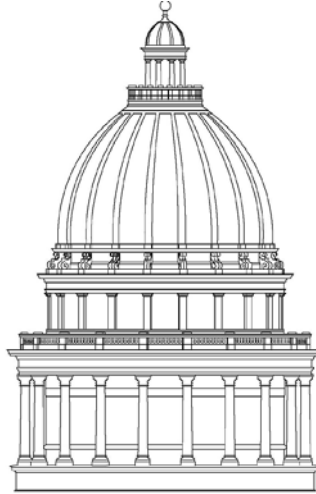


REPORT TO THE
UTAH LEGISLATURE

Number 2009-14



**A Performance Audit
Of the Conversion of
Justice Courts to CORIS**

August 2009

Office of the
LEGISLATIVE AUDITOR GENERAL
State of Utah



STATE OF UTAH

Office of the Legislative Auditor General

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JOHN M. SCHAFF, CIA
AUDITOR GENERAL

August 12, 2009

TO: THE UTAH STATE LEGISLATURE

Transmitted herewith is our report, **A Performance Audit of the Conversion of Justice Courts to CORIS** (Report #2009-14). A digest is found on the blue pages located at the front of the report. The objectives and scope of the audit are explained in the Introduction.

We will be happy to meet with appropriate legislative committees, individual legislators, and other state officials to discuss any item contained in the report in order to facilitate the implementation of the recommendations.

Sincerely,

A handwritten signature in black ink that reads "John M. Schaff". The signature is stylized and cursive.

John M. Schaff, CIA
Auditor General

JMS/lm

Digest of A Performance Audit of the Conversion Of Justice Courts to CORIS

We were asked to review the conversion of all justice courts to the Administrative Office of the Court's (AOC) case management system known as the Court Records Information Systems (CORIS). The CORIS program is used in all district courts and many justice courts in Utah. In the 2008 General Legislative Session, Senate Bill 72 (S.B. 72) required all justice courts to be on one common case management system. The CORIS program was chosen by the Judicial Council as the statewide system. Therefore, all 137 justice courts must be using CORIS by the statutorily set deadline of July 1, 2011. Overall, we believe having all justice courts on CORIS will improve Utah's court records, despite some concerns that prompted the audit.

CORIS Conversion Provides More Uniformity and Better Court Case Management. There are many benefits of having all justice courts on one case management system. Better data quality and the ability to search all justice court records statewide are the biggest benefits of the conversion. Concerns with data quality from justice courts not using the CORIS system should be alleviated after all courts have converted. Findings by the State Auditor's Office, the AOC's Internal Audit Department, and our office regarding practices by some justice courts lead us to believe the CORIS conversion is a good management decision. And although there are challenges converting all justice courts to CORIS, we believe the overarching need for a uniform system outweighs these challenges.

AOC May Have Difficulty Meeting the Project's Mandated Deadline. We found the conversion project to be well planned. One year before S.B. 72 was passed, the AOC information technology department created a detailed conversion plan, scheduling courts and estimating costs. As the project has progressed, most courts are scheduled to be converted by the deadline. We are concerned that the conversion schedule is very tight and eight justice courts are not currently scheduled to convert. However, because of the benefits discussed, we continue to support the conversion of all justice courts to CORIS, just as we did on our 2007 audit report on *A Performance Audit of Court Fines, Surcharges, and Fees*.

Project Funding and Continued Maintenance Could Be Paid with Surcharge Funds. Project costs through fiscal year 2009 total about \$1.6 million, with \$1.3 million coming from the Technology, Security, and

Chapter I: Introduction

Chapter II: CORIS Conversion Project Will Benefit Utah's Justice Court System

Chapter III: Current CORIS Conversion Funding Stream Should Be Sufficient

**Chapter IV:
Justice Court
Conversion
Feedback Is
Generally Positive
With Some Concerns**

Training Account (TST) from fiscal years 2005 through 2009. The TST account collects the surcharge assessed on all convictions listed in the Uniform Bail Schedule and on moving traffic violations. In addition to TST funds, the AOC has used about \$307,000 in general funds from fiscal years 2008 and 2009 to pay for conversion team compensation.

Use of TST Funds Should Continue. The CORIS conversion project has two years to completion. We believe the best mechanism for the project's funding is to continue using the TST surcharge funds for the majority of the expenses. In addition, we believe that if the AOC found it in their budget to fund the conversion team with their general fund monies, this should continue until project completion. Beyond completion, we believe that ongoing CORIS support and maintenance, estimated at about \$370,000 annually, should come solely from the TST account. Other options could include a user fee or general funds.

Justice Courts Report Vendor Fee Savings and Hardware Costs. We sent a survey to all 137 justice courts. Among other things, we asked justice courts about savings and costs related to the conversion to CORIS. Some justice courts reported savings in private vendor fees and costs mostly for computer hardware. The survey is discussed in detail in Chapter IV

Survey Responses Support the Project's Success but Highlight Some Concerns. We sent a survey to all justice courts to understand pre- and post-conversion attitudes and perceptions of the project. Ninety-five percent (36 of 38) of respondents now using CORIS reported being pleased with the software. A higher proportion of clerks with six months' or more experience versus those with less than six months' experience reported being pleased with the program, though the majority of both groups were pleased. We interpret current users' positive view of CORIS as indicating that the conversion project has been successful thus far. However, we also found that some work remains to help those clerks with less favorable opinions of CORIS.

Audit Challenges Exist Due to Project's In-Process Status. Several issues were brought to our attention that we were unable to fully audit because the project is still in process. We found the AOC's help desk and CORIS user's group are both in transition and need further review. We also found that, once converted, some justice courts may lose their ability to file electronic citations. The AOC needs to ensure courts are aware of this possibility. Finally, we were confronted with some legal issues that cause us to question local ordinances in CORIS. We believe the Legislature should review these complex legal

REPORT TO THE UTAH LEGISLATURE

Report No. 2009-14

A Performance Audit Of The Conversion of Justice Courts to CORIS

August 2009

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Chapter I

Introduction

We have reviewed the Administrative Office of the Courts' (AOC) current information technology (IT) conversion project to add all of Utah's justice courts to the judiciary's Court Records Information System (CORIS). We believe that the CORIS conversion has been largely successful to date, one-third of the way through its three-year time line. Using CORIS statewide will provide more uniformity and better case management of Utah's court records. In addition, we believe the current conversion project funding stream should be sufficient to fulfill conversion needs. Justice court clerk feedback on the conversion is generally positive, with some concerns. We found there is a positive correlation between the amount of time a justice court has been using CORIS and satisfaction with the product. We did, however, identify some issues that require further review, although we could not fully audit them due to the conversion project's in-process status.

Utah's trial court system includes the district, juvenile, and justice courts. Each court has a different responsibility. District courts are courts of general jurisdiction that handle civil cases, criminal felonies, some misdemeanors, and domestic relations cases. In general, juvenile courts are civil courts that handle issues relating to minors (individuals under age 18). District and juvenile courts are state courts.

The justice courts, the focus of this review, are established and funded by municipalities and counties. Justice courts have authority to deal with class B and C misdemeanors, violations of local ordinances, small claims, and infractions cases within their jurisdiction. Justice courts' jurisdictions are determined by the boundaries of the municipalities and counties that established them. There are 137 justice courts with 108 county and municipal judges serving in them. A justice court nominating commission recommends candidates to the local appointing authority. The chosen judicial candidate is then ratified by the local legislative body. The appointee must also be certified by the judicial council. The judge then stands for retention election every six years.

The CORIS conversion project is about one-third of the way completed.

Utah has 137 justice courts which are established and funded by municipalities and counties.

Having one court case-management system for district and justice courts increases public safety by allowing greater information sharing.

Because of the association with a local jurisdiction, justice courts have developed administrative support structures over the years that interface primarily with local administrative and financial systems. However, it is also crucial for justice courts' case information to be available to the other trial courts as well as to justice system partners, such as law enforcement agencies, the Bureau of Criminal Identification, and the Driver License Division of the Department of Public Safety. In our opinion, the ability to electronically, easily, and reliably search all of Utah's court records, across all jurisdictions, for DUI information or other criminal records is the most important outcome of this CORIS conversion project and of the utmost importance to public safety.

In the 2008 Legislative General Session, Senate Bill 72 (S.B. 72) mandated that all justice courts be put on a common court case-management system. Although we are not auditing S.B. 72 itself, it provided the impetus for the AOC and Judicial Council (the policy-making body of the judiciary) to initiate a process that culminated in the decision to designate CORIS as that common case management system.

After the audit requestor heard concerns about the conversion from several justice court clerks, he requested our review. We are auditing the process developed by the AOC to bring CORIS to all justice courts in the state. More detailed information on S.B. 72 and the initiation of the CORIS conversion project will be discussed in Chapter II.

Audit Scope and Objectives

The scope and objectives of the audit include the following:

- Assess the conversion project's goals, benefits, and costs
- Assess how justice courts are adjusting to the conversion
- Review other issues concerning the conversion

Chapter II

CORIS Conversion Project Will Benefit Utah's Justice Court System

The conversion of all Utah justice courts to one case management system, the Administrative Office of the Courts' (AOC) Court Records Information System (CORIS), provides more uniformity and better case management for Utah's court records. Although we do believe the CORIS conversion is well planned, we are concerned the AOC may have difficulty meeting the CORIS conversion's mandated deadline. However, as we did in our 2007 audit report on *A Performance Audit of Court Fines, Surcharges, and Fees* (report number 2007-10) we continue to support the Judicial Council's decision to implement CORIS statewide. And during our audit, we found three of seven states we contacted have a common court case-management system.

While there are challenges in converting all justice courts to CORIS, we believe the overarching need for a uniform system outweighs these challenges. As discussed later in this chapter, the combined findings by the State Auditor's Office, the AOC's Internal Audit Department, and our office regarding practices by some justice courts lead us to believe CORIS conversion is a good management decision.

In the 2008 Utah Legislative General Session, Senate Bill 72 (S.B. 72) was passed requiring, among other things that, "by July 1, 2011, all justice courts shall use a common case management system and disposition reporting system as specified by the Judicial Council." As recorded in the minutes of the April 2008 Judicial Council meeting, the Judicial Council determined that "the language 'common management system' in S.B. 72 was intended to mean a singular system, and that CORIS was the only system capable of transitioning all of the justice courts successfully by July 2011."

CORIS was chosen by the Judicial Council as the common case management system required in S.B. 72 (2008 General Session).

CORIS Conversion Provides More Uniformity and Better Court Case Management

As more and more justice courts move onto the common case management system, the benefits of having all justice courts on CORIS are starting to emerge. There have been concerns with existing justice court case-management systems, and these concerns only solidify the justification of moving to CORIS. However, we do believe that the AOC's public notice to consider a software system could have been better.

The Benefits of Having All Justice Courts on CORIS Are Emerging

Converting all justice courts to CORIS offers many benefits, including the accurate and timely reporting of information to the Bureau of Criminal Identification (BCI) and the Department of Motor Vehicles (DMV) and providing the ability to search court records statewide. There were also data quality concerns from courts not using CORIS. Having all justice courts on CORIS fulfills many of the goals the Judicial Council, Board of Justice Court Judges, and AOC had for one case management system.

The CORIS conversion project officially started after S.B. 72 passed in the 2008 Legislative General Session. However, converting justice courts to CORIS has been occurring since 2000. According to the AOC, justice courts were concerned with the Y2K implications. They were worried their systems would not convert or the patch to make them convert would be expensive. So the justice courts asked the AOC for help by converting to CORIS.

Discussions regarding the conversion of all justice courts to a common case management system have been occurring for years. The minutes of the September 2005 Board of Justice Court Judges' meeting record a request of the AOC IT Director to "discuss the possibility of putting all justice courts on the same uniform electronic case management system." In subsequent meetings, the board continued to discuss moving to one case management system.

Figure 2.1 is a graph of the number of justice courts that have converted each fiscal year since 2000 or are scheduled to convert through 2011.

Accurate information sharing is a major benefit to having all justice courts on CORIS.

Figure 2.1 Justice Courts Have Been Converting to CORIS Since 2000. Each year as the July 1, 2011, deadline approaches, more and more justice courts are converting to CORIS. This graph reflects the conversions and scheduled conversions of 124 justice courts.

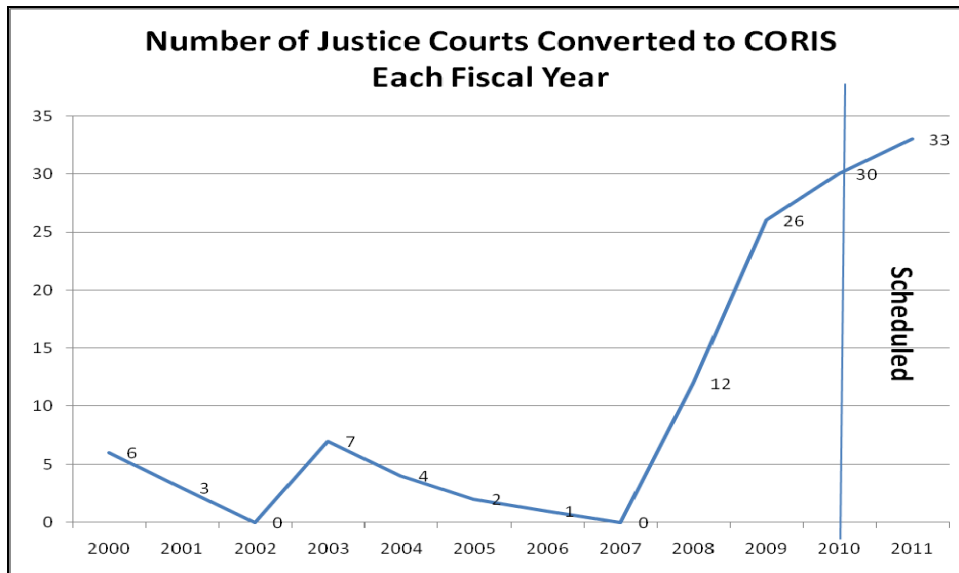


Figure 2.1 shows that 124 courts converted or are scheduled to be converted. Although there are 137 justice courts, four courts have been consolidated to two conversion projects (to be completed at the same time due to court location and shared resources); hence, this is why the figure shows a lower number of justice courts being converted than there are justice courts. Another eight courts not included on Figure 2.1 are discussed later in this chapter as currently unscheduled to convert and one final court will cease to operate as of July 2009, therefore will not be scheduled to convert.

A number of concerns were driving these discussions for a common system. One concern was a desire for accurate and timely reporting to state information repositories such as BCI and the DMV. Another was a concern for the integrity and quality of court data from courts using case management systems other than CORIS. Yet another concern was the desire that all courts be able to search the court records of individuals within the state of Utah.

The AOC headed into selecting a common case management system with specific goals they wanted to fulfill. Including the goals

Justice courts have been converting to CORIS since 2000. It will still take another two years to complete the conversion project.

just mentioned, Figure 2.2 lists some of the more specific goals the AOC was expecting to have one common system achieve.

Figure 2.2 AOC Goals and Benefits from a Common System Are Being Recognized. Some of the goals and benefits were desired after witnessing weaknesses in at least one other current system.

Goals/Desired Benefit of One System	Achieved
Automatic calculation of bail amounts, including enhancements	Yes
Separation of duties with passwords	Yes
Ability to calculate appropriate interest when applicable	Yes
Common and uniform disposition reporting codes in all jurisdictions	Yes
Timely implementation of legislative enactments	Yes
Better and more responsive support of the information needs of the justice court staff	Partial
Improved data sharing within the judiciary and to the public through XChange*	Partial
Incorporation of a single statewide site for online payments	Partial
Implementation of electronic civil filing in all court jurisdictions	Partial

** XChange is a fee-based subscription, via the internet, to all district court and some justice court case information. Once all justice courts are on CORIS, all justice court case information will then be on XChange.*

As shown in Figure 2.2, many of those goals have been or will be achieved once conversion is complete. Some are partially complete due to the system still being in development or other limitations, such as justice courts currently having the option to allow online payments for users.

Concerns with Existing Justice Courts' Case Management Systems Also Solidified Moving to CORIS

Before conversion, most justice courts used one private vendor's court case-management system. A few justice courts used other products, and the remaining courts were on CORIS. Concerns have risen about the practice of some justice courts' use of their private case management system. These concerns have been about the overflexibility of the system, which allowed justice courts to tailor the system in such an extreme manner that a court could selectively or inadvertently fail to follow some laws. We are not claiming these other case management products are faulty, but as shown through

Some justice courts on case management systems other than CORIS created data quality concerns.

AOC internal auditor and State Auditor reports, some controls, at least for one system, were lacking.

Utah State Auditor’s Office and the AOC’s Internal Audit Department Have Documented System Weaknesses. Over the years, both the State Auditor’s Office and the AOC’s internal audit department have found weaknesses in justice court system controls. According to State Audit, in the extreme cases, system weaknesses resulted in fraud being committed with justice court funds, finding that “key internal controls were insufficient.”

During the CORIS conversion, the AOC found courts with traffic statutes and a failure to appear statute in their computer systems that were repealed in 2005 and replaced with a new statute. A failure to appear violation is when a defendant fails to appear before a court pursuant to a citation. According to the AOC’s legal counsel, if a repealed statute is cited, the justice court runs the risk of not being able to enforce the citation since, technically, no current law has been broken.

Also, AOC internal auditors reported some justice courts’ bail amounts being set at amounts that differ from the Uniform Bail Schedule. Although the Uniform Bail Schedule lists merely recommended bail amounts, *Utah Court Rule 4-302* states that courts should conform to the fine/bail schedule unless there are aggravating or mitigating circumstances. According to an AOC internal audit report, “the state and the county did not receive the revenue intended per state law. When offense fine allocations are programmed incorrectly, fine payments are not distributed according to state laws.”

The auditors also identified some additional weaknesses with justice court case-management system use, including the following:

- The ability to delete line items on the court docket, which provides the opportunity to misuse funds and circumvent appropriate controls by deleting a transaction instead of reversing it
- Questionable monthly collection reports caused by an ineffective method for closing daily accounting periods
- Inappropriately dismissing or making adjustments to cases such as not entering all citations received

Some justice courts had repealed codes still active in their system.

AOC internal auditors found some justice courts set fines incorrectly in their old case management systems.

We found one court not charging interest on a judgment and other court clerks told us they were unsure about charging interest.

- Backdating transactions allowing for inappropriate entries and adjustments
- Inaccurate accounting for checks by not recording them in the check register
- Inappropriate use of passwords, allowing clerks to have access to a password that allows them to override specific accounting functions

Our Audit Work Also Found Weaknesses. In our own audit work, we found one justice court that was not charging interest on a judgment as required by *Utah Code* 15-1-4. Once the justice court was converted to CORIS from another system, CORIS automatically allocated interest, which remedied the error. The justice court clerk did not believe interest should be charged and, apparently, their case management program had given them the ability to not charge interest. We also heard from other clerks that were unsure about charging interest. For the reasons discussed concerning justice court practices and system weaknesses, we believe the CORIS conversion is a good management decision.

Public Notice to Consider Conversion Software Could Have Been Better

We believe the AOC should have more formally invited at least one private vendor to the Judicial Council meeting where a common case management system was considered. However, we are unaware of any law or rule the AOC has violated by not opening up the invitation in a more formal way than they did. Although the Board of Justice Court Judges considered other scenarios, choosing CORIS was determined to be the most desirable. We do not believe a request for proposal (RFP) was necessary to select CORIS as the common case management system.

During the April 2008 Board of Justice Court Judges' meeting, it was discussed that the State Court Administrator sent a memorandum to the president of the company that created the case management software system most commonly used by justice courts in the state. The memorandum, which was actually only an e-mail dated April 22, 2008, invited the president of the software company to an April 28, 2008, Judicial Council meeting to consider which common system to use. The minutes of that April 28 meeting show that a representative from this software company did not attend.

An informal e-mail was the only invitation that a private vendor received to attend the Judicial Council meeting considering case management systems.

The discussion of CORIS goes back even farther. In the September 2006 Board of Justice Court Judges meeting, an AOC IT programmer/analyst handed out an analysis outlining conversion scenarios. Three scenarios were studied: (1) conducting an RFP from a private vendor to convert all justice courts, (2) using the AOC to perform the conversions, and (3) providing CORIS to a vendor to let the vendor contract with justice courts for conversion. Each scenario was examined, and it was decided that option 2, having the AOC perform the conversion, was the least expensive and most desirable.

We spoke with the AOC's legal counsel regarding whether the AOC should have used an RFP for the conversion process; AOC's legal counsel did not believe it was required. S.B. 72 gave the Judicial Council authority to select a system, which turned out to be CORIS. We believe the method for selecting a system would have been clearer if the Legislature would have granted the AOC authority to make the selection and specified that the AOC did not need to go through the procurement process, but the Legislature did not do so. But since Utah's Procurement Code allows public entities to cooperatively use supplies or services an RFP was probably not necessary, although it is unclear.

The AOC May Have Difficulty Meeting The CORIS Conversion's Mandated Deadline

In our review of the conversion project, we found it to be well planned with most courts being scheduled to convert by July 1, 2011. However, we are concerned the AOC may find it difficult to fit eight currently unscheduled courts into the schedule. Of these eight, four have the CORIS software, but these so-called stand-alone sites operate on their own servers. These four are currently unscheduled to operate under the AOC's servers. Four additional courts are unscheduled to convert for various reasons, discussed later in this chapter.

There are currently 137 justice courts in Utah. At the time S.B. 72 passed, about 30 justice courts were using CORIS. This gave the AOC just over three years to convert over 100 courts. Since S.B. 72 has passed, an additional 30 courts have converted. Therefore, in 15

It does not appear a Request for Proposal was necessary in selecting CORIS.

The AOC was given just over three years to convert over 100 courts.

months (April 2008–June 2009), they have converted two courts a month.

For the most part, the conversion schedule is geographical in nature, converting areas close in proximity to each other. However, the AOC has also added in some local justice courts close to the Matheson Courthouse where the AOC IT Department is located. The AOC has also been working on, or has converted, courts that have special programming issues.

CORIS Conversion Project Was Well Planned

We believe the AOC IT Department prepared a thorough plan for conversion. In early 2007, before CORIS was officially chosen as the common case management system for all justice courts, the AOC IT director submitted proposals and plans to the Board of Justice Court Judges for converting justice courts to a state-administered system. These documents evaluated what will be needed to have all justice courts operate under one system.

The proposal estimated the amount of time it would take to convert all the courts to be about 4.8 years. The plan set forth a detailed conversion schedule using a Gantt chart (a project scheduling tool) which estimated it would take three to six weeks to convert each court. However, with the passing of S.B. 72, the time line was compressed and the AOC was then required to convert all justice courts in just over three years, requiring a court conversion about every two weeks. Passage of S.B. 72 cut over a year off the proposed schedule. Figure 2.3 compares the proposed project plan to the actual project plan to illustrate how the conversion is progressing.

The AOC originally estimated it would take 4.8 years to convert all justice courts but S.B. 72 compressed that time line.

Figure 2.3 The Proposed Project Plan Differs Somewhat from the Actual Plan Now that the Project Has Begun. S.B. 72 required a shortened time line for CORIS conversion completion compared to the AOC IT Department’s proposal for the conversion project. This affected a few areas of the conversion.

Project Plan	Project Completion	Time to Complete Each Court	Cost per Court (annually)
Proposed	4.8 years	3-6 weeks	\$23,000
Actual	3.3 years	2 weeks	\$26,000 FY 2009 \$23,000 FY 2010

In addition, the proposed project plan estimated it would cost about \$350,000 each year for maintenance. The actual project plan estimates it will cost about \$370,000 each year. We discuss CORIS conversion funding in the next chapter.

Eight Courts Need to Be Scheduled for Conversion

Because of the strict requirement that all conversions be completed by July 1, 2011, the fact that there are currently eight courts unscheduled for conversion could hamper the AOC’s ability to meet that schedule. Although four of the eight do use the CORIS software, these stand-alone sites operate on their own servers. Therefore, their data is not linked into the rest of the CORIS data. The other four sites are unscheduled for reasons discussed later.

The Four Stand-Alone Courts Should Move to the AOC’s Server. We believe a common case management system means one system, not just one software program. One system means a common set of data and uniformity. One major reason for the statewide conversion was to ensure that all courts’ data and case information would be accessible on the AOC’s online public access system called XChange. The AOC explained to us that when a justice court operates as a stand-alone site, the data is not on XChange; it is not searchable by other courts.

Another major reason for the statewide conversion is that the AOC can easily update CORIS when state laws are changed. All courts using the program from the main server will be updated at the same time, with the same information. Stand-alone CORIS sites have

Stand-alone CORIS sites’ court information is not readily available on the AOC’s public access system.

to manually update the law in their own systems by themselves. This leaves more room for human error.

In our February 2007 audit, we asked the chief IT officer what the process was for updating these stand-alone sites. He responded that “the AOC recommends that all justice courts operate from a single server.” He added, “This minimizes operational and program support costs to the AOC.” In the September 2007 Board of Justice Court Judges’ meeting minutes, the AOC chief IT officer reported to the board that the stand-alone sites were being consolidated, suggesting they were coming to the AOC’s server.

Therefore, we believe there is an expectation that these stand-alone sites were to be brought online with the main AOC server. We believe it does not follow the intent of the law, as defined by the Judicial Council, if these sites are allowed to remain on their own servers. We asked the AOC why these courts have not been brought online yet. Management responded that they believe that as stand-alone sites’ servers expire, these sites will merge onto the AOC’s server. However, there is no agreement between the AOC and the stand-alone sites for this to take place, especially by July 1, 2011.

According to the AOC’s application services manager, these stand-alone sites have developed some specific court practices, such as integration with local law enforcement to help with prosecutorial work, which will be lost to these courts once they come onto the AOC’s server. He said it could take three months or more to move these four stand-alone sites onto the AOC’s server. However, according to the AOC, the activities involved in the conversion of stand-alone sites differ from the rest of the CORIS conversions and should not impact the overall conversion schedule.

Four Additional Sites Also Need to Be Converted Before July 1, 2011. As discussed above, the conversion schedule was designed to implement a conversion about every two weeks. When it was time to convert, four justice courts pulled out of the conversion schedule for various reasons. The first justice court is concerned that CORIS is not compatible with its current accounting system and the timing was bad. Overall, the court’s representatives were leery about how the conversion was going to happen. The second justice court stated that at the time of their scheduled conversion they were

currently reviewing their city's financial software and it was their highest priority; therefore, they did not have time. This second justice court believed that since the conversion deadline, July 1, 2011, was over two years away, it was not a priority to convert at the time. In addition, these two justice courts said they are questioning whether they even want to continue operating.

In response to the first and second justice courts, the AOC stated that they must convert all courts by July 1, 2011, and in order to do that, they must follow an ambitious and tight schedule. They cannot be expected to convert all courts in June 2011. The AOC wrote to the two courts:

If a county or municipality chooses not to avail itself of this schedule and of our assistance, it will be necessary to provide that entity with an empty database, and that entity will be entirely responsible for completing the conversion on its own, within the time-frame required by law.

The AOC also told the first and second justice courts they may be risking their justice court certification if they do not convert by the deadline. Decertification means the court ceases to operate and another justice court will take over their caseload. If the courts do not have the common case management system by the law's deadline of July 1, 2011, they will be out of compliance with the law and the courts may be decertified.

We understand the inconvenience of being placed on the AOC's conversion schedule. Unfortunately, if more courts choose to pull out of the schedule, the conversion team will find it more and more challenging to convert all courts by the time specified in the law.

One justice court stated that they did not want to be the test court to try out the conversion. CORIS has been in use for over a decade. It is not a new program. However, we do believe there are some justice court practices that challenge how CORIS is used. But if justice courts do not allow the AOC to put CORIS in the court, the AOC will never be able to work through those idiosyncrasies and make the system work for all.

The AOC's schedule to convert all justice courts is very tight. They may have difficulty rescheduling justice courts that did not convert when originally scheduled.

CORIS is not a new program. It has been in use for over 10 years.

**Justice courts could
be decertified if they
do not convert to
CORIS by July 1, 2011.**

We agree that the first and second justice courts are not out of compliance until July 1, 2011. However, we also agree with the AOC that if, by July 1, 2011, they are not in compliance, they risk losing their courts' certifications. The AOC's legal counsel stated that the only recourse available to the Judicial Council for courts that do not meet the requirements under certification is to decertify them. S.B. 72 established a law and if justice courts do not adhere to the requirements set forth under this law, they run the risk of losing their certification. With the AOC's tight deadline for completing all conversions, we are concerned that these courts have pulled themselves out of the schedule with little hope of converting before the deadline without additional expense to the justice courts.

An Extension May Be Needed for the Third and Fourth Courts. The third and fourth justice courts pulled out of the conversion schedule for reasons beyond their control. We believe that if the AOC is unable to fit these two courts back into the schedule, it may be appropriate to allow an extension for conversion beyond July 1, 2011. The AOC told us that one court has only one clerk, and this clerk has been experiencing some health issues. They also told us the other court wanted to upgrade their Internet speed, but at the time scheduled for their conversion, January 2009, their Internet service provider was unable to install a new cable until the ground had thawed. The AOC project manager over the CORIS conversion has stated that he is unsure when they are going to be able to fit these unscheduled sites in at this point.

In conclusion, Utah law requires the justice courts to convert to the common case management system (CORIS). Unless there are circumstances beyond a court's control, as discussed in the prior paragraph, then the justice courts should be on the common CORIS system by July 1, 2011. If justice courts choose not to convert we recommend the Judicial Council apply sanctions, which could include decertification.

Previous Audit Supported The Conversion

In July 2007, our office released a report titled *A Performance Audit of Court Fines, Surcharges and Fees*. In that audit, we

recommended the Judicial Council pursue the feasibility of requiring all justice courts to use the CORIS case management software. As this chapter demonstrates, we stand by the recommendation and believe it will be a great benefit to Utah's court system to have one system that is centrally controlled.

In the 2007 report, we discussed the challenge we had trying to gather data from the courts. Eventually, we had to rely on data only from those courts that use CORIS. In the report we stated, "We tried different avenues to collect total collections for fines, surcharges, and cost assessments for all courts, but we were unable to obtain a complete data set." The report places the blame of the incomplete data set on the justice courts that use a software program other than CORIS. At that time, over 95 justice courts did not use the CORIS system. The audit team for the 2007 audit found self-reported data to be inaccurate, so they could not include that data in their report.

Some Justice Courts Are Not Correctly Remitting Surcharge Amounts to the State. Our 2007 audit found some justice courts that needed additional training on assessing surcharges and fees. We also found courts that incorrectly categorized some fines as non-surchargeable and did not assess the appropriate surcharge on DUI violations and plea in abeyance fees. Our 2007 findings are backed by our review of State Auditor's Office audits of several justice courts. There were at least three justice courts in 2007 where the auditors found errors in their surcharge remittances. None of these three courts were on CORIS. One state auditor stated "For years we have issued a finding to many justice courts regarding incorrect surcharge remittance amounts." The auditor believes the incorrect remittance is due to a weakness in the justice courts' non-CORIS case management system.

The correct remittance of surcharge funds by justice courts is another benefit to having them all convert to CORIS. Since CORIS is a strict program that does not allow manual manipulation to surcharge allocation, we expect justice courts' surcharge remittances to be correct once converted.

Once all justice courts are on CORIS, we believe the county or municipality governing the justice court should ensure monthly justice court surcharge has been correctly remitted to the state. According to

In our 2007 audit report, we were unable to include justice court data from courts not on CORIS due to data inaccuracies.

State auditors have found justice courts remitting incorrect surcharge amounts to the state.

Once justice courts are on CORIS, correct surcharge remittance should be verified by the local entity.

Our 2007 audit concluded that “if all justice courts were to utilize a centralized case management software program, surcharge and other fee errors could be reduced.”

the AOC, CORIS provides a built-in reconciliation tool to allow local entities to verify state surcharge remittance is correct. We emphasize this need for accountability because the State Auditor has found remittance errors in non-CORIS systems in the past. Having local entities verify correct surcharge remittance is more proactive than waiting for the periodic state audits.

In summary, our 2007 audit team concluded that “if all justice courts were to utilize a centralized case management software program, surcharge and other fee errors could be reduced.” We reaffirm this position and believe moving all justice courts to CORIS will provide a more uniform application of the state’s justice court system statewide. Better controls will be in place to reduce human error and potential fraud.

Three of Seven States We Contacted Have a Common Court Case Management System

We contacted seven states and found that three have a unified court case-management system. However, all but one of the states without a case management system are either developing or already have in place several other approaches to data sharing so that at least some of the goals similar to Utah’s CORIS conversion project can be achieved. We chose five of these seven states based on proximity to Utah. Illinois and California were added to the list because of studies conducted in those states on their case management system projects.

Illinois is in the midst of an integration project with the goal of increasing interoperability and communication among the many existing information systems already in place. The state is in the process of developing standards for information exchange and will use an integrated justice information system that enables divergent systems to communicate. At present, the project lacks funding.

California is also in the midst of a project that is on hold because of funding issues related to the economic downturn there. This project has the goal of getting their superior courts (equivalent to Utah’s justice and district courts) onto one case management system. Software development has funding and is on schedule for completion

In Illinois and California, projects are on hold due to funding issues.

in a year, but the deployment phase is on hold. California has a separate appellate system.

Figure 2.4 summarizes the information gained from other states. Interestingly, Arizona appears to be moving away from the concept of integration. Arizona has one case management system in place but currently is developing a separate system for its limited jurisdiction courts. The other states have a variety of approaches in place that should increase communication and information sharing.

Figure 2.4 We Contacted Seven Other States and Found Three Have a Unified Court Case Management System.

State	Case Management System in Place?	Comments
Arizona	Yes	Currently adding a second system
California	No	Project underway to get all superior courts onto one system—on hold
Colorado	Yes	
Idaho	Yes	
Illinois	No	Developing an integrated approach for interoperability of multiple systems
New Mexico	No	Limited jurisdiction courts not on main CMS
Washington	No	Different systems with one master database

We asked the other states whether they charged regular fees to member courts as a funding mechanism. None charge the local government courts a user fee. However, Arizona does charge courts a monthly hardware and equipment fee of \$500-\$1,000.

While the states are pursuing a variety of options, five states (Arizona, California, Illinois, New Mexico, Washington) we contacted are moving to case management systems that can meet a goal of data sharing, which is also a major goal for the CORIS conversion project.

Recommendations

1. We recommend the AOC convert the stand-alone CORIS sites to the common system before July 1, 2011.
2. We recommend the Judicial Council require all justice courts convert to the common case management system by July 1, 2011, and determine recourse for those justice courts that do not or are unable to comply.

Chapter III

Current CORIS Conversion Funding Stream Should Be Sufficient

CORIS Conversion costs to date total about \$1.6 million and there are still two years left in the conversion project to be funded. It appears there should be sufficient surcharge funding to complete the conversion project and to pay for continued maintenance. In addition, we asked justice courts about savings and costs related to the CORIS conversion. Justice courts report vendor fee savings and hardware costs.

Conversion Funding and Continued Maintenance Could Be Paid With Surcharge Funds

Since 2005, the Administrative Office of the Courts (AOC) has converted justice courts to CORIS mainly using surcharge funds. We believe the use of these funds should continue to complete the conversion project and pay for ongoing maintenance of the program statewide. However, there are other options available for funding, including a user fee or general funds.

The AOC Has Converted Justice Courts To CORIS Mainly Using Surcharge Funds

Since 2005, \$1.3 million, most of the total \$1.6 million conversion funding, has come from a surcharge account called the Technology, Security, and Training (TST) Account. The Judicial Council allocates TST monies for justice court needs. The AOC has also used general funds to help pay for the CORIS conversion.

Most Conversion Funding Has Come From a Surcharge Account. In the 2004 Utah Legislative General Session, *Utah Code* 78A-7-122 was enacted creating a \$32 security surcharge to be assessed “on all convictions for offenses listed in the Uniform Bail Schedule adopted by the Judicial Council and moving traffic violations.” Twelve and a half (12.5) percent of this surcharge is allocated by *Utah Code* 78A-7-301 to the justice court TST account.

\$1.3 of the \$1.6 million of project costs have been paid using surcharge funds.

TST surcharge funds were created to be used for justice court needs.

The purpose of the funds collected under 78A-7-301 is to “only be used for technology, security, and training needs in justice courts throughout the state.”

Figure 3.1 below details the budget requests and expenditures from the TST account, since its inception in 2005, for the purpose of the conversion process.

Figure 3.1 TST Surcharge Funds Were Being Used to Convert Justice Courts to CORIS Before Senate Bill 72 Was Passed in 2008. So far, conversion project funds from the TST account have totaled over \$1.3 million.

Fiscal Year	Amount Awarded for CORIS	Spent	(Over)/Under
2005	\$ 101,111	\$ 92,932	\$ 8,179
2006	85,671	116,811	(31,140)
2007	87,219	87,314	(95)
2008	385,614	441,262	(55,648)
2009	674,476	617,704*	56,772*
Total	\$1,334,091	\$1,356,023	\$(21,932)**

* As of 4/7/09

**Note: According to the AOC's Finance Manager, award amounts from the TST account used to be based on a calendar year, which was a problem. They have since moved to awarding these funds on a fiscal year basis. Therefore, the timing of the awards versus when they were spent appears as an over expenditure.

The Judicial Council Allocates TST Monies for Justice Court Needs. Each year about \$1 million is appropriated from the Legislature to the AOC from the TST account. The Judicial Council then allocates TST monies for justice court needs. After the Judicial Council appropriates the surcharge funds, *Utah Court Rule* 9-107 lists who may apply for these funds, including any governmental entity that operates a justice court, the Board of Justice Court Judges, and the AOC.

Figure 3.1 shows that through fiscal year 2009 the Judicial Council has allocated just over \$1.3 million for the conversion project from TST surcharge funds. As discussed earlier, although Senate Bill 72 (S.B. 72), requiring all justice courts to be on a common case management system, did not pass into law until 2008, the AOC has used the TST account as the major source of fund for conversions since 2005.

Annually, the Judicial Council decides which projects will receive TST funds.

General Funds Used for Conversion Total Just Over \$300,000. In addition to using TST funds to fund the conversion, the AOC has used general funds to pay for most of its staffing costs attributable to the CORIS conversion project. Since the TST account was not active until 2005, we did not estimate how much of the AOC's general funds were used to convert justice courts to CORIS until S.B. 72 passed in 2008. For fiscal years 2008 and 2009, we estimate the AOC spent about \$308,000 in AOC general funds to convert justice courts to CORIS.

Most of the AOC expenditure of general funds has been for conversion team staff assigned to the conversion project, mainly IT staff, including a full-time project manager, but also consists of some Court Services and AOC administrative staff. Because AOC staff does not use a formal timesheet program, we asked the AOC staff working on the conversion to estimate their time spent on the conversion. Most of the staff estimated that they used from one to ten percent of their time on the conversion project. The general funds used for project staff compensation (salaries and benefits) in fiscal year 2008 and the first three quarters of fiscal year 2009 are shown in Figure 3.2.

AOC general funds have been used to pay compensation for the conversion team.

Figure 3.2 AOC Staff Time (General Funds for Salaries and Benefits) Used for the CORIS Conversion Project Totaled \$156,363 in Fiscal Year 2008 and \$151,251 in the First Three Quarters of Fiscal Year 2009 for a Combined Total of \$307,614.

Staff Position	Estimated Time on Project		General Funds Used	
	FY08	FY09	FY08	3 Qtrs FY09
IT Director	7 %	5 %	\$ 10,717	\$ 6,095
Project Manager	100	100	118,470	86,656
Applications Srvcs Mgr	6	7	6,366	6,260
Infrastructure Architect*	2	7	1,460	4,588
Infrastructure Architect	1	6	1,000	4,043
Operations Manager	1	1	1,220	546
Director, Court Srvcs	5	5	5,521	4,370
Trial Court Prog. Admin.	10	10	5,838	5,223
Justice Court Admin.	3	3	4,239	3,416
General Counsel	1	1	1,532	1,194
IT Coord, Local Ordncs**	n/a	100	n/a	28,860
Total to Date:			\$156,363	\$151,251
			<u>\$ 307,614</u>	

* Two different people held this position in FY08 and FY09.

**This position started in FY09.

Thus, for the 2008 fiscal year and three quarters of the 2009 fiscal year, \$307,614 in general funds were used for AOC staff assigned to the conversion project.

Therefore, costs to date total \$1,334,091 from TST account funds and \$307,614 from general funds, for a total conversion project cost of \$1,641,705. By project completion, we expect this number to increase and perhaps even double.

Use of TST Funds Should Continue

The CORIS conversion project still has two additional years before completion. Therefore, funds are still needed to complete the conversion project. We believe the best mechanism to complete the conversion project's funding is to continue to use the TST surcharge funds for the majority of the expenses. In addition, we believe that if the AOC found it in their budget to fund the conversion team with their general fund monies, this should continue until the conversion project is complete. However, we believe that ongoing CORIS

TST funds and general funds used for the conversion project total about \$1.6 million.

support and maintenance should come solely from the TST account, if possible.

For fiscal year 2010 the Board of Justice Court Judges has requested \$683,840 in TST surcharge funds to continue the conversion project. The project will also require an additional funding request for fiscal year 2011. Presumably, the Board of Justice Court Judges will request those funds in about May of 2010.

Throughout the CORIS conversion project, onetime funds have been used to pay for several necessities including, a server, software licenses, travel, and compensation for the conversion team. We expect more onetime funds will be needed to complete the conversion project.

Ongoing Maintenance and Support Should Come From the TST Account. In addition, after conversion, ongoing funds will be needed to maintain the justice courts on the CORIS system. The AOC estimates ongoing costs to total approximately \$370,000 annually. Once all justice courts are converted and using CORIS, the AOC IT department estimates they will need five FTEs for ongoing support and maintenance of the justice courts. These positions would be in addition to the one FTE currently included in the annual TST funding, for a total of six FTEs needed to support the increased number of justice courts on CORIS.

Taken from Figure 3.1 earlier, award amounts since 2005 have ranged from about \$86,000 to \$675,000. Since the AOC is appropriated about \$1 million annually of TST surcharge funds, to be used as determined by the Judicial Council, the annual expected ongoing maintenance costs of \$370,000 would fit within the TST account's budget range, especially since the TST account will no longer be funding the conversion project. Although exact future costs are unknown, we believe the TST account is an appropriate funding mechanism for the ongoing maintenance costs for delivering CORIS statewide. However, other options, such as a user fee and general funds, also exist. These other options are discussed next.

Additional TST funds are needed to complete the project to pay for onetime and ongoing project costs.

The TST account seems to be the most reasonable source of funds for project completion and ongoing maintenance.

Other Options Available for Funding Include a User Fee or General Funds

Two additional options exist to continue funding the conversion project and ongoing maintenance. A user fee, paid by the justice courts, could be implemented to help provide funding. The Legislature could also appropriate additional general funds to the AOC to pay for the conversion project completion and ongoing maintenance.

A User Fee Could Provide Funding. The first option is to charge the justice courts a user fee for the use of CORIS. In the AOC's initial site visit to a justice court before conversion, documents are given to each court that include a list of frequently asked questions. Statement number five discusses the possibility of a user fee. It states, "the AOC does reserve the option to institute a maintenance fee that would be collected from the individual courts if current funding were to be discontinued and other sources of replacement funding were not available."

In the September 2006 meeting minutes, the Board of Justice Court Judges discussed that "there is a possibility that the funding may need to be supplemented by a user fee." Therefore, the option has been presented and is viable. The AOC could consider a user fee as an option to maintain support.

In Chapter II, we discussed what some other states have done with regards to a common court case-management system. None charge a user fee, but one state charges a monthly hardware and equipment fee of \$500 to \$1,000. Although we have not determined how much a reasonable user fee would cost, we believe that \$500 to \$1,000 per month would be excessive for Utah's program, considering how much courts are currently paying for a private vendor's product. However, if a user fee is necessary, the AOC should determine a reasonable fee based on the justifiable expenses of maintaining justice courts on CORIS.

If a user fee is desirable, it must be reasonable, for justice courts to afford.

General Funds Could Also Be Used. Finally, the AOC should continue to use general fund monies from their budget to pay the compensation of most of the conversion team. In addition, they could also request additional funds to pay for the ongoing maintenance of \$370,000 from general funds. Currently, it is unclear if members of

the conversion team will continue to offer services to help support ongoing maintenance. Perhaps some of the funding currently being used to pay AOC employees that perform the short-term duties necessary for the conversion will be able to convert over to offering long-term maintenance. If so, the AOC could continue to pay their compensation as they do now. However, we did not examine the AOC's budget and future plans for staff resources to see if there is enough leeway to continue to pay these employees on a long-term basis for CORIS support. Although general funds are an option, we believe the strongest and most reasonable funds to pay for the ongoing maintenance are the TST funds.

In the next section of this chapter we discuss that many courts will realize an ongoing savings in private vendor fees by converting to CORIS. Some courts report costs associated with converting to CORIS.

Justice Courts Report Vendor Fee Savings and Hardware Costs

We asked justice court clerks survey questions about savings and costs related to the conversion to CORIS. In addition, we contacted finance staff of various cities to verify savings and costs associated with the conversion project. We found that many of the justice courts that responded will save money by no longer paying private vendor fees. On the other hand, some courts reported costs such as computer hardware.

Most Courts Will No Longer Pay Annual Vendor Fees

With the majority of justice courts using private vendors' case management programs, converting to CORIS should result in savings to these courts because they will not be paying monthly maintenance fees or incurring the cost of periodic programming updates. Thirty-four justice courts provided data on their vendor service fees. Software service fee savings were the most frequently reported savings. Several other respondents indicated they would have savings that they did not quantify.

We did not examine the AOC's future budget restraints to determine if more general funds would be needed to pay for ongoing maintenance.

Savings should accrue for courts no longer paying vendor fees.

Private vendor fees vary widely from court to court.

One commonly used private vendor's annual service fees ranged widely from \$250 to \$11,200. In addition, two large courts reported savings that were significantly higher. One large court reported they would save \$32,000 in their vendor's annual fees by moving to CORIS, while the other, already converted, court stated that by going on CORIS they had avoided paying \$50,000 for their old in-house system to be rewritten.

Several courts reported that they would accrue savings but did not provide numbers. For example, two courts indicated that going to CORIS saved them costs for either upgrading or buying a software system. Two other courts said they saw increased work efficiencies, an important but less quantifiable savings.

Because the private vendors' annual fees savings discussed above ranged so widely in amount, they should not be strictly applied to other justice courts. However, it appears that many justice courts should realize monetary savings as a result of the conversion project. Other, less obvious benefits may also be felt, as was the case for the courts who reported increased work efficiencies.

Justice Courts Report Increased Costs for Conversion Project

We asked justice court clerks whether their court has incurred or will incur any costs because of the conversion to CORIS. Just 11 percent (11 of 99) of the total respondents said they had or probably would incur costs do so, and also provided cost information. Another 11 percent (11 additional courts) said they would have costs but did not provide specifics.

Of the 43 converted courts, 28 percent (12 of 43) said they had incurred some costs (eight quantifiable, four quantifiable) while 72 percent (31 of 43) said they had not. Of the 56 unconverted courts, five percent (3 of 56) said they would probably incur costs; the rest of these courts said either they would not have costs, did not know, or did not respond.

Most specific reported costs were onetime expenses for computer hardware and Internet connection installation. Hardware costs included personal computers, printers, and monitors. Other cited costs

About 11 percent of all responding courts provided costs they incurred for the conversion project.

Over a fourth (28 percent) of the 43 converted courts indicated they had incurred some costs.

were for paper and staff overtime. These onetime costs ranged from \$200 to \$2,000. One court reported expenditures of \$10,000 to purchase five personal computers to replace city-owned monitors previously used by the court. Finally, two of these justice courts reported ongoing increases in monthly Internet connection fees but were unable to isolate the court's costs apart from the city's cost.

The unquantifiable costs included staff overtime, computer or printer costs, and possibly some programming costs that could be involved with the conversion.

We verified a small sample of the reported costs with invoices or other financial records. One concern we have with the reported costs shown above is that we do not know that these costs were integral to the success of the conversion or would have been incurred regardless of the project.

In summary, the conversion project does not come without costs, but we believe the overall benefits outweigh these costs. Determining the appropriate funding solution for conversion completion as well as ongoing maintenance is crucial. Justice courts have also experienced benefits and costs to the conversion. Over the next two years, we expect that funding should not be an issue since we expect the TST account to be available to complete the conversion project. However, ongoing funding is still not secure but we believe, annually, funds from the TST account should be earmarked to pay for the statewide maintenance of CORIS.

Recommendations

1. We recommend the Legislature continue to appropriate funds to the Administrative Office of the Courts from the Technology, Security, and Training Account.
2. We recommend the Judicial Council continue to allocate funds appropriated by the Legislature from the Technology, Security, and Training Account to aid in the conversion process and ongoing maintenance of CORIS statewide.

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Chapter IV

Justice Court Conversion Feedback Is Generally Positive with Some Concerns

To determine clerks' perceptions about the statewide project to bring all justice courts onto the Administrative Office of the Courts' (AOC) Court Records Information System (CORIS), we sent a survey questionnaire to all Utah justice courts. Survey responses from clerks in courts now using CORIS indicate that the conversion project, to date, has largely been a success. Survey results show a correlation between the amount of time clerks have used (or not used) CORIS and how positively they view it. A large majority of the responding clerks using CORIS longer than six months were more pleased with the program and slightly over half of the clerks who have more recently implemented CORIS were also pleased. Finally, we were unable to fully audit some issues brought to our attention due to the conversion project's in-process status until July 1, 2011. However, we will highlight some issues related to the CORIS conversion which should be addressed.

Survey's Purpose Was to Assess Attitudes about CORIS Conversion

We sent survey questionnaires to 137 justice courts in the state, asking that clerks complete and return them to us. Questions dealt with pre- and post-conversion attitudes and perceptions of the statewide conversion project to move all justice courts (those not already on CORIS) onto the AOC's court case-management system. The survey included open-ended questions and completion of scaled survey questions (Likert Scale). The survey was intended to obtain clerk input on our audit request issues, particularly the following:

- How is the conversion project progressing? Has it been successful thus far?
- How do justice court personnel feel about the conversion?
- What is the cost (savings and costs are discussed in Chapter III)?
- What is the benefit?

Most clerks who are now using CORIS reported being pleased with it.

We surveyed justice court clerks about their perceptions toward CORIS as part of our assessment of the conversion project.

The 73% response rate indicates a high degree of interest among clerks about the CORIS conversion.

Appendix A provides a full copy of the survey instrument.

We sent out 135¹ surveys, with a 73 percent response rate (99 surveys were returned). Clerks’ degree of interest in the conversion project is reflected by this very high response rate. We heard from clerks in courts that have already moved to CORIS as well as clerks in courts yet to be converted. To assist analysis, we classified the responses into three groups and the number of courts that responded in each group:

- Courts using CORIS for at least six months (34 of 43)
- Courts using CORIS for fewer than six months (9 of 13)
- Courts that have not yet made the move to CORIS (56 of 79)

Although more responses came from clerks who are not yet working with CORIS, both converted and unconverted court clerks responded at a similar percentage level. Figure 4.1 below summarizes the breakdown of responses by group.

Figure 4.1 Survey Respondents Were Classified into Three Groups by the Length of Time They Have Been Using CORIS. Over half the courts (79 of 135, or 59%) had not started using CORIS at the time of the survey.

Experience Using CORIS	Number of Surveys Sent	Number of Responses	Percent Responding
6 or more months on CORIS	43	34	79%
Less than 6 months	13	9	69
Subtotals	56	43	77%
Not yet converted	79	56	71%
Totals	135	99	73%

As responses came in, we found they fell into these groups not just by experience on CORIS but also by similarities in the level of acceptance or concern expressed about CORIS. The next section presents information about justice court clerks’ attitudes prior to and after being brought onto CORIS as well as feedback on the conversion

¹ Although there are 137 justice courts, some small courts share staff; therefore, we sent 135 surveys to clerks that represent all 137 justice courts.

process itself and related training provided by the AOC. We will also discuss the perspectives of clerks in courts not yet using CORIS.

Survey Responses Support the Conversion Project's Success But Highlight Some Concerns

Based on the 43 responses from justice court clerks who are now using CORIS, the conversion thus far has been a success. We based this assessment on responses to the following survey questions:

- If you are using CORIS now, what is your opinion of it?
- Before converting to CORIS, how did you feel about the program?
- If you have converted, how did the conversion go (results)?
- After converting to CORIS, were you given enough training?

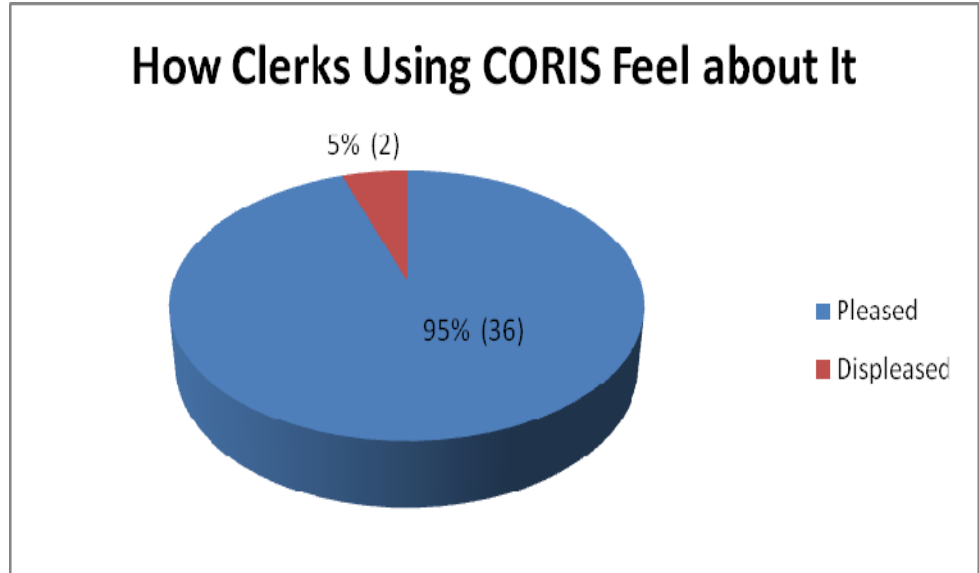
Though responses to each question are relevant to the assessment of the conversion project's success, the first question provided the most relevant information for an overall assessment of whether the CORIS conversion project has been successful.

We Gauged Success by Clerks' Opinions of CORIS Now That They Are Using the Program

Thirty-eight of the 43 justice court clerks already using CORIS answered the question: "If you are currently working with CORIS, what is your opinion of it?" The positive opinions of 36 of the 38 respondents indicate that the conversion project has been successful thus far. Figure 4.2 depicts the responses of the court clerks now using CORIS.

Of the 38 responding clerks now working with CORIS, 36 (95%) said they were pleased with the program.

Figure 4.2 The Survey Questionnaire Asked “If You Are Currently Working with CORIS, What Is Your Opinion of the Program?” 95% of responding justice court clerks now using CORIS said they were pleased with the program.

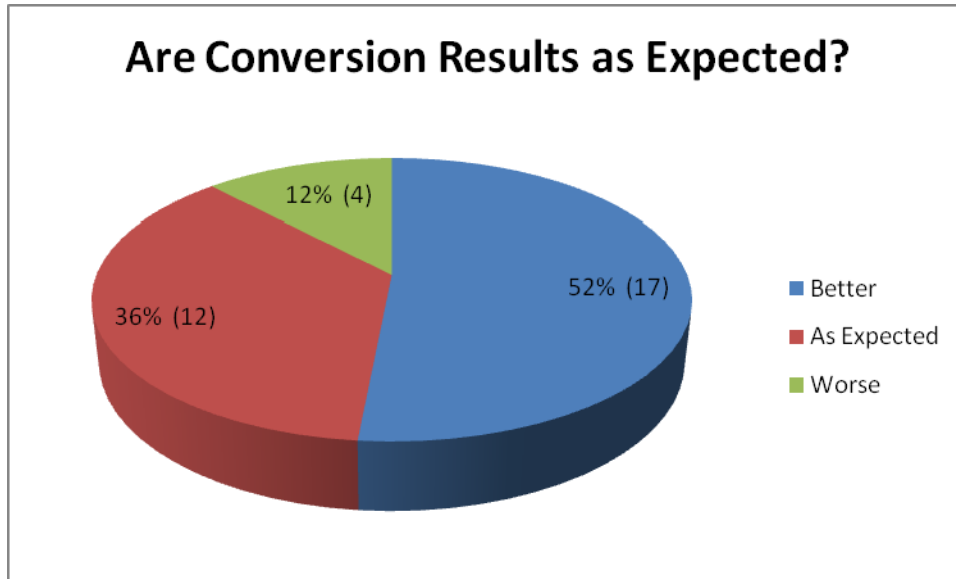


Ninety-five percent (36) of these respondents reported being pleased with CORIS after the conversion had taken place. When we looked at the responses of clerks who have used CORIS for more than six months in comparison to those who have used it for less than six months, we found that a higher proportion of the clerks with longer experience reported being pleased with the program, though the majority of both groups were pleased. We interpret current users’ positive view of CORIS as indicating that the conversion project has been successful thus far. We then asked about clerks’ opinions of the process itself, including the training they received.

We Asked Clerks “If You Have Converted to CORIS, Are the Results as Expected?” In addition to Likert scale responses, this question elicited comments that dealt with the conversion process, training, other interaction with the AOC conversion team, and results. About 23 percent (10 of 43) of the justice court clerks now using CORIS left the question blank; one reason for this may be that 8 of the 10 not answering the question work in courts that voluntarily came onto CORIS some time prior to the passage of Senate Bill 72 (S.B. 72) that started the current conversion project. Figure 4.3 shows the data obtained from the scale responses.

The highest approval rating came from clerks who have been using CORIS for over 6 months.

Figure 4.3 The Survey Asked “If You Have Converted to CORIS, Are the Results as Expected?” 52% of the 33 clerks who answered this question said the results were better than expected, another 36% said results were as expected, and 12% said the results were worse than expected.



Clerks added both compliments and criticisms to their answers to this question. Positive comments outnumbered critical ones and often cited ongoing benefits. For example, some clerks appreciated that CORIS automatically updates the statewide warrant system and Driver License Division records, while others commented on the way CORIS is automatically modified for statutory changes such as updates to the Uniform Bail Schedule. Some clerks commented that they received good training and that the AOC staff were good to work with; however, some other clerks felt that they did not get enough training or needed more hands-on training after actually starting to work with CORIS. More general positive remarks included a statement that CORIS was a great improvement over what the court had before; one clerk said the more she learned about CORIS, the better it seemed.

In addition to training concerns, negative points included comments that CORIS timed users out of the system a lot, requiring clerks to re-enter the system with their passwords. A number of the negative comments dealt with short-term concerns that arose from the conversion process itself. For example, one clerk commented that some data had not converted correctly from the prior system and

Positive comments mentioned ongoing benefits of CORIS; critical comments often dealt with short-term, conversion-specific concerns.

Three particular concerns mentioned by clerks may have solutions as discussed here.

needed to be cleaned up, while a few said they had difficulty balancing CORIS's monthly reports.

Some Criticisms Can Perhaps Be Addressed as the Conversion Proceeds. There are three additional negative comments we specifically want to discuss, even though we were unable to fully audit these areas because the CORIS conversion project is still in process. However, in all three situations there may be solutions.

First, clerks told us they found CORIS slow and had difficulty printing from CORIS. In response, the AOC says printing was a problem initially, but they now have a new printing system that should work. If justice courts continue to have printing problems, we expect them to alert the AOC.

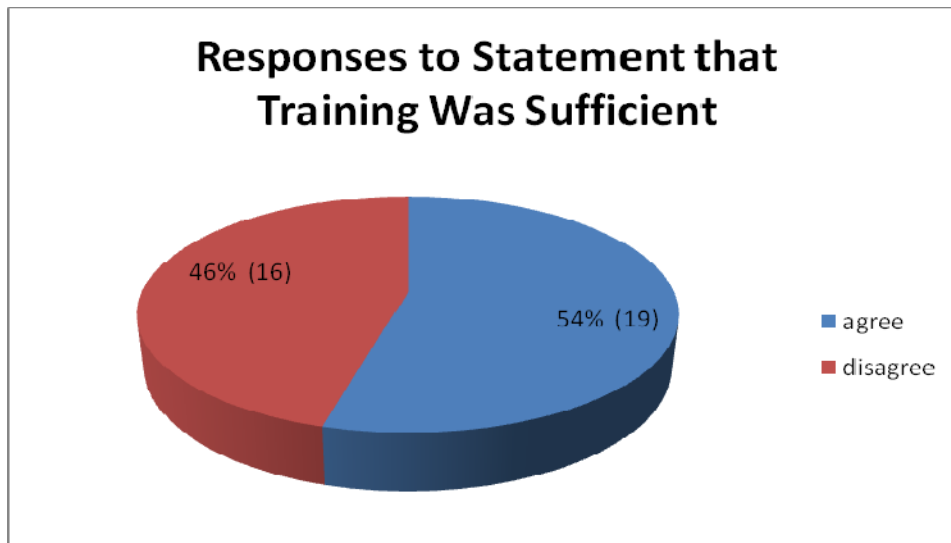
Second, clerks also discussed frustrations about CORIS' incompatibility with their cities' financial package. Many courts are on one financial package with which CORIS is not compatible. This incompatibility requires daily manual input of summary financial information into the cities' systems, which some courts/cities do not like. According to the AOC, the software company that many of the cities use for their financial package is in the process of writing a program that will electronically process summary information from CORIS. If desired, justice courts can follow up with the software company to purchase this program.

Finally, some clerks expressed frustration with CORIS' selection of correspondence for communicating with defendants and others. The previous case management system that most justice courts used allowed the user to create any letter desired. CORIS provides 10 form letters with limited editing options for customization. Clerks want the flexibility to tailor the letters as needed. CORIS is more a restrictive system than what the clerks are used to working with and does not allow manipulation by the user. We believe this is a good thing, but we also understand that clerks are used to generating documents that meet their needs exactly. We expect that, if clerks are finding it difficult to generate the letters their court needs, they should submit a request to the CORIS user group to see how widespread the issue is and if something can be done.

Clerks’ Feedback Indicates Training Is an Area of Some Concern. Although we asked about training given after the CORIS conversion, clerks commented on training received ahead of the installation as well as during and after the implementation. Thirty-five of the 43 clerks from converted courts responded to this question. While 54 percent (19 of 35) of the respondents agreed that training was sufficient, 46 percent (16 of 35) of the clerks said the training was not sufficient. Eight clerks in converted courts left this question blank. According to AOC staff, the tight conversion schedule does not allow for more training at this time, although they agreed that there should be more training. Figure 4.4 shows the numbers and percentages for responses about training adequacy.

33% of responding clerks felt they had not received enough training on CORIS.

Figure 4.4 Over Half (54%) of the 35 Clerks Who Answered the Question about Training Said They Received Enough Training on CORIS. However, it is concerning that nearly half (46%) of the responding clerks said the training they received was not sufficient for their needs. Most of the clerks who did not answer this question work in courts that voluntarily started on CORIS prior to the present conversion project.



Numerous clerks spoke positively about the conversion team’s trainers, saying they had been very helpful and knowledgeable. Concerns related more to the need for more training on the system, more hands-on training in particular, and the need for additional on-site help during the initial implementation phase.

Clerks complimented the trainers but some said that more hands-on CORIS training was needed.

With two years left in the conversion project, it is difficult for us to evaluate whether more training, a shift in the scheduling of training,

One option might be to hold less training prior to the conversion and more afterwards when clerks are actually using CORIS.

or modification of training content (based on feedback received thus far) would be most helpful. However, enough clerks expressed concern about the training for the CORIS conversion that we believe the CORIS conversion team could consider whether adjustments are needed for clerks new to CORIS. For example, perhaps more of the currently allocated training time could be provided after conversion, when clerks are actually working with the software, and less training could be given prior to the implementation.

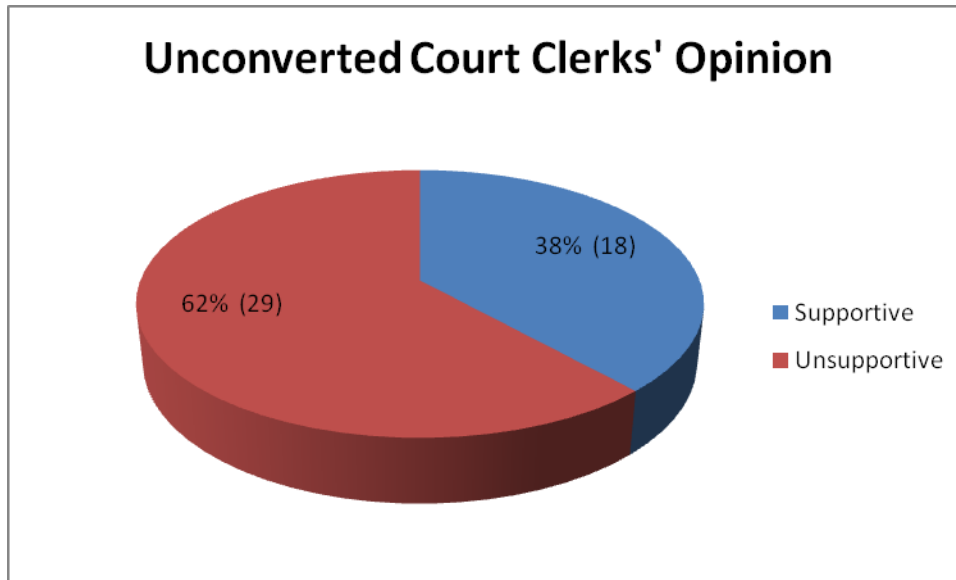
Because of the restriction of the tight conversion schedule, another option might be to extend the completion date for the conversion project beyond the current statutorily set deadline. We suggest that the AOC monitor the situation, perhaps by soliciting feedback (similar to our survey) from court personnel as the conversions continue, and develop solutions as needed.

Majority of Courts That Have Not Converted To CORIS Are Unsupportive

Sixty-two percent of those who have not yet converted to CORIS do not support the conversion project.

Sixty-two percent (29 of 47) of respondents from courts that have not yet converted to CORIS indicated they are unsupportive of the move. This perspective does not surprise us; major changes like this project that affect daily work processes can be unwelcome and disruptive. Even so, 38 percent (18 of 47) of these clerks said they support the conversion to CORIS.

Figure 4.5 62% of the 47 Responding Clerks Yet to Convert Are Unsupportive of the Move to CORIS. However, 38% do support converting to CORIS. Nine clerks did not answer this question.



Unsupportive comments ranged from simple resistance to change to specific concerns about CORIS' capabilities. For example, a number of clerks asked about CORIS' ability to interface with and transmit data to their city's finance system. Several questioned whether the AOC would be able to provide timely technical support and customer service for the increased number of justice courts being added to CORIS. Others said their present case management systems were more flexible than CORIS and would allow modifications that are not possible with CORIS. As we noted in Chapter II, we disagree that allowing manipulation of the software is a good idea, particularly in light of our finding that some modifications allowed noncompliant practices.

Unsupportive comments included concerns about timely technical support and customer service as well as the relative inflexibility of CORIS.

As Courts Use CORIS, Attitudes May Change. We believe there may well be a shift to more positive attitudes toward CORIS with more acquaintance with the software. First, as noted above, 38 percent of the clerks who have not yet started on CORIS said they already support the conversion project. Second, we found that some initially unsupportive clerks reported they were pleased with CORIS after the conversion. Finally, in addition to the survey responses, we also had discussions with some clerks who had been opposed to CORIS but were pleased with it after they used it for a while.

We encourage court personnel in justice courts that are not yet using CORIS to contact the AOC about their concerns, talk with courts already using CORIS, and inquire about the preparation that can be started in advance of their scheduled conversion to increase the likelihood of a smooth transition.

Additional Contact with Court Clerks Indicate a Positive View of Conversion

We spoke with a sample of clerks by phone to discuss their survey responses; these clerks echoed some of the positive comments from the surveys. In particular, several mentioned the benefits of automatic warrant entry in CORIS and automatic updates to the system when statutory changes occur. We also note that positive feedback from a session for current CORIS users at the Spring Court Clerks' Conference indicates that, as more courts are converted, clerks are seeing the benefits of CORIS. The evaluations for another CORIS session for future users reveal that over half the clerks turning in evaluations learned they should start preparing for their conversion early to ease the transition. Several commented that the session had eased their worries about the conversion.

Clerks spoke about the benefits of CORIS automatically entering warrants and updating statutory changes.

The success of the CORIS conversion was confirmed in phone calls and training conference sessions.

In summary, we are encouraged by the positive feedback from clerks now using CORIS and the constructive criticism that was submitted in the survey responses. The additional feedback from our follow-up calls and conference evaluations reinforces our conclusion that the conversion project has been successful so far.

Though we have concluded that the CORIS conversion project has been a success to this point, in the next section we discuss some areas we were unable to fully audit because of the conversion project's still-in-process status.

Audit Challenges Exist Due to Conversion Project's In-Process Status

Several issues were brought to our attention that we are unable to fully audit because the CORIS conversion project is still in process. Currently, the AOC's help desk and CORIS user group are in transition. Once these systems are restructured, the AOC should ensure the help desk can support the additional CORIS users and the

user group addresses justice courts' concerns. We also reviewed justice courts' ability to file electronic citations after conversion, finding that it may become more difficult. Finally, we believe the Legislature may need to review the effect some local ordinances have by being on the CORIS system.

AOC Should Ensure Help Desk Can Support Additional CORIS Users

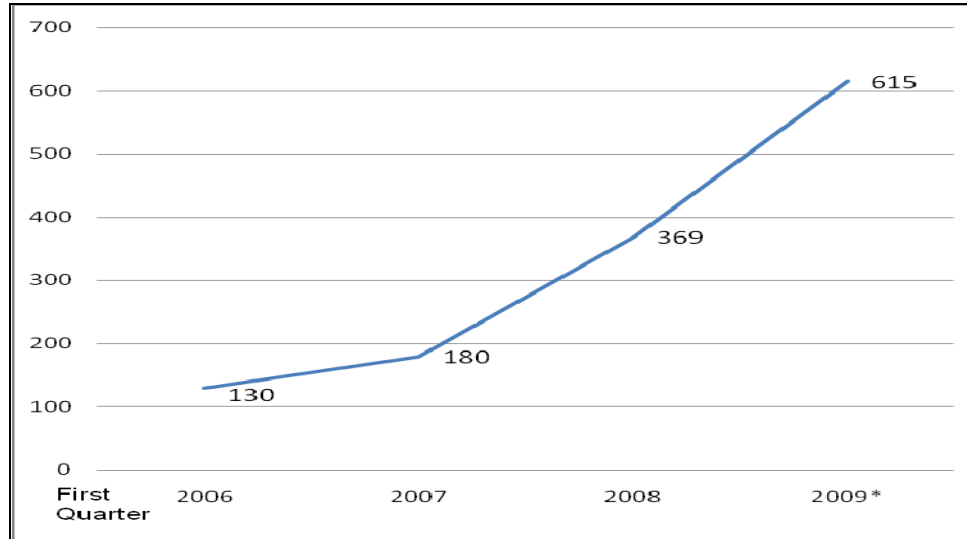
The addition of roughly 70 more justice courts to CORIS between the date of this report and July 1, 2011, brings with it about 200 more justice court clerks. As far as we know, the AOC does not have plans to increase the help desk staff. These clerks will need help desk assistance and we believe the AOC needs to ensure it is prepared for the increased workload.

The help desk fields calls from all courts, including district, juvenile, and justice. Over the last few years, help desk calls from justice courts have significantly increased. Figure 4.6 shows the average number of now-closed help desk calls from justice courts in the first quarters of 2006, 2007, and 2008 (calendar year). Calls are closed when the issue has been resolved. The figure also shows the actual number of help desk calls from justice courts for the first quarter of 2009.

The AOC may be able to address some mid-conversion issues that were brought to light during our audit.

Calls to the AOC help desk from justice court clerks have greatly increased even though the conversion project is not yet complete.

Figure 4.6 Help Desk Calls from Justice Courts Are Increasing. The average number of now-closed help desk calls from justice courts in the first quarters of 2006, 2007, and 2008 has been increasing. The actual number of now-closed help desk calls from justice courts for the first quarter of 2009 increased by 67% over 2008.



* Actual first quarter help desk calls from justice courts.

Obviously, the help desk is receiving more and more calls from justice courts. Again, this chart only reflects closed calls; it does not include those calls which are still open.

We reviewed the software system that currently manages the AOC's help desk and believe that it may not be the best system for managing their help desk. We found it does not provide the necessary reports for managing the help desk. Apparently, the AOC is getting a new help desk program in the near future. Supposedly, it will integrate better with their e-mail system and offer other features the current system does not have. We believe this system will be an improvement over the current system but are unable to examine it at this time. Once the new help desk system is in, the AOC should review help desk staffing needs, considering that an additional 200 CORIS users are going to be needing support from the help desk.

The AOC should assess help desk staffing to ensure that newly added justice courts are adequately served.

CORIS User Group Should Ensure Justice Court Concerns Are Addressed

The CORIS user group is another area that is difficult to evaluate at this time because the conversion is still in process. The CORIS user group was established to address programming issues for district courts. Now that justice courts are converting to CORIS, the user group needs to also represent their interests. To meet this need, the user group's proposed solution is to use a new scoring matrix to prioritize CORIS change requests.

The user group has 12 district court and 2 justice court representatives and generally meets quarterly. In March of this year, proposed changes to the makeup of the group were submitted to the AOC's technology committee. The recommended changes restructured the representation of the committee to be six from district court and six from justice court.

However, instead of reallocating the representation, the technology committee decided not to change the makeup of the court representation of the committee at this time but, instead, change the way projects are prioritized. Therefore, a new change request form and change request scoring matrix were created.

Over time and through attrition, the technology committee wants to change the CORIS user group representation to case type instead of court type. Case type, not court type, represents how CORIS is being used. That is, as current representatives leave, new ones will be added based on a case-type focus, such as small claims, civil, traffic, etc. However, we believe that if the technology committee thinks this is the best way to ensure CORIS users are represented, they should make the change to case-type representation now and not wait for change through attrition.

Justice court clerks have expressed concerns to us regarding the user group. We understand their concern and believe use of the new change request form and scoring matrix should be carefully observed to ensure justice court concerns are being addressed.

Changes to the CORIS user group should be monitored to ensure that justice courts' needs are addressed.

Filing of Electronic Citations May Become More Difficult for Some Justice Courts

As justice courts have converted to CORIS, we have heard some complaints about the loss of the ability to receive electronic citations (e-citations) from local law enforcement directly into court case-management systems. Some justice courts are no longer receiving e-citations after converting to CORIS (or will no longer receive them once converted), requiring manual citation entry, which adds to workload. It should be understood that this is not a CORIS conversion issue or the fault of the AOC, but it did indeed surface because of the conversion.

We asked the AOC conversion team manager why this is happening. He explained that “the key to this process being successful is not in the hands of the courts; it depends on the interface between the [local] law enforcement agency and the Bureau of Criminal Identification [BCI] at Public Safety.” Apparently, some cities’ police departments use e-citation programs that are not compatible with BCI. When the justice court was on another case management system, the city had developed an application that enabled the local police department’s e-citations to be electronically filed directly into their court case-management system. However, once the justice court moved onto CORIS, they lost this direct connection.

We spoke with BCI’s bureau chief and IT programmer about this issue. They explained that they are currently working on rolling out a new system that is compatible with more products than their current system. Once all justice courts are on CORIS and the system is completely rolled out and working, there should be no problems with getting e-citations.

We believe this is an issue that justice courts need to understand before they are surprised to find they no longer receive e-citations after conversion. It is up to the local entity to ensure their law enforcement has an e-citation program that is compatible with the Department of Public Safety’s system. We encourage the AOC to emphasize this situation with justice courts so they are aware of the potential of losing their electronic citations after conversion. We also encourage all justice courts that currently receive e-citations to learn about this issue and how it will affect their court.

The AOC should make sure that justice courts are aware they may no longer get e-citations after conversion pending purported remedies from the Department of Public Safety.

Legislature May Need to Review Local Ordinances in CORIS

Since one of the main goals of the conversion project is to ensure uniformity in the application of the law, one area of concern we have is that allowing local ordinances onto CORIS runs a risk that an ordinance may diverge from state law. We found situations that make us question local ordinances being in CORIS because they may diverge from state law. We are not sure how widespread this divergence is, but we believe the situation should be reviewed.

First, one county has established boating and water ordinances which state that all fines collected will be distributed to the county. Although it appears that this county's local ordinances may have been adopted under the State Boating and Wildlife Acts, the state statutes require that a portion of the fine monies collected under these acts are distributed to the Division of Wildlife or the Division of Parks and Recreation. We question whether a local ordinance can adopt a state law and then change the distribution of the fine monies in the local jurisdiction. In our opinion, this practice reduced the uniformity in CORIS. Another city has created a local ordinance that adds \$15 to every fine over and above the Uniform Bail Schedule. We question how this affects the uniformity in CORIS.

Second, we found that one city has written an ordinance making it a class C misdemeanor to willfully fail to appear pursuant to a citation issued under *Utah Code* 77-7-18, while state statute makes this offense a class B misdemeanor to willfully fail to appear pursuant to a citation issued under *Utah Code* 77-7-18. These two different outcomes, a class C versus class B misdemeanor, make us question whether local ordinances may diverge from state law as they appear in CORIS. Similar issues of ordinances diverging from state statute may arise in applying a surcharge to criminal fines, penalties, and forfeitures imposed by the courts under *Utah Code* 51-9-401.

These issues are quite complex and would need to be reviewed fully by legal counsel. In our opinion, CORIS currently provides the most uniform application of Utah's laws. With the conversion of justice courts to CORIS, we believe there are benefits to be seen now and in the future as this project continues.

We found instances of local ordinances that potentially diverge from state statute.

Recommendations

1. We recommend the AOC evaluate specific aspects of the CORIS conversion project, including:
 - Consider the possibility of extending the project's deadline, pending their ability to convert all courts by July 1, 2011
 - Adjust the training schedule to ensure new CORIS users are receiving enough training
 - Perform an exit interview with the courts that have already converted to evaluate the conversion thus far
2. We recommend the AOC review help desk resources to ensure all users are receiving the help needed.
3. We recommend the AOC review the makeup of the CORIS user group to ensure all users' needs are represented.
4. We recommend the AOC conversion team reiterate with justice courts yet to convert to CORIS that there may be a change in how they process e-citations after the conversion.
5. We recommend the Legislature study the issue of local ordinances that may diverge from state law.

Appendix

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Office of the Legislative Auditor General
315 House Building, Salt Lake City, Utah 84114
(801) 538-1033

CORIS CONVERSION SURVEY

PLEASE RETURN BY APRIL 1, 2009

1. Do you currently use CORIS? If not, what case management system do you use?

2. What date did or will you convert to CORIS?

3. Before converting to CORIS, my position regarding the conversion was/is: (*please mark one*)

Strongly Supportive	Supportive	Unsupportive	Strongly Unsupportive
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4. If you have converted to CORIS are the results as expected? : (*please mark one*)

Far Better	Better	As Expected	Worse	Far Worse
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Please explain the reason for your response:

5. After converting to CORIS, I was provided with enough training: (*please mark one*)

Strongly Agree	Agree	Disagree	Strongly Disagree
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6. Has/will your court incur(red) any costs with the conversion, including additional personnel or equipment? Please describe the expense and provide dollar figures.

Name and phone number of best contact for possible follow-up: _____

7. Has/will your court benefit(ted) from the conversion in savings, including no longer having to pay a service charge to a vendor for the use of their product (if applicable)? If so, please describe the savings (such as the amount and frequency of the service charge) and provide dollar figures.

Name and phone number of best contact for possible follow-up: _____

8. If you are currently working with CORIS, what is your opinion of the program?

Very Pleased	Pleased	Displeased	Very Displeased
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9. Does your court have any specific concerns with CORIS?

Name & Title: _____ Court: _____

Phone & E-mail Information: _____

Agency Response

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Administrative Office of the Courts

Chief Justice Christine M. Durham
Utah Supreme Court
Chair, Utah Judicial Council

Daniel J. Becker
State Court Administrator
Myron K. March
Deputy Court Administrator

August 12, 2009

Mr. John M. Schaff
Legislative Auditor General
W315, Utah State Capitol
Salt Lake City, Utah 84114

Dear Mr. Schaff:

Thank you for the opportunity to respond to the recently completed audit entitled *A Performance Audit of the Conversion of Justice Courts to CORIS*. We have reviewed the audit in detail and support both the findings and recommendations. We are pleased that your auditors concur in the decision of the Judicial Council to implement the Court Records Information System (CORIS) in justice courts as the common case management system required by Senate Bill 72 of the 2008 Legislative Session. It is our strong belief that this system will serve justice courts, the criminal and civil justice community, and the public very well and will substantially enhance the quality and accuracy of justice court records.

While the report suggests that an extension beyond the July 1, 2011 effective date provided in Senate Bill 72 may be necessary, we remain committed to completing implementation in all justice courts, including the stand alone sites, by July 1, 2011. Recommendations concerning help desk resources, training and training tools, and a review of user group composition have already been implemented. Items suggested for review, namely, printing issues and incompatibility with local fiscal packages have also been addressed. Any court that will temporarily lose e-citation functionality will be informed in advance of conversion and encouraged to modify their law enforcement system to prevent such loss. A process for exit interviews following conversion will also be put in place. We found all of these suggestions helpful to our effort to effectively implement CORIS in all justice courts within a very constrained schedule.

The mission of the Utah judiciary is to provide the people an open, fair,
efficient, and independent system for the advancement of justice under the law.

I would like to acknowledge the manner in which the staff of your office has conducted this review. Their work was thorough, complete, and professional in all respects. I will be available to respond to any questions when the audit is presented to the Legislative Audit Committee.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan L. Becker", enclosed within a large, hand-drawn oval.

Daniel L. Becker
State Court Administrator

cc: Chief Justice Christine M. Durham
Honorable Jerald Jensen, Chair, Board of Justice Court Judges