

DIGITALIZATION OF PROBATION RECORDS IN FRANKLIN COUNTY MUNICIPAL
COURT

Institute for Court Management
ICM Fellows Program
2014–2015 Court Project Phase
May 2015

Melinda C. Brooks, M.S.
Probation Officer Supervisor
Franklin County Municipal Court
Columbus, Ohio

Acknowledgments

I first embarked on this journey as a fledgling Probation Officer Supervisor when I began the Court Management Program. I, along with my counterparts, was encouraged to do so by 1997 ICM Fellow Kevin Clark, Deputy Chief Probation Officer of the Franklin County Municipal Court. I opted to work through the local offerings of the Court Management Program, followed by the Court Executive Development Program over the course of several years.

In the final semesters of my Masters program through Michigan State University, I was faced with a choice between overlapping my efforts through the ICM Fellows Program with my final semester of graduate school, or waiting another year to apply for the class of 2016. With cautious encouragement from all around me, I opted to take the plunge.

Both graduate school and my efforts with this project would have been impossible as the mother of two young daughters, Cecelia and Lillian, were it not for the support and patience of Travis, my husband of 20 years. Thank you for your unending love, and for shouldering so much as I snuck away to the library, or random coffee shop (anyplace with wi fi) for some time to focus and perform academically. Now, it is finally your turn!

However, it is due to the support of my employers, the judges of the Franklin County Municipal Court, Court Administration, and Chief Probation Officer J. Michael Roth that this has truly been possible. Thank you for your steady encouragement, understanding and assistance throughout the last few years. It is my sincere hope that these pages hold information that you find of value, as we continue to work toward the digitalization of our probation department's caseload.

I would like to thank the National Center for State Courts and ICM Fellows staff for offering such a meaningful program to court leaders across this country- and for permitting lower-level managers such as myself to join the ranks. Dean Straub and Amy McDowell- thank you for your longstanding efforts and guidance in the development of this program. Its impact is far reaching.

Finally, I must thank my advisor, Nial Raaen for his patient guidance through the subject matter that is explored in these pages. I have learned so much, not only through the research of the topic, but also from our discussions throughout this experience.

Table of Contents

Acknowledgments.....	3
Table of Contents.....	4
List of Figures.....	6
Abstract.....	7
Introduction.....	9
Current Call Path of Judicial Inquiry on Probation Cases.....	13
Judicial Access via Digitalized Probation Records.....	14
Literature Review.....	15
Case Management Systems Options: Off the Shelf or In-House.....	15
Electronic Documents: Benefits & Pitfalls.....	16
Metadata.....	17
Principles of Governance, Compliance, Integrity, Access, Preservation and Disposition of Court Records, Applied to Probation Case Management.....	20
Records Retention, Metadata and Related Case Law.....	22
Change Management.....	25
Strategic Planning.....	27
Method.....	30
Findings.....	30
Finding #1: Electronic vs. paper files.....	30
Finding #2: The most prominent approach to case management.....	31

Finding #3: Benefits and limitations of EDMS.....	34
Finding #4: Management of access and security is a key area of concern.....	35
Finding #5: Data conversion is the most difficult step of implementation.....	36
Conclusions and Recommendations.....	38
Conclusion #1: Most departments manage their caseloads electronically.....	38
Recommendation #1: Select case management platform based upon accessibility needs and support resources.....	38
Conclusion #2: Technology is a costly and time-consuming endeavor.....	39
Recommendation #2: Consult courts of similar size and caseloads.....	39
Conclusion #3: Collaboration among peers is essential.....	40
Recommendation #3: Consider alternative funding sources.....	41
Discussion.....	42
References.....	44
Appendix A: Cover Letter to Survey Recipients.....	47
Appendix B: Survey of Chief Probation Officers and Court Administrators.....	48

List of Figures

Figure 1: Current Call Path for Judicial Inquiries.....	13
Figure 2: Call Path for Judicial Inquiries via Digitalized Caseloads.....	14
Figure 3: Approaches to Computerized Probation Caseloads.....	31
Figure 4: Probation Case Management Systems Listed by Survey Respondents.....	32
Figure 5: Benefits of Electronic Document Management Systems.....	34
Figure 6: Challenges of Electronic Document Management Systems.....	35
Figure 7: Access to View Probation Files.....	36
Figure 8: Challenges of Implementation.....	37
Figure 9: Ohio Courts Represented in Survey Sample.....	52
Figure 10: Counties Represented in Survey Sample.....	53

DIGITALIZATION OF PROBATION RECORDS IN FRANKLIN COUNTY MUNICIPAL COURT

Melinda C. Brooks, M.S.

Abstract

As the world evolves with the digital age, so do courts and their business practices. Probation departments are also striving to keep pace with the ever-changing technological landscape. The Franklin County Municipal Court (FCMC) Department of Probation Services (DOPS) is no different. This document describes the approach that has been taken by the FCMC DOPS and explores the literature and resources that have been published on both topics of court and probation management.

A thorough literature review revealed several publications that should be of significant assistance to probation departments. Specific topics of records retention and disposition, metadata, return on investment, role based access, core principles of records management, strategic planning and change management in court settings are comprehensively explored. Representatives of two major Ohio court leadership associations were surveyed in November 2014 in an effort to identify trends and challenges and to glean recommendations for the FCMC DOPS leadership as they seek to implement caseload digitalization. The response rate was modest, revealing that the majority of probation departments in Ohio have made the transition, on some level, to electronic caseload management. Twenty-nine of the 88 counties were represented in the sample, covering Ohio's largest cities and all regions of the state. Benefits include immediate access, data collection and space savings. Challenges range from implementation difficulties, lack of support or resources for information technology support and limitations in the technological options that courts have available to them.

Recommendations are outlined, particularly referring to publications that are available to assist departments in guiding their processes. Suggestions are offered with regard to funding sources, and creative means of partnering with other court divisions or court partners (such as the clerk of courts) in order to fund and/or facilitate the transition to digital probation files. Suggestions are made regarding networking, surveying cohorts to gather regionally relevant intelligence on information technology trends in the area, and feedback on vendors and services used by professional counterparts.

Introduction

The Franklin County Municipal Court (FCMC) is the largest and busiest municipal court in Ohio. According to the 2013 FCMC Annual Report (p. 19), the FCMC processed 32,338 criminal cases and 106,456 traffic cases for a total of 143,247 cases. In 2013 the Supreme Court of Ohio Statistics reported an overall caseload of over 247,000 cases with a 101% clearance rate. The Court is comprised of 15 judges, seven magistrates, and several divisions, including a large and active Department of Probation Services (DOPS). This division accounts for 70 of the Court's approximately 200 employees. While the Franklin County Municipal Clerk of Courts maintains the official record of the Court's proceedings, and provides electronic access to these records for parties and the public at large, the records of the DOPS are created and maintained in paper format. In recent years, closed files have been scanned and stored through an electronic document management program, but they are strictly available via an archival static system. Current cases continue to be received, generated and monitored in the form of hard copy files, which are stored across the large department in individual officers' file cabinets. With approximately 17,000 cases under its annual supervision the space occupied by these records is substantial.

As indicated above, the Franklin County Municipal Court Clerk of Courts is the record keeper for the Court. The Clerk's Office of Information Services (OIS) is responsible for all computer and technology services, and selected the case management system in the late 1990's that is currently used by the Court. This system has an Adult Probation Module incorporated into its framework, which is used to track the status of cases and provides a very limited ability to analyze caseload data as it is currently used. Individual case notes and supervision functions, while available, have never been activated nor have applicable policies and procedures been

drafted or implemented for their use.

The concept of electronic case management of probation cases has been under consideration and a topic of discussion among the FCMC DOPS leadership for over a decade. There were a variety of roadblocks and stalled progress over the years. A few probation management team members were well versed in the workings of the case management system, but did not have the technical expertise or permissions to make changes to the module, experiment with security settings or create the necessary reports that the probation leadership requested. OIS staff, while very willing to assist, were unable to commit the amount of time and energy that such a project required for full development and implementation. There was also a period of time when the Court was considering their contract with the current vendor, and evaluating options with other programs. With that uncertainty, the project was set aside, and the status quo continued. Ultimately, the case management system vendor was retained and contracts were renewed.

In 2010 sheer physics would force the issue back on to the agenda. As part of a structural evaluation that was conducted to plan for some renovations throughout the building, a significant crack was found underneath the area where closed files were stored. The weight of thousands of files, which were rolled back and forth via an electric sliding shelf system, had taken their toll on the building and required immediate remedy. This situation brought the department to the realization that old records must be stored electronically. Probation user fee funds were allocated for a SAN¹, which vastly expanded the Court's electronic storage capacity. This investment afforded the opportunity for the department to partner with the Clerk's Office, which

¹ Webopedia defines a SAN as follows: “A *Storage area network, or SAN, is a high-speed network of storage devices that also connects those storage devices with servers. It provides block-level storage that can be accessed by the applications running on any networked servers.*”

provided staff and equipment to scan large batches of closed files. A purging policy was created in order to encourage the storage of only information that is truly pertinent, and to reduce duplicative documentation. For instance, any document that might originate in another database and could easily be re-generated if needed would not be scanned for eternal storage. Examples include routine record checks, interdepartmental correspondence which is stored by other units, or copies of the charges or complaints, which are retained by the Clerk. Over the course of a few years, the closed paper files were eliminated, and as current cases are closed they are immediately processed for scanning. Where heavy shelves once stood, there are now three new offices.

The electronic document management system (EDMS) is connected to the case management system, in that the scanned documents can be viewed within the case from which they originated. They are not searchable, nor can the data within them be analyzed or extracted. There have been some lessons learned with regard to quality control- some documents are double sided, while most are not. In order to capture all images, most files have been scanned with the double-sided setting, which has rendered thousands of blank pages in the saved version of the old files. To remedy this will be a costly and tedious endeavor. Secondly, for probationers with multiple cases in those original file folders that were processed, all of the records were scanned on the first case number that was entered. Therefore, in order to fully access a probationer's history with the department, one must be diligent about checking all historical case numbers and scrolling through all of the scanned documents to seek the records on older cases.

We have now returned to a time where we are approaching the task of computerizing probation files from inception and managing them in the case management system. Many of the challenges described above remain, but we are better equipped with staff that has a more

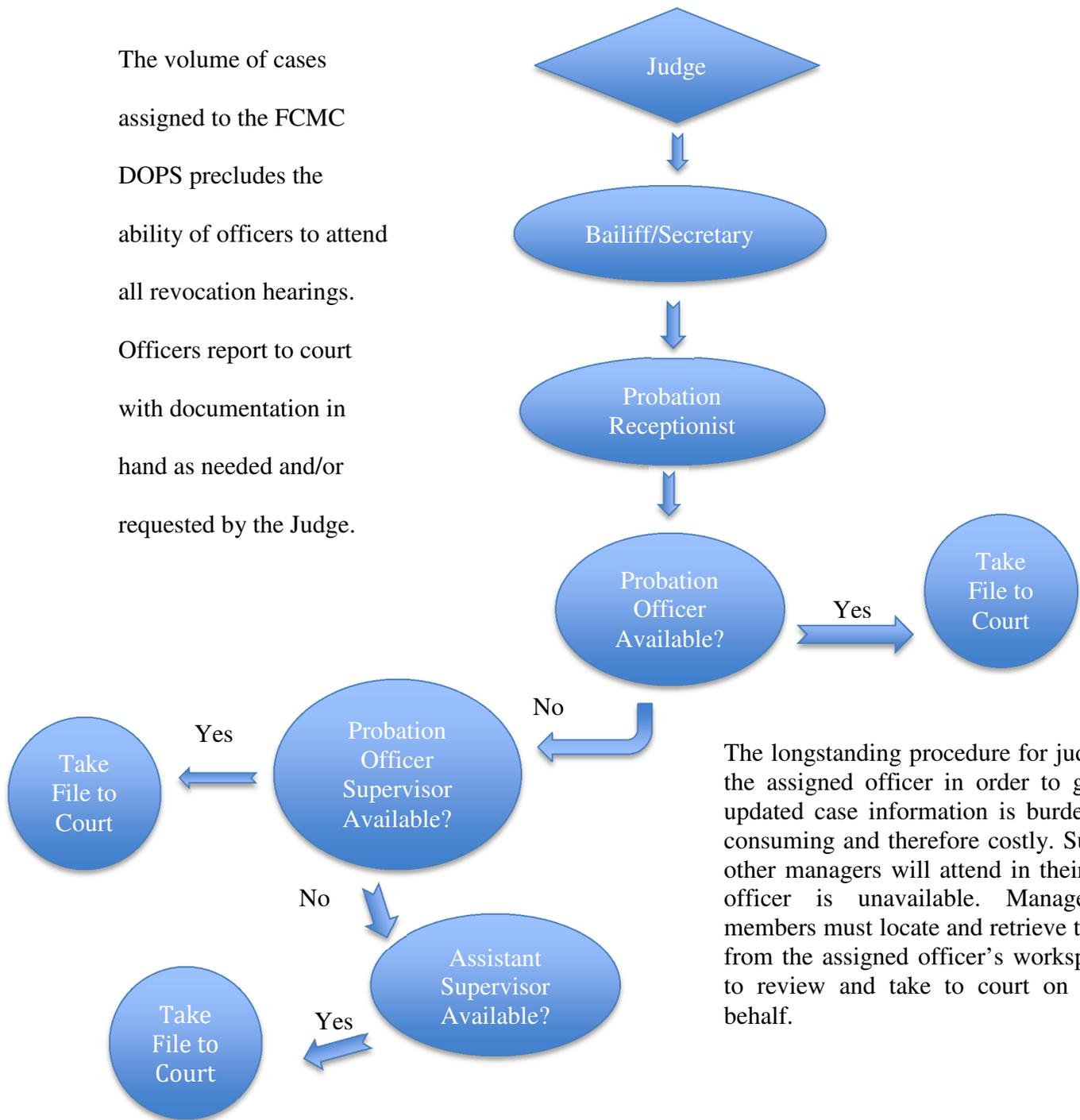
thorough knowledge base of the system. OIS has devoted much time and energy to the project, and steady progress has been made. However, the endeavor overall has led to this paper in order to seek guidance from the research, identify reliable resources in the field of community corrections and electronic file management, and survey court and probation leadership across the state of Ohio for a broader but regionally relevant perspective.

The National Association for Court Management Core Competency Curriculum Guidelines (2003) states it best: “Correct judicial decisions require timely, complete and accurate information. When information technology delivers on its promise, the right people are more likely than not to be able to get the information they need at the right time, and in the right format” (p. 1). The current methods of probation records management in Franklin County Municipal Court cause undue delay in the retrieval of information for the judges as they address probation cases scheduled for their daily dockets. The current procedure calls for the judge or their bailiff to contact the Department via a designated phone line. Reception contacts the assigned officer and either transfers the call or tracks down the assigned officer to relay word that they are needed in court. If the officer is not available or readily located, a supervisor is contacted in their stead. This causes more delay in that the file must be located, and most likely hand-carried to the courtroom to provide the requested information. The DOPS seeks to eliminate many of these steps, allowing a judge to either access information directly via the computer or, at minimum, allow them to reach a staff person who can access the case electronically and relay the requested information over the phone. To accomplish this would embody the tenet of providing timely and accurate information for judges as recommended by the Core Competencies.

The following chart illustrates the current call path of judicial inquiry for probation cases. As noted, the process involves the passing of the call through multiple staff from the courtroom through the Probation Department chain of command:

Figure 1: Current Call Path for Judicial Inquiries

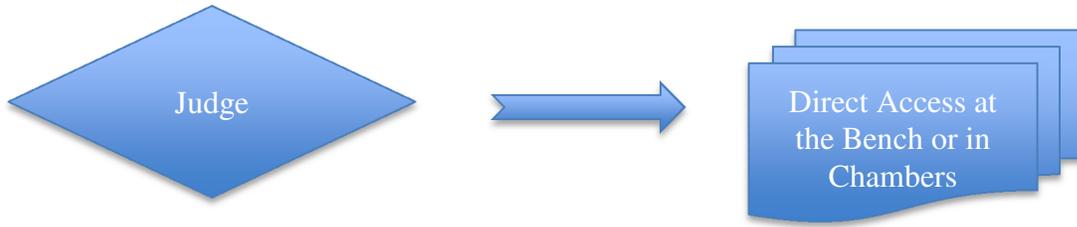
The volume of cases assigned to the FCMC DOPS precludes the ability of officers to attend all revocation hearings. Officers report to court with documentation in hand as needed and/or requested by the Judge.



The longstanding procedure for judges to reach the assigned officer in order to glean desired updated case information is burdensome, time consuming and therefore costly. Supervisors or other managers will attend in their stead if the officer is unavailable. Management team members must locate and retrieve the file folder from the assigned officer’s workspace in order to review and take to court on the officer’s behalf.

As illustrated below, the digitalization of probation records would expedite judicial access to requested information by eliminating several steps of the communication chain:

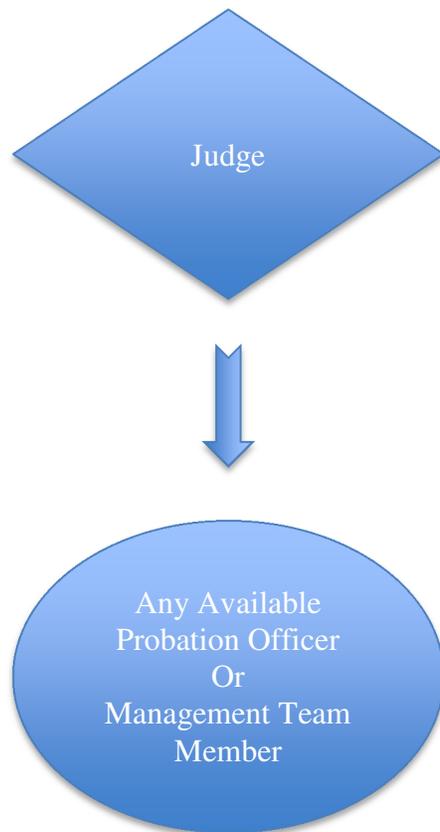
Figure 2: Call Path for Judicial Inquiries via Digitalized Caseloads



Judicial inquiries often concern to the receipt of long awaited confirmation of compliance, or to clarify information included in the Statement of Violations. The presence of the assigned officer in the courtroom is only needed in the event of a contested revocation hearing, or to consult the parties regarding recommended sanctions. Valuable time is saved whenever important details can be relayed via phone or accessed directly by the judge.

While access can be a daunting filter to create procedurally, it is the key benefit and driver of return on investment for this project. Judges will have more timely access to their files, whether via more responsive staff, or directly to their bench. The savings of time for all judicial officers should be significant.

OR



Literature Review

This project reviews the existing literature on the topic of probation caseload computerization, identifies and applies key concepts that drive effective court management to probation specific challenges, and provides guidance for probation departments who are facing the task of transitioning to an updated approach to caseload and file management. Additionally, the regional climate is examined via a statewide survey to identify current trends and challenges experienced by Ohio courts.

The objective of the survey was to poll probation leadership throughout Ohio regarding their processes for transitioning to electronic records. What decisions have they faced with regard to software “off the shelf” or home grown programs to facilitate this massive change? The findings reveal the most prevalent software and services available from a variety of vendors. Bugg and Bosier (2009) caution that software purchased off the shelf might or not fit the needs of the courts, as one size does not necessarily fit all. The authors make their case that courts benefit most if they are able to build and maintain their technology services in-house to meet their individual needs rather than fit their needs to the products that are available (p. 7). While the FCMC enjoys the benefit of a skilled Office of Information Services (OIS) staff, it falls under the budget and control of the Clerk. Despite a harmonious and cooperative environment, a court of this size creates high demand for the attention of this busy division, and the Clerk’s mission to maintain the public record in a secure and accessible fashion outweighs the time demands of the Probation Department’s needs to catch up to speed. Thus part of the focus of this project includes recommendations on addressing the gaps between the court’s needs, and the ability of existing OIS staff to address them within the confines of an already established software and infrastructure.

One of the first challenges facing probation departments is the task of selecting a software or case management platform. James McMillan discusses access to electronic documents in his article *Electronic Documents: Benefits and Potential Pitfalls* (2010). While this submission is focused on paper on demand concept for court documents as public record, probation departments can benefit from its insight with regard to some of the pitfalls to avoid. For example, McMillan cautions courts about proprietary versus standards-based file formats. He explains the risk to courts if they trust their records management to a proprietary entity who may either upgrade their services at a cost to their customers, or cease to exist altogether in a highly competitive market (p. 181). The Franklin County Municipal Court and Clerk selected a vendor in 1999 for its overall case management program to prepare for the Y2K transition, which has steadily renewed its services.

Bugg and Bosier (2009) also caution that software purchased off the shelf might or might not fit the needs of the Courts, as one size does not necessarily fit all. The authors make their case that courts benefit most if they are able to build and maintain their technology services in-house to meet their individual needs, rather than fit their needs to the products that are available (p. 7). While the FCMC enjoys the benefit of a skilled Office of Information Services (OIS) staff, it falls under the budget and control of the Clerk. Despite a harmonious and cooperative environment, a court of this size creates high demand for the attention of this busy division. Understandably, the Clerk's mission to maintain the public record in a secure and accessible fashion sometimes outweighs the time demands of the Probation Department's needs to catch up to speed. Part of the focus of this project includes recommendations on addressing the gaps

between the court's needs and the capacity of OIS staff to accommodate them within the confines of a shared proprietary software.

An important but little-understood element of electronic records management is metadata. Metadata is defined in laymen's terms as "data about data," or the behind-the-scenes information that our computers use to locate and make available information that we have stored away. Any time we invoke the power of the search function on our computer to locate a file or document, we are calling upon metadata to pull our desired item to the surface for our use. The industry defines metadata as: "descriptive information that is assigned to specified information sources and later used to locate and retrieve those documents and files in an electronic records management system" (TAB, Part I p. 2).

Court managers should have at least a vague understanding of metadata when considering the digitalization of probation records, in order to be an educated consumer when vetting potential vendors for these services. Easily dismissed as overly technical for the non-IT professional, metadata and its implications should actually be an early consideration in the process of determining an agency's approach to electronic document management. Properly managed metadata should save valuable time, improve workflows and facilitate security for documents and files (m-files, p. 2).

As metadata is a key element of records management for all industries, it is an important subtopic throughout the wealth of information and recommended standards from a variety of trusted sources, some of which include: ARMA International, the Association for Information and Image Management (AIIM), or specific to the court or community supervision environments such as the Conference of State Court Administrators (COSCA) and the American Probation and Parole Association (APPA).

Probation records are a hybrid of public and protected information. As probation records are either converted to or created in digital format, their attached metadata must be considered a key element of privacy, records retention and disposition policies. Probation records also take multiple forms: the formal file, documents created by staff (letters, statements of violations, emails) and received by staff (treatment records, voicemails, photographs, urine screen results etc.). Some records are covered by HIPAA laws, while others are not. Abernathy (2014) offers a detailed explanation of HIPAA and its implications for probation and parole authorities. While community corrections are not considered covered entities under this law, they receive and document information from health care and substance abuse service providers. Therefore, the information within their files is not considered a public record. Anderson (2011) cautions that court managers need to have a clear understanding of the metadata attached to electronically stored files before releasing information on any case, as one may be faced with unintended consequences of releasing private and protected information when responding to records requests (p. 15). With this in mind, records and documents must be properly labeled, named or docketed in such a way that they can be located or counted accurately for various business practices, and policies and procedures must be formulated to protect the department and the court. The TAB Corporation lays out four key elements to consider when developing an action plan regarding records management with metadata in mind:

- Develop a corporate (department) policy that differentiates between these record types and implements a record retention and disposition schedule accordingly (p. 4-5).
- Make functional classification work in the metadata world by breaking down information into fields and values rather than folder-based file names.
- Incorporate metadata into records retention workflows by working with the vendor to

integrate records retention schedules into the system. Train staff to input data effectively and perform audits to ensure the procedures are being implemented correctly over time.

- Include information management governance and control by working with stakeholders to ensure policies governing the storage of records and integration of metadata meet their diverse needs.

The electronic case files created and maintained by the FCMC DOPS via the Adult Probation Module of the case management system will be comprised of data entry such as docket codes and event scheduling, as well as attachments pulled over thorough the EDMS such as faxes, emails and scanned documents. The tracking and authentication of direct data input is built into the case management system, in that there are means of identifying the staff person who created the record, along with the date, time and workstation that was used. However, attachments such as documents and emails will require administrative foresight as recommended by TAB. The same information noted above will be time-stamped into the docket as all other records, but these documents will have their own metadata to consider. For instance, if an email is received pertaining treatment non-compliance, there are several dates to consider in the timeline of when a violation occurs, is known and is documented. If the non-compliance was the result of drug use, for instance, the date of the treatment provider's knowledge of the violation, the date they created the termination document, the date it was sent, received, viewed and docketed could all be a matter of testimony at a future hearing. The leadership of the FCMC DOPS will need to consider the preservation of these elements of metadata as the guidelines, policies and procedures are drafted for the digitalization project. Will the "official" probation record reflect these timelines, or will they be eliminated as the record is pulled from the officer's email into the court record? If the EDMS program cannot accommodate these requirements,

staff may be required to be explicit in their notations to ensure the facts are retained and easily located when necessary.

Linhares and Raaen (2013) co-authored a policy paper for the Conference of State Court Administrators that provides excellent guidance on how to build policy and procedure surrounding electronic records. The authors detail the principles of governance, compliance, integrity, access, preservation and disposition for court records (p. 3), though the tenets apply to appropriate file and data management for probation records as well.

The notion of governance pertains to the broad understanding of standardized records handling that is independent of the individual employee charged with maintaining them. Proper governance ensures the consistent application of policy and procedure so that any member of the public can reliably access records to which they are entitled, with minimal delay or confusion.

Terry L. Brown (2003) authored Functional Standards Development for Automated Case Management Systems for Probation, which recommends standardization of probation records on a broad level in order to encourage information sharing. This concept is consistent with the approach recommended by Linhares and Raaen (2013) in that the more consistently data and records are generated and/or preserved, the more easily they may be organized and retrieved by the case management system that is selected by court leaders.

Probation records, as indicated above, are a hybrid of paper and electronic documents. Clients' criminal records in and of themselves are a matter of public record- though the work product that officers compile to locate and understand their criminal record such as LEADS printouts, pre-sentence investigations, FBI/BCI inquiries etc. are highly-protected documents. In fact, to release these physical records to anyone who is not entitled to access them constitutes a felony under Ohio Law. The filing of Statements of Violations and initiation of revocation

proceedings bring some treatment issues into the public record, although until the threshold of non-compliance is reached, all activities on the probation file (investigating allegations, drug screens, treatment status) are otherwise protected from public access. The concept of compliance with regard to court records refers to the adherence to applicable laws concerning the gathering, maintaining and disposing of records.

The integrity of court record and file creation and maintenance is key to public trust and confidence, and probation records are no different. As noted by Linhares and Raaen (2013) “Maintaining the integrity of judicial records is fundamental to the rule of law, because records provide evidence of the judicial decision-making process and, therefore, directly affect the rights of individuals and organizations” (p. 7). Probation records track the period of time over which the court maintains jurisdiction over an offender, and judicial decisions are made based upon the integrity of the record keeping with regard to probation conditions, extensions, violations and terminations. If records are lost, offenders go unsupervised. If records are adulterated or falsified, the liberty of innocent citizens could be compromised. While officers work hard every day to manage caseloads, it falls upon court managers to ensure that they are doing so with a high level of integrity. Therefore any policies and procedures surrounding the transition to and ongoing implementation of electronic record keeping must ensure that integrity is sustained.

The authentication of electronic records and preservation of their integrity is accomplished through the proper management of document metadata. Isaza (2010) explores this relationship and summarizes complex case law on the topic of metadata and best practices surrounding its preservation. As noted above, the probation records will be comprised of all documents created and received during the course of case supervision. Documents created via word processing, scanned images, emails and voicemails will be stored in addition to case

activity notes which will be input as docket codes. Some grant funded programs also track cases and outcomes via spreadsheets and databases. The dates and means of creation, receipt and preservation of these elements of the case may be subjected to scrutiny in a variety of ways. For instance, probation violations and subsequent court proceedings rely on the evidence as presented on the record. Defense counsel might question the timing and documentation of the officer's establishment of probable cause. The key evidence of the violation could be the creation date of the case notes, the receipt date of the related treatment update, or the time stamp on a related email or voicemail. Isaza (2010) analyzed case law and developed a list of "reasonably accessible metadata" which should be preserved for each of the following types of records: emails, documents created with word processing software (such as Microsoft Word) and electronic music or video files (p. 22-23). Examples include but are not limited to creation dates, authors, attachments, formulas, file size and format. All of these pieces of data could prove critical in authenticating a document for the purposes of proving or disproving probable cause for a probation violation if the evidence comes in the form of a document which was created or preserved in electronic format.

These considerations are also relevant in protecting the court and department in the event they are party to litigation. Whether the area of contention is a personnel issue, or an accusation by a disgruntled probationer, the proper preservation of documents and a thorough understanding of metadata are key to a successful defense. Isaza (2010) notes that records are often requested in their "native format", or in the format of the software with which they were created (p. 23), though this is difficult if they have been attached to a case via the case management system (scanned into the EDMS, for instance). The author recommends that agencies establish within their record retention policies and guidelines which components of metadata will be preserved as

the department's "official record" (p. 23). Proper metadata management will also ensure that the court or department is able to retrieve and present requested records on demand. Such pre-planning in the early phases of the conversion to digital probation records is paramount to successful case management, revocation hearings and defense of the court and the department in the unfortunate event of litigation.

The Digital Imaging Guidelines detailed by the Vermont State Archives (2004) echoes many of the tenets of digital imaging of public records discussed here. This reference addresses project planning, technical specifications and implementation considerations. Specifically, the authors note the importance that administrators document the procedures, decision processes and the history of any updates on said procedures. More importantly, it is reiterated that this responsibility does not lie with the manufacturer of the software, case management system, scanning hardware or any other tools that are selected for the project. The documentation of these procedures requires the diligence of court leaders to maintain them throughout the history of the department. As technologies evolve records must be updated and converted to updated formats and storage media options over time.

An ongoing issue of concern during the course of this project has been that of access. As noted above, the DOPS is charged with maintaining records on behalf of the judges regarding probationer status, compliance, non-compliance and progress. Probation files, in essence, belong to each respective sentencing judge. Should they be able to access the file directly from their desk or the bench? Can they do so without inadvertently providing defense counsel with confidential victim information? Will their bailiffs maintain a high level of integrity when reviewing these records if given access? With paper folders firmly in the hands of the assigned

probation officers, confidential records are easily protected from inappropriate view, or summarized verbally for counsel upon direction of the judge.

While access can be a daunting filter to create procedurally, it is the key benefit and driver of return on investment for this project. Judges will have more timely access to their files, whether via more responsive staff, or directly to their bench. The savings of time for all judicial officers could be significant. For instance, if a probation officer is contacted by phone to report to the courtroom with a document or information about a case that could have been either accessed electronically or easily described over the telephone in a matter of a few minutes, the time savings is calculable at a rate of approximately \$26.50 per hour (including fringes and benefits.) Alternatively, if a management team member (anyone from Supervisors through the Chief Probation Officer) were called in the officer's stead and must take more time to locate a file and take it to the courtroom, their approximate hourly breakdown including fringes and benefits would average nearly \$52.50 per hour. At those rates, a few minutes accessing the computer and/or answering questions over the phone would likely save hundreds of man-hours and real dollars over the course of each year. With similar figures in mind, court leaders may be better prepared to press for electronic records access policies to be tailored carefully for the specific environment which will require careful ground work to elicit support, buy-in and understanding from all parties.

The Franklin County Municipal Court includes probation records under administrative records in its current records retention policy. In general, paper records are to be destroyed five years after final closure of the case in the absence of any more recent probation cases. This practice was consistent with traditional record keeping practices, and allowed for the turnover of valuable storage space as older cases were quickly replaced with new files. In more recent years,

as cases have been closed they have been purged of unnecessary documents according to department policy and scanned into an electronic document management system (EDMS). With the integration of electronic records, as well as the interweaving of probation files with the court's case management system, these policies will require careful revision. The case management system will not allow digital cases to be destroyed or deleted as they once were in paper format. All records pertaining to the case will be stored within the case management system, including thousands of scanned documents, saved emails and voicemail recordings. It is tempting to simply plan for the eternal storage of these records, as the untangling of the court's public file and the probation department's private file may seem impossible. However, this approach is problematic for a variety of reasons, as discussed by the Joint Technology Committee (2014): storing records beyond their lifecycle is costly, as all electronic records must be maintained in such a way that they can withstand the test of time and evolving software, hardware and storage media. The retrieval process can be slowed when large volumes of redundant or unnecessary files, and thus their embedded metadata, must be searched to garner desired information (p. 17). In this case, could the FCMC afford more SANs in the future, with a price tag of over \$50,000 each? Will this hardware stand the test of time, or become overloaded eventually with terabytes of outdated data?

Once all of the above-described elements have been thoroughly researched within the context of the organization, the concept of change management must be considered. The Association for Information and Image Management (AIIM) offers a checklist for businesses to assess their readiness for change (Weise, 2013), which is broken down into four major categories: vision, trust, motivation for change and respect (p. 2).

The notion of change is difficult for even the most steady of organizations, and will

impact staff in many different ways. The success of such an undertaking requires all levels of the department to feel engaged with the vision of digitalization, and to perceive the benefits to be worth the stress, trials and tribulations. The vision must be a shared one that staff members can embrace as their own, not as something handed down or imposed by upper management. This will depend upon more than excellent communication or promotion of the vision, but also the next element of change management: trust.

AIIM asks organizations to assess the level of trust among all players in the project at hand: are leaders, employees, consultants trusted (p. 3)? Do they trust one another? To release our grip on the physical probation files requires incredible levels of trust in the policy makers, and the clerk's office staff who are charged with the task of scanning, preserving and disposing of our work. Longstanding relationships exist not only between agencies, but also the staff members who sit on the committee driving the project. These relationships will certainly be tested, but trust will see them through until the transition is complete.

Motivation for change occurred for the FCMC DOPS when the structural issues transformed the abstract thought of digitalization into a necessity. However, according to AIIM, the motivation must come from more tangible roots for organizational change to be successful. AIIM notes the importance of incentive for and motivation to change, as well as the level of motivation to support and cooperate throughout the project (p. 4). The key to success is tying the vision of the end product and the benefits of the transition to digital records to the daily lives of all employees and leaders in the organization.

The final element of successful change management, according to AIIM, is respect (p.4). Not only must employees and leaders respect one another, but they must also share respect for the consultants and other outside stakeholders involved with the project. The level of respect

between the members of the project steering committee is the glue that holds everyone together when the project encounters challenges, detours and strife. Without respect, the other elements will not see the mission to its fullest potential. Fortunately, longstanding relationships within the FCMC DOPS digitalization project committee have been built on a mutual respect for expertise and understanding of the many demands on one another's time and resources.

Strategic planning and change management are also well described in the National Center for State Courts Trends in State Courts publication *The Need for Nimble Courts: How to Develop Flexible Strategic Networks, Not Rigid Strategic Plans* (2013). This article highlights an alternative approach to projects such as this one, which contrasts lengthy traditional strategic planning with a more focused and flexible framework. The authors cite John Kotter's early 1996 work *Leading Change*, and 2012 article *Accelerate*, both of which outline eight steps to spurring progress in change implementation (National Center for State Courts, 2013, p. 40):

- Create Urgency for Strategic Issues
- Build and Maintain a Guiding Coalition
- Form a Strategic Vision and Initiatives
- Gather Volunteers with Vision and Strategy
- Ensure the Network Removes Barriers
- Celebrate Short-Term Wins
- Never Let Up, Keep Volunteers Energized
- Anchor the Strategic Change in the Culture

The NCSC article notes that strategic networks broaden buy-in for stakeholders and enrich the process with the perspectives of others, as opposed to traditional strategic planning that can be cumbersome and quickly stales with time. The strategic network approach is more likely to

create a living, breathing outcome with broader vested interest by a collaborative body, than that of a strategic plan hatched by leaders and then broadcast for implementation. This is especially relevant for a project surrounding technology, and the current environment in which records originate from a clerk file, and are then transferred over to a probation case for further processing. All of the gears must align across several divisions and units for the end product to be useful, accessible and consistently formatted. This requires a targeted and nimble strategic approach in order to be successful.

The DOPS has engaged in most of these strategic processes as it works to digitalize its caseload. A committee of partners is in place, which is comprised of DOPS upper and middle managers, one of which is well versed in the case management system. This team member has the security clearance to create docket codes, build event scheduling platforms and can recommend reports to assist with quality control measures. OIS is well represented and has devoted time and energy towards the configuration of the Adult Probation Module to meet the needs of the department. As the committee progresses and requires input from the larger management team, meetings are arranged for updates and hands-on practice with various case management functions. These sessions allow decision makers to ensure the system removes barriers and streamlines work in a way that the diverse staff will find useful and manageable.

We have examined records retention and disposition, metadata, return on investment, role based access, core principles of records management, strategic planning and change management in court settings. All of the above are broad and yet critical reflections to be shouldered by court leaders. The next step is to examine the more practical challenges and considerations faced by probation leadership in creating the vision for and steering the implementation of digitalizing their caseloads. In order to examine the regional landscape with regard to this topic, a survey

was designed to seek guidance from peers to learn from their experiences and gather their insights.

Methods

The survey developed for this project was distributed throughout the state of Ohio via two key associations: The Ohio Chief Probation Officers Association (OCPOA) and the Ohio Association for Court Administration (OACA) in November 2014. These survey was designed to illustrate the current landscape of document and workload management in probation departments across the State of Ohio, and glean insight to the advantages and challenges behind the various technological options. The survey was electronically distributed to both associations, however, a key to the robust response was its distribution at a timely meeting of the OCPOA. Respondents were asked to either complete the survey or forward it to the appropriate administrator, and return it electronically by a certain deadline. Twenty-nine of the 88 counties were represented in the sample, covering Ohio's largest cities and all regions of the state. Adult, juvenile, common pleas and municipal courts were all well represented. See Figure 5 for a list of counties and courts that were represented in this sample.

Findings

Ohio does not function under a unified state court system; therefore, its counties and their courts have the freedom to manage their workload in many different ways. The responses to this project illustrate that courts across the state have generally embraced technology to computerize their probation caseloads, but with a variety of approaches and varying levels of comfort, resources, support, confidence and success.

Finding #1: Electronic vs. Paper Files: An impressive 92% of respondents indicated that their probation department does keep probation case management records electronically. The remaining 8% of respondents who indicated they do not keep probation records electronically identified budgetary constraints, lack of technological support, and overall

uncertainty as the reasons they had not yet taken steps in this direction. The top three benefits of electronic files were listed as easier access to files for all staff (33%), consistent document management (20%) and data collection and analysis (20%).

Finding #2: The most prominent approach to case management is within the probation module of the court’s case management platform. Of the 34 respondents who keep probation case management records electronically, 71% use the probation module of their court's case management system, while 29% reported using a stand-alone case management system. Four respondents indicated they use EDMS, and may have also been counted in the 34 described above. If their caseloads were managed with a combination of EDMS and paper files, this might explain these responses. Two responses described departments in transition, either in the process of selecting a vendor or testing the waters with a few cases before making their decision.

Figure 3: Approaches to Computerized Probation Caseloads

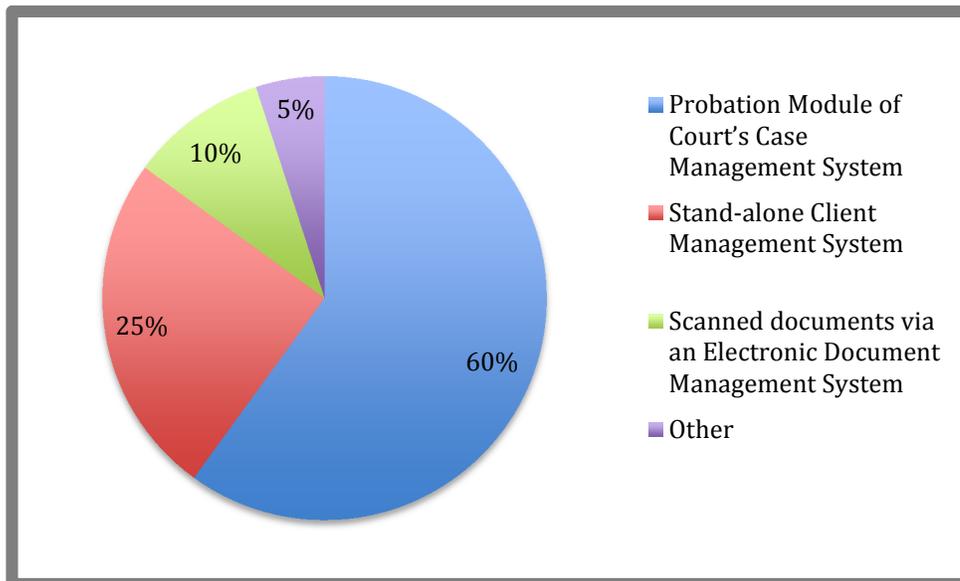
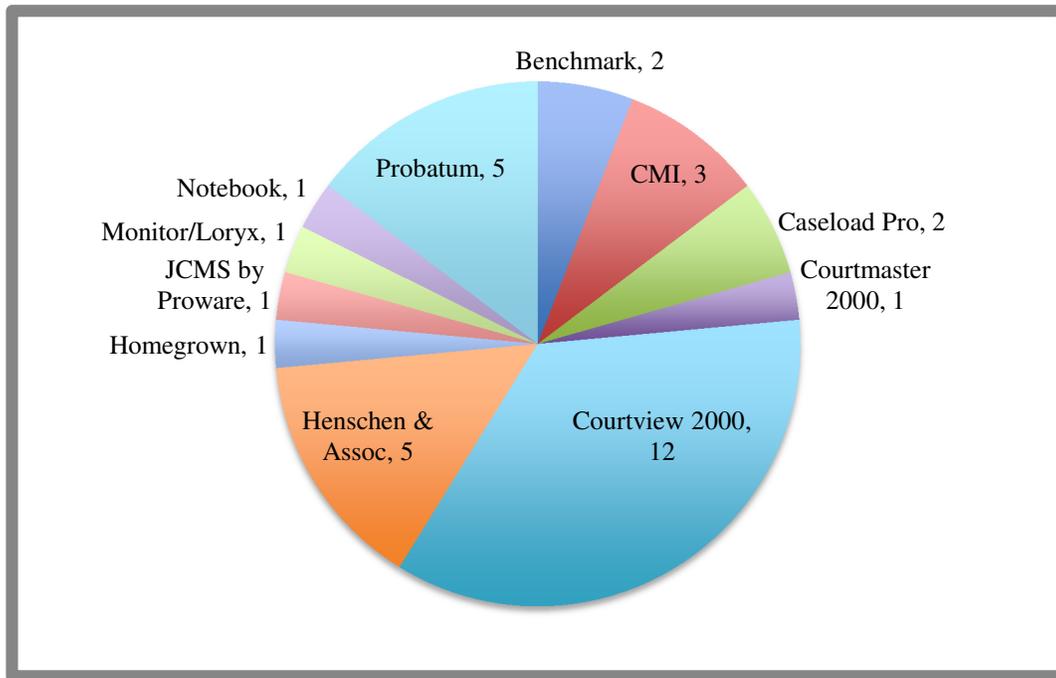


Figure 4: Probation Case Management Systems Listed by Survey Respondents



Probation module of case management system: The top three benefits of using the probation module of the court's case management system reflected the conservation of two precious resources: time and money. The most notable benefit (30%) was time savings in that departments could avoid redundant data entry to create a probation file. Twenty two percent of respondents noted that shared cost for modifications, upkeep and transition of paper files to electronic form was their most significant benefit to digitalization. A nearly equal number of respondents (20%) noted that utilization of the existing platform saved time and resources to build their digital probation caseload structure. The remaining 28% of responses were split among references to familiarity of staff to utilize the existing program, better data collection and some miscellaneous comments regarding access control limitations.

The top two challenges of using the probation module of the court's case management system were: limitations to data collection and analysis (46%) and requirement to make probation department's work product fit the mold that is predetermined by the platform that is available (37%). This notion of fitting the Court's work into a pre-programmed product reflects back to the cautions put forth by McMillan (2010). The data probation departments require, and the flexibility needed for leadership to glean meaningful data for their funding authority and grant projects, are often more difficult to attain with a rigid, pre-fabricated case management program.

Other options for caseload computerization: Those departments that use other electronic methods of case file management prioritized access control as the most prominent benefit (30%). The remaining options were scored nearly equally: better probation related data analysis (22%), tailor fit system for department needs (22%), and court management system does not offer probation module (17%). The remaining 9% cited small up-front investment without long-term service contracts and nimble data collection as the most prominent benefit of a separate system. The most highly scored challenge surrounding the use of a stand-alone program was the redundancy of running two independent systems (39%). This refers to the inability of most probation departments to completely separate their work from that of the public record and the related court file/record. Where probation work product and clerk-maintained public records overlap, redundancies are inevitable. This issue was also reflected by 26% of respondents who noted the increase in risk of data entry error when probation staff must generate a separate probation file, as opposed to copying over the clerk's information, which would be the case with the probation module. While offered as separate choices, the combined remaining 35% indicated

cost-related matters as a challenge, with 22% citing the cost of the independent software or hardware and 13% concerned with the cost of separate staff training.

Finding #3: Benefits and limitations of Electronic Document Management Systems

(EDMS): Space savings by the elimination of paper files while retaining access to images of documents were key benefits of EDMS, according to 30% of those who make use of this technology. However, these benefits are countered somewhat by the inability to analyze data from scanned images (23%), and the fact that the need for paper files is not fully eliminated (26%). One of the respondents noted the ever-present risk of loss of access and productivity when computers go down.

Figure 5: Benefits of Electronic Document Management Systems

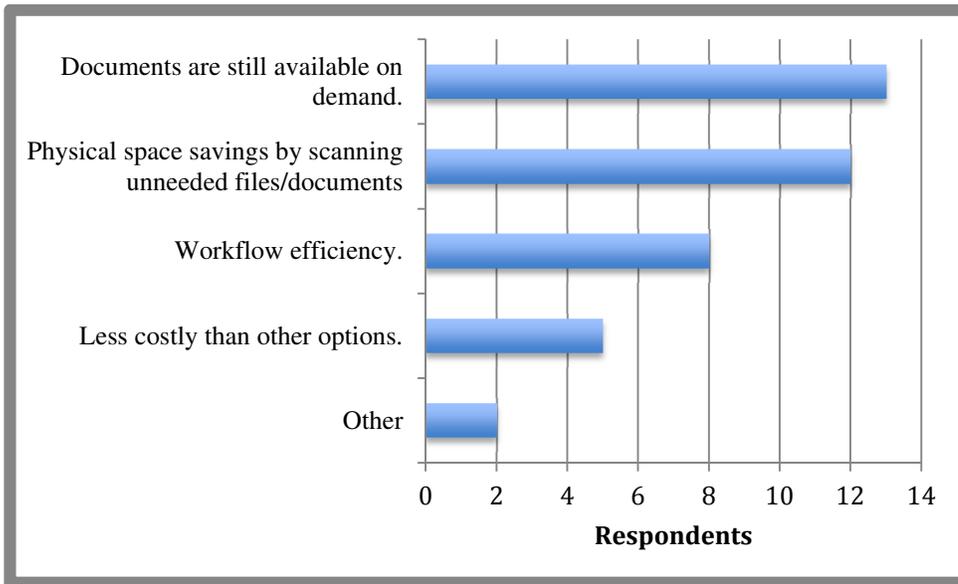
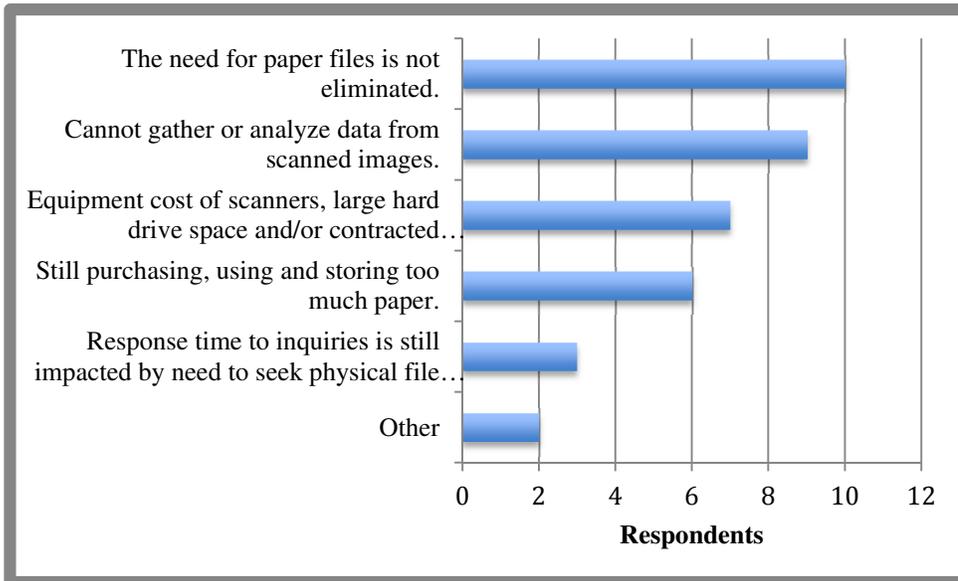


Figure 6: Challenges of Electronic Document Management Systems

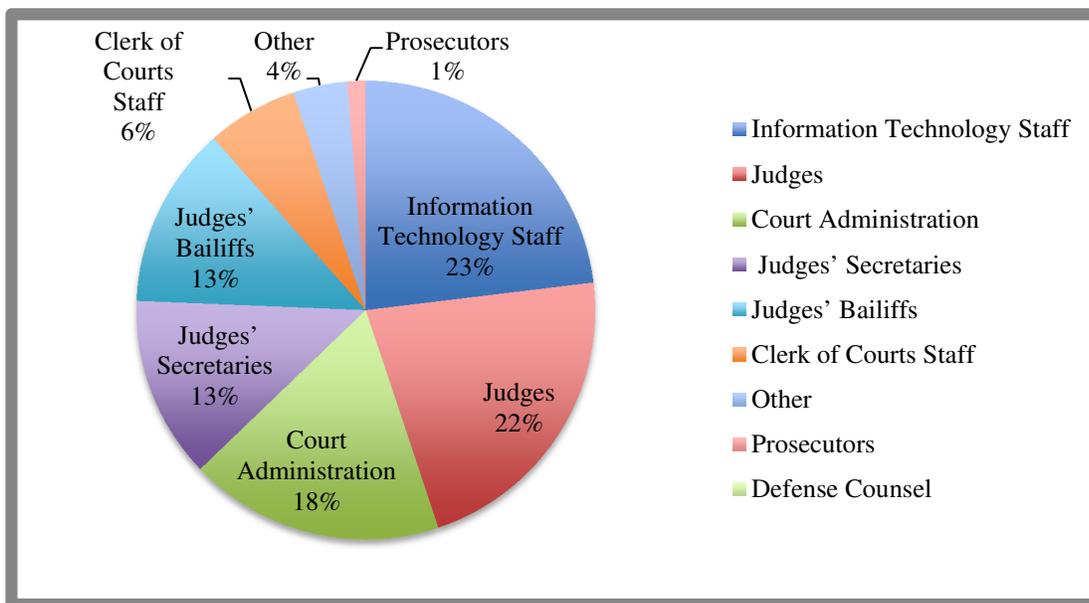


Finding #4: Management of access and security is a key area of concern. The surveys asked each administrator to identify the stakeholders who do and who do not have access to view probation records electronically. As noted above, this has been an area of concern for the FCMC DOPS in the past, and these results reflect the narrow line that leaders must tread in making these decisions. Nearly half of respondents allow judges to view probation documents, while 53% restrict their access, which is an interesting split. Only one allowed access to prosecutors, and none permitted defense counsel to view probation records. Other court staff members are largely restricted from viewing records with some exceptions for information technology staff. Most probation staff members are permitted to add records to probation files. The departments represented in this sample might not have all of the intermediate levels of

management (assistant supervisors and deputy chief), as these were the only two staff positions with significant difference in counts.

By and large, the deletion of records is restricted to high-level officials, and in specific situations. Some stipulated that they only delete expunged records. Many noted that officers are permitted to delete their case notes or correct errors, but cannot delete whole cases/records. This is another area in which information technology staff divisions are of assistance to some departments, which adds a layer of accountability and quality control to such important records transactions.

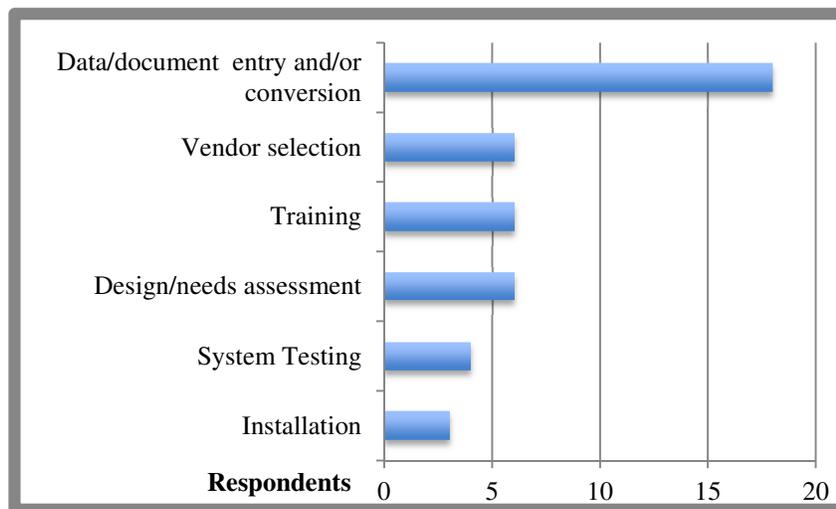
Figure 7: Access to View Probation Records



Finding #5: Data conversion is the most difficult step of implementation. The most challenging aspect of implementation was identified as data/document entry and/or conversion, as reported by 38% of departments. This has certainly been a challenge for the FCMC DOPS as we move forward with development and testing of the Adult Probation Module. Determining the most efficient and appropriate means of scanning existing files, and integrating their information

into a newly formatted electronic file has proven tedious and time consuming. Additionally, responses to this question confirmed that some courts are still utilizing older systems. Eight percent of respondents were unable to discuss the struggles of implementation, because they had not yet embarked on an updated approach to probation records management.

Figure 8: Challenges of Implementation



Conclusions and Recommendations

Review of the results of the surveys and the comments shared by probation leadership from around the state of Ohio revealed that the FCMC and its DOPS is catching up to the technological demands of its work, but is not alone in its struggles to do it well. It is clear that the prevalence of computerization of probation caseloads is high, the products employed are varied and the technology and required support are costly.

Conclusion #1: Most departments are managing their caseloads electronically, but utilizing a wide variety of products and approaches. It is no surprise that most probation departments who responded to the survey do utilize technology to manage their caseloads, either via EDMS, a case management system or a combination of methods. However, the means of doing so varies widely. While one vendor clearly dominates the Ohio market, survey respondents referenced ten different systems, in addition to a “home grown” option selected by a few. Some find web-based systems to be convenient due to the access they permit from the field. This is not usually an option for modules that are incorporated into the Clerk’s case management system.

Recommendation #1: Evaluate and select case management platform based upon accessibility needs and level of support for implementation. Respondents who indicated that their case management system was tied to their court or clerk’s system noted significant limitations and struggles with implementation. While the implementation phase of any technology project will be arduous and tedious, court leaders should weigh the priorities of their end product. For instance, agencies with very mobile staff, such as those departments with multiple locations or many man-hours in the field, should weigh the value of remote access and web based products. If their supervision standards and practices call for this fluid access, then

the return on investment of staff time at the front-end of implementation will pay off in the long run. However, organizations with a more static approach, whose data management is naturally interwoven with the court's case management system, will be served well with an integrated end product.

As with any major purchase of merchandise or services, diligent research online is worth the effort. Capterra² is a website that offers a listing of software systems for many different fields, businesses and professionals. The site allows for filtering of programs by category, and then further narrows the search by web based and installed options. Users can then select a variety of other features by which to filter the results. Products profiles include reviews and often links to the website of the software company itself. This tool can assist in surveying the landscape and narrow the search for the next recommended step: collaboration.

Conclusion #2: Collaboration among peers is essential, not only to research technological trends and options, but also for facilitating such an impactful project.

Technology is ever changing and evolving, as is the work of the courts and probation departments. Thirty-seven departments described varying levels of need and stages of growth and development with regard to computerizing their caseloads. There are numerous options available to departments, and the selection process can be overwhelming.

Recommendation #2: Consult courts of similar size and caseloads to identify implementation challenges and evaluate hardware, software and storage capacity options.

Whenever possible, seek the guidance and support of professional associations and peers and find out what your counterparts have experienced. Reach out to courts of comparable size and jurisdiction to ensure the comparisons are relevant to your environment. Compare notes

² <http://www.capterra.com/court-management-software/>

regarding vendors, options and experiences to help narrow the scope of choices and focus energies. As was reflected in the survey results, particularly in a decentralized state such as Ohio, there is great diversity in approaches to probation records management. Oftentimes state associations employ a listserv or other means of soliciting guidance and support from other leaders; make use of these tools whenever available.

When the FCMC DOPS first considered making more comprehensive use of the Adult Probation Module of its case management system, high-level leadership reached out to another large Ohio Municipal Court and scheduled a field trip. The group included Probation Officers, Supervisors, Chief and Deputy Chief Probation Officers, as well as representatives from the Office of Information Services. The hosts were open to discussing the pros and cons of the case management system, implementation challenges and particularly the period of transition. This rapport has been maintained over time, and the lines of communication remain open. Probation departments with digitalization on their agenda must be willing to reach out to courts of similar size and jurisdiction for guidance and support.

Conclusion #3: Technology is a costly and time-consuming endeavor. Several comments from respondents echoed the concern for cost as an obstacle or challenge for their departments as they approached or sought meaningful results from their technological options. Some cited up-front costs, long-term service contract, updates and staff training as contributors to their bottom line considerations. This again echoes Bugg and Bosier (2009) who caution that the selection of an “off the shelf” product limits the flexibility of how the product can meet the needs of the department, but also limits its options with regard to servicing or modifying the program’s components. Weigh the costs of the service agreement and the level of constraint to be anticipated from a vendor who builds the product for you, versus a homegrown and self-

maintained system that will provide you with exactly the information and flexibility needed. This option, however, depends on the department's ability to recruit well-qualified technologically savvy staff, and maintain their training for proper system upkeep. Leaders would need to consider overall memory systems capacity for storing records and backing up files, as well as the financial requirements to do so over time. Both options will be costly, and identifying the funding for the initial project as well as long-term maintenance can be challenging.

Recommendation #3: Consider alternative funding sources and models if technology needs are not being sufficiently funded through the Court's traditional funding streams. The Ohio Revised Code 2951.021 permits probationers to be charged a probation user fee, which equates to no more than \$50 per month of supervision, the revenue from which is controlled by the Chief Probation Officer. These funds can be used for a variety of probation related projects, staff, supplies and contracted services. Consider these funds as an opportunity to improve business practices in a variety of ways such as to hire probation-specific technology staff, or contract with outside technology services if applicable. Funding can also provide a bartering and partnership tool for probation leadership to offer shared services or equipment in exchange for staff assistance with scanning, file preparation, consultations by outside experts or other large scale projects.

Grants may also be available for larger equipment or staff positions. Grants are often more tedious to locate and secure, but they are certainly worth investigating. *The Law Enforcement Tech Guide* (Harris and Romesberg, 2002) and the *Community Corrections Automated Case Management Procurement Guide with Bid Specifications* (Matz, 2012) are two excellent resources for planning such projects, and managing them in such a way that grant

requirements are considered and well documented for the funding source. In fact, the Supreme Court of Ohio offers a grant specifically to assist courts with technology projects. These funds can be used either to connect to the Ohio Courts Network, purchase minor upgrades to case management systems or fill other technological needs.³

Discussion

As the survey results were tallied, the potential for improvements with regard to expanded questions and distribution was notable. The survey was distributed as a Microsoft Word document, to be completed and returned. This was effective, but is cumbersome for participants to maneuver and extract data, particularly considering other web-based options. While the author has some familiarity of responding courts' size, the survey would have been well served to include a question or two to extrapolate data based upon this dynamic.

This project was undertaken in the midst of the renewed efforts on the part of the FCMC DOPS as described above. The research has provided valuable guidance on this monumental undertaking, and it is starting to take form. It is clear that such would not be the case were it not for the interdepartmental collaboration, devoted staff and diligent work of so many leaders within the Franklin County Municipal Court and Clerks Office. Implementation is underway, with two caseloads in the testing phases. Supervisors' profiles are being fine-tuned and their protocols for review and approval of officers' work are being drafted and tested. Once these basic functions are in place, the gradual training of staff will begin. As officers are trained to manage their cases on the computer rather than paper files, their transition will begin. We will partner with the Clerk's office once again to scan probation files for non-reporting and warrant-

³ Information can be found at <http://www.supremecourt.ohio.gov/grants/default.asp>.

status cases. These files require minimal attention, so they can be removed from the department for a period of days or a few weeks to be scanned into the case management system. Once a file is scanned, any and all case activity thereafter will be entirely computerized.

The next decision to be made involves the switch for open and incoming new cases. The officers who are testing the system are doing so via two methods: the first has scanned all open cases in their entirety, and then proceeded with supervision and documentation in the computer thereafter. The second officer found scanning to be quite time consuming. Considering the files could ultimately be scanned upon closure, this officer has opted to only scan the most important documents, including the activity logs to date, and then note the record that the case will be managed digitally thereafter.

Community corrections professionals are expected to validate their work and their funding through the careful collection of data on their caseloads. This is not possible for departments that employ the traditional approach with paper and pencil files. Evidence based practices demand objective data to corroborate their policies around supervision strategies, funding of staff and programs. Grant funding requires data to identify problems, recommend solutions and verify outcomes. Computerization of probation caseloads facilitates the gathering of this data. As noted herein, there are many different options available to probation departments as they approach this project- and many important issues to consider when selecting a platform, developing policies and procedures and managing change within their organization. If implemented effectively, the digitalization of probation caseloads will strengthen the individual organizations with improved services and community corrections on a local, state and national level.

References

- Abernathy, C. (2014). Corrections and reentry: Protected health information privacy framework for information sharing. Lexington, KY: Council of State Governments, American Probation and Parole Association.
- Anderson, P. (2011). Future Trends in Public Access: Court Information, Privacy and Technology. *Future Trends in State Courts*, 10-18.
- Brown, T. (2003). Functional Standards Development for Automated Case Management Systems. Bureau of Justice Assistance, U.S. Department of Justice.
- Bugg, L. & Bosier, K. (2009). Advantages of Using Internal Development Staff for Technology in Lieu of Outside Vendors. Retrieved from <http://cdm16501.contentdm.oclc.org/cdm/singleitem/collection/tech/id/736/rec/7>
- Franklin County Municipal Court Retention Schedules for Administrative Records (2013).
- Griller, G. (2013). The Need for Nimble Courts: How to Develop Flexible Strategic Networks, Not Rigid Strategic Plans. National Center for State Courts.
- Isaza, J. (2010). Metadata in Court: What RIM, Legal and IT Need to Know. *ARMA International Educational Foundation*. Pittsburgh, PA.
- Kelly J. Harris & William H. Romesburg (2002). Law Enforcement Tech Guide: How to plan, purchase and manage technology (successfully!): A Guide for Executives, Managers and Technologists. Washington, D.C.: U.S. Department of Justice, Office of Community Oriented Policing Services.
- Kotter, J.P. (2012). Accelerate!. *Harvard Business Review*. November 2012, 46-58.
- Kotter, J.P. (1996). *Leading Change*. Boston, MA: Harvard Business School Press.

- Linhares, G & Raaen, N. (2013). To Protect and Preserve: Standards for Maintaining and Managing 21st Century Court Records. Conference of State Court Administrators.
- Matz, A. K. (2012). Community corrections automated case management procurement guide with bid specifications (ver. 1.0). Lexington, KY: Council of State Governments, American Probation and Parole Association.
- McMillan, J.E. (2010). Electronic Documents: Benefits & Pitfalls. Future Trends in State Courts.
- Metadata: The Foundation for Next Generation Enterprise Content Management. (2012). www.m-files.com
- Raaen, N. (2014). Steps to Better Electronic Records Governance. *Trends In State Courts*, 63-66.
- TAB. (2011). How Metadata Works With Records Management, Part I. Retrieved from <http://www.tab.com/resources/white-paper-how-metadata-works-with-records-management/>
- TAB (2011). How Metadata Works With Records management, Part II, Building An Action Plan. Retrieved from http://tabfusionrm8c943c92.s3.amazonaws.com/Resources/How_Metadata_Works_with_Records_Management_Part_II.pdf
- The Sedona Conference Commentary on Ethics & Metadata (2013). Vol. XIV.
- Supreme Court of Ohio Municipal Courts Statistics. (2013) Retrieved from <http://www.supremecourt.ohio.gov/Publications/annrep/13OCS/8.pdf>
- The Vermont State Archives (2004). Digital Imaging Guidelines. December, 2004.
- Weise, Carl (2013). How Ready Is Your Organization For Change? Association for Information

and Image Management. Retrieved from http://info.aiim.org/hs-fs/hub/332414/file-418386416-pdf/Training-Briefing-Papers/Q22013_Checklist_ECM_How_Ready_is_your_organization_for_change.pdf

Appendix A: Cover Letter to Survey Recipients

November 1, 2014

Ohio Association for Court Administration Membership
Ohio Chief Probation Officers Association Membership

Greetings!

My name is Melinda Brooks. I am a member of OACA, and have worked for the Franklin County Municipal Court Department of Probation Services since 1996. I am currently participating in the National Center for State Courts Institute for Court Management Fellows Program, class of 2015. My ICM project addresses the challenges of transitioning probation files and work product to digital records and case file/client management.

While there is much research on the shift to electronic records for courts overall, particularly with the critical task of recording court proceedings and outcomes, the dynamics of probation records are quite different. Probation officers gather criminal records, counseling verification, urine screen results and other information that is critical to their task of monitoring compliance. However, most of these records are protected by HIPAA and/or other rules governing confidentiality. In some courts the case management systems are purchased and maintained by Court staff- in others the Clerk's office maintains these services. These structures have a large impact on the resources and power available to probation departments as they seek to modernize and transition to electronic files.

This project is more than an academic endeavor on my part. Our probation department, which supervises over 17,500 cases annually, has only scratched the surface in converting to electronic files. The resources available through the NCSC and ICM programs have offered me the opportunity to share insights and research with my leadership and counterparts as we move forward with this transition.

With these issues in mind, I ask that you take a few minutes to complete the attached survey. Part of the ICM experience includes the gathering of independent data related to the project. If your probation department does *not* keep electronic files, the survey should take very little time. If your probation department does maintain their work product and case files electronically, the survey should take under ten minutes.

This survey is being distributed to the Ohio Association for Court Administration membership as well as the Ohio Chief Probation Officers Association membership. I am interested in the perspectives of all roles within all courts, so please do not consolidate responses.

If you are interested in participating in this survey, please return these forms to me via email at brooksm@fcmcclerk.com by November 15, 2014. Feel free to add comments, insights or questions if you have them.

Thank you so much for your support and insight.

Respectfully,
Melinda C. Brooks, M.S., C.C.E.
Probation Officer Supervisor
Franklin County Municipal Court
Department of Probation Services
375 S. High St. 8th Floor
Columbus, Ohio 43215
614-645-1960 (phone and fax)

Appendix B:
Survey of Chief Probation Officers and Court Administrators
Regarding Probation Caseload Computerization

Name & Position: _____

Court: _____

1. Does your Court keep Probation case management records electronically?
 Yes (Please skip to #3)
 No

2. If you *do not* keep Probation case management records electronically, why not?
 We want to but are unsure where to begin.
 Budgetary restraints.
 Concerns regarding access to confidential records.
 Lack of technological support.
 Other (please specify):

3. If yes, which of the following best describes your environment:
 Probation Module of Court's Case Management System
 Stand-alone Client Management System
 Scanned documents via an Electronic Document Management System
 Other: _____

4. If using the Probation Module of the Court's Case Management System, what are the benefits of using the same program? (Check all that apply):
 Existing platform saved time and resources to build Probation structure
 Existing platform was familiar to Probation Staff, and eased transition
 Shared cost for modifications, upkeep and transition of paper files to electronic form.
 Better data analysis of probation related issues, such as conditions compliance, outcomes, and jail days served etc.
 Time savings by avoiding redundant data entry to create probation file.
 Other: _____

- 4a. What are the challenges surrounding the use of the Probation Module of the Court's Case Management System? (Check all that apply):
 Requirement to make Probation Department's work fit the "mold" that is predetermined by the platform that is available.
 Limitations to data collection and analysis.
 Costs associated with upkeep.

Difficulty controlling access by outside entities or other Court divisions due to lack of role-based permissions per case/document who are not otherwise authorized to access probation records.

Other: _____

5. If using a Stand-alone Client Management System, what are the reasons for or benefits of separation from the Court's Case Management System? (Check all that apply):

- Court's Case Management System does not offer a Probation Module.
- Ensures access is limited to Probation Staff only, unless otherwise authorized.
- Better data analysis of probation related issues, such as conditions compliance, outcomes, and jail days served etc.

Tailor fit system to departmental needs.

Other: _____

5a. What are the challenges surrounding the use of a Stand-alone Client Management System? (Check all that apply):

- Two separate systems (Court's Case Management and Probation's Client Management) are sometimes redundant.
- Use of separate system requires unique initiation of each probation case (as opposed to copying from existing court case) which increases risk of data entry error.
- Cost of purchase of independent software/hardware.
- Cost of training separate from Court Case Management System vendor.

6. If using an Electronic Document Management System, what are the reasons for or benefits of this approach to caseload management? (Check all that apply):

- Physical space savings by scanning unneeded files/documents
- Documents are still available on demand.
- Less costly than other options.
- Workflow efficiency.

Other: _____

6a. What are the challenges surrounding the use of an Electronic Document Management System? (Check all that apply):

- Cannot gather or analyze data from scanned images.
- The need for paper files is not eliminated.
- Response time to inquiries is still impacted by need to seek physical file on open/active cases.
- Equipment cost of scanners, large hard drive space and/or contracted scanning service.
- Still purchasing, using and storing too much paper.

Other: _____

**FOR THOSE DEPARTMENTS WHO DO UTILIZE ELECTRONIC CASELOAD
MANAGEMENT PLEASE CONTINUE:**

Please list the software system/vendor that you utilize: _____

1. *Other than Probation Department staff*, please check all stakeholders who DO have access to VIEW probation records electronically:

- Judges
- Judges' Secretaries
- Judges' Bailiffs
- Defense Counsel
- Prosecutors
- Court Administration
- Information Technology Staff
- Clerk of Courts Staff
- Other: _____

2. *Other than Probation Department staff*, please check all stakeholders who DO NOT have access to VIEW probation records electronically:

- Judges
- Judges' Secretaries
- Judges' Bailiffs
- Defense Counsel
- Prosecutors
- Court Administration
- Information Technology Staff
- Clerk of Courts Staff
- Other: _____

3. Please list those Probation Department staff who DO have the authority to ADD probation records electronically. Provide examples/explanations if applicable.

- Probation Department Support Staff
- Probation Officers
- Probation Officer Assistant Supervisors
- Probation Officer Supervisors
- Deputy Chief Probation Officer
- Chief Probation Officer
- Other: _____

Examples: _____

4. Please list those Probation Department staff who have the authority to DELETE probation records electronically. Provide examples/explanations if applicable.

- Probation Department Support Staff
- Probation Officers
- Probation Officer Assistant Supervisors
- Probation Officer Supervisors
- Deputy Chief Probation Officer
- Chief Probation Officer
- Other: _____

Examples: _____

5. What stage of implementation of this project was the most challenging?

- Vendor selection
- Design/needs assessment
- Installation
- System Testing
- Data/document entry and/or conversion
- Training
- Other: _____

6. Please check the single-most prominent benefit that has been gleaned for the Court and/or Department from the transition to electronic files (please select one):

- Easier access to files for all staff
- Consistent document management
- Fewer lost or misplaced files
- Faster response time for inquiries by judges
- Data collection and analysis
- Saves space- no need to store physical files of current and closed cases

Other: _____

Comments welcome:

Please return to Melinda Brooks by 11/15/14:

Email: brooksm@fcmcclerk.com

Fax: [614-645-1960](tel:614-645-1960)

Thank You for supporting my ICM Fellows project!

Questions? Call me at 614-645-1960

Figure 9: Ohio Courts Represented in Survey Sample

Court	County
Allen County Common Pleas	Allen
Lima Municipal	Allen
Eastern & Western County Court	Ashtabula
Belmont County Court of Common Pleas	Belmont
Brown County Common Pleas Court	Brown
Champagne County Municipal Court	Champagne
Clermont County Common Pleas Court	Clermont
Clinton County Juvenile Court	Clinton
East Liverpool	Columbiana
Cleveland Municipal Court	Cuyahoga
Cleveland Municipal Court	Cuyahoga
Berea Municipal	Cuyahoga
Chardon Municipal Court	Geauga
Greene County Common Pleas Court	Greene
Hamilton County Juvenile Court	Hamilton
Hancock County Common Pleas Court	Hancock
Findlay Municipal	Hancock
Harrison County Common Pleas	Harrison
Greenfield Municipal Court	Highland
Huron County Common Pleas Court	Huron
Licking County Court of Common Pleas	Licking
Lorain County Domestic Relations Court	Lorain
Lucas County Court of Common Pleas	Lucas
Medina County Court of Common Pleas	Medina
Miamisburg Municipal Court	Montgomery
Montgomery County Court of Common Pleas	Montgomery
Circleville Municipal	Pickaway
Mansfield Municipal	Richland
Richland County Court of Common Pleas	Richland
Ross County Court of Common Pleas	Ross
Shelby County Court of Common Pleas	Shelby
Tuscarawas County Common Pleas Court	Tuscarawas
VanWert County Common Pleas Court	VanWert
Marietta Municipal	Washington
Wayne County Municipal	Wayne
Wayne County Common Pleas Court	Wayne

Figure 10: Counties Represented in Survey Sample

