

Court Technology



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STATUS OF THE FUND

The Idaho Supreme Court's technology system is primarily supported through the Court Technology Fund (CTF), a dedicated fund established by I.C. 1-1623 with 91% of its revenue provided through legislatively-established fees imposed in both criminal and civil court cases. The fund maintains, replaces, and enhances technology to efficiently manage and improve access to the courts and court records.

The fund and the courts have faced unprecedented challenges over the last two fiscal years as a result of the coronavirus pandemic. Reduced court services, triggered by the pandemic, resulted in a decline in fund revenue of 6.55% in FY2020 and an additional 2.85% in FY2021. Significant purchases of technology, equipment and services to ensure uninterrupted access to justice have increased ongoing costs to the fund by approximately 10.23%.

While the pandemic has accelerated compression of the fund, its revenues simply cannot keep pace with the rising costs of providing court technology across the state. More on this issue is described on the next page. The Court is requesting budget enhancement line items to provide short-term support for the fund while a long-term solution is developed.

MAINTENANCE, REPLACEMENT, EXTENSION OR ENHANCEMENT

Resources from the fund have been integral to the Idaho Supreme Court's efforts to ensure public safety and continuity of operations during the COVID-19 pandemic. Smart and swift deployment of technology ensured Idaho's courts remained open to all who wanted to file or defend a claim.

- A videoconferencing platform and related hardware support allowed courts to hear cases remotely, enabling hearings regardless of COVID-19 levels.
- A separate livestreaming solution ensured access to publicly available hearings when the public could not attend in person.
- Hardware investments helped enable court employees to work from home, improved engagement when court hearings were held partially in person, and ensured flexibility preparing for numerous possible pandemic scenarios.
- Off-site jury kits provided technology and contractor support to allow jury selection to take place at locations outside of a courthouse.
- The Court enhanced its websites with resources enabling remote proceedings, pandemic operations and access to court proceedings.

These investments produced other benefits. Anecdotally, remote access allowed witnesses, victims' families, attorneys and other participants to easily join hearings where distance was a challenge. Virtual mediation advanced cases throughout the year.

In other work, the statewide project to replace courtroom recording systems and in-court clerk computers continued in FY2021. The Odyssey system received an upgrade allowing faster access to cases and greater efficiency. Software enhancements increased the system's stability and resolved issues causing regular outages and performance degradation.



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FUNDING CONCERNS

The cost of providing technology to support the Idaho courts has significantly increased over the last five years — including technology costs necessary to support remote court proceedings and ensure continued access to justice during the pandemic.

At the same time, criminal and civil filings (91% of the fund’s receipts) have continued to trend downward or remained static over the last several years. They declined an additional 1.9% and 10.6%, respectively, over the last year and a half due to the COVID-19 pandemic.

A decline in civil filings has a direct impact on the fund’s revenues. Criminal filings can also have a direct impact, but due to the way their fees are imposed, that impact may be realized in future revenue.

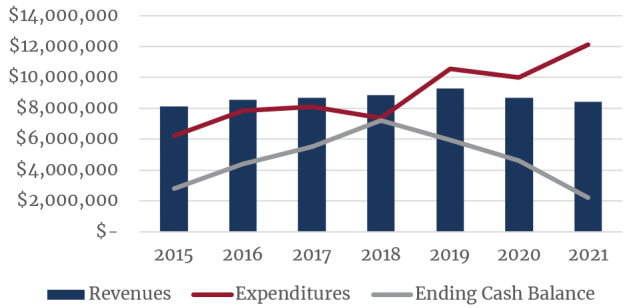
Simply put, revenues in the dedicated fund are not keeping pace with the cost of supporting court technology operations across the state. The compression in the fund is depleting available cash reserves and escalated the need for supplementary support.

FUNDING REQUEST: E-FILING FEES

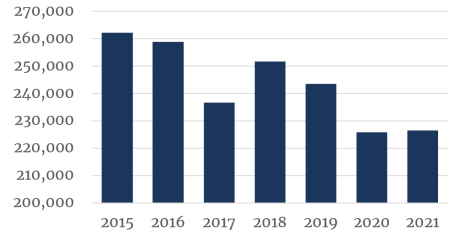
In an effort to address fund concerns and identify the proper ongoing funding structure, the Court is working with a third-party consultant to develop a clear statement of ongoing costs, dedicated fund revenues, and solutions for stable funding.

In the interim, the Court is requesting a one-time General Fund appropriation of \$1,550,00 to pay the cost of electronic envelope fees for the online filing system in FY2023. During that year, the Court will explore the option of transitioning some or all of the costs of the e-filing system to parties utilizing the system. The one-time General Fund appropriation will allow the Court time to develop and present a reasoned long-term solution.

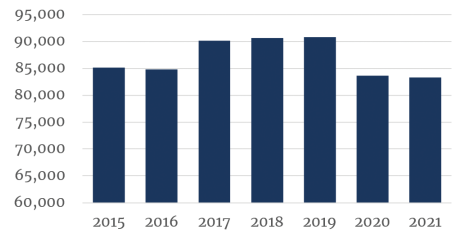
Court Technology Fund Financial Activity



Criminal Filings



Civil Filings



Court Technology

FUNDING REQUEST: AMERICAN RESCUE PLAN ACT

Idaho courts during the COVID-19 pandemic had to quickly adapt to new health safety requirements while preventing court closures and ensuring access to justice. At the same time, greater use of technology led to cybersecurity concerns for state courts throughout the nation. Entities outside of the United States have appeared to target state court technology and data, sometimes resulting in court closures for weeks. These challenges required the Idaho Supreme Court to reimagine court processes and technology as they exist today and consider necessary steps to strengthen our system.

The Court's response to the pandemic resulted in increased reliance on technology in almost all aspects of court proceedings, including the online filing of cases, digital evidence sharing, remote hearings, off-site jury selection, and court administration. It also highlighted limitations and possible vulnerabilities existing within the Court's technology infrastructure: inconsistent or limited technology across the state, and lost functionality in our case management system due to existing architecture and remote access technology.

Facing a backlog of cases due to the necessary reduction of services at various times over the last two years, Idaho's courts must remain innovative and seek efficiencies to ensure the timely resolution of cases. In addition, the courts and others see value in the continued use of videoconferencing in court proceedings. Technology supporting remote work and proceedings is not a temporary need, but an essential component to becoming more efficient and flexible. Because some form of virtual court proceedings will need to continue well into the future, there is no expectation that associated costs will subside.

This needed innovation and adoption of technology and security solutions has a significant economic impact on the Court Technology Fund, exacerbating the fund's current revenue issues.

To address these concerns and minimize the impact to the fund, the Court is requesting a one-time appropriation of \$19,990,500 from the Coronavirus State and Local Fiscal Recovery Fund of the American Rescue Plan Act (ARPA) of 2021 with carryover spending authority over the next three years. ARPA funding would help offset the negative economic impact triggered by COVID-19 and would support continued development of our court technology infrastructure while preserving CTF funding to support ongoing technology costs.

Coronavirus State and Local Fiscal Recovery Funds (Section 9901 ARPA)

	2023	2024	2025	Total
Access to Justice Continuity: Remote Operations	\$2,296,045	\$3,198,591	\$1,433,111	\$6,927,747
Access to Justice Continuity: System Connectivity	\$2,324,265	\$1,004,556	\$503,190	\$3,832,011
Access to Justice Continuity: System Stability	\$3,513,000	\$2,900,000	\$1,481,500	\$7,894,500
Case Backlog Support	\$522,230	\$522,675	\$261,337	\$1,306,242
Public Safety and Protection - PPE	\$30,000	-	-	\$30,000
Total ARPA Funding Request	\$8,685,540	\$7,625,822	\$3,679,138	\$19,990,500

