



## OFFICE OF THE SECRETARY

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### Criminal Justice Task Force on Offender Court Costs and Collections

#### Meeting Minutes

#### Zoom- Virtual Meeting

October 25, 2021

#### Attendees:

1. Representative Robin Lundstrum
2. Senator Bob Ballinger
3. Ms. Lorie Mason Jordan
4. Mr. Benny Magness
5. Judge Hamilton Singleton
6. Ms. Elizabeth Taylor
7. Ms. Kristin Clark
8. Ms. Robin White
9. Mr. Bob McMahan

#### Guests:

1. Ms. Lindsay Wallace (DOC Chief of Staff)
2. Ms. Melissa Rangel (DOC Executive Assistant)
3. Senator Missy Thomas Irvin
4. Mr. Bob Sanders
5. Mr. Marty Sullivan (AOC Director)
6. Mr. Ralph Hudson (DOL Director)
7. Mr. Tim Holthoff (CIS Director)

#### Members Absent:

1. Senator Clarke Tucker
2. Judge Tommy Fowler
3. Sheriff John Montgomery
4. Circuit Clerk Debbie Wise
5. Representative Keith Slape
6. Ms. Ateca Foreman
7. Mr. Rick Stallings

- I. Call to Order by Representative Robin Lundstrum
- II. Approval of minutes from September meeting: Mr. Benny Magness made a motion to approve the minutes. Due to the lack of quorum, the September meeting minutes will be brought back up during the next meeting for approval. A change to the attendance on the September minutes needs to be made to include Mr. Bob McMahan as an attendee.
- III. Newly Formed Subcommittee During September Meeting  
Ms. Lindsay Wallace mentioned that the subcommittee formed during the September meeting was unable to convene in the interim. Staff will follow up with subcommittee chair Senator Clarke Tucker to schedule a time for the subcommittee to meet prior to the next group task force meeting.
- IV. Court Management System

Mr. Marty Sullivan, the Director of the Administrative Office of the Courts (AOC), introduced himself and thanked the Task Force and Senator Irvin for working on this issue. He expressed that the problem with the current system is due to Arkansas being a non-unified court system and because of this, not all of the courts are using Contexte. He also stated that Contexte has been around for around 30 years and the Chief Justice made it clear that we need to do something new with Contexte since it is aging out. Contexte was the leading nationally recognized system in 2001 when the contract was signed but they seemingly have failed to invest in modernizing and updating their system.

The newest big management system company is Tyler Technology. Tyler Technology quoted the state approximately \$28 million dollars to replace Contexte. Realistically this is not feasible for the state.

Mr. Sullivan has researched what other states have done and suggested building our own case management system. Building in house through the AOC is preferable because they know the court system best, it would be a system owned by AOC, and it could be updated after each legislative session based on the needs of the courts and state. AOC believes that building a system would cost half the price of purchasing a brand-new replacement system.

In April, the Chief Justice sent a letter and asked the Governor for \$6.5 million over the next 2 years to obtain contractors to develop a new system. CARES Act money was requested to be used toward obtaining contractors because there is an argument to be made that such a project is eligible for this funding because it is directly related to COVID-19 relief since we want to create an e-filing system. They have not yet received a response from the Governor regarding the request. Mr. Sullivan believes that if we can get a good jump start with the allocation of funds for contractors being approved, we could get this project completed in 3.5 years.

Mr. Tim Holthoff added that the \$28 million estimate given by Tyler Technologies was likely a lowball number to get the state interested, but it realistically was a fraction of an \$85 million contract North Carolina signed with them in 2019 which is more representative of what a new statewide management system for Arkansas would cost. We are running out of time to rectify the management system issue because we can't keep Contexte operating as is forever, the vendor does not have any other options, and spending \$100 million to go through a vendor like Tyler Technology is not feasible. The strategy for the new system is to target the district courts first because they are not currently using Contexte, and specifically traffic and criminal charges since the costs associated with such charges are more complex than others.

Representative Lundstrum asked Mr. Holthoff how he sees the new system working regarding counties using Virtual Justice vs. Contexte. Mr. Holthoff responded that the approach they want to take is to create a system that meets the needs of all the courts and the state. He stated that the data in the Virtual Justice system is likely not as secure as it needs to be and there is a gap between the data from the courts using Virtual Justice and the data that can be accessed through CourtConnect. AOC has no data from the courts using a Virtual Justice server because it is not on CourtConnect which creates a number of difficulties. Mr. Sullivan noted that the courts not on Contexte typically have Legislative Audit issues. Creating this new management system will allow for efficiency in resources such as easy online access and online payment. The new management system will also reflect the Supreme Court's statement that every county must be e-filing before the end of 2022. Additionally, regarding the existing data, there is a statewide repository of court data that will be maintained during the switch of systems and after Contexte is phased out. The current data needs to be preserved in the repository so we do not have to complete a data conversion because doing so could cause a loss of data

Representative Lundstrum asked what completing this project will holistically entail. Mr. Holthoff said resources, such as finances, personnel, etc., are key. If we could acquire 30 positions (programmers, analysts, business leads, architects) a year is a reasonable amount of time to ramp up to fulfilment. He said there should be an upward curve in the ability to create and complete the system as these positions are filled.

Senator Irvin asked if the letter from the Chief Justice was submitted to the CARES committee or the American Rescue Plan committee. Mr. Sullivan clarified it was submitted by the Chief Justice to the Governor directly asking what to do, but there was not a response. Senator Irvin asked if it was sent to Elizabeth Smith who is the chair of the CARES committee. She further said since the creation of the system is COVID-19 related, a letter should be submitted to the CARES committee. If that is unsuccessful, her suggestion is that it be sent to the chairperson of the American Rescue Plan committee and that she would be happy to write a letter of support to be sent as well. Mr. Sullivan stated he would get a letter drafted and signed by the Chief Justice and sent over right away.

Representative Lundstrum suggested getting a letter of support from the House and Senate Judiciary committee in addition to Senator Irvin's letter because this system would impact every county in the state. Senator Irvin and Senator Ballinger suggested calling a Judiciary meeting before any request comes through ALC. Mr. Sullivan mentioned that he is meeting with Representative Dalby this week and will add a point to his agenda to discuss the plan for the case management system as well as the background on the legislation for the Task Force and the premise of the issue.

Representative Lundstrum asked if everyone has a copy of the letter from the Chief Justice and the background letter. If there are any questions, the two letters should answer them.

V. Update on Computer System Interface (Portal)

Representative Lundstrum asked Mr. Bob Sanders to share if there were any updated on the portal directing people where to pay. She emphasized that she wants this to be a simple starting point to get the background issues moving so that once an individual is released or about to be released, they have a place to easily be able to know what they owe, where they owe it, and how they can pay.

Mr. Sanders asked if everyone is okay if there is an instance in which someone has two places in which they owe fines or fees, they will have to go to two separate places for now. Representative Lundstrum said that this is fine in the interim but eventually she wants everyone to be using the same unified system.

Mr. Sanders continued that another issue is that they need to know the offender data that would be put onto this portal and where it will come from (amount they owe, where they owe it, who they are, etc.). The next step then is engaging with AOC and the Department of Corrections (DOC) to begin this process because they need to work together to both be able to function; the court management system to maintain the data and the portal with the data for the public to use to be able to make those payments.

Senator Irvin mentioned including the Legislative Audit issues in the letter to the senate and house committees because it can be an important detail to build the case for understanding the need for the funding to create these solutions if there are audit findings that can be pulled together to show a pattern of inefficiencies within the current operations.

VI. Other Business

Next meeting, Ms. Debbie Wise will be providing a report on a conversation she had with other circuit clerks. Representative Lundstrum intends to have a discussion with the Sheriff's Association to discuss what their needs are. In addition, she expressed an interest in visiting one of the DOC units to get a better understanding of the release process.

Ms. Wallace said she would gather information on processes that the DOC has for release including the Parole Board process and Think Legacy to report to the group. Mr. Magness suggested the Malvern facility if a tour occurs to see the intake and release process.

VII. Next Meeting Date

Staff will send out date conflicts for next meeting.

VIII. Adjournment

Meeting adjourned at 10:52 am.