### **APPENDIX D**

## REPORT OF THE VISITING COMMITTEE ON MANAGING WITH DATA IN THE MASSACHUSETTS TRIAL COURT (NOVEMBER 2017)

## **REPORT OF THE VISITING COMMITTEE** ON MANAGING WITH DATA IN THE MASSACHUSETTS TRIAL COURT

David G. Fubini, Chair Bradford Brown Heidi K. Gardner, Ph.D. Arlene Zalayet, Esq.

NOVEMBER 2017

## **Table of Contents**

I.	Executive Summary 1			
	A.	Key I	Findings	
	B.	Key I	Recommendations7	
II.	Detailed Recommendations			
	<b>A.</b>	Gove	Governance	
		1.	The integration of data analytics into all aspects of the Trial Court's operations must be pushed collaboratively on all fronts, so that it becomes a widely shared cultural imperative	
		2.	The IT Governance Committee overseeing the Trial Court's technology purchases, modifications, and investments should become more transparent, be driven by the business needs as determined by entire court leadership, and produce prompt decisions on IT requests that are explained on the basis of well-understood principles	
		3.	Systems tailored to the Probation Department's needs should be identified and the appropriate resources devoted to quickly interface those technologies with the MassCourts system10	
		4.	The Court Administrator should focus attention on the delivery of tangible benefits to and enhancements of existing information systems, particularly in regard to future modifications to MassCourts, even if doing so requires forceful action	
	B. Data Collection		Collection	
		5.	The importance of data accuracy should be clearly communicated to all staff responsible for inputting raw data—to promote understanding of why data accuracy is important to the long-term goals of the court system and how data affects important decisions—and quality controls should be implemented to ensure data accuracy	
		6.	The Chief Justice of the Supreme Judicial Court, the Chief Justice of the Trial Court, and the Court Administrator should consistently incorporate and emphasize the importance of data collection and analytics in their overall messaging, both within and outside the Trial Court, and explain their importance to the mission of the Trial Court	

	7.	The long-promised data mart should receive far greater priority and urgent focus, as the Trial Court must enable users to obtain real-time, customized data search results, in order to support and foster a data-driven management culture		
	8.	Court leaders should take the necessary steps to reform vendor management systems so as to improve and ensure vendor accountability for the effective and timely delivery of technological solutions		
C.	Anal	Analytics and Reporting		
	9.	Court leaders should take the necessary steps to build confidence in the court system's data, to engender managers' trust and ensure that all functional units within the system embrace and rely on data analysis in their oversight of the courts' business		
	10.	Leadership teams should have access to clean, updated, and easily digestible data that can be viewed on a user-friendly computer-screen "dashboard" and captured in user-generated reports		
	11.	MassCourts' functionality should be consistent throughout the various Departments of the Trial Court, permitting each to access data and shape reports to serve its specific needs		
	12.	The user interface of MassCourts should be improved to increase usage, user confidence, and efficiency		
	13.	DRAP should be encouraged, supported, and required to expand its role from responding to data requests to proactively helping to shape the Trial Court's research agenda and supplying court leadership with insights drawn from analysis		
	14.	JISD's role should be expanded to allow and expect it to advise Trial Court leaders as to current technological functionality, develop advanced reporting tools, and make specific recommendations aimed at supporting the Trial Court of the future15		
D.	Lead	ership Teams16		
	15.	Court leaders should be equipped with integrated tools that give them the ability to seamlessly schedule events and allocate resources in real time		

16.	Deputy Court Administrators should be encouraged to work more	
	collaboratively across Departments and more directly with the	
	Court Administrator, as well as with their Departmental Chief	
	Justices, to promote systemic improvements in the use of data to	
	guide managerial decision-making.	16

#### 

## **List of Appendices:**

Appendix 1:	Visiting Committee Charter
Appendix 2:	Visiting Committee Member BiographiesApp. 2-1
Appendix 3:	Visiting Committee Meetings and InterviewsApp. 3-1
Appendix 4:	Massachusetts Trial Court Organizational ChartApp. 4-1
Appendix 5:	Department of Research and Planning Organizational ChartApp. 5-1
Appendix 6:	Judicial Information Systems Department Organizational ChartApp. 6-1
Appendix 7:	MassCourts TimelineApp. 7-1

## **REPORT OF THE VISITING COMMITTEE** ON MANAGING WITH DATA IN THE MASSACHUSETTS TRIAL COURT

David G. Fubini, Chair Bradford Brown Heidi K. Gardner, Ph.D. Arlene Zalayet, Esq.

NOVEMBER 2017

#### I. <u>Executive Summary</u>

On September 26, 2016, the Court Management Advisory Board ("CMAB"), in consultation with and at the request of the Trial Court and the Supreme Judicial Court, issued a charter for the creation of an external Visiting Committee on Managing with Data (the "Committee").<sup>1</sup> The Committee members were appointed and charged with conducting an independent, targeted assessment of the uses of data analytics by a range of managers in different roles within the Trial Court.<sup>2</sup> To provide that assessment, the Committee met with numerous stakeholders steeped in the Trial Court's uses of data, including those who supervise the case-related data collection and input process, those who manage the technological platforms that allow the data collection, reporting, and analytics, those charged with the creation and reporting of the data, and the judges, clerks, and other managerial personnel who rely on that data to make resource allocation determinations and manage significant caseloads.<sup>3</sup>

The work of the Committee was welcomed and consistently well-supported by the Trial Court leadership. Our work was also greatly assisted and enhanced by the candid, frank, and valuable observations made by the various stakeholders with whom we met – all of whom demonstrated their commitment to the core mission of the Trial Court and their willingness to seek out and implement best practices to reduce waste, maximize efficiency, and, ultimately, improve the Commonwealth's judicial system. The Committee was impressed by the evolving and growing comfort of many court leaders with a management model that relies on the thoughtful use of data and analytics to make smart and effective use of the limited operational resources of the Trial Court, in order to advance systemic strategic goals. This commitment, and the clear evidence of an increasing receptiveness to and desire for more robust data analytics, is an encouraging sign of important progress within the management culture of the Trial Court.

<sup>&</sup>lt;sup>1</sup> The charter for the Committee's work is attached as **Appendix 1** to this report.

<sup>&</sup>lt;sup>2</sup> Biographies of the Committee members are included as **Appendix 2** to this report.

<sup>&</sup>lt;sup>3</sup> The Committee convened for a kick-off meeting on January 13, 2017. It reviewed various reference materials and conducted panel interviews of various court stakeholders over five days between February 19 and May 10, 2017, following which the Committee conferred on several occasions. A list of the Committee's meetings and interviews with court personnel is included as **Appendix 3** to this report, and, for general reference, the Trial Court's organizational chart is attached as **Appendix 4**. The Committee presented its findings and recommendations to the Chief Justice of the Trial Court, Paula M. Carey, the Court Administrator, Jon Williams, and the CMAB, at a meeting on June 26, 2017. This report memorializes the Committee's findings and recommendations.

Increasingly, managers throughout the court system do not view data collection and analysis as a deterrent or distraction, but rather as a critically necessary foundation of improvement in the timely and effective administration of justice. This potentially transformational shift has put Massachusetts on par with, and in some ways several dimensions ahead of, many peer state court systems. Our state court system is well-positioned to leverage the demographic shifts that will be reflected in judges, clerks, and professional staff who are increasingly comfortable and facile with the use of modern technologies and their capabilities, and have direct experience in working with data and document management systems. Significantly, however, the shift to embracing data and the analysis and insights it can offer as a managerial tool for improving performance of essential functions is creating new challenges as well as new opportunities for the Trial Court. Indeed, the increasing appreciation of the value of data analytics as a tool for driving operational improvements is not only a source of inspiration and positive motivation; it is also a source of considerable frustration for many data users who encounter difficulties and sometimes inexplicable obstacles to their efforts to obtain reliable and user-friendly data when they want and need it. Unless and until these obstacles are effectively addressed, many current opportunities for achieving a consistently evidence-based and datadriven culture of Trial Court management and administration will remain at risk.

Addressing these concerns effectively will require an immediate, clear, and insistent prioritization of the need for access to pertinent, accurate information in a quality fashion, in an accessible form, and in a timely manner that allows court managers to undertake their own direct queries of the data. Such access is necessary to empower users, throughout the system, to garner greater insights on their own court actions and to enable operating units to create "dashboard" displays of user-friendly, easily readable, operations-critical data on desktop computer screens in formats that are tailored to the particular users' needs, as well as other accessible data visualizations that support smart triage decisions with respect to the utilization of scarce resources and promote useful insights with respect to caseload management. Enhancing the systemic capacity for such granular usage of data analytics will also stem the nearly constant demands for the central information technology and research operations to provide individuallytailored reports that fail to provide system-wide benefits and are heavily resource-dependent. The Committee offers the findings and recommendations contained in this report with the hope that they will be useful to the ongoing efforts by court leadership to move all parts of the judicial system further and faster in the direction of making effective use of data analytics to gain new insights that will enhance the management of court operations. We also hope that this report will highlight the need for net new investments (beyond any that can realistically be achieved by reallocating existing budget resources) in areas such as data intelligence and other software support that is readily available in today's IT marketplace.

#### A. Key Findings

The more than decade-long effort to install and operationalize the Trial Court's case management system, "MassCourts," combined with the pace of acceptance of the use of data analytics to manage individual courts in the face of consistent budget constraints, has prevented the Trial Court from making much-needed investments in cutting-edge technology and user

platforms.<sup>4</sup> In turn, this has constrained the implementation of an effective and efficient datadriven management system. The Trial Court's October 2016 Strategic Plan 2.0 is laudable for its vision and thorough analysis of the myriad systems of the Trial Court, including those at issue here concerning the use of data. However, it does not-and perhaps cannot-prescribe all of the steps necessary to implement that strategy through an effective use of system-wide data analytics. Throughout the Committee's meetings with court leadership and staff, certain aspects of the Trial Court's desire for and current use of data analytics and related analytic tools were apparent, including the clear technological limitations of existing tools and systems. For example, there has been a nearly three-year effort to create a functional "data mart" – a subset of a data warehouse (which is common to all large enterprise-wide data IT systems) that is designed to provide users with direct, primary access to the specific sets of data they need to view most often for their business functions. The data mart development has not only been far from a "best practice" process; its delays and complications have hampered individual courts and personnel within the system from easily accessing key data in a timely manner to manage their own operations. The data that is available is often considered inaccurate or otherwise unreliable, and it exists in a form that cannot be readily accessed and conveniently used.

The 2015 completion of the system-wide deployment of MassCourts was a major accomplishment and a long-awaited milestone in the history of the Trial Court's operations.<sup>5</sup> But the MassCourts system, in its current form, focuses on case-based data about court events and the tracking and preservation of such data, for individual case management and record-keeping purposes. While this is critically important, the Trial Court's own expectations and strategic goals for its information systems now far surpass the collection of data for case-tracking purposes alone. Court leaders and personnel throughout the system currently find the existing technology systems and tools to be lacking in important ways, and inadequate for important purposes. For example, the evolution from mere data collection and reporting to the use of data analytics as a management tool has been hampered by an absence of widely-implemented computer-screen dashboards that display essential operational data that can be used to impact decision-making and drive behavior in real time. As a consequence, and especially in our increasingly tech-savvy society, many court users remain frustrated with the shortcomings of the data that is readily available to help them do their jobs.

Through the course of its interviews, the Committee heard recurring concerns and comments that can be loosely grouped under the headings of Governance, Data Collection, Analytics and Reporting, and Leadership Teams. Our findings are presented in terms of those same categories. We must paint with a broad brush, as these findings reflect generalizations on the basis of an inherently limited assessment of a large and complex constellation of variegated managerial units. For that reason, the following findings should be understood *not* as assertions

<sup>&</sup>lt;sup>4</sup> MassCourts is a web-based case management and data system which replaced 14 different legacy systems that were previously used in different parts of the Trial Court. MassCourts is used to record and share case-related data, with a focus on tracking the status and progress of cases and the timeliness of case events and dispositions. According to the Trial Court's year-end report for fiscal year 2016, MassCourts contained data on some 22 million cases, 48.2 million calendar events, and 15.2 million scanned documents.

<sup>&</sup>lt;sup>5</sup> For historical reference, a timeline of the deployment of MassCourts in the Trial Court is attached to this report as **Appendix 7**.

of monolithic facts, but rather as the Committee's distillation of recurrent themes that emerged through our discussions with various stakeholders.

	-
Governance	• While there has been a marked increase in judges who recognize a managerial component to their judicial duties, some have not embraced this recognition, and as a result, judges have not uniformly accepted the notion that data can assist them in their work. To quote one stakeholder, more needs to be done by way of "informing the judges" to enable their thoughtful use of data in all aspects of their jobs.
	• The data-driven management model is not widely understood to be among the highest values that the top court leadership is insistently and urgently prioritizing as a cultural imperative.
	• MassCourts remains a continuing source of frustration. Its rollout was long and uneven, with some Departments having obtained a more robust, feature-rich form of MassCourts while others are still working with earlier iterations or are unaware of more recent enhancements. This has led to angst and frustration within and between the Departments, and there is a noted and widespread lack of awareness concerning some of the more advanced features, particularly as they pertain to desired reporting.
	• The user community has been understandably frustrated with their experiences of the process by which funding allocations and priority-setting decisions concerning new IT spending decisions have been made. They have experienced this process as lacking in transparency and not clearly based on widely understood principles for prioritization among competing IT needs.
	• Training for MassCourts and the updated functionality has been sporadic and insufficiently comprehensive, which has left many users unsure or unaware of the system's current full potential.
	• The Probation Department's technology needs vary dramatically from those of seven Trial Court Departments, and in some respects, the Probation Department is more advanced in its utilization of data to drive its daily work. The technology tools identified by the Probation Department as best suited for its purposes have not been smoothly or fully integrated with MassCourts, however, which is a systemic shortcoming.
Data Collection	• Data entry accuracy is inconsistent. Staff responsible for entering and coding raw data have been trained differently at different times, and/or do not always understand the data's future uses or its importance for strategic decisions of consequence. Because of doubts about data integrity, reports of aggregated data are viewed

		with some skepticism. While efforts to address these training challenges are underway, the complexities of the user interface for inputting data continue to pose challenges.
	•	Distrust of the accuracy of various case metrics exists at the level of the top leadership within some Trial Court Departments, as well as within courthouse leadership teams. This distrust can feed into a general reluctance to rely on data in making operational decisions.
	•	The need for more training and the need for a more intuitive, user- friendly interface for data entry are among the many areas where investments of additional financial resources are needed.
	•	At the local courthouse level, there is varying appreciation of the utility of data collection and analytics, and varying degrees of constructive collaboration within courthouse teams to optimize the collection and harnessing of useful data. Some understand that data and analytics can improve efficiencies, reduce the need for institutional resources, and beget free time for use elsewhere. Others have not embraced this view.
	•	Some court staff fear that advanced data analytics will lead to greater efficiency, fewer staff requirements, reduced budget needs, and reductions of force. This fear, which reflects a failure to appreciate that "when we work smarter, we can reallocate resources to higher priorities," creates negative incentives that demotivate staff to accurately collect and report data.
Analytics and Reporting	•	The Department of Research and Planning ("DRAP") is capable of responding to analytical inquiries, but is insufficiently staffed to fulfill all inquiries as needed. <sup>6</sup>
	•	DRAP functions to a considerable degree as a service bureau that is expected to respond to requests for information. It has not been effectively required and/or sufficiently staffed to assume a primary responsibility to define and pursue research and planning work proactively, independently, and strategically. This arrangement does not take full advantage of DRAP's unique and critical vantage point at the intersection of many streams of information.
	•	Similarly, the Judicial Information Services Department ("JISD") functions to a considerable degree as a service bureau that solves IT problems and acts in response to IT requests. <sup>7</sup> This expectation, which has been driven for many years by immediate

<sup>&</sup>lt;sup>6</sup> The DRAP organizational chart is attached to this report as **Appendix 5**.

<sup>&</sup>lt;sup>7</sup> The JISD organizational chart is attached to this report as **Appendix 6.** 

	and pressing needs, does not promote the opportunity for JISD to work collaboratively with DRAP to be more forward-thinking and proactive in developing new system functionalities for the court system of tomorrow.
	• In the Superior Court, some judicial managers and court staff feel that they had better access to necessary case-related data and more control over important reporting features with their prior program ("ForeCourt") than they now have with MassCourts. Other court departments did not use ForeCourt, but many still miss the perceived advantages of "old systems," despite their obvious limitations, as MassCourts presents users with new challenges.
	• Many Trial Court managers feel that the current version of MassCourts does not support the generation of data reports that sufficiently focus on individual courts, judges, types of cases, types of case events, etc., in a manner that is sufficiently timely, reliable and useful. A similar concern exists pertaining to the quarterly data reports that are received from the Trial Court's Office of Court Management. In some cases, greater aggregation of data is desired, while in other cases, greater data granularity is desired.
	• The lack of a truly functional data mart means the system lacks adequate means to assess and report real-time performance, most notably in the absence of dashboards configured to provide visualizations of current information and to allow users to generate reports based on ad hoc inquiries. It also means there is insufficient support for predicting future court staffing and resource allocations based on past needs.
	• The development and deployment of a functional "data mart" has been persistently delayed for reasons that remain opaque to many affected court data users, which has strained the patience of many people and contributed to a continuing skepticism about the Trial Court's systemic facility with data.
Leadership Teams	• Both at the Departmental leadership level and within each courthouse, leadership teams seek increased functionality of the Trial Court's information system in order to conduct the work of the court system better and more efficiently. Tools for assessing and managing caseloads on a Department-wide basis in real time, creating real-time calendars for allocating courtroom resources, and enabling better or additional interfaces with information systems outside the Trial Court, such as Registry of Motor Vehicles records, were among the desired functionalities identified to the Committee. Many of these functionalities will require additional funding, but these should be manageable

investments that could yield large benefits to the system.
• Throughout the system, there are tensions and differing views as to who is entitled – and who needs – to create, control, and have direct access to what court data. Office of Court Management staff (including DRAP and JISD), the Chief Justices and Deputy Court Admininistrators ("DCAs") of various Departments, the Probation Department, First Justices, elected and appointed Clerks and Registers, and other court staff expressed a range of sometimes competing perspectives on this point, some of which were linked to opinions about public access to data.
• The role of the DCAs in supporting progress towards an enhanced ability to manage with data has not yet been fully optimized. Most DCAs consider themselves to be primarily accountable to their Department Chiefs and are focused on the needs of their individual Departments, and while this Departmental focus is essential, it is equally essential for the DCAs to work collaboratively with one another as cross-Departmental partners and as direct reports to the Court Administrator. This kind of matrix organizational structure with dual reporting relationships, while not unusual, requires clarification and reinforcement of the need to focus on system-wide as well as unit-specific goals.

## **B.** Key Recommendations

The Committee's recommendations are aimed at facilitating the Trial Court's ongoing transition from the stage of collecting data and tabulating and reporting metrics to the more sophisticated uses of data analyses to gain insights that will guide management decisions, which many Trial Court leaders already expect and increasingly require.

Governance	1. The integration of data analytics into all aspects of the Trial Court's operations must be pushed collaboratively on all fronts, so that it becomes a widely shared cultural imperative. Judges, clerks, and staff should all be expressly encouraged to work together with urgency to embrace and enhance the collective gathering, reporting, and utilization of data, in service of the goal of better managing the business of the courts.
	2. The IT Governance Committee overseeing technology purchases, modifications, and investments should build on its recent reorganization to become more transparent, be driven by the business needs as determined by court leadership, and produce prompt decisions on IT requests that are explained to the requestors on the basis of well-understood principles.

	<ol> <li>The efforts to tailor systems to the Probation Department's unique needs, relative to the trial courts, should be intensified and appropriate resources should be devoted to quickly interface those technologies with the MassCourts system. Due to the difference between the Probation Department's technological needs and those of the rest of the Trial Court, the Court Administrator should consider oversight and investments for Probation Department technologies separately, but with an eye towards integration with MassCourts.</li> <li>The Court Administrator should focus attention on the delivery of</li> </ol>
	4. The Court Administrator should focus attention on the delivery of tangible benefits to and enhancements of existing information systems, particularly in regards to future modifications to MassCourts, even if doing so requires forceful action, such as terminating relationships with persistently underperforming vendors.
Data Collection	5. The importance of data accuracy should be clearly communicated to all staff responsible for inputting raw data—to promote understanding of why data accuracy is important to the long-term goals of the court system and how data affects important decisions—and quality controls should be implemented to ensure data accuracy.
	6. The Chief Justice of the Supreme Judicial Court, the Chief Justice of the Trial Court, and the Court Administrator should consistently emphasize the importance of data collection and analytics in their overall messaging, both within and outside the court system, and continuously make the case for the importance of enhanced data analytics to the mission of the Trial Court.
	7. The long-promised data mart should receive far greater priority and urgent focus, as the Trial Court must enable users to obtain real-time, customized data search results, in order to support and foster a data-driven management culture.
	8. Court leaders should reform vendor management systems to improve and ensure vendor accountability for the effective and timely delivery of technological solutions. Failure to timely provide promised solutions or meet important deadlines should not be accepted, and may warrant replacing a non-performing vendor.
Analytics and Reporting	9. Court leaders should take the necessary steps to build confidence in the court system's data, to engender managers' trust, and to ensure that all functional units within the system embrace and rely on data analysis in their administration of the courts' business.
	10. Leadership teams should have access to clean, updated, and easily digestible data that can be displayed on a user-friendly

	computer-screen "dashboard" and captured in user-generated reports.
	11. MassCourts' functionality should be consistent throughout the various Departments and functional units of the Trial Court, permitting each to access data and shape reports to serve its specific needs.
	12. The user interface of MassCourts should be improved to increase usage, user confidence, and efficiency.
	13. DRAP should be encouraged, supported, and required to expand its role from responding to data requests to proactively helping to shape the Trial Court's research agenda and supplying court leadership with insights drawn from analysis.
	14. JISD's role should be expanded to empower it to proactively and strategically advise Trial Court leaders as to current technological functionality, develop advanced reporting tools, and make specific recommendations aimed at supporting the Trial Court of the future.
Leadership Teams	15. Court leaders should be equipped with integrated tools that give them the ability to seamlessly schedule events and allocate resources in real time.
	16. Deputy Court Administrators should be encouraged to work more collaboratively across Departments and more directly with the Court Administrator, as well as with their Departmental Chief Justices, to promote systemic improvements in the use of data to guide managerial decision-making.

### II. <u>Detailed Recommendations</u>

#### A. Governance

1. <u>The integration of data analytics into all aspects of the Trial Court's</u> <u>operations must be pushed collaboratively on all fronts, so that it</u> <u>becomes a widely shared cultural imperative</u>.

Judicial leaders are keenly aware that their management decisions are constrained and impacted by budgetary realities. However, there appears to be untapped potential for increasing efficiencies throughout the system. Court management should place greater emphasis on the areas of needed collaboration as these efforts will free up resources that can be deployed to other areas in need. A primary aim of managing with data is to tie decisions to related data — the data must be relational. The use of data analytics for purposes of case management and the deployment of judicial resources must go hand in hand with the use of data analytics for administrative operations throughout the court system. 2. <u>The IT Governance Committee overseeing the Trial Court's</u> <u>technology purchases, modifications, and investments should become</u> <u>more transparent, be driven by the business needs as determined by</u> <u>entire court leadership, and produce prompt decisions on IT requests</u> <u>that are explained on the basis of well-understood principles.</u>

Resource decisions should be driven by the business needs of the Trial Court. In 2016, the Massachusetts Court Technology Visiting Committee called for a governing structure to direct JISD's overall activities, including decisions around which technologies to purchase, modify, upgrade, or customize across requests made by varying departments. However, the decisions of the Trial Court's IT Governance Committee, at least as it has operated until very recently, have widely been seen as opaque, causing many personnel to seek independent workarounds rather than pursuing formal requests through the committee. Those who submit requests frequently seem to lack a clear sense of how competing IT requirements are ranked, and why some requests are approved while others are denied. And the process has often taken too long, at times for reasons that are attributable or attributed to the vendors with which the IT Governance Committee works, and at times for other reasons.

The Visiting Committee understands that the Trial Court has recently undertaken to expand the membership and revise the procedures of the IT Governance Committee, with the goal of providing more robust inputs and greater transparency in the decision-making. Certainly, the need for such a change was apparent. The IT Governance Committee should operate in a way that openly prioritizes the business needs of the Trial Court. Court leaders, in particular the Chief Justices and Deputy Court Administrators, should be charged with determining asset allocation and choosing capital investments on the basis of increasing workflow and efficiencies, with an eye towards technology available to the public and private sectors. In the process, JISD and DRAP should play integral roles by providing insight and advice concerning the current state of the system's technology. Most important, however, is the need for the IT Governance Committee to clearly and promptly convey its decisions directly to the person making the request. That communication must explain the reasons for the committee's decision. The process for submitting requests, the factors considered in determining whether to grant the request, the status of a pending request, and the timeliness of and basis for the response to a request should all be easily understood and followed by the relevant stakeholders.

3. <u>Systems tailored to the Probation Department's needs should be</u> identified and the appropriate resources devoted to quickly interface those technologies with the MassCourts system.

The Probation Department requires technologies that are distinct from those used by the seven judicial departments of the Trial Court, largely because of the Probation Department's responsibilities to monitor individuals after the resolution of their criminal cases. The MassCourts system focuses on tracking pending cases rather than individual litigants, whereas the Probation Department's reporting system focuses on the post-case progress and status of individuals. As a result, different technologies are required to efficiently input, track, and analyze the necessary data.

Probation Department leaders have proactively taken steps to identify appropriate technologies that will enhance and improve their work in an efficient manner. They should be encouraged to continue to do so, especially to identify those technologies that will allow them to prioritize higher-risk individuals. Initially, the Probation Department's current technologies should be integrated into MassCourts. In the future, the Trial Court leadership should pay particular attention to the different technological needs of the Probation Department and ensure that any oversight or investment decisions take into account the interfacing issues that may arise between MassCourts and newer technology.

4. <u>The Court Administrator should focus attention on the delivery of</u> <u>tangible benefits to and enhancements of existing information systems,</u> <u>particularly in regard to future modifications to MassCourts, even if</u> <u>doing so requires forceful action.</u>

The new Court Administrator, Jonathan Williams, must use the occasion of his hiring and his experience from outside Massachusetts to forcefully accelerate the Trial Court's ability to deliver timely data management solutions. The Court Administrator must shepherd the Trial Court through a series of changes designed to ensure that Massachusetts is a leader in managing with data. To do so, forceful action may be necessary. The groundwork for change has been laid by his predecessor, Harry Spence, who invested significant time and energy in corralling support for these changes. Now is the time to take advantage of the cultural alignment and the stagesetting that has been achieved over the past ten years. The pace of change simply has to be dramatically accelerated.

### **B.** Data Collection

5. The importance of data accuracy should be clearly communicated to all staff responsible for inputting raw data—to promote understanding of why data accuracy is important to the long-term goals of the court system and how data affects important decisions—and quality controls should be implemented to ensure data accuracy.

Many end-users of the data do not trust that the data has been properly coded in MassCourts. User confidence depends on working with trustworthy data sets, which require established quality control procedures. Notably, the concern is generally not with capturing *more* data. Rather, users did not have confidence in the quality of the data, and many users described circumstances in which they knew the data was wrong, but they could not readily identify the source, nature, or extent of the error, much less the solution. As one person explained, "It's hard with MassCourts to find out where the data went wrong."

JISD should take a proactive role in regularly working with data entry staff to ensure their ability to fully and effectively enter various data points and to understand the eventual use and importance of the coded data. Due to staff changes and the recent roll-out of MassCourts, these trainings should be considered an evolving process allowing users to initially grasp the basic functions of MassCourts and later develop more advanced skills once they have acquired a basic familiarity with the program. Such trainings could be used to enhance the quality of data entry in terms of completeness, correctness, and consistency, with appropriate attention to the clarification of potentially ambiguous or confusing coding options, and the promotion of specific data entry procedures that will minimize opportunities for error.

6. <u>The Chief Justice of the Supreme Judicial Court, the Chief Justice of</u> <u>the Trial Court, and the Court Administrator should consistently</u> <u>incorporate and emphasize the importance of data collection and</u> <u>analytics in their overall messaging, both within and outside the Trial</u> <u>Court, and explain their importance to the mission of the Trial Court.</u>

It is essential that top court leaders effectively communicate their expectations and goals relating to data-driven management. The message must go beyond general pronouncements that statistical analysis is important to the mission of the Trial Court. Court leaders should articulate and demonstrate, with specific examples, that the efficiencies gained through data-driven management will increase the time and resources that can be expended on high-priority projects and improve the quality of the services provided by the Trial Court. Court leaders should emphasize the point that managing with data will free up judges and staff to focus on the most important aspects of their jobs. This is not a matter of simply telling the hard-working and under-resourced Trial Court personnel in courthouses across the Commonwealth that they can and must do better, of course. To the contrary, the recommended "messaging" by leadership on the subject of managing with data should amount to the effective sharing of a fundamental vision and strategy for how working differently and more deeply with data can be used to address operational burdens and so help the courts to "produce more justice," together with the offering of related encouragement and concrete support.

7. The long-promised data mart should receive far greater priority and urgent focus, as the Trial Court must enable users to obtain real-time, customized data search results, in order to support and foster a datadriven management culture.

It is essential that the Trial Court have a functional data mart that will allow users direct access to the real-time results of customized data searches that are designed to isolate helpful information. To effectively manage with data, managers must have ready access to recent, reliable, pertinent data. Currently, MassCourts does not have the capability to provide decision-makers with this information, and this shortcoming substantially reduces the ability of court managers at all levels to respond quickly and appropriately to changing circumstances. Generating one's own data sets is well within the purview of a normally-functioning data mart, and this functionality must be made available to the Trial Court. The lack of a functional data mart has been a problem of several years' standing that has discouraged and eroded confidence in the Trial Court's information technology and systems. An immediate solution should be a top priority.

8. <u>Court leaders should take the necessary steps to reform vendor</u> <u>management systems so as to improve and ensure vendor</u> <u>accountability for the effective and timely delivery of technological</u> <u>solutions.</u>

Part and parcel of the urgent need to create a data mart is the requirement that the vendor responsible for delivering the data mart is held accountable and managed effectively through the Trial Court's vendor management system. In the course of the Committee's interviews, it became clear that the current vendor management process is severely lacking. If a vendor is not able to provide a timely solution to a problem or deliver the contracted-for functionality, then the Trial Court must be able to review its vendor service arrangements and, where necessary, remove and replace non-performing vendors.

## C. Analytics and Reporting

9. Court leaders should take the necessary steps to build confidence in the court system's data, to engender managers' trust and ensure that all functional units within the system embrace and rely on data analysis in their oversight of the courts' business.

It is essential that court leaders have – and are justified in having – confidence in the Trial Court's data. Various stakeholders voiced to the Committee their concerns that data is not properly coded and that data entry is non-intuitive and difficult, thereby de-valuing the resulting data reports. Part of this concern stems from the lack of effective and systemically implemented data quality control and assurance measures. To assure court leaders of the integrity of the data, sufficient quality controls must be implemented, as was also noted in the Massachusetts Court Technology Visiting Committee Report of June 2016.

10. <u>Leadership teams should have access to clean, updated, and easily digestible data that can be viewed on a user-friendly computer-screen "dashboard" and captured in user-generated reports.</u>

Without access to current data, court leadership will not have the benefit of useful predictive analysis. Providing dashboards and visualizations displaying current statistics is important in order to allow decision-makers to understand the current state of their court and identify areas where additional resources would provide the best opportunity to improve efficiencies. The dashboard data should also be subject to ready capture in user-generated reports. Many users voiced their frustration at their inability to generate their own customizable data reports.

The creation of dashboards and visualizations should be addressed in conjunction with the creation and implementation of the data mart, as they are co-dependent. As discussed above, the lack of a data mart that allows users quick and timely access to current information is a major and obvious shortcoming of the Trial Court's current system. The inability of system users to access and create reports from relevant data, directly and immediately, must be a top priority for the Trial Court, because it is impossible to make good decisions based on stale data. 11. <u>MassCourts' functionality should be consistent throughout the various</u> <u>Departments of the Trial Court, permitting each to access data and</u> <u>shape reports to serve its specific needs.</u>

The extended roll-out of MassCourts to the different departments of the Trial Court caused each department to gain access to certain features of the program at different times resulting in considerable confusion between the departments as to the full capabilities of the program. The Committee recommends the following:

- MassCourts' functionality should be consistent between the Departments of the Trial Court;
- All Departments should have access to all MassCourts functions and features, and JISD should ensure that all users are aware of the full capabilities of the program by providing ongoing trainings to reinforce best practices and explain new features;
- Each Department should be permitted to access and manipulate the data to create individualized reports; and,
- Users familiar with the functions available in the predecessor system ForeCourt should be trained to use MassCourts in a similar manner, to ensure that that they can continue to generate the types of reports on which they routinely depend.
- 12. <u>The user interface of MassCourts should be improved to increase</u> <u>usage, user confidence, and efficiency</u>.

The Committee heard from many people that the MassCourts system is dated, overly complicated, and tends to discourage use. In short, MassCourts is not user-friendly. Those working in the Trial Court want to "squeeze the best value out of MassCourts" and to "really tap all that MassCourts can do." As it is currently configured, however, they cannot easily do so. One reason is that the current user interface makes MassCourts very tough to use. In today's system-centric world, a clean and intuitively accessible user interface is a direct driver of both increased system usage and better data quality. It follows that one clear way to increase usage and better capitalize on the current workforce's technological abilities would be to change certain aspects of the "front end" of MassCourts. While there is some understandable "MassCourts fatigue" and a legitimate need to move on after finally completing the system-wide deployment of MassCourts, the Committee believes that some user-driven adjustments to the current MassCourts user interface, if feasible, would produce valuable benefits.

13. DRAP should be encouraged, supported, and required to expand its role from responding to data requests to proactively helping to shape the Trial Court's research agenda and supplying court leadership with insights drawn from analysis.

Currently, DRAP is structured and staffed to be fundamentally responsive, producing data reports and answering queries upon request. However, DRAP is currently under-utilized, given its capabilities and potential. Court data has historically been collected not for analytical purposes, but for operational ends, and the Committee consistently heard, from a range of different stakeholders, that "there is plenty of data but not enough analysis." Accordingly, DRAP's role within the organization should be expanded. DRAP should be encouraged, supported, and staffed to actively provide analytical support, acting as an innovation and research arm of the Trial Court. DRAP should help drive the research agenda for the Trial Court, in light of articulated strategic plans and priorities. It should proactively identify relevant data points, create user-friendly data reports, explain the data to court leadership, and contextualize its findings and conclusions. For example, DRAP could assist the Trial Court to determine criminal recidivism rates, or evaluate the comparative efficacy of different kinds of specialty courts. And, in presenting its reports, DRAP could explain how it determined each figure, provide the definitions it used, and engage leadership in a discussion as to the implications of the results. DRAP could also assist individual courts with redesigning process flows and implementing efficiency measures, based on data derived from similarly situated courts. While many users ultimately yearn for the ability to perform and learn from their own independent analyses, DRAP can lead and assist other users in improving the Trial Court's analytical capability.

> 14. JISD's role should be expanded to allow and expect it to advise Trial Court leaders as to current technological functionality, develop advanced reporting tools, and make specific recommendations aimed at supporting the Trial Court of the future.

JISD currently understands its role within the Trial Court as being a responsive service provider. There is good reason for this perspective. The long-planned implementation and integration of MassCourts certainly required JISD to be responsive to the needs of various users as the system was rolled out in phases, over an extended period and not in an entirely seamless fashion. Now, however, JISD can and should assume a larger role. With MassCourts now available system-wide, JISD should be in a position to dedicate staff to work both independently and collaboratively with DRAP to identify and propose reporting tools, systems, and advanced technologies to the Trial Court leadership. And the Trial Court now can and should deploy JISD's expertise and knowledge in new ways, to further advance its ability to manage with data and create greater operational efficiencies.

#### **D.** Leadership Teams

15. <u>Court leaders should be equipped with integrated tools that give them</u> the ability to seamlessly schedule events and allocate resources in real time.

Leadership teams in courtrooms across the Commonwealth yearn for integrated tools that are capable of automatically performing certain basic functions, such as scheduling the use of courtrooms and allowing for more complete case docketing. To the extent that some in leadership positions are not as familiar or facile with new technologies and data systems, they should be trained on these resources, enabling all to make the best use of recent advances and the concomitant improvements in court management. The Committee recognizes that the Trial Court's technology budget is limited, but these basic functions are indisputably necessary to a 21st century justice system. Court leaders should have access to cloud-based scheduling of personnel and courtrooms, and automated notices of scheduled court events should be issued to the necessary parties.

16. Deputy Court Administrators should be encouraged to work more collaboratively across Departments and more directly with the Court Administrator, as well as with their Departmental Chief Justices, to promote systemic improvements in the use of data to guide managerial decision-making.

The purpose of assigning each Trial Court Department a Deputy Court Administrator is to ensure that each department's operations, including case management and personnel supervision, are efficient and effective. The current structure provides that the DCAs report directly to the Court Administrator as well as to their respective Departmental Chief Justices, although in practice the DCAs consider their primary accountability as being to their Chief Justice. It is important for the DCAs to continue to report to their Departmental Chiefs, of course, but it is equally important that they report to the Court Administrator, just as the Departmental Chiefs report to the Chief Justice of the Trial Court. The DCAs are particularly well-positioned to access and analyze court data (on their own or with the assistance of DRAP), to develop insights on the basis of that analysis, and to propose potential solutions that will lead to streamlined workflows and alleviate docket congestion. Some of those insights and solutions will have system-wide implications, which may not always be readily apparent from a Department-specific perspective. For this reason, the DCAs' direct and substantial engagement with the Court Administrator on issues pertaining to managing with data, as well as the DCAs' inter-Departmental collaboration with each other on those issues, should be actively cultivated.

### III. Conclusion

The assessment by the Committee is occurring in a time of disruption in what Lucien Karpik and Terence C. Halliday call the "Legal Complex" (*i.e.*, the "collective actor" and system of lawyers, legal academics, and judges). Paper has always been a part of the culture of the courts, but the "Paper Chase" era is rapidly coming to a close, and a legal data boom is now occurring. This is happening because the markets are demanding more efficiency and cost

effectiveness from all law-related services. The courts are part of this Legal Complex and as such, they are not exempt from the impact of the current data boom and its associated demands.

Stove-piped, inaccessible, stale, or unreliable data is simply unacceptable, for purposes of meeting the needs of the Trial Court and the public. Moreover, the days of collecting data merely to report on it are over. We are now in a new era of legal data innovation and data-driven court management. This brings with it new demands and expectations that our courts do far more with the data they collect than simply report on it, and that data be harnessed and used for predictive analytics, event prediction, cognitive assistance (that is, the utilization of smart technology to assist workers in the performance of everyday activities), and more. For the Trial Court, the bad news is that many court system stakeholders today find themselves still frustrated by various systemic shortcomings affecting the availability and usability of good data for purposes of court management and administration. They are dissatisfied with the quality of the data, the clunkiness of the program interfaces, the difficulty of accessing and retrieving data, and the various other constraints that limit their ability to use data effectively for purposes of analysis, development of learning, generation of insights, and improvement of court operations.

But this is only half of the story. The good news for the Trial Court is that these very same stakeholders, under the leadership of the Trial Court, are insistently pressing for more. They are doing so, of course, because of their growing understanding of the value of data-driven court management decisions, and because of their high aspirations and expectations for what is now becoming possible for the Trial Court, in terms of managing with data. The Trial Court should now accelerate and persist in its push towards a more consistently evidence-based and data-driven culture of management and administration. The Visiting Committee hopes that its findings and recommendations will assist the leadership of the Trial Court in doing so, in service of the Trial Court's mission of delivering justice with dignity and speed.

#### **List of Appendices:**

Appendix 1:	Visiting Committee Charter
Appendix 2:	Visiting Committee Member Biographies
Appendix 3:	Visiting Committee Meetings and Interviews
Appendix 4:	Massachusetts Trial Court Organizational Chart
Appendix 5:	Department of Research and Planning Organizational Chart
Appendix 6:	Judicial Information Systems Department Organizational Chart
A	Margan Character Time line

Appendix 7: MassCourts Timeline

Final version, as approved

#### CMAB Review Charter for Massachusetts Trial Court Visiting Committee on Managing With Data

#### September 26, 2016

This document provides the charter for the "Massachusetts Trial Court Visiting Committee on Managing With Data." This Visiting Committee is being established by the Court Management Advisory Board (CMAB) in consultation with and at the request of the Trial Court and the Supreme Judicial Court. The Committee will conduct an independent, targeted assessment of the Trial Court's uses of data analytics to shape its policies and practices. In addition, the Committee will develop specific recommendations for improvements in this area, and document its findings and recommendations in a written report.

#### **Background and Context**

This Visiting Committee review is based on the premise that the business of the Trial Court demands – and deserves – evidence-based, data-driven, and user-focused management discipline. The CMAB believes that the Trial Court's use of data to shape its policies and manage its operations is particularly worthy of an independent review now in light of the following:

- 1. In 2014, the CMAB recommended that the Trial Court focus and clarify the leadership responsibility and overall accountability for knowledge management and decision analytics. The CMAB also urged the Trial Court to orient technology enhancement and work practices toward improvements in this area.
- In 2015, the comprehensive rollout of MassCourts (the Trial Court's uniform case management system) was completed. The Trial Court should now be able to track and analyze case-related data across all Departments in ways that were not previously possible.
- 3. In 2016, the CMAB organized an independent Visiting Committee review of the Trial Court's Judicial Information System Department (JISD) and the use of information technology (IT) in the court system. That effort, which yielded nine recommendations concerning IT strategy, execution, structure and culture, has provided a solid understanding of the current state of IT in the Trial Court.
- 4. The Trial Court is now embarking on the implementation of a refocused strategic plan for the next three-year period, Strategic Plan 2.0. This updated plan offers an essential framework for organization of an independent analysis of the Trial Court's utilization of data to shape its practices and improve its operations. Strategic Plan 2.0 identifies nine key goals, and the Trial Court's success in pursuing those nine goals will depend in large part on its effective use of metrics and data analytics to

drive management decisions that serve those goals. Further, Strategic Plan 2.0 is organized in terms of six subject areas or "domains" (including caseflow management, next generation technology, and organization decision-making and support) and four probation-related task forces (including probation business processes & IT) that are substantially shaped by the Trial Court's use of data.

#### Case for Review

To improve its operations, the Trial Court must make increasing use of data analytics and data-driven decision-making. This is true with respect to many core administrative functions, such as budgeting, human resources, security, and support services. It is also true with respect to the development and implementation of judicial policies and practices. Greater attention to the trends and patterns that available "big data" can illuminate will allow the Trial Court to improve the quality of its management decisions. It will also enhance the Trial Court's ability to justify and support such decisions with evidence-based rationales. For example, new justice models such as Specialty Courts need aggressive learning capture, justification based on evidence evaluation, and sharing of best practices in a standardized, systematic way.

A Visiting Committee on Managing With Data can provide a focused, independent assessment of the Trial Court's strengths, weaknesses, opportunities, and challenges with respect to knowledge management and data analytics. Such an assessment will be useful for several reasons. First, it will contribute to a better understanding of the Trial Court's available capacities and existing practices with respect to the tracking of robust and reliable metrics that are aligned with the Trial Court's current strategic goals. Second, it will enable the Trial Court to respond further to the CMAB's 2014 recommendation concerning focused leadership responsibility and overall accountability for data analytics. Third, it will complement the foundational understanding of the Trial Court's IT strategy, execution, structure, and culture that was provided by the Court Technology Visiting Committee's 2016 Report. Finally, it will offer the Trial Court constructive suggestions about aspects of management and administration that lie at the core of the Trial Court's Strategic Plan 2.0.

#### **Trial Court Coordination and CMAB Contact**

The Executive Office of the Trial Court will coordinate scheduling and information gathering for the Visiting Committee on Managing With Data. CMAB support for the review planning and process will be provided by Allen Kachalia, with back-up from Donald Oppenheimer and Lisa Goodheart, as needed.

#### **Committee Leadership and Membership**

The Visiting Committee will be comprised of external subject matter leaders who have experience in the topics and issues identified in this charter, and a CMAB liaison. David

#### 2

Fubini, a Senior Lecturer at Harvard Business School and a former Senior Director of McKinsey & Company who served on the original CMAB, will chair this Visiting Committee. Allen Kachalia, a current CMAB member and the Chief Quality Officer and Vice President for Quality & Safety at Brigham & Women's Hospital, will serve as the CMAB liaison, with back-up from CMAB member Donald Oppenheimer and CMAB Chair Lisa Goodheart, as needed. David will be responsible for identifying and recruiting other members of the Visiting Committee, in consultation with Allen and Lisa.

#### **Process Overview**

This Visiting Committee will follow the model, structure, and process used for the Court Technology Visiting Committee's work. The CMAB is the entity that will sponsor and organize the Visiting Committee, with the understanding that the Committee's work and work product will be directed toward, and designed specifically for the benefit of, the Trial Court leaders. The SJC is a key stakeholder and will be consulted during the planning phase of the work.

The Visiting Committee may choose to request advance information and determine appropriate interviews or panels. Designated SJC and Trial Court staff will work with the CMAB liaison to coordinate the schedule for the Committee's meetings and interviews.

After its review, the Visiting Committee will formulate its findings and recommendations in a written report, which may also identify topics that warrant more in-depth investigation. The Committee will deliver its report directly to the Chief Justice and the Court Administrator of the Trial Court, with copies to the SJC and the CMAB.

#### Timing

We anticipate that the Visiting Committee's development and planning phase will be completed in the fall of 2016. The Committee's data and document review, in conjunction with the interview and meeting phase, will be scheduled to take place in January 2017. Delivery of the Committee's report is anticipated in March 2017.

#### **Focus and Scope**

This Visiting Committee will assess the current state of the Trial Court's operations with respect to data and decision analytics, and present recommendations for improvement in this area. The scope of the Committee's assessment should include attention to data integrity, analysis tools, key performance indicators, management practices, and transparency. In addition, the Committee should assess the extent to which the Trial Court's current metrics do or do not support the nine goals, and the ten supporting strategies and myriad of associated tactics, that are outlined in Strategic Plan 2.0. The Committee may also wish to suggest other subjects for further analysis.

#### 3

App. 1-3

The CMAB has identified a number of proposed areas of inquiry for the Visiting Committee, as follows:

- 1. Roles, Functions and Methodologies for Effective Use of Data Analytics
- 2. Current Utilization of Data-Driven Management Tools
- 3. Alignment of Tracked Metrics with Strategic Goals
- 4. Usage of Data to Drive Structural Changes and Process Improvements
- 5. Usage of Data to Support Fiscal Planning
- 6. Engaging Stakeholders in Evidence-Based Decision-Making
- 7. Overcoming Barriers to Systemic Implementation of Data-Driven Management Approaches
- 8. Discipline and Accountability

The CMAB anticipates that the Committee will develop a list of questions to address under each of these headings.

4812-7354-5020, v. 3

4

App. 1-4

#### Visiting Committee Member Biographies

#### David G. Fubini, Chair

Senior Lecturer & Henry B. Arthur Fellow, Harvard Business School

David is a Senior Lecturer in the Organizational Behavior Unit and co-leader of the Leading Professional Services Firm and Mergers & Acquisitions Programs for Harvard Business School's Executive Education. His teaching concentrates on teaching the Organizational Behavior, Marketing, Leadership, Corporate Accountability and Ethics required courses.

Prior to his faculty position, David was a Senior Director of McKinsey & Company where he worked for over 34 years. He was McKinsey's Managing Director of the Boston Office, and the past leader of the North American Organization Practice as well as the founder and leader of the Firm's Worldwide Merger Integration Practice. During his tenure, David led, and/or had been a member of, every Firm Personnel Committee, as well as a participant in a wide cross-section of McKinsey's governance forums and committees.

David previously served as a member of the Court Management Advisory Board for two consecutive three-year terms.

#### **Bradford Brown**,

Portfolio Director and Senior Advisor, MITRE Corporation

Brad presently serves as Portfolio Director and Senior Advisor for MITRE's Center for Judicial Informatics Science and Technology (CJIST) and the Judiciary Engineering and Modernization Center (JEMC) which is the Federally Funded Research and Development Center (FFRDC) that MITRE operates for the Federal Judiciary. The portfolio includes domestic and international judicial systems. Prior to this role he served as Principal Strategist and Senior Advisor for the JEMC. He is currently the Co-Principal Investigator on a research project with the Stanford Law School focused on computational law.

Prior to MITRE, Brad served as a Managing Director in CIO Solutions practice at Protiviti – the global consulting firm. He led the firm's Global Public Services Practice (government, education and non-profit.) After acquiring Enspire Technologies, he also served as President and CEO of PGS, the firm's government focused subsidiary.

At George Mason University, he founded the National Center for Technology and Law (Tech Center) at the School of Law. He served as its Chairman and as Associate Dean for Technology for five years.

Earlier in his career, Brad served as Chief Counsel for Technology at the United States Department of Commerce. He was nominated for the Commerce Gold Medal for his work on the National Technology Initiative.

He has written or co-written forty-six published articles on topics relating to technology and the law.

### Heidi K. Gardner, Ph.D.

Distinguished Fellow & Lecturer on Law, Harvard Law School

Heidi is a Distinguished Fellow in the Center on the Legal Profession at Harvard Law School. She was previously on the faculty of the Harvard Business School and has been awarded an International Research Fellowship at Oxford University's Said Business School. Heidi is an expansive author, having written or co-written more than fifty book chapters, case studies, and articles. Her research concentrates on leadership and collaboration in professional service firms.

Heidi previously held positions with McKinsey & Co. and Procter & Gamble, and served as a Fulbright Scholar.

### Arlene Zalayet, Esq.

Senior Vice President & General Attorney, Liberty Mutual Insurance Company

In her capacity as the Senior Vice President and General Attorney for Liberty Mutual, Arlene oversees the management, organizational structure, and staff counsel in 67 offices in 38 states. She is admitted to the New York and Florida bars. She is an author, columnist, and editor, who has written several books including Modern New York Discovery, Civil Trials in New York, and New York Examination Before Trial and Other Discovery Devices.

Arlene began her legal career as a litigator in New York City before moving into management positions, first with Royal & Sun Alliance as its regional managing attorney, and now with Liberty Mutual. She also serves as a visiting faculty member at the University of Miami School of Law, and previously held adjunct faculty positions at Hofstra Law School and Touro Law School.

### Visiting Committee Meetings and Interviews

January 13, 2017

• Introductory meeting of the Visiting Committee and its members

February 9, 2017

- Executive Director of the Supreme Judicial Court
- Director of Facility Management
- Probation Department

#### April 18, 2017

- Chief Justice of the Supreme Judicial Court Ralph Gants
- The Ripples Group
- Judicial Information Services Department
- Department of Research & Planning
- On-Site Visit to Offices of the Department of Research & Planning

May 2, 2017

- Court Department Administrative Office Management Teams:
  - Representatives from the District Court, Superior Court, Probate and Family Court, and Housing Court.
- Local Court Management Team
  - o Representatives from the Roxbury Division of the Boston Municipal Court
- Chief Justice of the Trial Court Carey and Court Administrator Jon Williams
- Clerks/Registers
  - Representatives from the Land Court, Probate and Family Court, Superior Court, Juvenile Court, District Court, and Boston Municipal Court.
- Judicial Panel
  - Representatives from the Land Court, Superior Court, and District Court.
- National Center for State Courts

May 10, 2017

- The Ripples Group
- Judicial Information Services Department
- Probation Department

# Massachusetts Trial Court



Revised: January 2017

# Massachusetts Trial Court, Office of Court Management Department of Research and Planning Organizational Structure



# Massachusetts Trial Court Judicial Information Services Organizational Structure





The Trial Court – Office of Court Management Judicial Information Services *MassCourts* Team

## **MassCourts Milestones**

### 2003

January

• Contract executed with Maximus for Courtview Product.

February - December

- Gap analysis performed to determine the scope of development effort needed to begin implementation on web based application
- Web application development began with specification review groups. Process ongoing until departmental implementations began in January 2005

## November

• First and only implementation of Courtview's client server application in the BMC Central Division.

### 2004

- Application development continued with the regular deployments
- MassCourts Project Team was created with new project implementation plan introduced
- Infrastructure designed and built
- Identity Management Policy developed

### 2005

February

• Land Court implementation, the first court to use MassCourts (Courtview 3 which is the web version of the application)

September - December

• Application development, setup and preparation for the next court department continues throughout the year.

### 2006

February - December

• MassCourts Lite implemented in the District Court and BMC departments (excluding the BMC Central Division but including Adult Probation)

App. 7-1

- CARI and WMS interface developed and implemented
- Application development, setup and preparation for the next court department continues
- Identity Management Policy implemented

#### 2007

January – April

- BMC / DC implementation of MC Lite continues
- "Model office" sessions for the Housing Court begins

### July - October

• Housing Court department implementation

### September - December

- Application development, setup and preparation for the next court department continues
- "Model office" sessions for the Probate & Family Court begins

### 2008

January – May

- "Model office" sessions for the Probate & Family Court (including Probation) continues
- Application development, setup and preparation for the next court department continues

June - December

• Probate & Family department implementation

### 2009

January – December

- Probate & Family department implementation continues
- 4 remaining BMC & DC moved from criminal BasCot to MC Lite
- Application development, setup and preparation for the next court department continues
- "Model office" sessions for the BMC / DC civil begins

## 2010

January-May

- Application development, setup and preparation for the next court department continues
- "Model office" sessions for the BMC / DC civil continues

App. 7-2

June – December

• BMC / DC civil full implementation begins

## 2011

January – December

- BMC / DC civil full implementation continues
- Application development, setup and preparation for the next court department continues
- "Model office" sessions for the Juvenile Court (including Probation) begins

## 2012

March – December

- Juvenile Court department implementation begins
- Application development, setup and preparation for the next court department continues
- "Model office" sessions for the Superior Court (including Probation) begins

## 2013

January – December

- Juvenile Court department implementation continues
- Application development, setup and preparation for the next court department continues
- Northpointe contract signed for portion of application
- "Model office" sessions for the Superior Court continue

## 2014

June – December

- Superior Court implementation begins
- Application setup and preparation for the conversion of CARI data to MassCourts
- Specification and development of MassCourts interface with Northpointe application
- Internet and Attorney e-access setup and deployment for Superior Court

## 2015

January - September

- Superior Court implementation continues
- Application development, setup and preparation for the remaining 3 BCM / DC court conversions
- Application development, setup and preparation for E-filing
- Specialty Court pilot in Norfolk county courts

September – November

- MassCourts full implementation for BMC Central / Brockton & Barnstable DC conversion from Courtview client server and JMS
- E-filing pilot court go-live Essex County P&F, Worcester DC & BMC Brighton

#### 2016

January – December

- Application development, setup and preparation for E-filing continues
- Various efforts to upgrade functionality in various court departments and Probation post implementation

### 2017

January - December

- E-filing expansion continues
- MC full docketing in BMC / DC
- New approach to piloting Northpointe fully functional application