

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: December 4, 2007 [] Consent [X] Regular
[] Workshop [] Public Hearing

Department:

Submitted By: County Administration

Submitted For: County Administration

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I. EXECUTIVE BRIEF

Motion and Title: Staff requests Board Direction: Regarding a recommendation by the Justice Information Systems (JIS) Policy Board for: 1) the County to enter into an Agreement with the National Center for State Courts (NCSC) for consultant services to evaluate the performance of and make recommendations regarding the future of the Criminal Justice Information System (CJIS); and 2) for the funding of the study in the amount of \$93,892 to be split equally from three sources: general tax funds, Clerk funds, and the \$2.00 Court Technology Fee.

Summary: The new Criminal Justice Information Systems (CJIS) Criminal and Traffic System has been operational for a year. This module was the final component of a comprehensive court case management system following the implementation of the Civil and Juvenile Court Systems in 2003. The Banner Courts software was selected by the Clerk's Office years ago in cooperation with the Judiciary and ISS. It was put through an extensive test and acceptance process by the Clerk prior to being placed in operation. Dissatisfaction has been voiced about the system by users since "go-live." Some of the problems are related to known shortcomings in converted historical data from the mainframe. Certain technical enhancements, which are intended to improve system performance, have not been implemented. Against this backdrop, the JIS Policy Board, through its JIS Technical Committee, obtained proposals for a consultant to evaluate the existing CJIS System. Two proposals were received, with the recommendation from the Technical Committee being for the least cost vendor. During discussion of the consultant at the November 8 JIS Policy Board Meeting, County staff indicated that the proposed consultant study was at best premature, and if it was to be done at all, should await completion of the technical improvements. By a 7-1 vote with the County Administrator voting "no," the JIS Policy Board voted to recommend to the BCC that the consultant study be done now, and that funding be split equally from general tax funds, Clerk funds, and the \$2.00 Court Technology Fee. Regarding the issue of funding for the study, if the BCC does not support the JIS Policy Board recommendation, it is possible that the Clerk may choose to pay for the study from funds under her control. Also, the Chief Judge strongly expresses that the \$2.00 fee should be controlled by her Office, not the County, and legal action could be initiated to claim such rights. While the Board may wish to consider the use of residual funds in the \$2.00 Court Related Information Technology Capital Improvement Fund to pay for two-thirds of the study cost (\$62,595), the JIS Policy Board did not endorse this option. Countywide (PFK)

Background and Policy Issues: The Criminal and Traffic Court System was implemented in October 2006 as the final modules of a comprehensive case management system which also includes separate components for civil court, juvenile court, and jury management. (continued on Page 3)

Attachments:
Proposal for Consulting Engagement by The National Center for State Courts
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Recommended by: _____
Department Director Date
Approved by: [Signature] 11/27/07
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	\$93,892	_____	_____	_____	_____
External Revenues	(\$31,297)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
	\$62,595	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes X No

Budget Account No: Expense: Fund 3902 Dept 491 Unit M018 Object 3401

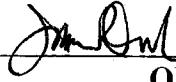
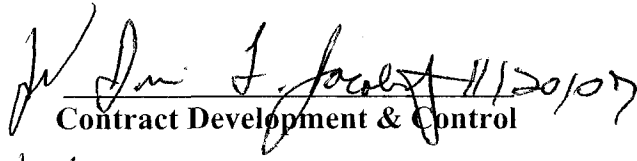
B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Department Fiscal Review: _____

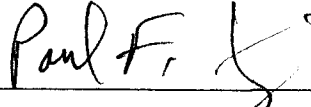
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Under the proposed scenario, \$62,595 is currently budgeted in the Court Related Information Technology Capital Fund. The remaining \$31,297 would be reimbursed by Clerk funding.

 _____ OFMB ATW 11-20-07 CNW 11-20-07	 _____ Contract Development & Control 11/20/07
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B. Approved as to Form and Legal Sufficiency:



 Assistant County Attorney
 11/21/07

C. Other Department Review:

Department Director

Background and Policy Issues: *(continued from Page 1)*

The Banner Court System is a highly customized software package developed by a commercial vendor - Affiliated Computer Systems (ACS). The Banner Courts software was originally selected in 1998 for the civil and juvenile courts systems. This vendor package was selected based on a structured process involving product demonstrations by competing vendors which were attended by numerous representatives of the user agencies, primarily the Clerk & Comptroller's Office. The selection process also included reference checks. Again, prior to the award of the contract for the Criminal and Traffic System in 2003, the Clerk's Office reconfirmed ACS as the vendor of choice after site visits were made to several Florida counties using the Banner Courts software. The Clerk & Comptroller paid \$2,990,000 for the software licenses for the Criminal and Traffic Courts System and is the owner of this software, unlike the civil and juvenile court licenses which were paid for from funds controlled by the Board of County Commissioners.

Since the implementation of the Criminal and Traffic System, the Clerk's Office has stated that the new system is inefficient to the point that additional staff have been required to handle the case processing workload, including manually checking the accuracy of information. In response to this situation, the JIS Technical Committee recommended and the JIS Policy Board approved contracting with The National Center for State Courts (NCSC) to evaluate the Banner Courts System and make recommendations for going forward.

The timing of this recommendation was not supported by the County Administrator, the County's representative on the JIS Policy Board, but the motion to proceed with the consulting study was approved by a 7-1 vote by the JIS Policy Board. The County's position was based on the fact that numerous program fixes submitted by ACS had not been tested and placed into production as well as the pending "Technical Refresh" portion of the contract. The Technical Refresh involves upgrading the existing 10-year old software with more modern versions of the Oracle database and the Oracle Forms language in which the application is written. According to Oracle, a significant improvement in system performance will result from upgrading the Oracle database software. The Technical Refresh will not require any further payment to the vendor, ACS.

It is important to recognize that many of the system problems that have been experienced since the October 2006 go-live date are associated with deficiencies in the legacy data rather than with the Banner software itself. When the tremendous volume of legacy data was converted from the mainframe into the new database format, many records could not be converted due to missing, incomplete, or inaccurate data. These data quality problems were a known issue that was taken into account by the Clerk's Office and the JIS Policy Board when the decision was made to "go-live" with the new Criminal and Traffic System.

It is also important, particularly given the potentially misleading information recently reported in the press, to clarify the roles and responsibilities of the various agencies involved in the implementation of the Banner Courts System.

The **Clerk & Comptroller's Office** was principally responsible for selecting the vendor software package, defining the specific customizations to the vendor's base package, testing and accepting the vendor software modules, and data quality.

Project management responsibilities were shared by **Court Administration** (Chief Judge) and **ISS**. All contracts and subsequent change orders requested by the Clerk's Office were approved by the **JIS Policy Board** after having been reviewed and recommended by the **JIS Management Team** which consists of representatives from ISS and the user agencies. **ISS** is also responsible for providing technical infrastructure support, including the server which hosts the Banner Courts application and database, and the network which connects all the JIS System users.

In addition to the above issues, there are ongoing attempts to resolve a dispute over which agencies are responsible for funding court technology costs. In accordance with a County Attorney legal determination, the State authorized \$2.00 Court Technology Fees are under the control of the County Commission to be allocated among the State Attorney, Public Defender, Courts and ISS. Approximately \$4-5 million is collected annually in \$2.00 Court Technology Fees.

**ATTACHMENT:
PROPOSAL FOR CONSULTING ENGAGEMENT**

BY THE

NATIONAL CENTER FOR STATE COURTS

WILL BE DISTRIBUTED AT A LATER DATE