

STATE OF CALIFORNIA
Budget Change Proposal - Cover Sheet
 DF-46 (REV 08/17)

Fiscal Year 2018-19	Business Unit 0250	Department Judicial Branch	Priority No.
Budget Request Name 0250-302-BCP-2018-A1		Program 0140-JUDICIAL COUNCIL	Subprogram 0140-JUDICIAL COUNCIL

Budget Request Description

Self-Represented Litigants e-Services Web Portal

Budget Request Summary

The Judicial Council proposes a General Fund augmentation of \$3.236 million in 2018-19, \$1.9 million in 2019-20, and \$709,000 ongoing beginning in 2020-21, to design, build, and maintain a statewide Self-Represented Litigants e-Services Web Portal to enable those without legal representation to research, e-file, and track non-criminal cases via an online portal. This proposal also requests 4.0 positions at the Judicial Council of California to provide support in administering and maintaining the statewide e-Services Web Portal.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	
Does this BCP contain information technology (IT) components? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i>	Department CIO Robert Oyung	Date 3/28/2018
For IT requests, specify the project number, the most recent project approval document (FSR, SPR, S1BA, S2AA, S3SD, S4PRA), and the approval date.		
Project No.	Project Approval Document:	Approval Date:

If proposal affects another department, does other department concur with proposal? Yes No
Attach comments of affected department, signed and dated by the department director or designee.

Prepared By M. Gelade	Date 3/28/2018	Reviewed By A. Guzman	Date 3/28/2018
Chief administrative officer J. Wordlaw	Date 3/28/2018	Administrative Director M. Hoshino	Date 3/28/2018

Department of Finance Use Only

Additional Review: Capital Outlay ITCU FSCU OSAE CALSTARS Dept. of Technology

PPBA	Original Signed By Emma Jungwirth	Date submitted to the Legislature 3/29/18
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Analysis of Problem

A. Budget Request Summary

The Judicial Council requests a General Fund augmentation of \$3.236 million in 2018-19, \$1.9 million in 2019-20, and \$709,000 ongoing beginning in 2020-21, to design, build, and maintain a statewide Self-Represented Litigants e-Services Web Portal to enable those without legal representation to research, e-file, and track non-criminal cases via an online portal. This proposal also requests 4.0 positions at the Judicial Council of California to provide technical support in administering and maintaining the statewide e-Services Web Portal.

Like many other state and federal government agencies, the Judicial Branch is undertaking a digital transformation to bring greater convenience to Californians, greater cost savings and operational efficiencies to the courts, and greater access to the justice system.

This request addresses the needs of the growing number of Californians trying to resolve or litigate cases in court without the cost of hiring an attorney. In California today, more than four million people each year come to our trial courts without representation. The primary driver behind this number is the inability of many to afford the costs of an attorney.

The main challenge self-represented litigants face is that navigating the justice system is complex. Although there are numerous online resources and websites offering varying degrees of assistance, there does not yet exist a single, statewide Judicial Branch portal to bring together all the necessary information and instruction to enable Californians to successfully and confidently undertake self-representation.

The proposed statewide Self-Represented Litigants e-Services Web Portal will provide Californians with a central, one-stop shop for legal and procedural information to better prepare and educate court users about preparing for court. This portal will represent a huge step forward in enhancing access to justice and in delivering a complete end-to-end customer journey, enabling court users to successfully complete complex legal forms and even file cases through the portal itself.

This digital transformation will result in an enormous convenience to court users who will be able to access their justice system from their computers, rather than getting in their cars to drive to courthouses to wait in long lines. The e-Services Web Portal will also benefit courts by allowing Self-Help Center staff to focus more on helping those with more complex needs, while addressing routine questions and more straightforward legal actions online, instead of in-person.

B. Background/History

The California court system is the largest in the nation, with more than 19,000 court employees. It serves a population of about 39 million people – 12.5 percent of the nation. During 2014-15, over 6.8 million cases were filed statewide in the Superior Courts alone. The Courts of Appeal had approximately 23,000 filings and the Supreme Court had 7,868 filings over the same time.

Each day, hundreds of Californians form lines outside their county trial courts in order to research or seek information that will enable them to resolve a legal issue on their own, without the cost of an attorney. The majority of these people are seeking a divorce, separation, or resolution of a child-related dispute, such as custody or child support.

- In California, more than four million people per year come to court without an attorney.
- 90 percent of family law cases have at least one party without an attorney.
- 90 percent of tenants in eviction cases represent themselves.
- More than 75 percent of civil cases have at least one party without an attorney.

Analysis of Problem

In many cases, hiring an attorney may be the prudent or necessary decision to make, but in order to arrive at this conclusion, a would-be self-represented litigant may spend days searching and waiting for information to help make that determination.

In other instances, Californians wait in long lines at courts, unprepared for the process that awaits them. They may have the wrong forms, or no forms at all.

The Judicial Branch of California therefore seeks to design, build, and launch a state-of-the-art online e-services portal to support the needs of self-represented litigants throughout the state and transform current business processes to help fulfill the vision of a digital court.

The vision is to design, develop and deploy a statewide Self-Represented Litigants e-Services Web Portal that will address the educational and procedural needs of self-represented litigants and provide "end-to-end" services for those choosing to resolve legal issues on their own.

This proposal aims to deliver a cohesive, modern, and interactive collection of legal resources, including instructional videos, intelligent 'triage' engines, online chat, and integration with 58 court websites across the state to facilitate document assembly and e-filing, where available.

C. State Level Considerations

The request for funds to design, develop and deploy a Statewide Self-Represented Litigants e-Services Web Portal for the Judicial Branch is consistent with the Judicial Branch Strategic Plan, supporting Goal III: Modernization of Management and Administration. In addition to aligning with most of the Judicial Branch Strategic Goals, this proposal aligns with the Court Technology Strategic Plan (<http://www.courts.ca.gov/documents/jctc-Court-Technology-Strategic-Plan.pdf>).

Goal 1 is to Promote the Digital Court and a primary area of focus is Access: "Establish standards and methods to provide remote public access solutions to essential court information and services in all courts."

This proposal supports two branchwide initiatives in the Tactical Plan for Technology (<http://www.courts.ca.gov/documents/jctc-Court-Technology-Tactical-Plan.pdf>). The initiative to develop a statewide Self-Represented Litigants e-Services Web Portal is also consistent with several other digital business transformation initiatives, including electronic filing, single sign-on, and identity management.

The proposal also aligns with the Chief Justice's Futures Commission Final Report that calls for enhanced resources to support self-represented litigants and several specific recommendations around developing virtual self-help resources. The e-Services Web Portal will deliver on these recommendations and transform the landscape for those in need of self-help resources.

D. Justification

Providing resources to help self-represented litigants navigate the court system has been a long-term commitment of the Judicial Branch. In 2004, the Judicial Council adopted a "Statewide Action Plan for Serving Self-Represented Litigants" and established court-based self-help centers.

There are compelling business reasons to leverage technology to deliver interactive tutorials, guides, and toolkits 24/7, wherever and whenever these resources may be needed.

According to a landmark White Paper, titled: *Building a Litigant Portal*, the National Center for State Courts (NCSC) outlines four main goals for establishing a statewide litigant portal:

1. Increased assistance for legal problems
2. Improved integration for self-help resources
3. Improved focus on potential litigants

Analysis of Problem

4. Increased use of non-traditional resources.

The report indicates that across the U.S. there is a complex network of services for self-represented litigants. In California alone, there are numerous non-profit organizations, for-profit organizations, and trial courts offering guidance and help to the growing number of self-represented litigants. However, the challenge is that those resources are unevenly distributed across the state and can be accessed mainly by in-person visits to courthouses. In the 21st century, citizens expect to interact with their judicial system the same way they deal with their driver's licenses or online purchases--via the Web.

The Self-Represented Litigation Network published a *Resource Guide on Serving Self-Represented Litigants Remotely* and concluded that:

- Remote Service Delivery is Effective and Efficient
- Remote Service Delivery is Cost-Effective
- Remote Services can in some cases be better than face-to-face services, and
- Remote Services create a source of ideas for improving all aspects of court operations.

By delivering online information early in the process, and by making it easy to access by leveraging the Internet, the Judicial Branch will help reduce court workloads and allow for more efficient case processing. The e-Services Web Portal will better prepare court users to more meaningfully engage with the court resources that are available.

Benefits of building a statewide Self-Represented Litigants e-Services Web Portal

As envisioned, the Self-Represented e-Services Web Portal will integrate with trial courts across the state and provide seamless connectivity to trial court sites, to enable site visitors to conduct document assembly and e-filing, wherever available.

Californians will be able to establish online user accounts to save and retrieve documents at any time. Moreover, when unsure about a next step, a real-time chat engine would attempt to answer questions and prompt next steps. Chatbot technology is growing at a very fast pace and is playing a large role in bolstering customer service efforts, especially around complex transactions.

In addition to acquiring, configuring, and implementing a new chatbot platform, this funding request will support acquisition of a web content management platform; development of interactive instructional tools and resources for various civil case types, as well as traffic and non-traffic misdemeanors; and, as mentioned, deployment of a statewide online chat problem-resolution platform. Funding will also support integration with existing document assembly programs, identity management solutions, and e-filing systems at local trial courts throughout the state.

The portal will use methods such as branching logic, video tutorials, gamification, and will support computers, tablets, and smartphones to ensure access via mobile devices.

Benefits to court users and courts:

Convenience – The Internet is available 24/7. Californians will benefit from the convenience of being able to research, file, and track their divorce, custody, guardianship, unlawful detainer/landlord-tenant, restraining orders, and small claims cases online.

Accuracy – Guided, interactive forms and tutorials will ensure that Californians have greater control of how forms and information must be transmitted to the courts. Workflow and program logic will minimize opportunities for user error.

Document Retention – Users of the statewide e-Services Web Portal will be able to create accounts and save in-progress documents to complete at a later date. Secure user accounts will also ensure privacy and security.

Consistency – Courts will benefit from receiving consistently completed forms to expedite case flow and case management.

When a single, statewide unified self-represented litigant portal is implemented:

Analysis of Problem

- Information and instruction will be available anywhere, anytime, to everyone seeking assistance.
- Interactive “smart forms” and online chatbots will provide answers to questions 24/7 and ensure users are successfully completing legal forms without error.
- Where available, users will be able to e-file completed forms to the respective trial court.
- User accounts will enable users to save and retrieve documents until they are complete and ready for filing.

E. Outcomes and Accountability

The statewide Self-Represented Litigants e-Services Web Portal will be scalable so that all trial courts across California will be able to integrate with the portal and provide localized information.

Californians will benefit from a single point of entry to begin researching and resolving their legal issues. The portal will aim to provide users with an end-to-end customer journey beginning with education about specific case types, and culminating with the ability to file a case in their local trial court.

Courts will benefit from a reduction in unnecessary visits to the courthouse, which will allow existing Family Law Facilitators and other court agents to provide more in-depth assistance to those with more complex needs. The portal will help reduce foot traffic and save customers time and money in costly transportation and parking costs.

By reducing the overall cost-per-transaction, courts will benefit from greater operational efficiency and the ability to spend more time helping court users with complex needs, rather than tending to routine requests that could be better handled on line, rather than “in line.”

F. Analysis of All Feasible Alternatives

Alternative #1: Status Quo: Do not provide funding for a statewide e-services portal for self-represented litigants.

Pros:

- Does not require additional commitment of General Fund resources.

Cons:

- Fails to deliver on customer expectations to conduct court business online.
- Fails to provide a centralized, consistent, and accurate knowledge base that can help Californians complete cases without representation from an attorney.
- Fails to leverage existing technological and Internet architectures to improve operational efficiency.
- Court users would not benefit from the efficiencies of a single, one-stop legal resolution portal and more hours will continue to be wasted lining up at courthouses to resolve routine issues that might have been more easily handled online.

Alternative #2: Provide a General Fund augmentation of \$1.9 million in 2018-19, \$600,000 in 2019-20, and 4.0 positions at the Judicial Council of California to design, build, and maintain a statewide Self-Represented Litigants e-Services Web Portal.

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Pros:

- Saves a modest amount of \$500,000 in up-front investment by initially omitting a customizable online dispute resolution engine and delaying deployment of an intelligent online chatbot engine
- Simplifies deployment of the portal by reducing overall technical and business requirements.

Cons:

- Will require a commitment of additional General Fund resources.
- Reduces value of overall solution by eliminating a significant efficiency: namely, ability to ask questions and receive answers online, by typing into a chat box.
- Reduces value of overall solution by eliminating a leading online dispute engine that could transform the way most Californians resolve conflicts. A customizable online dispute resolution engine could prevent the need for parties to sue and litigate, and so without this component, an opportunity to offer alternative dispute resolution would be missed.

Alternative #3:

Provide an augmentation of \$3.236 million in 2018-19, \$1.9 million in 2019-20, \$709,000 ongoing beginning in 2020-21, and 4.0 positions at the Judicial Council of California to design, build, and maintain a statewide Self-Represented Litigants e-Services Web Portal.

Pros:

- The public will have access to 24/7 legal and procedural information to assist those who either chose not to, or cannot afford to, hire legal representation.
- Will provide a centralized repository of up-to-date and current information, curated and managed by Judicial Branch staff and attorneys.
- Users will have secure account access to save documents and track progress in any given litigation.
- Provides equal and expanded access to justice, regardless of where in the state an end-user resides.

Cons:

- Will require a commitment of additional General Fund resources.
- Implementation requires up-front staff resources from across all areas of the Judicial Branch, including operations, courtroom, and information technology.

Analysis of Problem

G. Implementation Plan

A tentative Implementation timetable is provided below:

2017-18	Publish a Self-Represented Litigants e-Services Request for Information to inform this proposal (completed).
2018-19	Gather and document technical and business requirements. Publish Request for Proposals.
2019-20	Select and execute vendor agreements. Develop instructional content and interactive tutorials, fillable forms, and e-filing interfaces for up to four case types. Configure and deploy chatbot. Complete site information architecture and visual design. Launch beta site.
2020-21	Configure and deploy a customized Online Dispute Resolution Engine. Complete instructional content for all remaining case types. Integrate with statewide Identity Management platform, document assembly, and electronic filing service providers.

H. Supplemental Information

Futures Commission Final Report (<http://www.courts.ca.gov/documents/futures-commission-final-report.pdf>)

I. Recommendation

The Judicial Council recommends alternative #3, a General Fund augmentation of \$3.236 million in 2018-19, \$1.9 million in 2019-20, and \$709,000 ongoing beginning in 2020-21, to design, build and deploy a statewide Self-Represented Litigants e-Services Web Portal, including 4.0 positions to support critical, day-to-day operational and functional tasks. The proposed statewide Self-Represented Litigants e-Services Web Portal will provide Californians with a central, one-stop shop for legal and procedural information to better prepare and educate court users. This portal will also represent a huge step forward in enhancing access to justice and in delivering a complete end-to-end customer journey, enabling court users to successfully complete complex legal forms and even file cases through the portal itself.

BCP Fiscal Detail Sheet

BCP Title: Self-Represented Litigants e-Services Web Portal

BR Name: 0250-302-BCP-2018-A1

Budget Request Summary

	FY18					
	CY	BY	BY+1	BY+2	BY+3	BY+4
Personal Services						
Positions - Permanent	0.0	4.0	4.0	4.0	4.0	4.0
Total Positions	0.0	4.0	4.0	4.0	4.0	4.0
Salaries and Wages						
Earnings - Permanent	0	404	404	404	404	404
Total Salaries and Wages	\$0	\$404	\$404	\$404	\$404	\$404
Total Staff Benefits	0	230	230	230	230	230
Total Personal Services	\$0	\$634	\$634	\$634	\$634	\$634
Operating Expenses and Equipment						
5301 - General Expense	0	53	10	1	1	1
5302 - Printing	0	4	4	4	4	4
5304 - Communications	0	5	5	5	5	5
5306 - Postage	0	2	2	2	2	2
5320 - Travel: In-State	0	6	6	6	6	6
5322 - Training	0	3	3	3	3	3
5324 - Facilities Operation	0	48	48	48	48	48
5340 - Consulting and Professional Services - External	0	1,250	0	0	0	0
5344 - Consolidated Data Centers	0	6	6	6	6	6
5368 - Non-Capital Asset Purchases - Equipment	0	1,225	1,185	0	0	0
Total Operating Expenses and Equipment	\$0	\$2,602	\$1,269	\$75	\$75	\$75
Total Budget Request	\$0	\$3,236	\$1,903	\$709	\$709	\$709

Fund Summary

Fund Source - State Operations						
0001 - General Fund	0	3,236	1,903	709	709	709
Total State Operations Expenditures	\$0	\$3,236	\$1,903	\$709	\$709	\$709
Total All Funds	\$0	\$3,236	\$1,903	\$709	\$709	\$709

Program Summary

Program Funding

0140010 - Judicial Council

Total All Programs

0	3,236	1,903	709	709	709
\$0	\$3,236	\$1,903	\$709	\$709	\$709

Personal Services Details

		Salary Information								
		Min	Mid	Max	<u>CY</u>	<u>BY</u>	<u>BY+1</u>	<u>BY+2</u>	<u>BY+3</u>	<u>BY+4</u>
Positions										
	VR00 - Various (Eff. 07-01-2018)				0.0	4.0	4.0	4.0	4.0	4.0
Total Positions					0.0	4.0	4.0	4.0	4.0	4.0
Salaries and Wages					CY	BY	BY+1	BY+2	BY+3	BY+4
	VR00 - Various (Eff. 07-01-2018)				0	404	404	404	404	404
Total Salaries and Wages					\$0	\$404	\$404	\$404	\$404	\$404
Staff Benefits										
	5150900 - Staff Benefits - Other				0	230	230	230	230	230
Total Staff Benefits					\$0	\$230	\$230	\$230	\$230	\$230
Total Personal Services					\$0	\$634	\$634	\$634	\$634	\$634