prosecution, adjudication, detention, custody, and disposition of adult criminal actions and civil matters. As discussed earlier, there are often separate systems for processing matters dealing with children, youth and families, and specialized actions for securities, probate, intellectual property, and other matters; however, at the most basic level, the courts' involvement with the adult justice system can be understood as including two case types: criminal and civil matters."²

Because of the central role of courts in the criminal justice process, the court maintains not only its own information, but also key case, person, and event information – or identifiers – key to the criminal justice partners with matters before the court. This data, if well structured, can provide the missing links to connect the cases, persons, events, actions, and outcomes from the court to the individual person records maintained outside of the court by justice partners responsible for the individual party.

The following figure illustrates some of the information the court shares with justice and public safety communities as well as the information systems and applications that the courts commonly maintain. As shown in the illustration, the amount of information created, stored and collected by courts can be staggering. Since CJIS systems are essential to providing a timely and efficient process for sending and receiving vital information, the more fluid and complete data that is shared between the CJIS justice partners (i.e., law enforcement, prosecutors, defense attorneys, human service agencies, corrections facilities, and community agencies) and the courts, the more efficient and complete the entire process becomes.

² Courts 101: An Understanding of the Court System. IJIS Institute. Sept 2012. Pp 1,11.

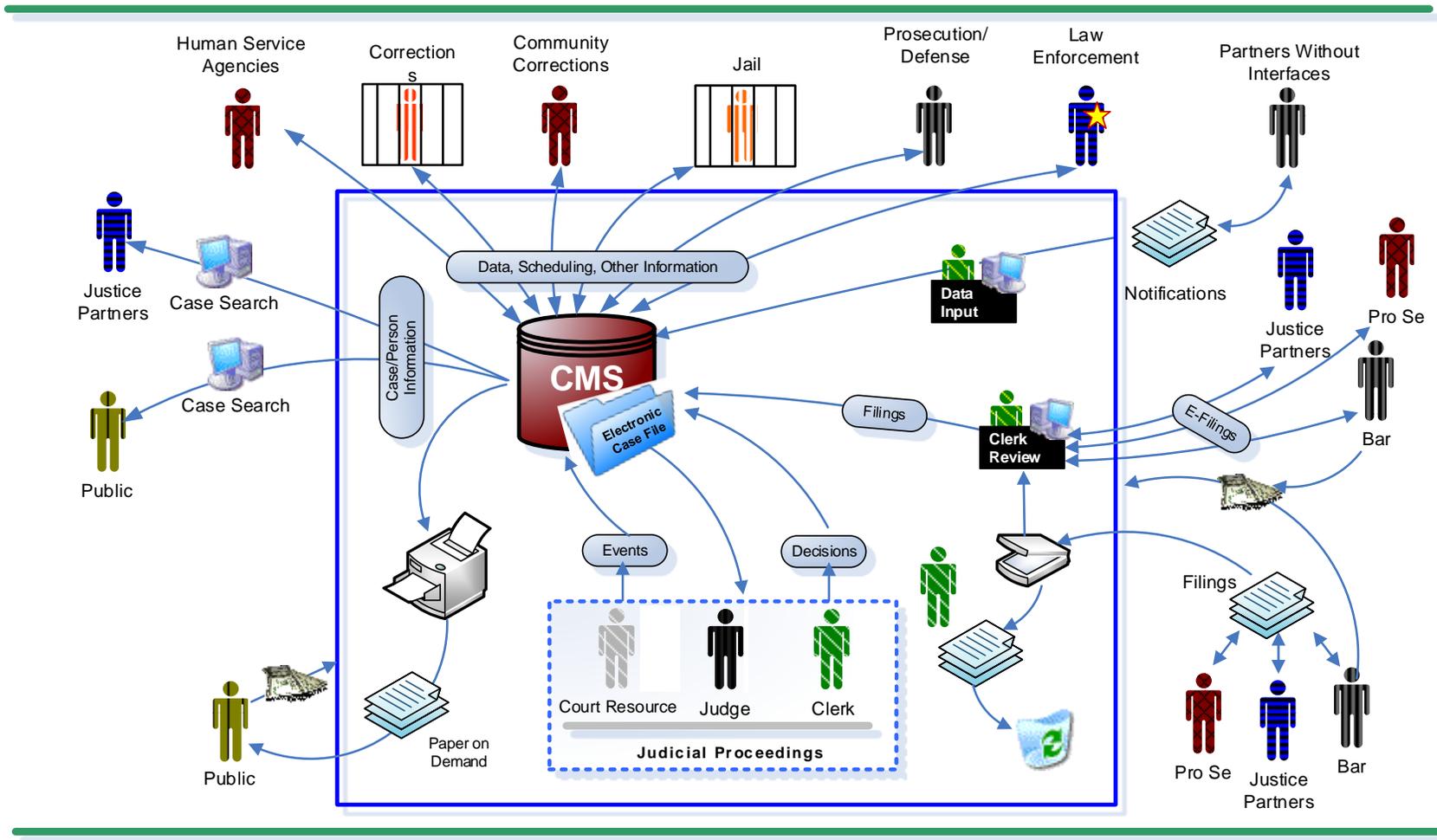


FIGURE 1: CENTRAL ROLE OF THE COURT IN THE CJIS COMMUNITY

Depending on the level of automation of the court, these records may be completely electronic. In such a case, the court is positioned become a fully automated member of the criminal justice community offering electronic information and case processing services to the CJIS. Integration enables the court and justice partners to easily, inexpensively, and consistently submit and collect justice records. Table 1 represents the common members of this component of the justice community and how they interact with the court.

TABLE 1: COURT CRIMINAL JUSTICE PARTNERS

ENTITY	ROLES
Police	<ul style="list-style-type: none"> - Issues citations, warrant requests, warrant returns - Seeks court schedule, case information - Receives notice to appear
Sheriff	<ul style="list-style-type: none"> - Issues citations, warrant requests, warrant returns, proof of service - Seeks court schedule, case information - Receives requests for service, notice to appear
Prosecutor	<ul style="list-style-type: none"> - Files complaints, probable cause, and other pleadings - Seeks court schedule and case information - Receives notices of events and schedules
Public Defender/ Criminal Bar	<ul style="list-style-type: none"> - Files answers and other pleadings - Seeks court schedule and case information - Receives notices of events, schedules, decisions
Private Bar	<ul style="list-style-type: none"> - Files complaints and other pleadings - Seeks court schedule and case information - Receives notices of events, schedules, decisions
Pretrial Detention	<ul style="list-style-type: none"> - Files reports of individuals requiring initial appearance hearings, pretrial assessments - Seeks court schedule and case information - Receives orders and notices of events and schedules
Sheriff (non-detention)	<ul style="list-style-type: none"> - Prepares proof of service - Seeks court schedule and case information - Receives orders for service
Community supervision (Probation)	<ul style="list-style-type: none"> - Files presentence and supervision reports, modification orders - Requests warrants, hearings, and other processes - Seeks court schedule and case information - Receives judgments and sentences
Facility supervision (Jail/Prison)	<ul style="list-style-type: none"> - Prepares presentence and supervision reports - Seeks court schedule and case information - Receives judgments, sentences, and orders of transport, confinement, and release
Post-Incarceration supervision (Parole)	<ul style="list-style-type: none"> - Prepares presentence and supervision reports - Seeks court schedule and case information - Receives judgments and sentences

What is often overlooked by the criminal justice community is that the court criminal justice partners represent less than 50% of the court’s business and operations. The non-criminal matters including small claims, non-criminal traffic, juvenile, domestic, general civil matters (including property and insurance, wills, estates, and private suits) also receive and provide information to justice partners and customers. An electronic court is able to automatically serve these other parties as well. Table 2 provides a sampling of these other customers and the relationships they commonly have with court.

TABLE 2: COURT NON-CRIMINAL JUSTICE PARTNERS

ENTITY	ROLES
Social Services	<ul style="list-style-type: none"> - File and request benefits and placements - Seek court schedule, case information - Receive court orders for services
DMV	<ul style="list-style-type: none"> - Receive traffic case dispositions - Receive license and driver restrictions and suspensions
Child Support Agencies	<ul style="list-style-type: none"> - File cases, request support and modification of support orders - Seek court schedule and case information - Receive orders, notices of events, and schedules
Banks	<ul style="list-style-type: none"> - Provide credit card services - Support electronic payment of fees, fines, and costs
Schools	<ul style="list-style-type: none"> - Provide juvenile academic records - Receive summons, orders, notices of events and schedules - Schedule and participate in delinquency and status offense (truancy, curfew, etc.) hearings
Hospitals	<ul style="list-style-type: none"> - Provide reports in accord with court orders or requests for services - Receive orders and requests for services - Provide expert witnesses and medical claims information
Service Providers	<ul style="list-style-type: none"> - Provide reports in accord with court orders or requests for services - Receive orders and requests for services - Seek court calendar, case, order, and party information
Process Servers	<ul style="list-style-type: none"> - Provide notice of service/return of service documents - Seek court calendar, case, order, and party information - Receive orders for service and payments for service
Private Bar	<ul style="list-style-type: none"> - File motions / pleadings - Seek court calendar, case, order, and party information - Receive notices and orders - Participate as Pro Bono and defense attorneys
Coroner	<ul style="list-style-type: none"> - Provide Case and evidence findings and reports - Testify as expert witnesses

FACING THE CHALLENGES OF INCLUDING COURTS IN CJIS PROJECTS

Much like the old fable about Stone Soup,³ where strangers convince individual townspeople to contribute vegetables and ingredients to a weak broth and thereby create a delicious and robust soup for everyone, criminal justice and public safety agencies, including courts, must cooperate and contribute some information to make a CJIS project successful. Working with a court, however does introduce additional complexities to an already complex process.

Courts 101: An Understanding of the Court System explains how information is often handled differently in court systems.

“As any criminal investigator knows, person identification and records are key to solving a case. As a result, law enforcement and public safety information is most often person centric. In contrast, court records handle matters as “case” not “person” records, resulting in different record structures, indices, content, relationships, and rules...Systems that support courts, no matter if the court uses paper-based or electronic cases, must present information from each perspective and must interrelate.”

CJIS projects which include courts are faced with:

- ❖ **Organizational politics:** Courts are a separate, third branch of government. Constitutionally, they must maintain their independence while collaborating to make the justice system more effective and fair. In addition, court systems are not uniform across the country and may be segmented into different levels of jurisdiction and authority.
- ❖ **Governance issues:** While executive branch agencies (especially law enforcement) have a relatively clear chain of command, decision making in the courts is more complex and may involve judges, clerks, local administrators, and a state court administrative authorities.
- ❖ **Disparate systems/players.** In addition to the amount of information held by the court, CJIS projects can be complicated by the number of courts systems that have to be integrated. The court organization itself is actually comprised of a team of multiple offices/divisions that may have separate management structures and governance structures but are still considered part of the judicial branch, and may include: the clerk of courts; the court administrator; the judge/judiciary; court services (e.g., pre-trial services, probation); traffic and adjudication bodies, and other officers of the court. Depending on how independent or integrated specific court entities actually are, the actual court organization may maintain multiple case management systems individually capturing and maintaining case information.
- ❖ **Data Sharing and Use Policies:** Court policies are defined for transparency and equal access to justice while maintaining individual privacy and security of data. Our sacred principle in the American judicial system that a defendant is *innocent until proven guilty* governs court services, versus the arrest, prosecution, sharing, and incarceration policies

³ Stone Soup is an old folk story in which hungry strangers persuade local people of a town to give them food. It is usually told as a lesson in cooperation, especially amid scarcity. See http://en.wikipedia.org/wiki/Stone_Soup.

of CJIS agencies. The data submitted to the court is varied and its use is often restricted by law and policy provisions. Identifying, understanding, and working with those restrictions is a complex challenge which must ensure that CJIS policies guarantee all parties coming to the court have equal access to justice.

- ❖ **Funding:** IT funding for courts may come from a variety of sources, including, but not limited to, general funds, special IT fees on court cases, clerk land record or other service fees, and e-filing fees. At the same time, courts may choose not accept funds and grants from executive branch agencies (to maintain independence) and may not charge fees for IT (to avoid disadvantaging any party to a case and to statutorily meet pro bono requirements for access to justice).

As an IJIS Institute Member serving the courts and justice community, don't run from these challenges. Instead, try to understand and prepare to help your customer address them through workable solutions.

REALIZING THE OPPORTUNITIES FOR COURTS IN CJIS PROJECTS

Information is the currency of the justice community. The relationship between courts and the communities that they serve requires a continual and voluminous exchange of information – much of which is still shared via paper documents and reports. This dependency on paper creates a myriad of difficulties, inefficiencies, and costs for the courts and justice agencies involved. Each of these, in turn, presents an opportunity to IJIS Institute solution providers to add value to this community.

The major data sharing opportunities can be realized through queries, data exchanges, and analytical data stores and services.

Queries

CJIS and courts need up-to-the-minute information to effectively complete their role in the criminal justice process. Table 3 summarizes the most common queries which occur between the courts and CJIS partners.

TABLE 3: COMMON QUERIES

Criminal Justice Partner	Court Queries	Partner Queries
Police, Sheriff, Other Law Enforcement	Officer Schedule Warrant and Document Service Status Criminal History Records (including local and outside jurisdictions) Warrants, Restraining and Other Orders (including local and outside jurisdictions)	Warrant Status Court Schedule/Location Register of Actions Court Orders and Dispositions
Prosecutor/District Attorney	Assigned prosecutor Assigned Counsel/Public Defenders Conflict Schedules	Court Schedule/Location Register of Actions Court Orders and Dispositions

Criminal Justice Partner	Court Queries	Partner Queries
Public Defender/Private Bar	Assigned attorneys Available Attorneys/ Public Defenders Conflict Schedules	Court Schedule/Location Register of Actions Court Orders and Dispositions
Pretrial/Post Trial Detention	Defendant custody status Defendant location Outstanding Warrants Other Cases	Court Schedule/Location Register of Actions Court Orders
Community Supervision	Offender Status Offender Performance Offender Location	Court Schedule/Location Register of Actions Court Orders

Historically, these inquiries required telephone calls and in-person requests for information. In many jurisdictions, these were the first level of information sharing automated – by providing specific individuals in criminal justice partner organizations read-only access to internal applications or electronic messaging capabilities. With technology advances and a higher reliance on automation, more and more jurisdictions are leveraging web-based solutions to inexpensively provide inquiry capabilities while controlling access.

Data Exchanges

Courts, by their location in the processing of a criminal matter, are at a nexus of decision making in the criminal justice community. In this position, the courts provide a number of elemental services:

- ❖ Courts serve as a repository of information about criminal matters in the justice process;
- ❖ They are geographically based, enabling them to collect and maintain information on the community’s judicial, law enforcement, prosecutorial, and incarceration matters which they handle;
- ❖ They store records of the events and decisions in court decision making processes and procedures; and
- ❖ They publish information about court decisions and events.

While these services were historically transacted and stored manually, the electronic data exchange processes used by CJIS are emerging as more practical, efficient, and effective technologies. As storage and case processing is becoming more automated, the exchanges between court and justice partner systems can also be automated. From the court perspective, the opportunities to automate exchanges involve both inbound and outbound information.

Courts are undertaking many inbound and outbound data exchanges with their justice partners. As the court produces and also uses a significant amount of data that its justice partners produce, require or maintain, the data exchange and automated sharing opportunities are extensive.

Courts and CJIS communities have found that automating the major data sharing processes effectively improves the workflow between members of the criminal justice community. This automation lowers processing costs, reduces delays, and decreases error processing.

Analytic Data Stores and Services

The information sharing pattern that offers the greatest impact for the court and the community it serves comes from the ability to gather and analyze data about the operations of the criminal justice community. Like its justice partners, the court maintains information about the cases, persons, and timing related to the events and actions in the justice process. This information provides a reliable picture of the adjudication process and can serve as a valuable analytic data store.

Justice communities have leveraged court records to combine data with law enforcement, detention, prosecution, and correctional data to create reports and analysis that spans the justice enterprise. Courts and their partners use these reports and analysis to address specific policy, management, and operational issues. This data has been used internally to help organizations employ ongoing performance measures and externally to validate evidence practices that can transform the operations and effectiveness of the criminal justice system.

IJIS INSTITUTE MEMBER ROLES IN CJIS PROJECTS

As we have presented, the courts can be a challenging integration partner with characteristics that are foreign to the executive branch, justice, and public safety clients that the majority of IJIS Institute Members serve. But, we have also seen that integration with the courts offers many valuable rewards to the justice community.

Many IJIS members offer excellent, but specific, solutions that serve a court justice partners. They and others may also offer products that support integration between justice partners. However, there is a major opportunity for IJIS Institute Members to enhance the value of their offerings and advance information sharing in the justice community by bringing broad and informed solutions for integration with the courts. An IJIS Institute Member in a CJIS project can play any number of key roles, including:

1. **Neutral Negotiator:** CJIS projects may need a third-party implementation manager to participate in the contract negotiations, planning, and scheduling. If used in an oversight role, or as a member of the contract negotiation team or part of the implementation project/program management office (PMO), an IJIS Institute Member must understand the technology as well as court and CJIS agency roles and visions.
2. **Emerging Technology Purveyor:** It's our business as IJIS Institute Members to keep current on the latest and emerging technologies. We can assist the courts and CJIS agencies in strategizing on the long-term vision by providing coherent information on trends and emerging technologies. Understanding the implications of these technologies to existing court policies and organization gives an advantage in integrating with the courts.
3. **Requirements/Process Documenter:** A highly successful CJIS project begins with documenting the accepted and the implied data sharing processes. It is highly valuable to have an understanding of the data available from the courts, the court organization and processes, and the policies and constraints the courts face.

4. **Integration Provider:** Traditionally, management consulting and integration consulting firms have provided management and oversight to CJIS implementations which contain multiple technologies, platforms, applications, and agencies. Understanding that *the court* may, in fact, be multiple organizations with additional platforms helps ensure that interfaces are designed to work as intended and deliver operational benefits as intended.
5. **ROI Supporter:** Developing the Return on Investment (ROI) justification for a CJIS project is a daunting task. IJIS Institute Members may assist in this process by developing feasibility studies, preparing cost justifications, and other ROI materials. It is crucial to factor in the court costs and savings in order to provide a true picture of the value of integration.

Understanding the role of courts in a CJIS solution and factoring that into your offering can be a key differentiator for an IJIS Institute Member seeking to help the criminal justice community. This can be the key that helps the community unlock the more value when sharing information with the courts.

SUMMARY

Information is the lifeblood of any criminal justice information system. The critical decisions made by justice and public safety professionals impact the administration of justice and the citizens every day. The quality of these decisions depends on the availability and quality of the information that must support these decisions.

Automating the exchange of information between the courts and their justice partners helps all involved parties meet systemic goals that are integral to an effective justice system. Although not without unique hurdles – organizational politics, governance issues, disparate systems and players, data sharing and use policies, and funding – CJIS projects that include courts can be successful if all the players and vendors understand both the challenges and opportunities that are available with a fully integrated criminal justice system.

Integration enables the court and its partners to easily, inexpensively, and consistently submit and collect justice records. Equally important, both the court and its criminal justice partners will realize quantifiable and tangible benefits, including:

- ❖ Increased staff efficiencies as paper processing is eliminated;
- ❖ Increased accuracy, capturing data at its source and avoiding transcription and translation errors that comes from data entry and rekeying data from one application to the next;
- ❖ Increased completeness of the records maintained by the court; and
- ❖ Improved timeliness of the data submitted, collected, and reported by reducing or preparation lags, transmission delays, and data entry delays.

For the IJIS Institute Member serving the courts and justice community, these benefits can help justify the investment in the solution proposed to the justice client. The demand in the market for solutions which incorporate interagency data sharing, particularly those which include courts and other justice partners, is growing, opening more funding, more quests for interoperable solutions, and a more favorable view of CJIS and data exchange technologies. And when the solution readily interoperates with other justice partners (particularly with regard to courts), your client is more likely to gain the funding needed to acquire your solution, and your solution is more likely to be chosen over the competition.

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ABOUT THE IJIS INSTITUTE

The IJIS Institute unites the private and public sectors to improve mission-critical information sharing and safeguarding for those who protect and serve our communities. The IJIS Institute provides training, technical assistance, national scope issue management, and program management services to help government fully realize the power of information sharing.

Founded in 2001 as a 501(c)(3) nonprofit corporation with national headquarters on The George Washington University Virginia Science and Technology Campus in Ashburn, Virginia, the IJIS Institute has grown to nearly 320 member companies and individual associates from government, nonprofit, and educational institutions from across the United States.



The IJIS Institute thanks the Courts Advisory Committee for their work on this document. The IJIS Institute also thanks the many companies who have joined as Members that contribute to the work of the Institute and share in the commitment to improving justice, public safety, and homeland security information sharing.

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About the IJIS Institute Courts Advisory Committee

The IJIS Institute's Courts Advisory Committee contributes to the advancement of information sharing standards between courts and justice, law enforcement, corrections, health, and other stakeholders. Through this committee, IJIS Institute Member companies work to improve the level of understanding regarding the importance of standards and create awareness to industry and government on the technology challenges impacting all areas of courts and how vital court information can be shared with other entities. By offering expertise and advice on innovative technology solutions, and by encouraging national standards for information sharing in court technology, the IJIS Institute maintains its mission as the bridge between industry and government.