FUTURE TRENDS IN STATE COURTS 2012

Reengineering: Utah's Experience in Centralizing Transcript Management by Daniel J. Becker





REENGINEERING: UTAH'S EXPERIENCE IN CENTRALIZING TRANSCRIPT MANAGEMENT

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There has been much serious discussion about reengineering court processes to improve efficiency. Utah's centralization of the management of court transcripts is a successful example of a court-reengineering project.

Over the last several years, there has been a good deal of discussion regarding reengineering the business of the courts. Defining what that term means for the courts has been somewhat elusive. In some instances, it has meant restructuring the organization of courts; in others, changing jurisdiction to move cases to a different court or even out of the courts altogether; and in still others, altering the work of the court as a result of the introduction of the electronic record. Suffice it to say, a wide array of projects and initiatives fall under the rubric of reengineering.

Many court processes would benefit from creative centralization and automation. For example, in Minnesota accounts payable have been centralized, and New Hampshire has established a centralized call center (see separate discussion at the end of this article). In Utah, we have centralized the management of court transcripts.

Of the reengineering efforts undertaken by the courts in Utah, none have produced a more dramatic, tangible, and immediate improvement in service and savings than the centralized and automated transcript management system. This system has reduced the time from transcript request to transcript delivery from an average of 138 days to 12 days for cases not on appeal and 22 days for cases on appeal. It has allowed the consolidation of the work that previously involved 50 clerks statewide down to a central staff of 1.5 employees. It has produced savings of approximately \$1,350,000. And it has eliminated a top cause of delay for our court of appeals.

Background

The impetus for this change was, as so many of the recent reengineering efforts have been, a result of budget reductions. In recent years, our court system has installed up-to-date digital audio and video recording systems in every courtroom in the state. The work done by court reporters had been increasingly limited to serious criminal cases and complex civil cases. With our trial courts already relying on digital recordings for most proceedings, the elimination of the remaining 18 court-reporting positions was one of the first in a series of budget-reduction measures taken by our Judicial Council, the governing body for Utah's courts.

The loss of court reporters for preparing transcripts prompted a comprehensive examination of how transcripts were ordered, prepared, and delivered. What we found was a process that varied from courthouse to courthouse, characterized by delay, confusion, and inefficiency. Fifty clerks statewide had, as part of their duties, performed the activities necessary for determining how a proceeding was reported; locating and making copies of recordings or determining which court reporter had taken the proceeding; assigning transcription responsibilities; monitoring delivery, docketing, and filing of transcripts; and processing payments. Seldom was it one clerk who handled all these procedures, creating many opportunities for error and delay.

Transcript Management System

The goals for an alternate system were: 1) it should be easy to use, 2) it should provide an effective workflow, 3) it should automate notification and processing, 4) it should be integrated with multiple case management systems, and 5) it should reduce work. It had to meet the needs of multiple users, including attorneys, self-represented parties, judges, official court transcribers, transcript coordinators,

court clerks, and the appellate courts. What was envisioned was not merely a file-transfer application, but also a uniform system, which would provide enhanced business processes, improved workflow, automatic notification, propagation of transcript requests, and case management integration. Nothing on the market approached these design needs so it was decided that the Administrative Office of the

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Courts Information Technology Department would design and develop an in-house application.

The resulting system took two months of design work, and three programmers four months of programming work to complete. It went online July 1, 2009. The system has the following features:

- provides online transcript ordering for attorneys and self-represented parties
- provides a Web-based application for the transcriber and the transcript coordinator
- creates an e-mail notification and work-queue items for the transcript coordinator at the time a transcript is ordered
- provides the transcript coordinator with the ability to research and gather case management data from adult and juvenile case management systems
- allows the transcript coordinator to attach researched data and documents to the order for use by the transcriber, including calendar, case history, parties and relationships, and documents
- provides the ability to review and attach the audio/video to the order for use by the transcriber
- creates an e-mail notification and work-queue items for the transcriber upon transcript assignment
- creates an e-mail notification for the requestor of the transcriber assignment, including contact and payment information
- provides for automated tracking and overdue reporting
- provides for notes and other interaction between the transcriber and the transcript coordinator on transcript progress, problems, etc., via the system
- allows the transcriber to e-file the transcript and related documents, which are then automatically posted to the case management system
- provides for tracking updates to the appellate case management system
- allows judges to access e-filed transcripts through the case management system

We believe this transcript management system is a good illustration of what's possible if you are willing to honestly assess the shortcomings of an existing process, think creatively about centralizing a process, and apply technology with originality.

All management of transcript ordering, recording and document retrieval, coordination and monitoring of transcript production, delivery, and filing is performed by one-and-a-half positions housed in the clerk's office for our court of appeals. This includes the processing of overnight transcript requests and expedited transcript requests. The coordinator has at her disposal transcript management reports, which include a transcriber summary (information on individual transcribers or all transcribers statewide, which reports on all active assignments during a specific time frame) and a status-tracking report (the number of requests received, number completed, number of cases on appeal, number of transcripts filed, average number of days for cases on appeal and cases not on appeal). The trial court clerks' offices have been freed up from all transcript-related work. Rule 4-201 of the Rules of Judicial Administration and Rule 12 of the Appellate Rules of Procedure set out procedures for taking the record, ordering transcripts, and delivering transcripts.

All transcript preparation is now performed by private transcribers, who are certified and licensed by the state and are on an official transcriber roster maintained by the transcript coordinator. The transcript coordinator remotely retrieves from the system the audio/video recording and all data required for transcription, attaches it to the request, and transmits the electronic package to the assigned transcriber. Requests are processed and sent to transcribers the same day they are received. Nightly processing identifies overdue transcripts; sends an e-mail to the requestor, transcriber, and coordinator; and creates work-queue items for the coordinator. Payment is made directly by the requestor to the transcriber, eliminating billing and accounts-receivable work previously performed by court staff (see chart on the next page).

Transcript Management Application Process Flow

Attorney Submits Transcript Request

Coordinator Workqueue Requests "automagically" placed in ALL workqueues

AUTOMATION / PROGRAMMING

E-mail Receipt sent to Requestor.

If request is "EXPEDITED," Email notification sent to Coordinators.

Coordinator Researches Request 1.
If marked as "on appeal," validates
Appellate Case (AIS)*

* Case Management System for Appellate, District, and Juvenile Courts

2.

Research Data stored in CORIS "Case History" "Judge Calendar' "Documents"* Research Data stored in CARE "Case History" "Judge Calendar" "Documents & Orders"* 3. Researches Audio/Video

5. Attaches Audio/Video to Request Attaches
Documents
to Request

6.
Assign
Request to
Transcriber

<u>Transcriber Workqueue</u> Request "automagically" placed in workqueue

AUTOMATION / PROGRAMMING

Document

Manager

E-mail notification sent to transcriber of request/transcript assignment. E-mail sent to requestor notifying them of transcriber assignment and contact information.

Transcriber "does their thing"

l • Download Files 2.

Change Status

- Confirmed
- Acknowledged/Non-payment Note: AIS may be updated

2.5

Assign to transcriber assistant

3. Transcribes Hearing

eFiles
Transcript(s)

<u>Coordinator Workqueue</u> Request "automagically" placed in

workqueue to validate filed transcript

<u>Transcriber Workqueue</u>

Request "automagically" removed from workqueue

AUTOMATION / PROGRAMMING

- **Transcript stored in DM
- ** CORIS updated
- ** Viewable in case mgmt system
- ** AIS may be updated

E-mail notification of transcript filing sent to District E-mail

Account

Coordinator Finalizes Request 1. Reviews Transcript

2.Change Status
Complete

<u>Coordinator Workqueue</u> All outstanding workqueue tasks and ticklers are deleted AUTOMATION / PROGRAMMING

10 days after completion, supporting attached files will be removed

Lessons Learned

Our ability to realize the above improvements required that a number of pieces come together, such as making a policy decision to rely exclusively on the digital record, having the right equipment and training in place in every courtroom, performing planning and coordination, and using innovative technology solutions. Ours is a statewide application covering all courts, but such a system could be replicated for an individual trial court. The lessons that we would pass on are:

- It is possible to rely exclusively on a digital record and, at the same time, improve system performance (see Conference of State Court Administrators, 2009). When this system went into place, the Rules of Judicial Administration carved out an exception that allowed trial judges to use a court reporter for capital cases, and a fund was set aside to pay for such reporters. The fact that there have been almost no expenditures from this fund reflects the confidence both the trial and appellate bench have in the digital record.
- A statewide system requires that equipment and system application planning take place in concert. All of our courtrooms have digital or video systems that are compatible, allowing the transcript coordinator to have immediate access to all audio or video records at any location in the state.
- The up-front programming necessary for integrating the transcript management system with existing case management systems was well worth the time. Being able to access the record and all related documents off a single system is key to the rapid turnaround time.
- Because of the ability to assemble the electronic record so quickly, transcripts can be delivered

routinely on an expedited basis. As a consequence, 45 percent of all requests are for expedited transcripts, which, in turn, increases the compensation for transcribers. It should be noted that a number of former court reporters are now providing transcription services.

- The success of the project was due to good planning, coordination, and execution. The project team, with representatives from appellate courts, Administrative Office of the Courts, and the AOC Information Technology Department, was made up of forward-thinking business and technology people.
- Attorneys and others making requests are pleased with the ease of ordering, the fact that the transcript coordinator serves as single point of contact, and the speed of transcript delivery.
- Trial judges appreciate the ease of accessing individual transcripts off the
 case management system, and court clerks do not miss the transcript work
 they previously performed.

We believe this transcript management system is a good illustration of what's possible if you are willing to honestly assess the shortcomings of an existing process, think creatively about centralizing a process, and apply technology with originality. In this instance, reengineering through centralization has been an unqualified success.

"INSOURCING" FOR BETTER SERVICE: THE NEW HAMPSHIRE COURTS' "LIVE" CALL CENTER

Laura Kiernan

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"The phones. The people at the counter. The questions. The courtroom support. The new filings coming in. The orders going out so people can move forward with their lives. Yet, if we had to design it all over again, it probably would not look the way it does" (Laconia District Court, Off-Hours Productivity Project).

The New Hampshire court system was dramatically restructured in July 2011, merging its three busiest jurisdictions—the district and probate courts and the family division—into a single circuit court that now handles more than 80 percent of the court system's entire caseload. Part of a leaner, more efficient framework for circuit court operations is a new centralized "call center," which, when up to full speed, will field an estimated 2,600 calls per day from 66 circuit court locations around the state. For court staff, the reprieve from responding to general telephone inquiries means more uninterrupted time to focus on case processing and on citizens who come to the clerk's office seeking assistance.

New Hampshire is rolling out its "live" call center slowly—expectations are that all 66 locations will be tied in by July 2012. But the early enthusiasm among the staff for this ambitious and unique project is clear. New call center employees were greeted with a standing ovation when they paid a visit to the 6th Circuit Court in Concord, one of the first sites linked to the call center.

"It was just an incredible difference," said clerk Diane Lane, whose busy staff is used to the distraction of constantly ringing telephones. "It's quiet."



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Justice Eileen C. Moore was charged with finding artwork for the new 4th District Court of Appeal building in Santa Ana, California with no budget. She contacted the school superintendent and then the probation department got involved. Students read court cases and depicted them in murals. This year's Trends cover was created by a 17 year old at Juvenile Hall. The case involved gang violations and disfiguring a public place and the young artist had also been charged with graffiti crimes. The resulting mural hangs in the courthouse, along with more than a dozen other paintings depicting Orange County, California cases.



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