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COMMISSION ON COURTS

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MEETING MINUTES¹

Meeting Date: August 26, 2010
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 431
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Sen. Richard Bray, Chairperson; Sen. Randall Head; Sen. Lonnie Randolph; Sen. Timothy Lanane; Rep. Linda Lawson, Vice-Chairperson; Rep. Matt Pierce; Rep. Kathy Richardson; Rep. Eric Koch; Chief Justice Randall Shepard; Thomas Felts; David Whicker; Michael J. Kruk; Jill Jackson.

Members Absent: None.

Chairman Bray called the meeting to order at 10:03 a.m. After an introduction of the Commission members, Senator Bray asked Justice Frank Sullivan to present an update on the Judicial Technology and Automation Project.

Judicial Technology and Automation Project Update

Justice Sullivan's prepared remarks are included in Exhibit A and his handouts are included in Exhibit B.

During Justice Sullivan's presentation, the following witnesses testified before the Commission about the Judicial Technology Automation Project:

Sgt. Jerry Goodin, Indiana State Police (ISP), demonstrated how the INCite application is saving time for the state troopers when issuing traffic citations. He stated that the use of the scanning technology and the Odyssey data base in each ISP squad car reduces the time that

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officers spend on issuing traffic citations from twenty minutes to roughly five minutes. This enables police officers to patrol more areas, pull over more unsafe drivers, and potentially increase the revenue that the state and local units of government can receive from traffic citations. Sgt. Goodin also indicated that the State Police can now use global positioning data to determine whether traffic incidents are concentrated in particular areas.

Judge Brian Poindexter, Carmel City Court, described the benefit of the Odyssey System for the city of Carmel. He told Commission members that this system increases revenue to the state and local governments and reduces local costs. It increases revenue by allowing local law enforcement officers to write more traffic tickets. It reduces expenditures by eliminating the manual entry of tickets and drastically reduces the number of input errors.

Linda Mueller, Clerk of Floyd Circuit Court, told Commission members that the E-citation system has almost eliminated data entry required for traffic tickets. She indicated that the number of financial categories which the clerks of the circuit court have to manage has increased from roughly 20 to 50 over the past ten years, and the Odyssey system has given her office the tools to meet these new demands.

Ollie Schierholtz, Administrator for the Hamilton County Trial Courts, told the Commission that the county has saved \$70,000 annually since the county no longer needs the license for a DOS-based system that has been out of date since the 1990's. Mr. Schierholtz mentioned two other features that provided value to the Hamilton County courts: a protective order depository that is available to the local law enforcement agencies and management reports to track case flow. He also indicated that Indiana's courts and the executive agencies have had very close collaboration.

Neil Moore, Executive Director of the Criminal Justice Institute, testified that the use of technology will potentially make Indiana a national leader in its ability to improve the administration of the state court system. He stated that the establishment of a mental health data base as required by HEA 1428 – 2009 now allows licensed firearms dealers to screen persons applying for a firearm permit for any mental health history issues as well as for any criminal background.

John Eckart, Commissioner of the Indiana Department of State Revenue (DOR), reported that DOR uses Odyssey to compile a list of taxpayers for jury pools for the courts; for administering tax warrants with the county clerks; and for tax intercepts for unpaid court fees.

During a question and answer period, Justice Sullivan discussed financing for the expansion of JTAC and whether costs should be paid by through general fund appropriations or by user fees. He told Commission members that the state could expand the case management system to all counties by 2017 if the automated recordkeeping fee is increased by \$3.

Commission member Jill Jackson told the members that other vendors also do this work and don't receive fees. She indicated that she would not like to see these vendors go out of business.

Requests for New Court Officers:

Mark Loyd, Judge of the Johnson Circuit Court, requested new courts in both 2014 and 2018. He told Commission members that the Division of State Court Administration ranked Johnson County's severity of need for new court officers as fifth highest in the state. He stated that this was an effort by the county to stay ahead of the need for new courts by anticipating increases in caseload.

Judge Stephen Heimann, Bartholomew Circuit Court, requested converting a Title IV–D commissioner who currently handles child support to a new full-time court that would handle domestic relations cases. Judge Heimann provided an information packet (Exhibit C) to the Commission members.

Ollie Schierholtz, Hamilton County Court Administrator, described the need for an additional magistrate for Hamilton County. He gave Commission members letters of support from the Hamilton County Prosecuting Attorney and the Hamilton County Bar Association (Exhibit D).

Judge Thomas Felts, Allen Circuit Court, requested that a Title IV–D hearing officer be converted to a magistrate.

Chairman Bray then ended testimony and told Commission members that the final meeting would be on September 23rd at 10 a.m.

He told Commission members that he would not be hearing any testimony on mechanics' liens because of the extensive testimony that Senator Kenley has taken in the past.

The meeting adjourned at 1:15 p.m.

REMARKS OF INDIANA SUPREME COURT JUSTICE FRANK SULLIVAN, JR.,
TO THE COMMISSION ON COURTS

Indianapolis, Indiana
August 26, 2010

Mr. Chairman, members of the Commission on Courts, thank you very much for your kind invitation to us to give you a report on the work of the Supreme Court's Judicial Technology and Automation Committee -- what we call "JTAC." With me this morning is JTAC's Director, Mary DePrez, who is doing a spectacular job leading our efforts to provide 21st-century technology to Indiana trial courts and clerks.

Before I begin, however, I wonder if I could take a point of personal privilege and say a few words about two of my law partners?

First, you will be interested to know that next Tuesday, August 31, Chief Justice Shepard will overtake former Chief Justice Richard Givan to become the third longest serving justice in the history of the Indiana Supreme Court. While Chief Justice Shepard has a great many other achievements that far outweigh the fact of his longevity, his tenure alone is highly significant and deserves our recognition and appreciation.

Second, I also want to recognize Justice Theodore Boehm on the eve of his retirement from the Court. As you all well know, Justice Boehm is one of the most highly qualified individuals ever to be on the Supreme Court and he has made an enormous contribution to our state's jurisprudence during his service. He leaves very big shoes to fill, indeed.

Before I move on, I do want to acknowledge the obvious -- how extremely fortunate we are in Indiana to have our system of judicial selection and retention. We need to remember that elsewhere in this country, many state Supreme Court justices must conduct campaigns for their offices and raise huge sums of money. In fact, this is the case with the four states that border ours.

In Illinois, two candidates in 2004 spent -- believe it or not -- \$9.3 million in a Supreme Court race in what turned out to be a race to pick which justice would cast the deciding vote in an appeal of a multi-million dollar punitive damage award against an insurance company.

I have similar horror stories from Ohio, from Michigan, and from West Virginia -- perhaps the worst of all. But in the interests of time, let me simply say that there are no such stories about Indiana. That's because we have a judicial selection system:

- Where the involvement of the Chief Justice and representative lawyers on the Commission and the public nature of the process help assure that people of integrity, impartiality, and intelligence are appointed.

Exhibit A
Commission on Courts
August 26, 2010

- Where the involvement of the Governor and non-lawyer Commission members and periodic retention votes help assure accountability.
- And where the absence of contested elections helps assure that there is no perception that justice in Indiana is for sale — no perception that lawsuits are decided in response to party or interest-group contributions.

When Governor Daniels announces his selection as the newest justice on Indiana's Supreme Court shortly, I know you will share my gratitude at the way our State's judicial selection system helps provide Hoosiers equal justice under law — in marked contrast with our neighbors.

Now to JTAC.

Rather than speak to you at great length this morning, Mary and I have organized our presentation in roughly three parts. First, we want to look at JTAC largely from the perspective of courts and clerks, showing you the way some of JTAC's products work and letting you hear from, and ask questions of, several of our users. Second, we would like to show you what JTAC looks like from the perspective of the executive branch and will essentially turn things over to two of Gov. Daniels's agency heads for their point of view. Third, we will turn to your own branch of government and give you a report on several specific things that you collectively or individually have asked of JTAC in the last year.

Throughout, Mr. Chairman, we would welcome your questions and those of your colleagues.

I

Because of the Commission's extensive familiarity with JTAC, let me dispense with history and simply start with the vision of the Indiana Supreme Court and JTAC: to equip all Indiana courts a uniform statewide 21st-century case management system connecting each clerk and court in the State with each other and with law enforcement, state agencies, and others who need and use court information — including the public. There are two broad components of this vision: one is providing clerks and courts with a uniform statewide case management system; the second is connecting courts with each other and with law enforcement, state agencies, and others to permit the electronic exchange of and public access to court information.

The computer program or, in IT-speak, the "application" that provides the case management system is called "Odyssey." The computer application that connects courts with law enforcement and state agencies is called "INCite." You will see on the yellow handout in your red folders some information about Odyssey and some information about the many ways in which INCite is connecting courts with law enforcement and state agencies.

Behind the yellow sheet is a map showing the courts using Odyssey at the moment. In fact, we prepared the yellow sheet and map last week and have added a court since then -- the Lawrence Township Small Claims Court here in Marion County, a very busy court with over 7500 filings last year.

Behind the map is a brief narrative description of the various ways in which INcite connects courts with law enforcement and state agencies.

What I'd like to do now with the help of Indiana State Police Sgt. Jerry Goodin is give you a demonstration of our e-citation INcite application.

[eCWS Demonstration]

Mr. Chairman, it is important that you and the members of the Commission understand that the computer software that makes this e-ticket run was developed by JTAC; we did not buy it from a third-party vendor; and so we own the intellectual property. We provide the system at no cost to any Indiana law enforcement agency that wants to use it, along with training and help-desk support, also at no cost. As you can see from your yellow sheet, the Indiana State Police and 172 other sheriff and police departments have taken us up on our offer. Another 23 will be added to the system soon – we just trained DNR conservation officers on the system yesterday.

Since the Indiana State Police began using the system in January, 2008, over 2 million traffic citations and warnings have been issued using the JTAC system. When they are issued, the electronic record of each citation and warning is transmitted electronically to a central database that we call the “e-citation central repository.”

There are a couple of additional things that I would like to say about what you have just seen but first I would like to give Sgt. Goodin an opportunity to comment.

[Sgt. Goodin comments]

Thank you, Sgt. Goodin. And thank you for all that you and your colleagues in law enforcement due to make our state a safer place to live.

To repeat something I said a few moments ago, when an electronic citation is issued, the electronic record is sent to the e-citation and data repository. The computer software that sends the record to the repository is INcite and you can see from the yellow sheet that INcite has many uses. What these uses have in common is that they are the means by which electronic records are sent either to or from courts.

Here's another example. Upon the disposition of each traffic case, state law requires the court to notify the BMV on State Form SR-16. Personnel in all 200 of our courts with traffic infraction jurisdiction have now been equipped and trained by JTAC to transmit electronically notices of disposition of infractions to the BMV – can you believe it? – 15,000 SR-16s per week!

I know you can appreciate that prior to JTAC, the vast majority of courts had to fill out these forms by hand and mail them to the BMV, where BMV employees had to enter the data into their computer system by hand. Just as Sgt. Goodin told you about the significant labor-saving aspects because of the e-citation INcite application, so too are there significant labor-saving aspects because of the BMV INcite application.

But as powerful as the e-citation and BMV applications are, what is really exciting and what I really want to tell you about is how Odyssey leverages these applications into a truly 21st-century case management system.

Let me show you what I mean.

[Demonstration of Odyssey public access module showing a traffic citation moving through the system and then showing multiple litigants]

Mr. Chairman, this is not what is coming, this is what is here – in Indianapolis and in each of the other communities in our state where Odyssey has been deployed. This includes many of our major population centers like Indianapolis, South Bend, Bloomington, Jeffersonville, New Albany, and – coming Labor Day weekend – Fort Wayne.

Mr. Chairman, I have taken the liberty of asking a judge, a clerk, and a court administrator who are using Odyssey to be here this morning. Judge Brian Poindexter of the Carmel city court has been using Odyssey since November 21, 2009. His is an extremely busy court with more than 10,500 filings last year. Mr. Chairman, with your permission, I would like to call on Judge Poindexter for any comments that he may care to make and to respond to your questions.

[Judge Poindexter comments]

Mr. Chairman, also here with me is Linda Moeller, the elected Clerk of Floyd County. Floyd County has been using Odyssey since February 17, 2009, with approximately 23,200 filings last year. As you know, with New Albany as the County seat, Floyd County is one of the largest counties in our state. Mr. Chairman, with your permission, I would like to call on Clerk Moeller for any comments that she may care to make and to respond to your questions.

[Linda Moeller comments]

Mr. Chairman, also here with me is Ollie Schierholtz, the administrator for the Circuit and Superior Courts of Hamilton County. Hamilton County, our state's fourth-largest, has been using Odyssey since September 21, 2009, and had approximately 40,000 filings last year. Mr. Chairman, with your permission, I would like to call on Mr. Schierholtz for any comments that he may care to make and to respond to your questions.

[Ollie Schierholtz comments]

Mr. Chairman, the first part of our presentation this morning has tried to demonstrate that JTAC has developed a computer program called INcite by which courts, law enforcement, and state agencies can exchange electronic data. Two illustrations of this have been e-citations and BMV Form SR-16s. Others are listed on your yellow sheet. And when these INcite applications are combined with Odyssey, as they have been in 62 courts in 22 counties already, a truly 21st-century case management system emerges, one in which duplicate data entry is eliminated and other dramatic benefits result.

II

Mr. Chairman, I am of the view that there is no State in this country where there is closer and more constructive collaboration on technology between the judicial and executive branches of government than we have in Indiana. In describing to you the JTAC e-citation and BMV applications, I have illustrated two ways in which Indiana courts exchange court information electronically with agencies throughout the Daniels Administration in a way that increases public safety and saves taxpayers money.

In addition:

- Every single domestic violence court notifies local law enforcement, the State Police, and the FBI electronically upon the issuance of each protection order;
- Juvenile probation officers notify the Department of Child Services electronically of delinquency cases for which DCS will be financing services for the youth involved;
- The Revenue Department uses software developed by JTAC to notify county clerks of outstanding tax warrants; and
- Clerks notify the State Health Department electronically when marriage licenses are issued.”

In particular, the Indiana Criminal Justice Institute, through its leadership and funding, has been instrumental in fostering many of the collaborative projects that Indiana courts have successfully undertaken with executive branch agencies. It has been a central force in our success. I am very pleased that the executive director of the Criminal Justice Institute, Dr. T. Neil Moore, is with us this morning and, Mr. Chairman, with your permission would like to call upon him for any comments he might care to make about JTAC and its work from his perspective.

[Comments from Dr. Moore]

Another of JTAC's great partners is the Indiana Department of Revenue. In addition to the tax warrant INcite application I mentioned a moment ago, the Revenue Department has helped us develop our award-winning jury pool list and we have begun some very promising discussions about the prospect of intercepting tax refunds from taxpayers who have unpaid court costs and fines.

I am very pleased that the Commissioner of the Department of Revenue is here with us this morning and, Mr. Chairman, with your permission, I would like to call on Commissioner John Eckart for any comments that he might care to make.

[Comments from John Eckart]

Mr. Chairman, you've heard this morning from a representative of the State Police and

the leaders of the state's Criminal Justice Institute and Revenue Department. I think it likely that other state agency heads would have joined us this morning had we asked. But I hope the presentation illustrates the comment I made at the outset of this part of our presentation -- that there is no State in this country where there is closer and more constructive collaboration on technology between the judicial and executive branches of government than we have in Indiana. Our profound thanks to Gov. Daniels and his team for making this so.

III

Mr. Chairman, the third and last part of our presentation is really directed to the State Legislature. It goes without saying that without the Indiana General Assembly's support of JTAC and its projects, we could not have made the progress we have. The technology court fee adopted in 2001 and 2002 has made our work possible. Beyond that, the support and encouragement of you personally Mr. Chairman and so many other members of the Legislature has provided motivation and incentive for our work. I want to thank you and Representative Lawson and every other member of this Commission and also acknowledge the support of so many other present and past members of the General Assembly.

A

Beyond this general expression of appreciation, Mr. Chairman, two bills passed by the Legislature in the 2009 session (Public Law 110–2009 and Public Law 130–2009) imposed certain mandates on JTAC. The deadline for compliance with these mandates was December 31, 2009, and so this is the first time that JTAC has reported to the Commission since that deadline. I am pleased to report that all of these mandates were complied with by that date.

1. Mental Health Adjudication (NICS) INcite Application. Public Law 110–2009 required JTAC to establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm and transmitting this information to the Federal Bureau of Investigation for inclusion in the National Instant Criminal Background Check System (NICS). In response to this mandate, JTAC developed the Mental Health Adjudication (NICS) INcite application which is listed on your yellow sheet.

The Bureau of Justice Statistics provided a National Criminal History Improvement Program (NCHIP) grant to JTAC through the Indiana Criminal Justice Institute to develop and implement the Mental Health Adjudication (NICS) Application. It is available to all Indiana courts making mental health adjudications.

Mr. Chairman, I want to report to you that since the Mental Health Adjudication INcite application went online on July 1, 2009, Indiana judges have notified NICS of 1,860 mental health adjudications. This reflects a real and sobering contribution to public safety in our state. Thanks to you and your colleagues for passing the legislation that mandated this and to the Indiana Criminal Justice Institute for funding this critical initiative.

2. Protective Order Registry Protocol. Public Law 130–2009 required JTAC to develop a standard protocol for the exchange of information, by not later than December 31, 2009,

between JTAC's protective order registry (POR) INcite application (listed on your yellow sheet) and county court case management systems. The statute also required JTAC to submit information concerning a standard protocol for county case management systems to interface with the protective order registry to each prosecuting attorney and court.

No funding was provided to develop this POR Protocol. JTAC used existing resources to develop a standard protocol for other court and prosecutor case management systems to interface with the Protection Order Registry. Work on the POR Protocol was completed prior to December 231, 2009. The POR protocol is available over the JTAC website.

3. E-ticket Protocol. Public Law 130-2009 also required JTAC to develop a standard protocol, by not later than December 31, 2009, for, at the option of the county prosecuting attorney, JTAC's e-citation INcite application (that Sgt. Goodin and I demonstrated) to exchange of information with (1) a prosecuting attorney's case management system; (2) a county court case management system; and (3) Odyssey.

No funding was provided to develop this E-ticket Protocol. But in point of fact, JTAC was already working to develop a standard protocol for the e-ticket application to interface with other court and prosecutor case management systems when the legislation was passed. Work on the E-ticket Protocol was completed prior to December 31, 2009. The eCWS protocol is available over the JTAC website. Interfaces are in place with the CourtView, Keystone, and ProsLink case management systems in addition to Odyssey.

4. CMS Protocol. Lastly, Public Law 130-2009 required JTAC to develop a standard protocol for the exchange of information, by not later than December 31, 2009, between county court case management systems and Odyssey.

No funding was provided to develop the CMS Protocol. JTAC used existing resources to develop a standard protocol for other court and prosecutor case management systems to interface with Odyssey.

The CMS Protocol is conceptually different from the POR Protocol and the E-ticket Protocol. The purpose of the POR Protocol is to allow case information for protection and no-contact orders created by JTAC's POR Application to be exchanged with court and prosecutor case management systems. The purpose of the E-ticket Protocol is to allow electronic citations created by JTAC's e-ticket application to be filed in court and prosecutor case management systems. However, the purpose of the CMS Protocol is to allow authorized users of Odyssey, other court case management systems, and prosecutor case management systems to view the secure cases in each other's case management systems, not to file those cases in each other's systems.

The data on cases in Odyssey is maintained in a central data repository maintained for JTAC by the Indiana Office of Technology (IOT). There are 23 other case management systems currently in operation around the state. JTAC developed a second data repository (the "Data Warehouse") to comply with the CMS Protocol mandate and also provide a repository for legacy data not converted when a court installed Odyssey. Any court using any of the 23 other case management systems can be authorized and enabled to transmit its case data to the Data Ware-

house either in batch or on a near-real-time basis. The CMS Protocol permits users of both Odyssey and the other 23 case management systems to search both the Odyssey central data repository and the Data Warehouse in a single search. JTAC provides court users with a user ID and password to assure proper security.

This functionality has been implemented for authorized users in Hamilton County with respect to legacy data that Hamilton County chose not to convert when Odyssey was installed in that county. Work on the CMS Protocol was completed prior to December 31, 2009. The CMS protocol is available over the JTAC website.

B

Mr. Chairman, the last thing that I would like to do this morning is to respond to some questions that were raised about JTAC during the 2010 session of the General Assembly. In the Senate Committee on Corrections, Criminal, and Civil Matters, Sen. Steele offered an amendment to House Bill No. 1276 asking that JTAC report to the Commission on Courts on eight items. The amendment did not become law. But as you know, Mr. Chairman, JTAC has always been anxious to answer any questions about our operations. I called Sen. Steele earlier this week to tell him that we would report to the Commission as his amendment requested even though it had not become law. Although he could not attend today's meeting, he seemed appreciative and, of course, I will provide the answers I'm about to give you to him in writing.

1. **The amount appropriated to date for the project.** Mr. Chairman, as you and the members of the Commission are well aware, JTAC's principal funding source is a portion of court case filing fees. Probably because JTAC does not receive any state general fund appropriations, there is no line-item appropriation for JTAC in the state budget bill. (The only time in which there was a line-item appropriation to JTAC in the budget bill was in 2001 when \$1 million was appropriated to JTAC for each year of the 2001-2003 biennium from the "pay phone fund.") The way JTAC's appropriation works is that the court filing fees and any other amounts that JTAC receives from grants or other sources are deposited in a fund called the "judicial technology and automation project fund." Money in the fund at the end of the year stays there; it does not revert. By law, namely, Indiana Code 33-2.1-7-10, money in the fund is annually appropriated to the Supreme Court for the judicial technology and automation project.

I suppose in a technical sense, one could calculate the "amount appropriated to date for the project" by adding together the amounts on deposit in the fund on the first day of each fiscal year but that would not be a meaningful number since it would count unexpended balances over and over again. In any event, I have not tried to calculate that.

Instead, I interpret this question to request the total amount of court filing fees that the JTAC fund has collected since the General Assembly first authorized court filing fees for the JTAC project back in 2001. From the inception of the court filing fee through our most recent distribution on July 15, 2010, we have been distributed \$55.7 million. The handout I have given you shows the year-by-year breakdown of this amount.

Just a couple of footnotes here, if I may. The amount of the fee was \$2.00 from July 1,

2001, through June 30, 2002; \$5.00 from July 1, 2002, through June 30, 2003; and \$7.00 from July 1, 2003, to date. It is important not to overestimate the amount of revenue that this \$7.00 fee generates as it is not collected on all cases -- for example, the very high percentage of criminal cases in which the defendant is indigent and excused from paying court costs. In addition, the way the distribution formula works, the \$7.00 is combined with certain other court costs and fees and distributed according to a formula under which JTAC can get less or more than \$7.00 depending upon how much of the other costs and fees are collected. Finally, as you know, the General Assembly directed last year that the \$7.00 collected on diversion and deferral cases not go to JTAC.

2. **The total amount expended to date for the project.** Since inception through June 30, 2010, JTAC has spent \$62.6 million. As you know, Mr. Chairman, in 2005, JTAC terminated its relationship with its prior vendor, Computer Associates. In that transaction, Computer Associates paid to JTAC \$6,934,273, representing all amounts that JTAC had paid to Computer Associates plus an additional \$1 million. Subtracting that approximately \$7 million from the total amount spent produces a net amount of \$55.7 million.

Mr. Chairman, if I might, I think what is most important here is the amount that has been spent to implement the uniform statewide case management system project. I think the best way of analyzing that is to look at all spending on Odyssey and INcite applications since January 1, 2007, for that is the approximate date on which we began doing business with Tyler Technologies, our Odyssey vendor. From January 1, 2007, through June 30, 2010, JTAC expenditures on the Odyssey CMS and INcite projects have totaled approximately \$39.5 million, approximately 73% for personal services, 20% for licensing, maintenance, and support contracts with respect to Odyssey, and 3% for datacenter services. Because Odyssey and INcite are commonly managed, use a common data center, and are closely integrated in other ways, financial information for both projects (including all overhead and administration) is presented together. If required to allocate the \$39.5 million between both projects, JTAC believes attributing approximately \$33.0 million (84%) to the Odyssey project and approximately \$6.5 million (16%) to the INcite project would be appropriate.

3. **The amount of other funds received to date.** Mr. Chairman, as I discussed in answer to question #1, the General Assembly has authorized a portion of court filing fees be utilized for JTAC projects. I assume that this question asks the amount of funds in addition to court filing fees (and the \$2 million from the pay phone fund) that JTAC has received. That amount is \$8,051,088. This is the amount we have actually received; we have actually been awarded grants well in excess of that amount, for which funds have not yet been received. These have all been federal and state grants, a number of which Dr. Moore of the Criminal Justice Institute discussed earlier this morning, as summarized in my handout.

I want to express the Supreme Court's appreciation to the leaders of the federal and state agencies that supplied these grants for their confidence in JTAC and its work. And I hope, Mr. Chairman, that it gives you and your colleagues additional confidence in our work as well that JTAC enjoys such significant financial support from so many government agencies.

One thing I do want to emphasize is that approximately \$3 million of the grants have

been distributed to local courts, clerks' offices, and law enforcement agencies and have not been retained by JTAC or spent on the case management system project.

4. **The estimated total appropriation needed to complete the project.** Mr. Chairman, the answer to this question depends on whether the amount needed to maintain and support the case management system on an ongoing basis is to be included in addition to those funds needed to add courts to the system. As we have been discussing, courts generating approximately 25% of the state's caseload are already using the case management system and so a considerable portion of JTAC's expenditures are for that purpose. Because those expenditures will be absolutely necessary, I am going to include them in my estimate. We believe that we can have Odyssey installed in all 400 of Indiana's courts by June 30, 2017, if our court filing fee is increased to \$10.00 effective July 1, 2011. In order to deploy Odyssey in those courts and to maintain and support the case management system in all courts during that period of time, we estimate that total appropriations of \$49.0 million will be required for Odyssey for the six-year period beginning with the start of the new biennium (July 1, 2011). (Including INcite and other court projects, an additional \$4.1 million will be required for this six year period.)

5. **A comparison of actual costs with estimated costs for the project.** Mr. Chairman, you have in front of you the estimated budget for the case management system project that JTAC developed at the time we awarded the original contract to Computer Associates – you will see the date of 4/26/02 in the upper left-hand corner. This was the budget that the Supreme Court had before it when it awarded the original contract to Computer Associates in May of 2002. You can see that the estimated project life was six years. And you can see in the lower right-hand corner that the estimated total cost was \$92.3 million.

Of course, the six-year estimate has proved to be wildly optimistic. And the entire character of the project is really quite different. We did not anticipate, for example, the amount of effort and expense converting legacy data would entail. But if you add the \$33.0 million that we have spent on Odyssey through June 30, 2010 (question #2), the \$8.3 million that we estimate we will spend this year, and the \$49.0 million that I just estimated we will spend over the next six years (question #4), you have a total amount of \$90.3 million which does not deviate too greatly from the April, 2002, estimate of \$92.3 million.

6. **A comparison of actual time to complete the project with original estimates.** Mr. Chairman, I mentioned a few moments ago that we thought it would take six years from the time Computer Associates would provide us with fully-functional a case management system to get it fully deployed. I think it would be fair to say that Tyler Technologies provided us with a fully-functional case management system on October 1, 2007. Knowing what we know today, we believe that it will take us slightly less than a total of ten years to install Odyssey – from that October 1, 2007, to June 30, 2017, the date I gave in answering question #4.

7. **The estimated annual appropriation required to maintain the project after completion of rollout.** Mr. Chairman, the answer to this question depends largely on what JTAC is asked to do once installation of the case management system is completed. For example, many courts, clerks, and lawyers would like to see an electronic filing component added to Odyssey. Our own view is that there will still be much work to do after Odyssey is installed and

we estimate annual expenditures of \$6.7 million to do that work. This would require an annual court filing fee of \$7.00 per case. However, a bare-bones budget that would cover no more than the cost of the network and data center, annual maintenance and support from Tyler, and help desk services would probably total approximately \$4.0 million per year, requiring an annual court filing fee of \$4.00 per case.

8. **The number of interfaces that have been requested and completed under this section.** Mr. Chairman, as I indicated earlier, we fully complied with the mandate of Public Law 130-2009 to construct protocols for the e-citation, Protection Order Registry, and Odyssey interfaces. As I mentioned earlier, we have interfaces operating between our e-citation application and the CourtView, Keystone, and ProsLink case management systems (and one interface operating between another e-citation application and Odyssey). But no other interfaces had been requested with respect to the Public Law 130-2009 protocols until yesterday when we received one with respect to the Protection Order Registry protocol.

Conclusion

Mr. Chairman before I conclude, I want to say that I am mindful as anyone of the extremely large dollar amounts that attach to this project. I can assure you, first, that from Chief Justice Shepard on down, all of us involved in the JTAC project strive to use the resources placed at our disposal in the most cost-effective manner we can. We use a single data center here in Indianapolis to which courts and clerks connect over the Internet rather than the old way of doing things that required a data center in every single courthouse. We have purchased a single, statewide license to use Odyssey for an unlimited number of users. That is, there is absolutely no increase in licensing, maintenance, or support obligations when we add a new court or county to the system.

During the course of this presentation, I have mentioned our success at receiving federal and state grants support for a substantial percentage of our work. We will continue to pursue grant funding aggressively. In addition, we are mindful that JTAC's work presents the possibility of generating revenue. We would like to initiate dialogue with members of this Commission and of the House and Senate Judiciary Committees along these lines, as well as members of the Daniels Administration to make sure that we are capitalizing on investments made in JTAC by the State to the extent appropriate.

Please keep in mind that while a substantial amount has been paid to Tyler, much more has been paid here in Indiana to JTAC employees and contractors who go from court to court installing Odyssey, to Indiana gas stations and motels that service them while they are in the field, and to the Indiana Office of Technology which houses our datacenter. Last year alone – excluding Tyler – we had 27 contracts with businesses and individuals in the private sector totaling \$3.2 million and are always anxious to develop new partnerships with the many splendid IT firms in our state. We are proud, as well, Mr. Chairman, of JTAC's record of minority hiring and the use of minority-owned contractors and vendors.

Finally, I know you recognize that technology, particularly when it is done right, is expensive. In just the last week, I have noticed the price tags on several technology projects from

around the world that are greater than what we are spending but don't seem to me to be anywhere near as important. Here are a couple of examples that I have pulled from the newspapers in just the last two weeks: (1) Los Angeles County plans to spend \$160 million from its general fund just to upgrade the city's financial, procurement, budget, human resources, and payroll systems; (2) the Singapore stock exchange plans an upgrade to its computer training system at a cost of \$185 million; and (3) the revenue department of the country of Greece is spending \$53 million on software just to unify its existing tax databases.

The reason good technology costs so much is because the economic and intangible benefits are so great. Think about the many demonstrable savings that we are achieving in terms of the elimination of duplicate data entry and law enforcement personnel having to spend substantial percentages of their time processing paper. And think too about the intangible benefits of identifying in Floyd County the violent criminal who is the subject of an outstanding warrant in Allen County.

Mr. Chairman and members of the Commission, you have been among the most stalwart supporters of JTAC's efforts. We could not be more appreciative of your confidence and pledge to you our continued unrelenting efforts to equip all Indiana courts with a uniform statewide 21st-century case management system that connects all of our courts with each other and with law enforcement, state agencies, and others who need and use court information.

Thank you very much.

The state of Indiana trial court technology ten years after JTAC's founding—and a reminder about how we got here in the first place

Exhibit B
Commission on Courts
August 26, 2010

Revisiting *the* Vision

Two years into the deployment of Indiana's uniform statewide Odyssey case management system (CMS), ⁶¹51 courts in ²²19 counties are up and running, managing more than ^{25%}22% of the state's caseload. Now, more than 440,000 cases a year are being tracked electronically, stored in a central database, and made available to the public and other users of court data free of charge.

Just over a decade ago, the Indiana Supreme Court created its Judicial Technology and Automation Committee (JTAC) to develop strategies for trial court technology in our state. The implementation of case management and court information sharing are principal among its goals, so having nearly one quarter of the state's caseload managed by the Odyssey CMS is a major milestone in what has been—and what continues to be—a challenging and necessary

endeavor for justice and public safety in Indiana.

The goal of a uniform statewide CMS also makes sound fiscal policy given the long-term savings that result from centralization and uniformity. Centralization frees up local budgets from supporting software licensing, maintenance, and training costs, easing the burden on local property taxes. In addition, while the local courts need desktop computers and Internet access to use the system, they avoid the significant data center costs of localized systems; and if a county needs additional network capacity to run Odyssey, those costs are also absorbed by JTAC.

Judges and Clerks using Odyssey have noted significant advantages and they are better able to manage court cases and related financial information. This is especially evident in courts like the Marion County Traffic Court, where many infractions are processed through JTAC's electronic Citation and Warning System (eCWS) into

A listing of Odyssey project costs and assigned funding sources can be found at

<http://courts.in.gov/jtac/docs/cms/phase2-costs.pdf>

CONTINUED...

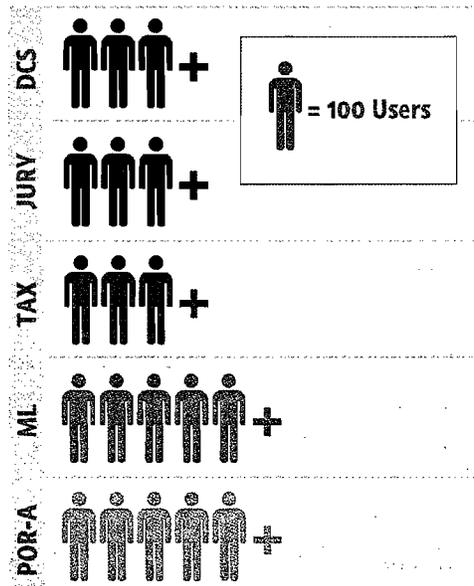
changing legislation creating a need for a statewide technology solution. And as a uniform statewide CMS began materializing, other projects have been developed that are interdependent with the concept of a uniform statewide CMS.

All of the projects undertaken by JTAC have been consistent with the committee's three stated goals:

- Equipping every Indiana trial court with a 21st century CMS;
- Connecting individual courts' case management systems with each other and with law enforcement, state agencies, and other users of court information, including the public; and
- Providing Indiana judges and court clerks and their staffs with additional computer resources to assist them in their work and better serve the public.

Many of the projects connecting courts with law enforcement and state agencies—such as the electronic Citation and Warning (e-ticket) System, the Protection Order Registry, and the Statewide Jury Pool—were

funded primarily by federal grant dollars. Over \$2,000,000 of those grant dollars were in turn delivered to counties for local technology needs, including equipment and software licensing.



Numbers of users served by JTAC software. POR-A: Protection Order Registry Advocates Access; ML: Marriage License E-File; TAX: E-Tax Warrants; JURY: Statewide Jury Pool and Jury Management; DCS: Juvenile Services Filing.

Demand for immediate Odyssey installations exceeds our deployment resources—for now

Odyssey has been installed in 51 courts in the 26 months since the initial pilot installations in December, 2007. This record is all the more impressive when

the rigorous quality controls demanded by the Court are considered—quality as to converting data from old case management systems, to standardizing business practices to comply with state law and regulations, and to configuring Odyssey to conform to local practices.

We are busy working on additional deployments in courts in Anderson, Fort Wayne, Indianapolis, Jeffersonville, and other places. We have a long waiting list of courts and clerks that would also like to have Odyssey installed. But with only so many men and women on our deployment teams, we are unable to fulfill these requests as rapidly as we would like. We have explored with the General Assembly temporarily increasing the court filing fee that supports JTAC's work from \$7.00 to \$10.00 so as to increase the pace of Odyssey deployments. This proposal has received some support—the Indiana House of Representatives and the Senate Judiciary Committee both passed it in 2009—but it has not become law. We will install Odyssey as rapidly as our resources allow, consistent with the quality demanded by our Supreme Court.

powered by **JTAC**

Visit courts.IN.gov/video/hamilton to watch a video case study of Hamilton County's Odyssey deployment experience.

**INDIANA SUPREME COURT
DIVISION OF STATE COURT ADMINISTRATION
JUDICIAL TECHNOLOGY AND AUTOMATION COMMITTEE (JTAC)**

What is JTAC? What has JTAC accomplished?

JTAC is a committee established by the Supreme Court to improve computerization for Indiana courts and clerks. JTAC has many technology projects up and running that are helping courts, clerks, and law enforcement in all 92 Indiana counties.

(1) Statewide uniform case management system ("Odyssey").

JTAC'S biggest and most ambitious project is to equip all Indiana courts and clerks with a 21st century computer system called **Odyssey** to manage cases – and connect each court's system with each other's and with law enforcement, state agencies, and the public.

This multi-year project is making solid progress since the first pilot installation in December, 2007: **61 courts in 22 counties** comprising 25% of the state's caseload are now using Odyssey to manage their caseloads. (These courts include the Marion Co. traffic court, the busiest court in the state, and the courts of Hamilton Co., the state's 4th largest.)

Counties pay **no license fees or annual maintenance costs** for Odyssey. Information on **cases in Odyssey is available at no cost to the public** on the web.

"Odyssey" is a leading national case management system with special Indiana features for clerks' financial duties and probation officers' caseloads. The rights to install it in all Indiana courts were acquired July 1, 2007, after a **competitive procurement** involving judges, clerks, and IT professionals from throughout the state. (JTAC began this project in 2002 but its relationship with the vendor collapsed in 2005. The vendor paid JTAC to terminate the contract.)

(2) Critical data exchange with law enforcement and state agencies ("INcite").

While Odyssey is being installed court-by-court, JTAC works closely with law enforcement and state agencies using a computer program called "INcite" to send certain critical data electronically to and from courts and clerks in all 92 counties except where noted.

- **Court traffic infraction data** — to BMV.
- **Domestic violence protection orders** — to local police and state Protection Order Registry.
- **Juvenile delinquency case data** — to Department of Child Services from juvenile probation officers (available in 82 counties).
- **Tax warrant data** from Indiana Department of Revenue — to clerks (42 counties).
- **Marriage license data** — to Indiana Department of Health from clerks (64 counties).
- **Electronic traffic tickets** issued using scanners — to courts Indiana State Police and sheriff and police departments (172 departments; 23 more in planning stage).
- **Mental health adjudication data** — to the FBI for background checks.
- **Court statistical data** — to Division of State Court Administration from courts.

(3) JTAC has made grants of more than \$2 million to courts, clerks, and law enforcement for computer systems and technology equipment.

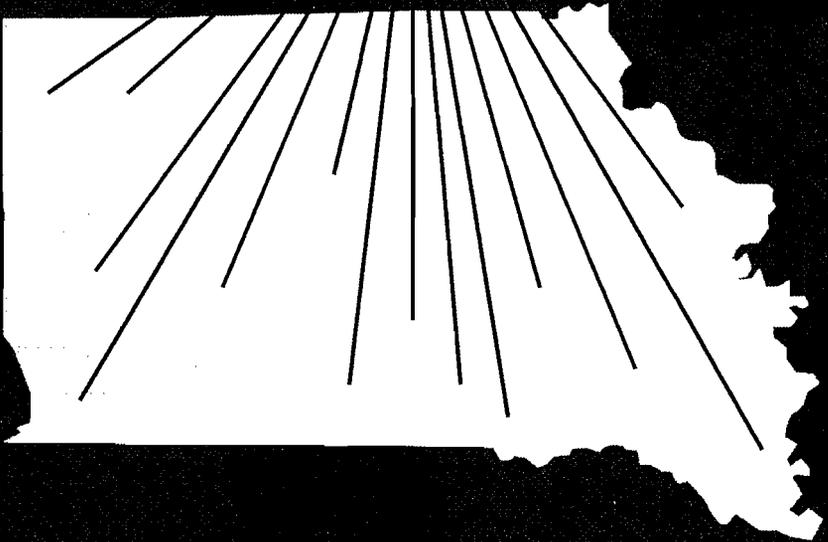
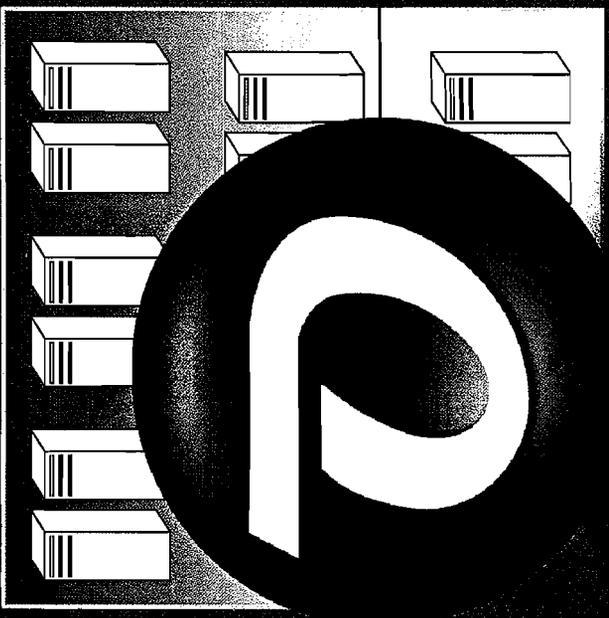
(4) Research, education, web site, and other services.

JTAC also provides the following at no cost:

- **LEXIS-NEXIS** electronic legal research service for judges and clerks.
- Computer classes at **Ivy Tech** for court and clerk staff.
- On-line **child support calculator**.
- Indiana **judicial web site** with information for and about courts and clerks.
- County "**jury pool**" lists and jury management software.

- BMV
- State Police
- DOC
- DCS
- Revenue
- ISDH
- Prosecutor

PUBLIC ACCESS



Odyssey Deployment Progress

 **Trial Courts Deployed:**

- Monroe County
- Warren County
- Tipton County
- DeKalb County
- Floyd County
- Parke County
- Washington County
- Owen County
- Hamilton County
- Rush County
- Harrison County
- Huntington County
- Blackford County
- Benton County
- Carroll County
- Clark County
- Posey County

 **Individual Courts Deployed:**

- Marion Traffic Court
- Greenwood City Court
- New Haven City Court
- Carmel City Court
- St. Joseph Traffic Courts
- Alexandria City Court
- Roanoke Town Court
- Franklin Township SC
- Washington Township SC
- Center Township SC
- Wayne Township SC
- Warren Township SC

 **Trial Court Deployment in Progress:**

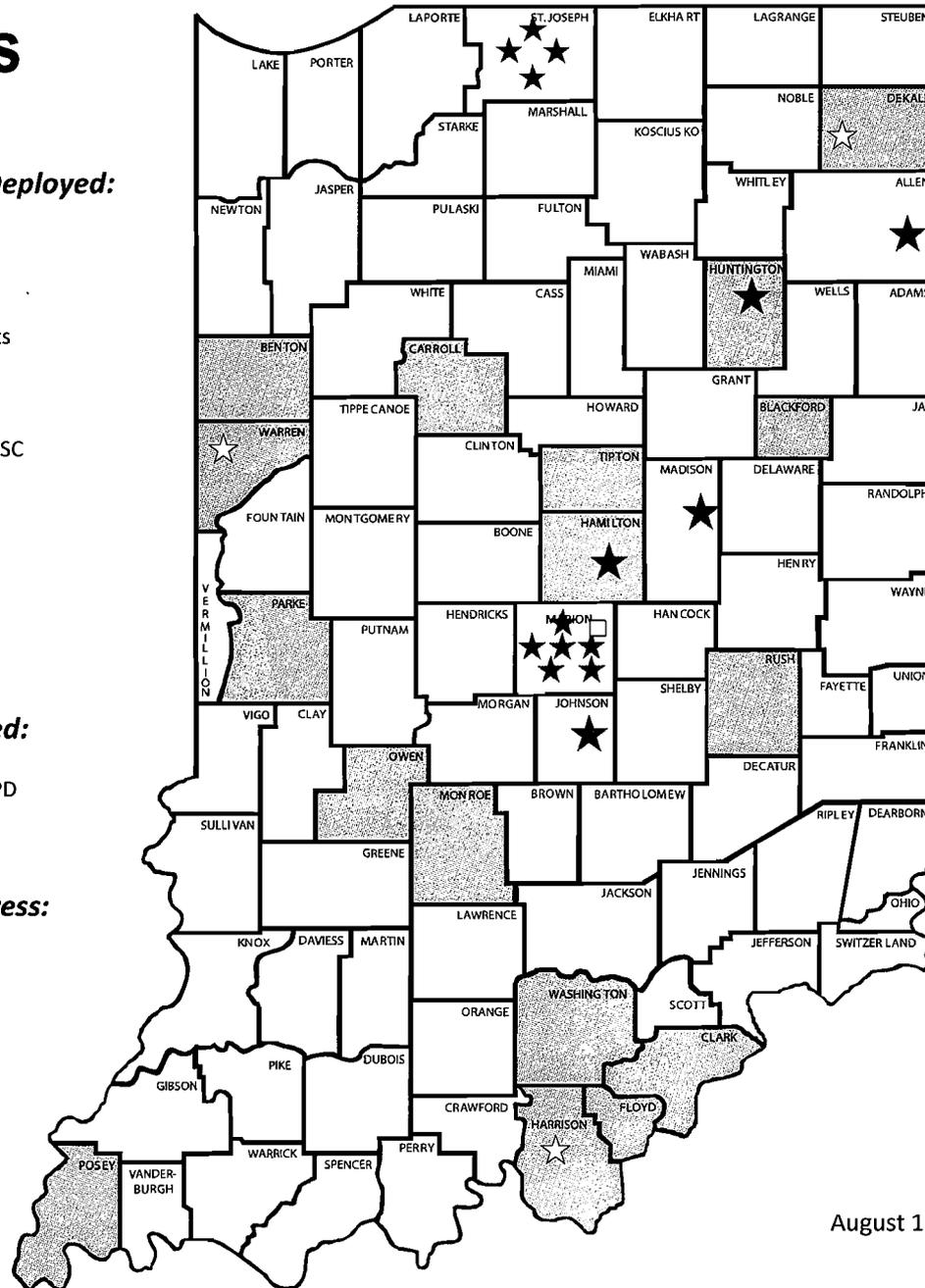
- Allen County
- Greene County
- Hancock County
- Jackson County
- Jasper County
- Jennings County
- LaPorte County
- Scott County
- Shelby County
- Steuben County
- Lawrence Twp. SC

 **Supervision Deployed:**

- DeKalb County PD
- Harrison County Juvenile PD
- Warren County PD

Supervision in Progress:

- Floyd County PD



August 16, 2010



FACTSHEET

Tools for Judges and Clerks

ODYSSEY STATEWIDE CASE MANAGEMENT SYSTEM (CMS)

The Indiana Supreme Court is providing Indiana courts and clerks with a statewide case management system that connects courts with each other and those that need court information. The Court signed a contract with Tyler Technologies for a statewide license for a court case management system, called *Odyssey*, in June 2007. By September 2009, *Odyssey* will be used in 36 courts in 13 counties representing almost 20% of the new cases filed in 2007. These courts include the Marion County traffic division, the busiest single court as measured by filings. Public case information from counties that use *Odyssey* is available on the Indiana Courts website with no cost for searching and printing.



INcite (INDIANA COURTS INFORMATION TRANSMISSION EXTRANET)

JTAC provides many online tools for Indiana courts and clerks, many of which are available through a secure extranet site called INcite. INcite provides a single online location where individuals working in the courts are given access to the tools they need to complete their daily duties. The tools available on INcite extend or integrate with the functionality of the *Odyssey* CMS, and the INcite framework itself provides a platform for interfacing with other data systems, such as those managed by the Bureau of Motor Vehicles, the Department of Child Services, and the Indiana State Police. Following are descriptions of the suite of tools available through INcite.



Electronic Filing to the Bureau of Motor Vehicles

To help Indiana counties comply with new federal regulations, JTAC created an electronic system that counties can use to submit SR16 citation information to the BMV instead of mailing or faxing. The transmission time dropped from 53 days to 8 for counties using INcite.

Electronic Citation and Warning System (eCWS)

In cooperation with the Bureau of Motor Vehicles, Indiana Criminal Justice Institute, State Police, and other state and local agencies, JTAC created an e-ticket system where traffic tickets are "written" using a scanner and entered a single time through INcite into a statewide data repository by officers in the field, who then print a uniform traffic ticket from equipment in their vehicles. These tickets are filed electronically into the *Odyssey* case management system.

Statewide Protection Order Registry

Using federal grant funding, JTAC and the Indiana State Police created a statewide electronic Protection Order Registry. When a judge issues an order it is electronically entered into the system and shared through INcite with the Indiana State Police database and the FBI's National Crime Information Center within minutes. At the same time, notice of the order is transmitted to local law enforcement stations where the parties live and work.

DCS Probation System

Juvenile probation officers electronically submit to DCS information required for reimbursement of costs for delinquency services and placements under the 2008 property tax bill. This system is available to juvenile probation officers statewide and is used in 82 counties.

Statewide Jury Pool Lists and Jury Management Tools

Our nationally recognized Jury Pool program provides each county with the most inclusive and diverse jury pool list ever available—at no cost. A new JTAC Jury Management System (JMS) uses this list and has additional tools to call, track and compensate jurors. Both the list and the JMS are available through INcite.

Electronic Tax Warrants

JTAC and state Department of Revenue created a Tax Warrant interface through INcite that allows Clerks to seamlessly process Tax Warrants electronically, reducing manual data entry, making public records easily searchable and providing accurate records in a more timely manner.

Marriage License E-File System

In response to requests made by many Indiana County Clerks, JTAC created a Marriage License e-File system in INcite, where Clerks can create marriage licenses electronically and print a copy for the bride and groom. When the completed license is returned to the Clerk's Office, the Clerk can update the record and submit it electronically to the State Department of Health (ISDH), which collects the data for vital records. In turn, the Indiana State Library is given access to the data for genealogy researchers. There are 45,000 marriages in Indiana each year, and this electronic system has eliminated the need for Clerks to laboriously hand copy names into paper record books; it has saved countless local dollars Clerks previously spent mailing hard copies to the ISDH; and it has eliminated the need for data entry at the state level.

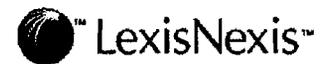
Indiana Courts Online Reports (ICOR)

As of April 3, 2007, Indiana courts and probation departments began submitting required reports to the Division of State Court Administration through INcite, JTAC's secure extranet for court information. All courts are now mandated to submit forms electronically, saving time and money.

OTHER PROJECTS

ONLINE LEGAL RESEARCH

Since 2001, JTAC has maintained a contract with LexisNexis to provide legal research subscriptions and book discounts to Indiana trial court judges, small claims court judges, and county clerks—at no cost to them. Judges in every Indiana county have requested accounts.



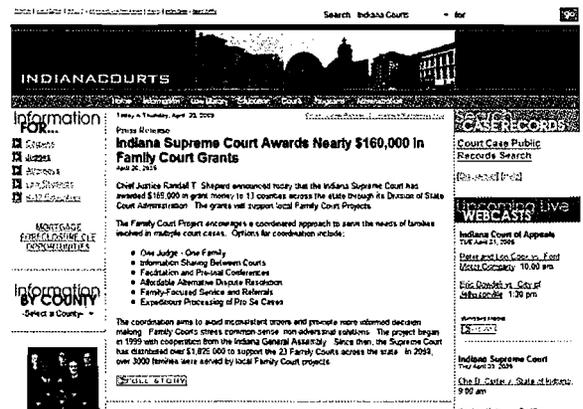
IVY TECH COMPUTER TRAINING PROGRAM

In 2001, JTAC began a program in cooperation with Ivy Tech State College to provide basic computer training to trial court staff. Courses covered Microsoft Office software and using the Internet, and were available at any of Ivy Tech's 26 campuses statewide. In 2005, JTAC expanded the program to include city and town court staff in conjunction with the BMV / SR-16 electronic filing project. Court employees in 72 counties have participated in this program.



INDIANA COURTS WEBSITE (courts.IN.gov)

JTAC publishes the Indiana Courts website providing information about the state Judicial Branch, including local courts, appellate courts, and a variety of court-related programs, such as the Court Improvement Program, Family Courts, and GAL/CASA, among others. Judicial opinions and orders, press releases, video webcasts, and case information are also available on the site. In 2005, the Indiana Courts website was ranked the #3 court website in the world and #1 state court website in the country.



CHILD SUPPORT CALCULATORS

In cooperation with the Domestic Relations Committee of the Indiana Judicial Conference and the Marion Superior Court, JTAC has developed three versions of a child support calculator that is based on the Indiana Child Support Guidelines. Parents can use the online Step-by-Step calculator to estimate child support and generate forms for use in court. Judges and attorneys can use either the online Practitioners' calculator or the downloadable Microsoft Excel calculator to figure parents' obligations and generate court forms. The child support calculator is one of the most popular sections of the Indiana Courts website.

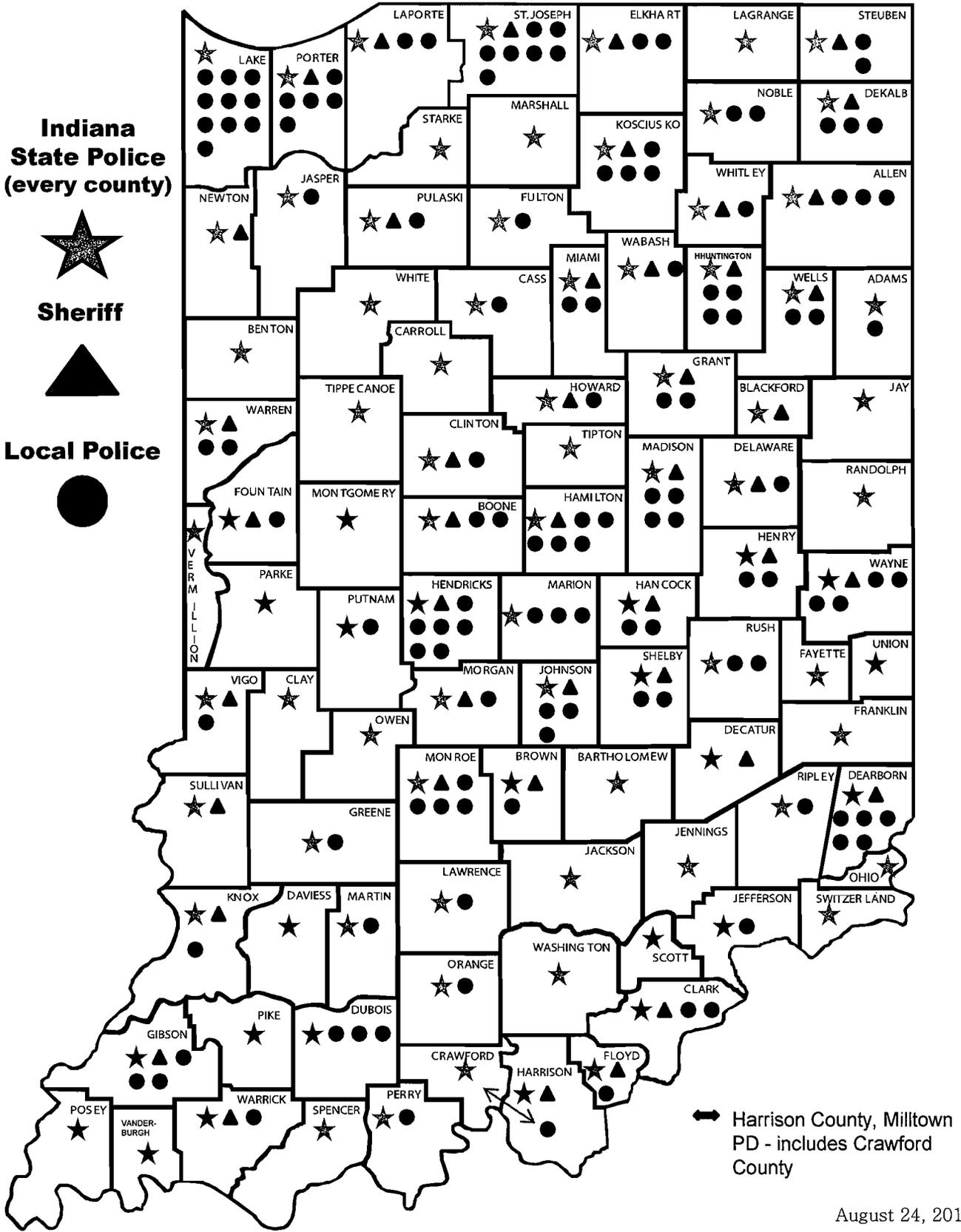
VIRTUAL COURTHOUSE TOURS

The Indiana Supreme Court is publishing online tours of Indiana county courthouses, which include 360° interactive images, still photographs, courthouse histories provided by the Historic Landmarks Foundation of Indiana, and other information such as location, parking, and accessibility. Tours for twenty-two counties are currently online, and additional counties are planned to be added.

STATE OF INDIANA

ELECTRONIC CITATION AND WARNING SYSTEM

TRAINED LAW ENFORCEMENT AGENCIES



An integral part of the Indiana Supreme Court's (ISC) vision for the state's trial courts is access to court records over the internet for lawyers and others who need and use court information. This non-confidential information is made available to anyone at no cost. The ISC received a joint recommendation from JTAC and the Case Management System (CMS) Project Statewide Governing Board and considered the applicability of the Court's Administrative Rule 9. The Public Access website includes access to court case searches for the Courts who currently utilize the Odyssey Case Management System.

The internet addresses are (type in the address from your internet browser):

<http://Courts.IN.Gov>



(click on the **Court Case Public Records Search** link)



or

<http://mycase.in.gov>



Note: Electronic access to certain court information is restricted by federal and state law in addition to court rules and orders. Information displayed on this site is not to be considered or used as an official court record and may contain errors or omissions. Accuracy of the information is not warranted. *Official records of court proceedings may only be obtained directly from the court maintaining a particular record.*

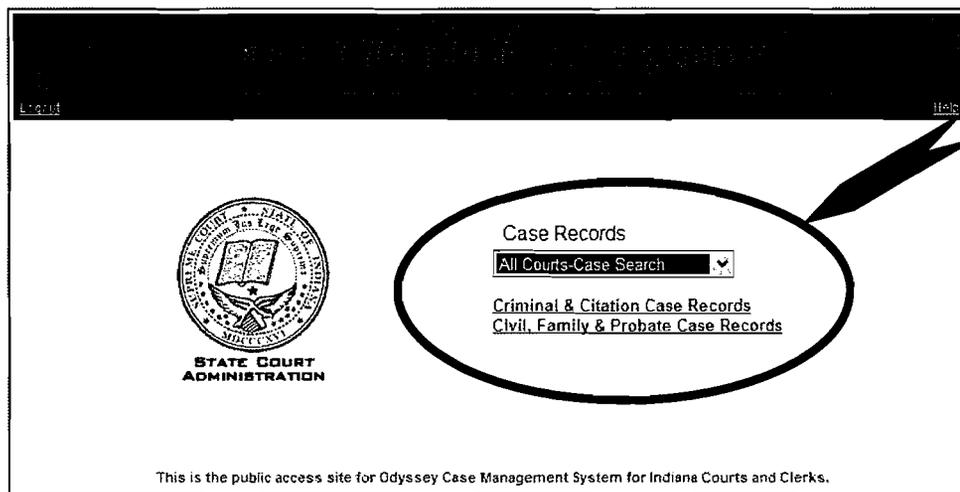
The financial information displayed for a case may not reflect the complete financial amounts for a case. The financial data contained within a case may not include interest that has accrued or other charges that have become due since the last financial transaction. The Clerk's office can provide current financial information.

Information obtained from the site should not be used as a substitute for competent legal advice.

Please note that the records available through this online search include both data that is recorded through Indiana's Odyssey CMS and data that has been converted from previously used electronic systems. As a result, converted data in a record may be notated as a "converted event."

1. **BEGINNING A SEARCH.** To begin a case search, first select the location from the **Case Records** drop-down menu. Options in the drop-down menu include:

- **All Courts-Case Search**, meaning records from all locations included in the system; or individual counties. After selecting a location, click the link for the collection you wish to search. You may search either
- **Criminal & Citation Case Record**, which includes criminal cases, infractions and traffic cases, or collectively **Civil, Family, and Probate Case Records**.



- CIVIL, FAMILY & PROBATE CASE RECORDS SEARCH.** When you conduct a search for civil, family and probate cases, you may search by: case number, party name, or attorney name.

For each search type, certain information is required. Required fields are notated with a plus sign (+) and in **red** text. After completing the required fields, you may further limit the search results by case status and a date range for the date the case was filed.

- CRIMINAL & CITATION CASE RECORDS SEARCH.** When you conduct a search for criminal or citation cases, you may search by: case number, defendant name, citation case number, or attorney name.

For each search type, certain information is required. Required fields are notated with a plus sign (+) and in **red** text. After completing the required fields, you may narrow your search results by completing information in any of the remaining fields.

4. **CASE & CITATION NUMBERS.** Indiana has a uniform case numbering system outlined in detail in Administrative Rule 8.

Website: <http://www.in.gov/judiciary/rules/admin/index.html>

Each part of the case number corresponds to information about the case, including the county, court, date filed, and case type.

EXAMPLE

| | | | | |
|---------------------|---|------------|-----------|--------------------|
| county number | | | case type | |
| 57C03 | - | 8805 | - | DR - 06314 |
| court identifier | | year month | | sequence number |

When searching by case number, you do not need to include the hyphens (dashes), but you may include them. However, if you do include hyphens, they must be included exactly as they appear in the official case number. In addition, you do not need to include zeros at the beginning of the sequence number (the final segment of the case number). If you only have part of the case number, you may use wild cards in your search. For more information, see section 7. **Searching with Wild Cards** (below).

5. **UPPERCASE AND LOWERCASE.** Fields in the search are not case sensitive. If you wish to search for a case by the party name "Richard Smith," your search results will be the same whether or not you capitalize any of the letters in "Richard Smith."

EXAMPLE:

RICHARD SMITH, richard smith, Richard Smith, rICHARD sMITH, and RiChArD SmItH would all return the same results.

6. **THE "USE SOUNDEX" CHECKBOX.** Once you have selected a collection to search—if you choose to search by a party, defendant, or attorney name—the page where you will enter your search terms includes a checkbox in the upper-right corner labeled "Use Soundex." Soundex is a tool used by search engines that allows the system to return phonetically spelled search results. The wild card and soundex features must be used separately.

EXAMPLE:

If you were to search for a case by the name of a party to the case, and you knew the party's name was "John Shepard," but you were unsure how to spell his name, the Soundex will produce search results that are similar in sound, though not spelled the same. So with the "Use Soundex" box checked, you could enter "John Shepard" and produce results associated with "John Shepard" as well "Jon Sheppard," "John Shepherd," "John Sheperd," and even "John Swafford."

7. **SEARCHING WITH WILD CARDS.** Wild cards allow you to conduct a search even if you don't have all of the information required by the type of search you are conducting.

NOTE: If you are conducting a search by party name, defendant name, or attorney name, you must turn off the Soundex by unchecking the "Use Soundex" box to use wild cards in your search.

To use a wild card, you can simply replace parts of your search term(s) with an asterisk *. Different types of searches allow for various uses of wild cards.

EXAMPLE – NAME SEARCH

For a party, defendant or attorney name search, if you know the person's last name is "Sheppard" with a first name starting with the letter "J," you can use a wild card to produce better search results. In a party search, the first name is required. If you enter only the letter "J" into the "first name" field, your results would be very limited, if the search produced any results at all. But you can enter "Sheppard" for the last name and "J*" for the first name (after turning off the Soundex), and produce results that include "John Sheppard," "Johnny Sheppard," and "James Sheppard." You may use a wild card in either the first or last name, but you may not replace the entire first or last name with a wildcard.

EXAMPLE – CASE NUMBER

For a case number search, wild cards may also be used following the court identifier. This allows you to search for all cases, or all cases of a particular type, filed in a specific month and court.

For example, if you want to find all cases filed in Monroe County Circuit Court #2 in February 2002, you would enter the county identifier, the court identifier, followed by the month and year of the case filing, and an asterisk:

53C020202*

However, only up to 200 cases *per inquiry* can be returned, so you may need to limit your search by case type, or, shorten your search parameters to a week or even a day.

For example, if you want to search for all Infraction (IF) cases, you would add the "IF" to the sequence:

53C020202IF*

Need more help?

If you have questions about a particular case or the contents of a case record, please direct them to the Clerk's Office in the county from which the case originates. In the case of the Marion County Small Claims Court, direct your questions to the designated township court. An online "Help" link is also available for use while logged onto the Public Access site.

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Judicial Technology and Automation Committee Interface Specifications

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eCWS Interface Specifications

Posted November 17, 2009

Pursuant to Public Law 130-2009, the links below are to documentation of the interface protocols for the [Electronic Citation and Warning System](#). For questions please contact JTAC's MIS Director, Andy Cain, at acain@jtac.in.gov.



[Protocol for County Court Case Management Systems](#)



[Protocol for Prosecuting Attorney Case Management Systems](#)

POR Interface Specifications

Posted December 30, 2009

Pursuant to Public Law 130-2009, the links below are to documentation of the interface protocols for the [Protection Order Registry](#). For questions please contact JTAC's MIS Director, Andy Cain, at acain@jtac.in.gov. Read the [memo](#) announcing the publication of these specifications.

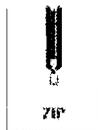


[Protocol for Protection Order Registry Interface](#)

Odyssey CMS Interface Specifications

Posted December 31, 2009

Pursuant to Public Law 130-2009, the links below are to documentation of the interface protocols for the [Odyssey Case Management System](#). For questions please contact JTAC's MIS Director, Andy Cain, at acain@jtac.in.gov.



[Protocol for Odyssey CMS Third Party Interface](#)

Last modified on Thursday, January, 07, 2010



**Proposal to convert Child Support Court
To
Bartholomew Superior Court #3**

**Presented by Stephen R. Heimann
Bartholomew Circuit Judge
234 Washington Street
Columbus, IN 47201
(812) 379-1606
heimann@bartholomewco.com**

**Exhibit C
Commission on Courts
August 26, 2010**



A

STEPHEN R. HEIMANN, JUDGE

Bartholomew Circuit Court
Ninth Judicial Circuit
234 Washington Street
Columbus, Indiana 47201

Telephone: (812) 379-1605
Fax: (812) 379-1764

August 19, 2010

To Whom It May Concern:

The judges in Bartholomew County unanimously support the proposal to convert the Title IV-D Court (child support court) from a part-time court to a full-time Superior Court #3. The workload of our courts has increased significantly over the past twenty years to the point that it is increasingly difficult to produce quality work given the time constraints of dealing with the additional workload. Our Courthouse hours are 8:00 a.m. until 5:00 p.m., so we do not have the luxury of adding hours to alleviate the situation.

Currently, the Title IV-D Court has a part-time Commissioner who hears those cases. While this helps to alleviate the work for the three courts, as judges, we are still required to provide oversight to the commissioner. Also, Title IV-D Court has limited jurisdiction so child support collection cases can be heard by the commissioner, but custody and visitation cases may not be held there. This causes some cases to be divided and part of the case is heard by the commissioner and part of the case is heard on another date by a judge. This is ineffective.

We are seeking the Superior Court #3 so that it can be a Family Law Court and handle all of the domestic relations cases. We would appreciate your support.

Kindly yours,

Stephen R. Heimann
Circuit Court Judge

Chris D. Monroe
Superior Court 1 Judge

Kathleen T. Coriden
Superior Court 2 Judge



BARTHLOMEW COUNTY AUDITOR

BARBARA J. HACKMAN, AUDITOR

August 16, 2010

In Re: Bartholomew Superior Court 3

To Whom It May Concern:

In July 2010, both the Bartholomew County Commissioners and the Bartholomew County Council voted unanimously to support the creation of Bartholomew Superior Court 3 which will replace our Child Support Commissioner's Court. Since Superior 3 will replace the existing Child Support Commissioner's Court, the infrastructure is already in place. The Courthouse has the courtroom space and it is furnished.

Very truly yours,

Barbara J. Hackman,
Bartholomew Co. Auditor

BJH/bh



TAMI HINES
BARTHOLOMEW CIRCUIT / SUPERIOR COURT CLERK
234 WASHINGTON STREET
COURTHOUSE P.O. BOX 924
COLUMBUS, INDIANA 47201
(812) 379-1600

August 18, 2010

To Whom It May Concern,

I support the request to transform our Child Support Court into a Superior Court #3. I have spoken with the Judges and believe that it will be beneficial to the people we serve.

Sincerely,

Tami L. Hines

Bartholomew County Clerk

TTLG
THOMASSON, THOMASSON, LONG & GUTHRIE, P.C.
TTLG

ATTORNEYS AT LAW

Michael Thomasson | Sean G. Thomasson | Shari E. Long | Jason H. Guthrie

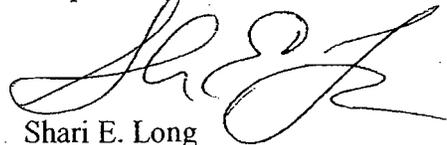
August 20, 2010

To Whom It May Concern:

As president of the Bartholomew County Bar Association, I am writing to voice this Bar Association's support for the creation of a Superior Court 3 in Bartholomew County. We applaud the efforts of the judges in Bartholomew County to convert the current IV-D Child Support Court with its limited jurisdiction into Superior Court 3 with general jurisdiction. Our bar association recognizes the clear need for this change in order to better serve the needs of the litigants in our area.

The Bartholomew County Bar Association strongly supports your recommendation for the creation of Bartholomew Superior Court 3. Thank you for your consideration of this very important matter.

Respectfully,



Shari E. Long

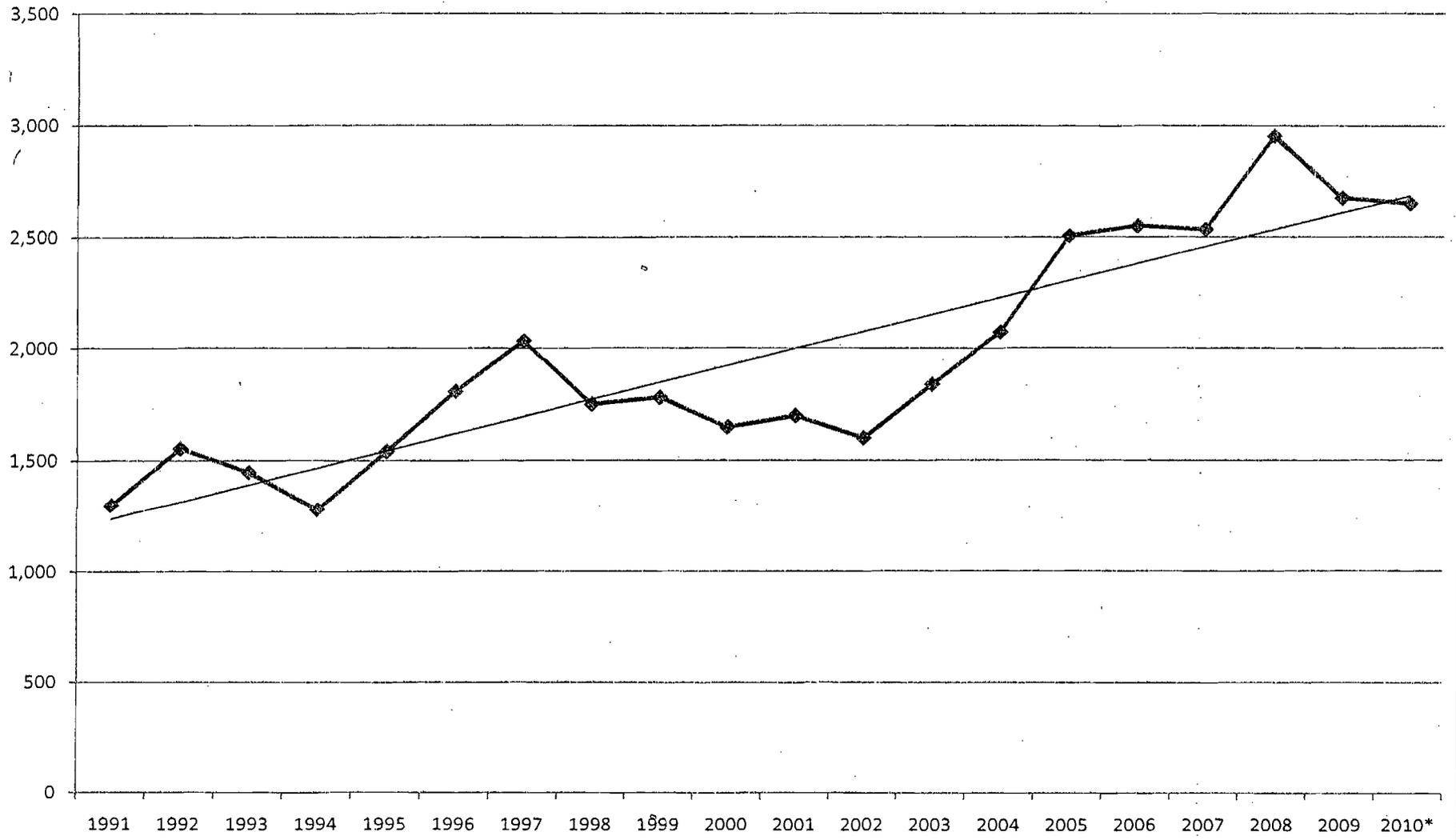
President

Bartholomew County Bar Association

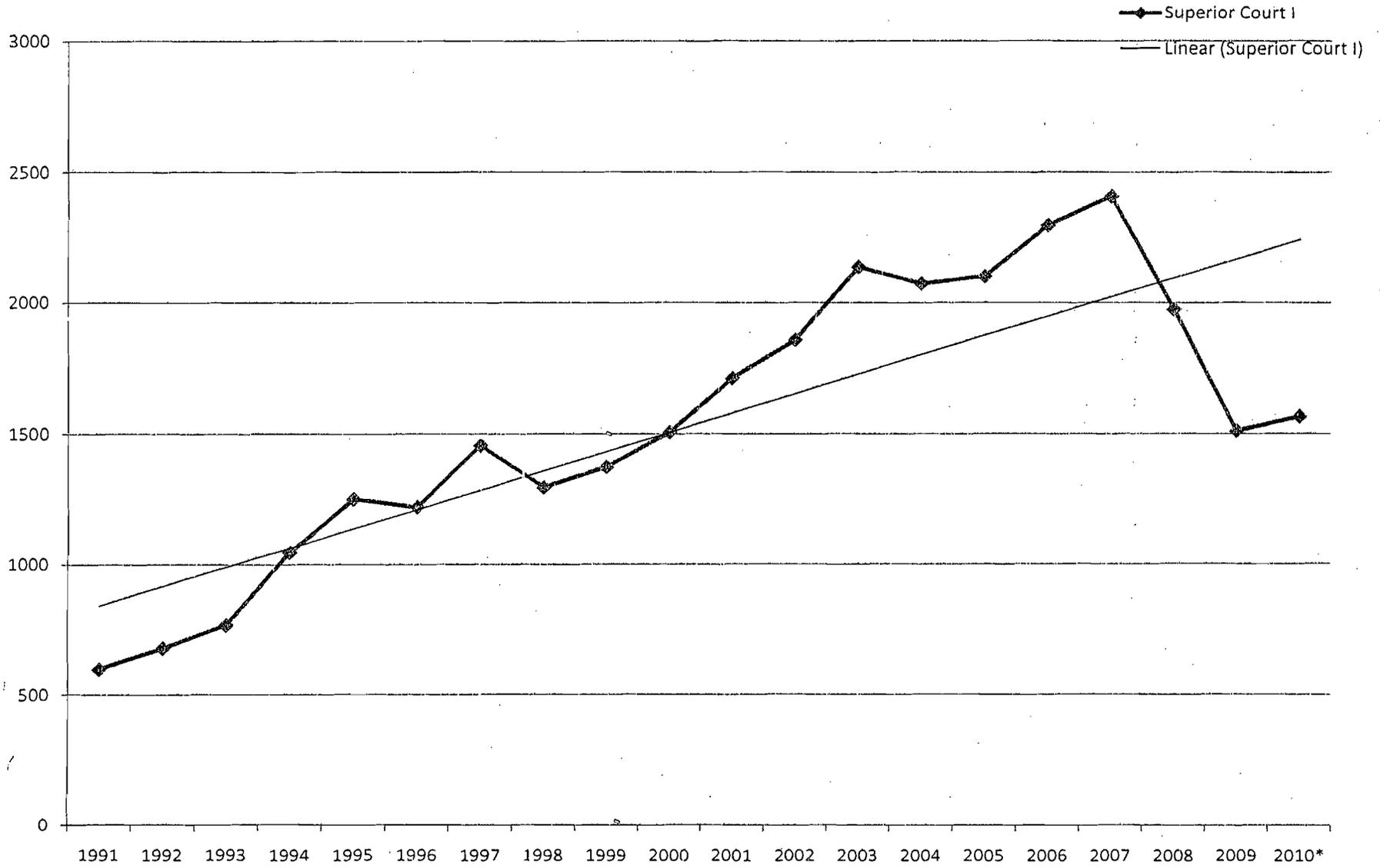
SEL

Circuit Court

◆ Circuit Court
— Linear (Circuit Court)

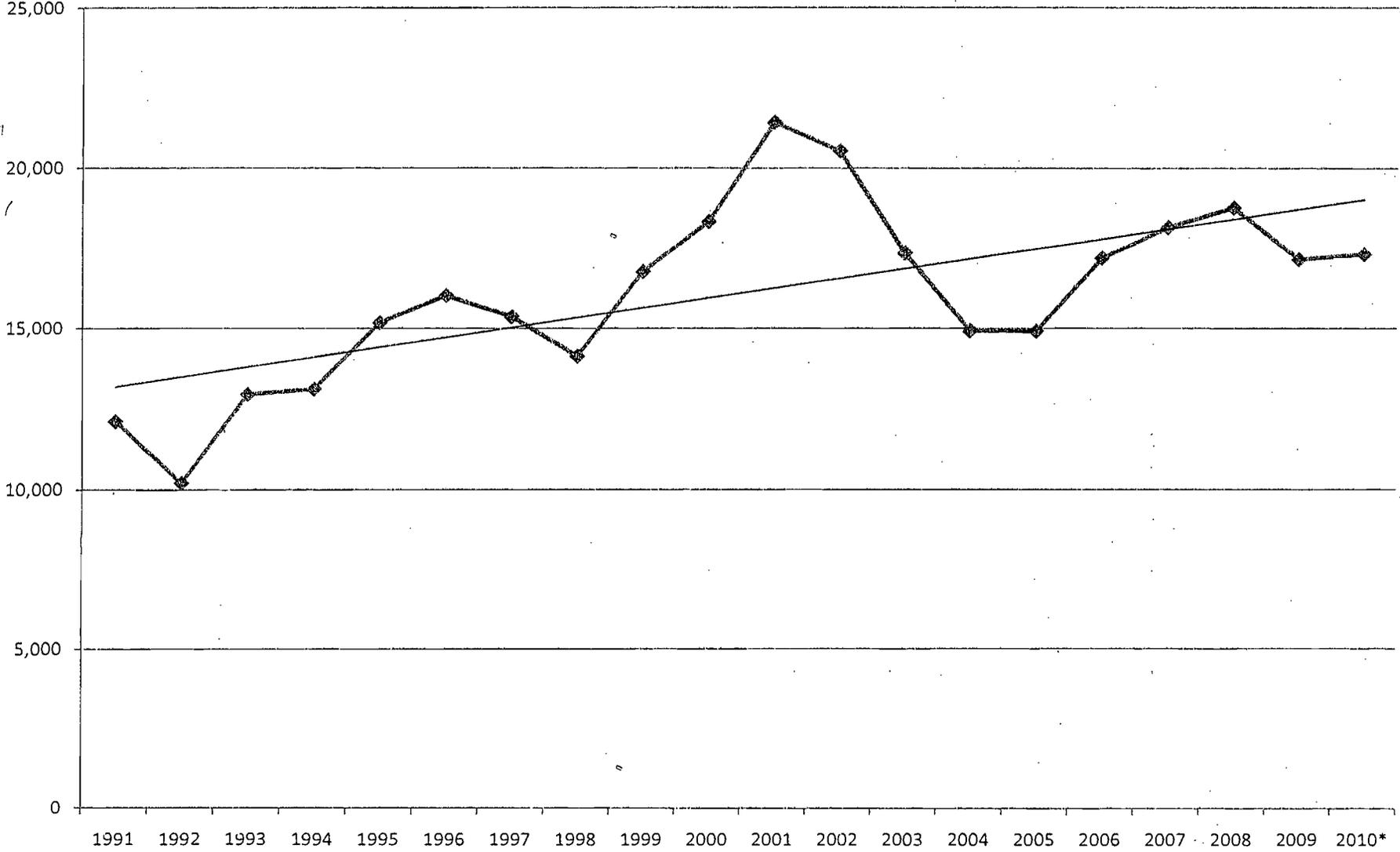


Superior Court I



Superior Court II

◆ Superior Court II
— Linear (Superior Court II)



2009 Weighted Caseload Measurements

Bartholomew County currently has 5.16 judicial officers. Of these, 3 are judges, 1 is a regular magistrate, 1 is a juvenile magistrate, and 1 is a part-time child support commissioner.

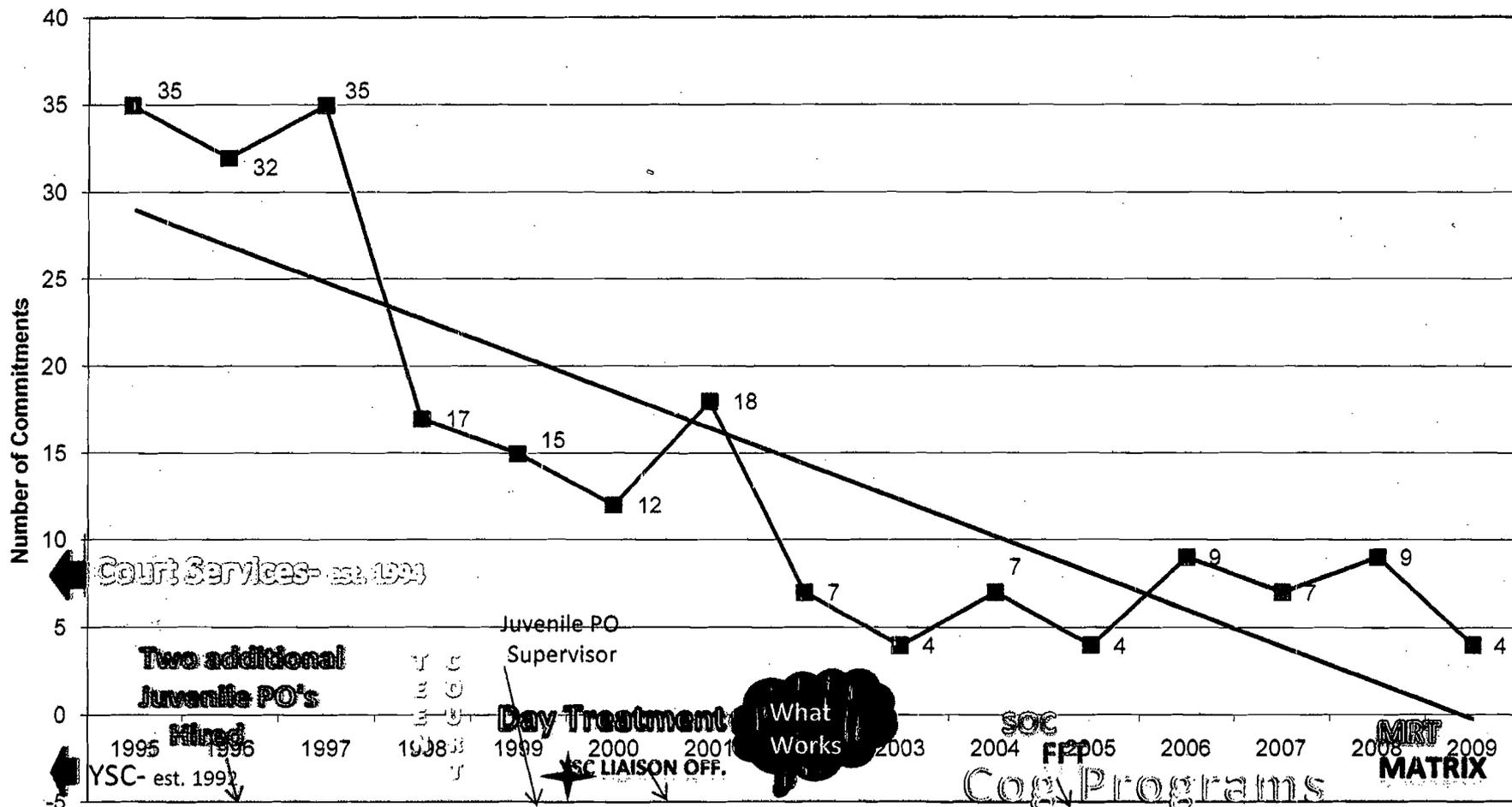
We are seeking to replace the part-time commissioner with a full-time Family Court Judge.

The juvenile magistrate's weighted caseload is less than 1.0 and given the results from that Court, we believe it is appropriate to keep her weighted caseload at its current level.¹

Without the child support commissioner, the caseload for the three judges and regular magistrate is 1.46 per judicial officer.

¹ **The State of Indiana Department of Corrections saves more than \$1.5 million dollars per year as a result of the work done in the Juvenile Court.**

Bartholomew County Juvenile DOC Commitments-CY and Services



Number of Placements
 Linear (Number of Placements)

**Over One and a Half Million Dollars in Savings
To the Indiana Department of Corrections
Because of Lower Juvenile Commitments
From Bartholomew County**

| | |
|---|-----------------------|
| Mid 90's average # youth sent to DOC - | 34 |
| 2002 -2009 average # youth sent to DOC - | <u>- 6.375</u> |
| Difference | 27.625 |

Average length of stay for DOC juveniles is 311 days.¹
Average cost per day for DOC juveniles is \$187.19.²

Annual savings to the Indiana Department of Corrections from the lower number of youth sent to DOC from Bartholomew County.

**27.625 less youth per year x 311 ave. days per stay = 8,591 fewer days
per year**

8,591 fewer days/year x \$187.19 cost/day = \$1,608,219 savings/ year

¹ Information provided by Sarah Schelle, Research Analyst for DOC, (317) 233-4764

² Information from DOC website and confirmed by Sarah Schelle.

FFT- Functional Family Therapy (2004) Youth ages 10-18, and their families, whose problems range from acting out to conduct disorder to alcohol/substance abuse. Often these families tend to have limited resources, histories of failure, a range of diagnoses, and conflict within the home.

SOC- Systems of Care (2004) Systems of care is not a program — it is a philosophy of how care should be delivered. Systems of Care is an approach to services that recognizes the importance of family, school and community, and seeks to promote the full potential of every child and youth by addressing their physical, emotional, intellectual, cultural and social needs.

Parent Project- A 10-16 week parenting class designed for parents of strong-willed or out of control kids. The curriculum teaches concrete prevention, identification, and intervention strategies for the most destructive adolescent behaviors (truancy, alcohol/drug use, gangs, runaways, and violent teens).

ART - Aggression Replacement Training focuses on learning how to reduce aggression and violence in both adult and adolescent populations.

TFAC- Thinking For A Change- curriculum uses as its core, a problem solving program embellished by both cognitive restructuring and social skills intervention

MRT - Moral Reconciliation Therapy (2008) is a cognitive behavioral system that leads to enhanced moral reasoning, better decision-making, and more appropriate behavior. Focuses on substance use.

Matrix IOP (2008) Matrix IOP is a 16-week intensive and comprehensive evidence-based therapeutic model intended for adolescents meeting criteria for substance dependence. The adolescent Matrix Model consists of research-based techniques integrated into an approach that includes individual, family and group sessions and separate parent and adolescent substance-education groups. Referrals can be made from correctional, educational, familial systems.

Moving On- is a 26-session curriculum-based program developed exclusively for women offenders. The primary goal of the program is to provide women with alternatives free from criminal activity by assisting them to identify and mobilize both personal and community resources. The program is based on an educational and cognitive skills-building approach and can be delivered over 9 to 13 weeks in small groups or on an individual basis by trained correctional practitioners.

Calm- Controlling Anger and Learning to Manage It- is a cognitive-behavioral group training program intended to reduce anger, violence, and emotional loss of control for adult male offenders. The 24 sessions in the CALM Program teach participants the skills necessary to reduce the frequency, intensity, and duration of anger. This helps to lessen the likelihood of the occurrence of aggression and other strong negative emotions.

D

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6508
BILL NUMBER: SB 307

NOTE PREPARED: Feb 18, 2010
BILL AMENDED: Feb 16, 2010

SUBJECT: Courts in Bartholomew, Clark and Floyd Counties.

FIRST AUTHOR: Sen. Sipes
FIRST SPONSOR: Rep. Robertson

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill has the following provisions:

- A. **Floyd County** – It provides that in Floyd County: (1) the Floyd Circuit Court has exclusive jurisdiction over probate and trust matters; and (2) the Floyd Circuit Court and Floyd Superior Court No. 3 have concurrent juvenile jurisdiction.
- B. **Bartholomew Superior Court No. 3** – It establishes the Bartholomew Superior Court No. 3 effective July 1, 2011. It requires the Governor to appoint the initial judge of the Bartholomew Superior Court No. 3 for a term beginning July 1, 2011, and ending December 31, 2012. It provides that the initial election of the judge of the Bartholomew Superior Court No. 3 is the general election on November 6, 2012. It requires the Bartholomew Circuit and Superior Courts to impose and collect an infraction judgment for each traffic violation in Bartholomew County with the advisory infraction judgment amount being \$50. It provides that, if at the end of a fiscal year the county auditor of Bartholomew County and the state Office of Management and Budget determine that the amount of money deposited in the state General Fund that is equal to \$50 multiplied by the total number of infraction judgments imposed and collected for each traffic violation in Bartholomew County was less than the amount of the salary paid by the state to the judge of the Bartholomew Superior Court No. 3, the Treasurer of Bartholomew County Shall Transfer to the Auditor of State for Deposit in the State General fund an amount equal to the difference between: (1) the amount of money deposited in the state General Fund; and (2) the amount of the salary paid by the state for the judge of the Bartholomew Superior Court #3; during the previous fiscal year.
- C. **Clark County Unified Circuit Court** – It establishes a unified circuit court for Clark County on January 1, 2011, by combining the current judge of the Clark Circuit Court and the three judges of

the Clark Superior Courts into a unified circuit court with four judges. It specifies that the Clark Superior Court judges serving on December 31, 2010, serve as judges of the unified Clark Circuit Court. It transfers all cases and other matters pending in the Clark Superior Courts at the close of business on December 31, 2010, to the Clark Circuit Court on January 1, 2011. It repeals provisions concerning the establishment and operation of the Clark Superior Courts.

Effective Date: (Amended) Upon passage; July 1, 2010; January 1, 2011.

Explanation of State Expenditures: (Revised) *Bartholomew County Superior Court #3*— The estimated total compensation (base salary and fringe benefits) of a judge during FY 2012 is \$164,553. Future salary increases will depend on legislative or administrative actions (see IC 33-38-5-8.1).

| Salaries and Benefits for Judge | |
|---|------------------|
| <u>Benefits</u> | |
| Salary | \$125,648 |
| Life Insurance | \$362 |
| Indiana Judicial Conference | \$1,000 |
| Social Security | \$9,612 |
| Retirement | \$11,685 |
| Disability Insurance | \$2,865 |
| Deferred Compensation Match | \$390 |
| Health, Dental, and Vision (blended rate) | <u>\$12,991</u> |
| Total Cost Per Judicial Officer | <u>\$164,553</u> |

The added costs to the state for the new judge could be offset if the Bartholomew Superior Courts were to increase the judgments for at least half of all traffic infraction cases by an additional \$30 over the current level that they charge.

Explanation of State Revenues: (Revised) *New General Fund Revenue from Infraction Judgments in Bartholomew County* – The bill provides that at the end of each fiscal year, Bartholomew County and the state Office of Management and Budget are to reconcile by calculating the difference between the new costs of the judge and an amount equal to \$50 times the number of infractions cases in Bartholomew County. If the costs of the judge are greater than the calculated amount, Bartholomew County will transfer the difference to the state.

Bartholomew County reports that the current infraction judgement is \$20. A new infraction judgment advisory amount that the court may voluntarily consider to impose would be \$50. For Bartholomew County to recover the entire cost of the new judge from the advisory infraction amount, Bartholomew County's courts would have to assess the \$50 on half of all traffic infractions that have a guilty verdict.

The following table shows a history of infractions filed and disposed and the judgements collected since 2005 in Bartholomew County.

| Infractions Filings, Dispositions and Judgments in Bartholomew County between CY 2005 and 2009 | | | | |
|---|---------|--------------|-------------------------|----------------------|
| CY | Filings | Dispositions | Infraction Judgments | Average Collected |
| 2005 | 8,596 | 9,174 | \$273,797 | \$29.84 |
| 2006 | 11,479 | 10,473 | \$230,852 | \$22.04 |
| 2007 | 12,574 | 12,322 | \$322,853 | \$26.20 |
| 2008 | 13,384 | 13,190 | \$346,413 | \$26.26 |
| 2009 (est.) | 11,694 | 11,533 | | |

Note: Average number of infractions disposed in Bartholomew County between 2005 and 2009 is 11,338.

Bartholomew Courts indicate that traffic infractions make up almost 99% of all infractions cases in their county. Bartholomew County's courts could begin increasing the infraction judgments charged in traffic cases by an additional \$30 beginning July 1, 2010. The following table shows the new revenue that would be deposited in the state's General Fund if half of all infractions are assessed \$50 instead of \$20, and all defendants in these cases pay the added infraction judgment. Bartholomew County estimates a current collection rate of 85% on infraction judgments.

| Estimated Revenue to State General Fund Based on 50% Collection Rate | | | | | | |
|---|---|------------------------------|---|--|---|--------------|
| 5-Year Average Dispositions | | Added Infraction Judgment | | Percentage of Cases Added Fee is Imposed on | | New Money |
| 11,338 | x | \$30 | x | 50% | = | \$170,070 |

The net revenue to the state General Fund would be \$5,500 based on this assumed collection rate.

| Net Revenue for State General Fund Assuming | |
|--|-----------|
| New Revenue From Infraction Judgments | \$170,070 |
| Added Expenditures for Bartholomew Superior Court #3 | \$164,553 |
| Net Revenue for State General Fund | \$5,517 |

By IC 34-28-5-4, infraction judgments are deposited in the state General Fund. Under IC 34-28-5-4, the maximum judgments for infractions is \$500 for Class C infractions, \$1,000 for Class B infractions, and \$10,000 for Class A infractions.

Explanation of Local Expenditures: *Floyd County* – Juvenile cases in Floyd County comprised an estimated 22% of the Circuit Court's workload. This bill would permit these cases to be shared between these two courts.

(Revised) *Bartholomew County Superior Court #3* – Counties pay for court space and court staff. Bartholomew County has existing court space that could be used by the new judge of the Bartholomew County Superior Court #3.

CAMPBELL KYLE PROFFITT LLP
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ANNE HENSLEY POINDEXTER
ANDREW M. BARKER
MICHAEL A. CASATI
JOHN S. TERRY
RODNEY T. SARKOVICS
SCOTT P. WYATT
AMY E. HIGDON
STEPHENIE K. GOOKINS
N. SCOTT SMITH
KEVIN G. KLAUSING
RUSSELL B. CATE
MATTHEW T. LEES

FRANK S. CAMPBELL
(1880-1964)

FRANK W. CAMPBELL
(1916-1991)

ROBERT F. CAMPBELL
(1946-2004)

JOHN M. KYLE
(1927-2006)

August 25, 2010

E-mail: jterry@ckplaw.com

TO: COMMISSION ON COURTS

Sen. Richard Bray, Chairperson
Sen. Randall Head
Sen. Timothy Lanane
Sen. Lonnie Randolph
Rep. Linda Lawson, Vice-Chairperson
Rep. Matt Pierce
Rep. Eric Koch
Rep. Kathy Richardson

Thomas Felts
David Whicker
Michael J. Kruk
Jill Jackson
Chief Justice Randall Shepard
Timothy Tyler
Mark Goodpaster

RE: Hamilton County's Request for a Magistrate Position

The Judges of Hamilton County have presented a proposal and statistics to the Hamilton County Bar Association concerning proposed legislation to create a new Magistrate position in Hamilton County, Indiana.

Having reviewed and considered such proposal, the Hamilton County Bar Association would request that the Commission on Courts to favorably consider the establishment of a new Magistrate position.

CAMPBELL KYLE PROFFITT LLP

By

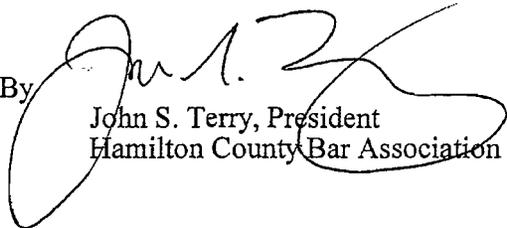

John S. Terry, President
Hamilton County Bar Association

Exhibit D
Commission on Courts
August 26, 2010



Prosecutor's Office – 24th Judicial Circuit

Sonia J. Leerkamp • Prosecuting Attorney

August 24, 2010

TO: COMMISSION ON COURTS

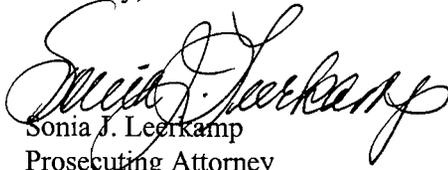
| | |
|-------------------------------------|-------------------------------|
| Sen. Richard Bray, Chairperson | Thomas Felts |
| Sen. Randall Head | David Whicker |
| Sen. Timothy Lanane | Michael Kruk |
| Sen. Lonnie Randolph | Jill Jackson |
| Rep. Linda Lawson, Vice-Chairperson | Timothy Tyler |
| Rep. Matt Pierce | Chief Justice Randall Shepard |
| Rep. Eric Koch | Mark Goodpaster |
| Rep. Kathy Richardson | |

Re: Hamilton County Request for Magistrate

The Judges of Hamilton County have presented a proposal and supporting statistical information concerning proposed legislation to create a new Magistrate position in Hamilton County.

The Hamilton County Prosecutor's Office would request the Commission on Courts give a favorable recommendation to the establishment of this new Magistrate position.

Sincerely,



Sonia J. Leerkamp
 Prosecuting Attorney
 24th Judicial Circuit
 Hamilton County

Cynthia E. Crispin
 Chief Trial Deputy

•

Jeffrey D. Wehmuller
 Administrative Chief Deputy

•

D. Lee Buckingham, II
 Jennifer L. Freeman
 Gretchen S. Pennington
 Jamie T. Campbell
 Douglas G. Swift
 Caroline A. Stevenson
 Caitlin A. Wissel
 Joshua M. Kocher
 Gail M. Goddard
 Jessica L. Hopper
 Andre Miksha
 Julie L. Pottenger
 Amy B. Summerfield
 Robert W. Summerfield
 Rebecca K. Browning
 Matthew R. Kestian
 Trudy J. Martin
 Eric P. Overpeck

•

Gary C. Lamey
 Brandi N. Harmon
 Juvenile Division

•

Robin Hodapp-Gillman
 Community Prosecutor
 Carmel

•

Community Prosecutor
 Fishers

•

Karen G. Morris
 Community Prosecutor
 Noblesville

•

Roger W. Kuba
 Investigator