

## JUDICIAL BRANCH UPDATES



COTS, an acronym for Courts Organized to Serve, is a Judicial Branch-wide project to create an integrated computerized case management system for civil and criminal cases in all Delaware state courts. Development of the system is a multi-year project which is expected to result in one of the most comprehensive case management systems in the country. The timetable for project implementation is shown below.

### **COTS TIMETABLE, BY PHASE**

- Phase 1: Justice of the Peace (JP) Civil Pilot Courts (Court 17 and 19 in Sussex County and Court 12 in New Castle County) and Document Imaging – November 2006
- Phase 2: JP Civil Courts and Web Access Statewide – March 2007
- Phase 3: Civil Pilot Courts (all civil courts in one county) and E-Filing and IVR (Interactive Voice Recognition) Program – April 2008
- Phase 4: Civil Courts Statewide (except Family Court) – July 2008
- Phase 5: Criminal Pilot Court and Web Payment – March 2009
- Phase 6: Criminal Courts Statewide – June 2009
- Phase 7: Family Civil Courts Statewide – September 2009
- Phase 8: CourtMetrix and Workflow (statistical reports and other remaining initiatives) – March 2010

### **COTS FY 2006 HIGHLIGHTS**

During FY 2006, substantial progress was made in preparing for the implementation of the first phase of the COTS project scheduled for November 2006.

One highlight was the resolution of the handling of “parking lot” items. Last year, COTS project teams identified a number of “gaps” in the system – items that the off-the-shelf system did not perform to the courts’ satisfaction. Those gaps were placed on a “parking lot” list for later review. Part of that review was dedicated to determining whether the courts could adjust their business practices to fit within ACS’s (the vendor’s) off-the-shelf system or whether system modification was needed to ensure that the courts could maintain important business applications.

During FY 2006, negotiations with ACS resulted in ACS agreeing to include a number of Delaware’s most significant “parking lot” items into their baseline product at no cost. Those features included judge assignment (court/location specific and sequential); calendar headers; global recording of person; case event notes; on demand printing in batch; court/location specific

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screens and dockets; transfer of cases; and expungements. Other benefits stemming from those negotiations included order generation for on-line plea/pre-sentence investigation (PSI) items, as a part of the customized sentencing package. The total value of the features obtained through these negotiations is more than \$2,000,000. Delaware's ability to acquire them at no additional cost represents real dollar savings for the State of Delaware. ACS's agreement to include these features in their baseline product also significantly reduces the burden of reconfiguring the system every time Delaware moves to a new product release. This will save the Judiciary significant cost and work effort for years to come.

Work undertaken during FY 2006 included efforts to ensure that the Justice of the Peace Court would be ready for scanning and imaging activities for Phase 1 and for the conversion of JP data from the existing case management system to the new system – a necessary step before Phase 1 system implementation. The conversion effort also focused on data clean-up and data quality - an ongoing effort to improve the overall quality and timeliness of data for all courts.

The design and analysis work to develop the e-filing component of the case management system began this year. ACS and Tybera, the e-filing vendor for the project, joined project team members from Delaware to begin to design the e-filing system to meet the Judiciary's needs. E-filing is a part of the Phase 3 implementation, with a possible pilot application in Phase 2.

Critical interface work continued throughout the year with special focus on the financial interface with the Delaware Financial Management System (DFMS). That interface had to be built for Phase 1 implementation and also structured to accommodate interface needs with DFMS for all future phases. Other interfaces for the early phases included an interface with the counties and a limited interface with the Division of Motor Vehicles.

Preparing Justice of the Peace Court judges and staff for Phase 1 was also important. The Training Team spent many months preparing for the intensive training conducted in the weeks before implementation. In addition, staff and judges in several courts were exposed to the system in several ways during the year, including through a series of COTS Fairs. These fairs combined both fun and learning activities and allowed people to get their first "taste" of the system and some of its features.

Along with the project teams, Justice of the Peace Court judges and staff have worked hard to prepare themselves and their courts for Phase 1 implementation, the important first step in delivering an information system that will enable the Delaware Judiciary to fulfill its mission of providing a fair, efficient, effective, and prompt forum for the resolution of both criminal and civil matters

## JUDICIAL BRANCH UPDATES—LEGISLATIVE HIGHLIGHTS

The Judiciary’s legislative team brings together representatives of the courts and the Administrative Office of the Courts to enhance the effectiveness of the judicial branch’s relationship with the legislature by serving as the main judicial branch contact for legislative matters and by monitoring and analyzing legislation for impact on the judicial branch.

The following legislation affecting the judicial branch was passed during FY 2006 by the 143<sup>rd</sup> session of the General Assembly and has been enacted into law.

<b>Bill No.</b>	<b>Description</b>
SB 261 as amended by SA 2, HA 1, HA2	Eliminates and updates various outdated criminal procedure statutes relating to the Justice of the Peace Court.
SB 300	Permits use of probation before adjudication for juveniles and for adults removes requirement (when the Dept. of Justice will not appear) that the prosecution consent to probation before judgment.
SB 333	Adds the Securities and Exchange Commission to the list of entities that may certify questions of law to the Delaware Supreme Court.
SB 336 as amended by SA 1	Creates procedural requirements for the issuance of subpoenas for records or employees of the Department of Correction.
SB 337 as amended by SA 2	Creates certain requirements/restrictions on orders of visitation involving a child being brought to a correctional facility.
SB 354	Permits Family Court to order mandatory counseling for parents/guardians of a child found delinquent.
SB 356	Clarifies that information on juvenile adjudications may be used when consistent with other code provisions, evidentiary rules, court rules, or when determined by a court to be in the interest of justice.
SB 361	Makes various changes in statutes relating to sex offenses.
SB 371	Permits transfer of criminal cases to a Delaware court of competent jurisdiction when the case has been filed in a court without jurisdiction.
HB 331	Amends provisions relating to child support.
HB 362 as amended by SA 1	Creates a separate felony offense of resisting arrest with violence or struggle.
HB 363	Makes failure to stop for a police officer a felony and creates an affirmative defense.
HB 404 as amended by HA 1, HA 2, SA 1	Creates mandatory minimum sentence of 25 years incarceration for certain sex offenders.
HB 441	Clarifies that modifications of existing custody orders are initiated by verified petition.
HB 475	Establishes requirements for ensuring notice of right of ways or assessments relating to tax ditches or lagoons.

## DELAWARE JUDICIAL BRANCH EMPLOYEE OF THE YEAR NAMED

Chief Justice Myron T. Steele of the Delaware Supreme Court announced the selection of Elizabeth Jonkiert, the Employee of the Year for the Court of Common Pleas, as the overall Delaware Judicial Branch Employee of the Year for 2005.

Ms. Jonkiert received her award, including a plaque, savings bond, day off certificate and a personal gift, from the Chief Justice at the Court of Common Pleas Employee Recognition luncheon on May 12, 2006. She is a Management Analyst with the Court of Common Pleas and was selected for the outstanding contributions that she has made to the Court of Common Pleas and to the Judicial Branch as a whole. She has served in the Delaware Judiciary for almost 30 years and has become an expert in all aspects of criminal case flow, scheduling, calendaring, and statistics for the Court. In addition, she has served on numerous committees and is a

respected resource for organizations throughout the criminal justice community.

Most recently, Ms. Jonkiert has been appointed as the lead representative of the Court of Common Pleas to the COTS project, which is the new integrated civil, criminal and financial case management system under development by the Judicial Branch.

Ms. Jonkiert is a native Delawarean and a resident of New Castle County. She was nominated by her colleagues on the Court of Common Pleas who noted her dedication, quality of her

work, long hours spent at the job, and her willingness to go the extra mile quietly and without fanfare.



Elizabeth Jonkiert receiving the Judicial Branch Employee of the Year Award from Chief Justice Steele.

## SANTA COMES TO THE DELAWARE COURTS DECEMBER 12-15, 2006

Members of the Judiciary and the Bar presented the Miracle on 34th Street in each county to 2,210 school children, on December 12-15, 2006. The "cast" photographed in the Sussex Courthouse include:

*First row left to right:*

Ed Joyner (Superior Court bailiff); Justice Henry duPont Ridgely; Daniel Slipetsky of Bear, Delaware; Judge M. Jane Brady; and in front is Madeline Hughes from the Delaware Children's Theater.

*Second row left to right:*

Richard Herrmann; Judge Robert Young; Eric Robbins, the DSBA's Director of Information and Technology; and Tom Russo, the Director.

