



DAVID CRAIG

STATE SENATOR

Senate Committee on Judiciary and Public Safety
October 22, 2019
Senate Bill 301
Senator David Craig

Chairman Wanggaard and members of the Committee, thank you for taking the time to hear my testimony on Senate Bill 301.

The Transparent Justice Act is a response to a growing problem in Southeast Wisconsin and across the state. Time after time, prosecutors and judges under-charge and/or under-sentence repeat or violent criminals. After serving less time than their crimes warrant, these criminals return to the streets to commit far more heinous offenses and in several recent cases, murder.

The consolidated court automation programs (CCAP) already tracks and the bill would require that the Wisconsin Circuit Court Access Internet site (the publicly available part of CCAP) to make available to the public; the judges and prosecutors assigned to cases, actual charges issued and the sentence provided, and law enforcement charging recommendations (when available). This is one small step in the effort to combat the growing violent crime epidemic. To be clear, this information is already being collected by our court system. This bill simply makes this information available to the public where right now it is hidden or otherwise lost in a labyrinth of information. Increasing transparency within the judicial system will better allow the public and media to track and hold accountable the elected officials who make these decisions which impact our communities.

During the Assembly Public Hearing on this legislation, the Director of State Courts, implied that the Courts have unilateral authority over CCAP and its administration and that Supreme Court rules would take precedence over statutes authored by the Legislature. In fact, 1989 Act 31 and 1995 Act 27, both biennial budgets, created the Consolidated Court automation programs

and provided the Director of State Courts the ability to charge certain fees related to the system. The implication that the Legislature does not have, and never has had, authority over this program is not true and has no foundation in the law. Without legislative authorization and appropriations, this program would not exist and would not have the authority to charge program fees. Additionally, 2017 Act 317 placed requirements on the availability of certain types of information within the Wisconsin Circuit Court Access Internet site and placed limits on the Director of State Courts regarding those matters to no complaint from the Courts. It is appropriate, therefore, for the legislature to guide this program towards its best and highest use to benefit citizens and taxpayers of the State.

Additional information will also allow legislators to make better-informed policy decisions about the best methods for dealing with violent crime in Wisconsin and afford citizens a more transparent and accountable government. As public officials, it is our duty to ensure the most information possible on crime is available to policymakers and the public at large as our state makes decisions on reforms to the criminal justice system.

Thank you for hearing my testimony.



Supreme Court of Wisconsin

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Hon. Randy R. Koschnick
Director of State Courts

October 22, 2019

Hon. Van Wanggaard, Chair
Senate Committee on Judiciary and Public Safety
Room 313 South, State Capitol
Madison, WI 53702

RE: Senate Bill 301

Dear Sen. Wanggaard and Committee Members:

I regret that I am unable to be present for today's public hearing on Senate Bill 301 before the Senate Committee on Judiciary and Public Safety. I hope you will accept these comments about the bill's provisions that impact the court system.

Our concern about SB 301 relates to the legislative directive concerning the court system's case management system and website. The bill creates a mandate to the Director of State Courts for how certain court records are to be maintained and displayed on the Wisconsin Circuit Court Access (WCCA) website.

The Wisconsin Supreme Court does not interfere with the maintenance or content legislature's websites. Similarly, we believe that decisions about maintenance and content of the court system's website are clearly within the province of the court system.

While operated under the Supreme Court's authority, WCCA policy has been developed collaboratively and continuously over the past 20 years with input from the judiciary, the press, attorneys, the legislature, the general public and others. I have included with my testimony a few handouts that I hope are helpful to the committee in analyzing this bill.

First, I have included the final report of the WCCA Oversight Committee from November 2017, as well as the Action Plan developed by the Oversight Committee. This is an advisory committee to the Director of State Courts convened to first develop, then to refine the Director of State Courts' Policy on Disclosing Public Information on the Internet. This is a multi-disciplinary committee designed to consider many different approaches as my office tries to balance the private and public interests raised when court information is made available on the Internet. I want to personally thank you, Mr. Chairman, for being one of the Legislature's representatives on that committee. My office has implemented nearly all of the recommendations made in this report.

Second, I have included a copy of chapter 72 of the Supreme Court Rules, entitled Retention and Maintenance of Court Records. This rule mandates the minimum time periods that different types of court records must be maintained. When the minimum time period has been met, the clerk of circuit court is allowed to destroy the files. When files have been disposed of by the clerk of circuit court, then they no longer appear on WCCA. As noted during my testimony on SB 301's companion bill, there may be a conflict between SCR ch. 72 and the terms of the bill that does not appear to recognize the disposal of circuit court records.

Finally, I have also attached the court system's biennial Strategic Information Technology Plan from September 2018 that will give you an overview of how we see future developments in technology impacting the courts. I wanted to call your attention particularly to page 20, which describes our current project to "create a justice statistics research team and provision with a data warehouse." That project is well underway. The three team members are working at preparing the data to be transferred to the data warehouse. When fully developed, the data warehouse should give us the capability to make court system data much more available to researchers and to the public, without interfering or hampering in any way our primary case management functions.

CCAP is responsible for supporting the information technology needs of the entire court system. Although the technology needs are broad, the most significant job for CCAP is developing and maintaining the court system's case management system, which enables us to track and manage the nearly one million cases that are filed in Wisconsin every year.

I want to emphasize the CCAP system was designed in the late 1980s with case management, not data production, in mind. The two goals can and do work together, but it is important for the Legislature to keep in mind our primary goal has always been – and remains – case management.

The public face of CCAP is its Internet website, Wisconsin Circuit Court Access (WCCA). The WCCA was initiated in 1999 by the court system in response to an increasing number of requests for court records and information from district attorneys, sheriffs' departments and other court business partners. Questions like: When is the next court hearing in a case? Which judge has a particular case been assigned to? Was John Doe or Jane Doe found guilty of a particular crime and, if so, what was the sentence given?

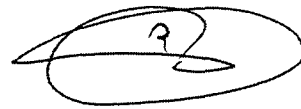
WCCA was designed to handle questions like these about how cases are being managed. The website works very well for that purpose. It was developed partly to reduce the workload demand on clerks of circuit court, as well as to make case information readily accessible to litigants, lawyers, representatives of the media, and the public.

Case information is entered by each county clerk of circuit court office. Under the statutes, the clerk of circuit court is the record custodian of the case files. Not all of the information contained in the clerk of circuit court files are reflected on WCCA. The documents filed in each case, for instance, are available for viewing in each clerk's office but are not shown on WCCA.

In addition to the WCCA website, the circuit courts make the same information available on a subscription basis to subscribers who wish to download information in bulk. This service is used by state and local agencies and commercial ventures that extract information from the database and repackage it for research, news, credit reporting, employment, housing, and other purposes. Governmental subscribers – which could include the Legislature – are not charged a fee for this service. I would suggest this may be an approach for the court system and the Legislature to explore in order to provide the information being sought by this bill.

Thank you for your attention to this bill and for allowing me to submit this testimony. If you have questions, please do not hesitate to contact me or our Legislative Liaison, Nancy Rottier. Thank you.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'R' and 'K' enclosed within a large, irregular oval shape.

Randy R. Koschnick
Director of State Courts

Attachments
RRK:NMR/sf

WISCONSIN CIRCUIT COURT ACCESS OVERSIGHT COMMITTEE

FINAL REPORT

November 2017

Committee Members

J. Denis Moran, Chair, Director of State Courts (until July 2017)
Hon. James Babler, Barron County Circuit Court
Hon. Thomas Gritton, Winnebago County Circuit Court
Hon. Everett Mitchell, Dane County Circuit Court
Hon. Richard Sankovitz, Milwaukee County Circuit Court
Hon. John Storck, Dodge County Circuit Court
Hon. Derek Mosley, City of Milwaukee Municipal Court
John Barrett, Milwaukee County Clerk of Circuit Court
Beth Bennett, Executive Director, Wisconsin Newspaper Association
Jean Bousquet, Chief Information Officer, Wisconsin Court System
Patrick Brummond, District Court Administrator, 7th Judicial Administrative District
Raymond Dall'Osto, Gimbel, Reilly, Guerin & Brown, LLP
Reserve Judge Jean DiMotto, Of Counsel, Nistler Law Office, S.C.
Bill Lueders, President, Wisconsin Freedom of Information Council
Taavi McMahan, Trempealeau County District Attorney
Gregg Moore, President, Wisconsin Counties Association President
Sheriff Brent Oleson, Badger State Sheriffs' Association President, Juneau County Sheriff
Theresa Owens, District Court Administrator, 5th Judicial Administrative District
Adam Plotkin, Legislative Liaison, Office of the State Public Defender
Theresa Russell, Washington County Clerk of Circuit Court
Kate Spitz, Assistant Attorney General, Wisconsin Department of Justice
Michelle Vetterkind, President, Wisconsin Broadcasters Association
Speaker Robin Vos, Wisconsin State Assembly, District 63
Senator Van Wanggaard, Wisconsin State Senate, District 21
Kimberly Walker, Executive Director, Legal Aid Society of Milwaukee (until May 2017)
Sara Ward-Cassady, Deputy Director of State Courts, Office of Court Operations

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INTRODUCTION

The records of Wisconsin circuit court cases are created and maintained by the clerks of circuit court, registers in probate, and juvenile clerks in each county. In the early 1990s, circuit courts began keeping electronic records in a custom-developed case management system administered by the Consolidated Court Automation Programs (CCAP). Court personnel use the case management system to create each case, make a record of all parties, filings, proceedings, and orders, and record the final judgment or disposition of the case.

Records, documents, and other data entered into the CCAP case management system by court personnel are electronically stored and may be viewed by court personnel. Most court records are public, particularly in civil, small claims, criminal, traffic, and family cases. Within these case types, certain records may be confidential due to a statutory mandate or sealed by court order to protect specified information from public view. Public court records for each county, including documents, are available to view or copy in each courthouse. In addition, basic case information may be viewed online via the Wisconsin Circuit Court Access (WCCA) website. The basic case information generally includes the names of parties, the nature of the case, court record events, criminal charges, and judgments or case dispositions.

The WCCA website was initiated in response to an increasing number of requests for court records from district attorneys, sheriffs' departments, and other court business partners. Title companies, abstractors, members of the media, and the general public have also benefited from WCCA. Currently the site averages about a million page views a day. Cases are viewable on WCCA for the length of time that the records are retained by the court system as per Supreme Court Rule 72, attached as Appendix 1.

In addition to the WCCA website, the circuit courts make the same information available on a subscription basis to subscribers who wish to download information in bulk. This service is used by state and local agencies and commercial ventures that extract information from the database and repackaging it for research, news, credit reporting, employment, housing, and other purposes.

WCCA OVERSIGHT COMMITTEES

The first WCCA Oversight Committee was convened in 2000, shortly after WCCA was launched in April 1999. That Committee helped draft the Director of State Courts' Policy on Disclosing Public Information on the Internet, attached as Appendix 2.

In 2005, a second WCCA Oversight Committee was convened in order to evaluate the WCCA website and determine the efficacy of the policies informing the website's operation. The 2005 Oversight Committee examined, in particular, issues surrounding content and access (i.e., what information is displayed on WCCA and which persons may have access to the information), and retention and accuracy (i.e., how long information is displayed on WCCA and how to ensure that the information displayed on WCCA accurately reflects the court record). In March 2006, the WCCA Oversight Committee submitted its final report and an action plan for each of the 11 recommendations put forth by the Committee. The report and action plan are attached as Appendices 3 and 4.

The third WCCA Oversight Committee was convened by the Director of State Courts Office in September 2016. The Director's Office once again sought multi-disciplinary representation to help

balance the private and public interests raised when court information is placed on the internet. Committee members included judges, clerks of circuit court, law enforcement, attorneys, legislators, journalists, and court administrators. The Committee met six times during 2016-17.

TOPICS FOR CONSIDERATION

Although every policy and procedure previously established for WCCA was a potential topic for review and revision, the Committee at its first meeting identified the following issues on which to focus:

1. Whether and how to remove information relating to dismissed cases from WCCA;
2. Whether and how to provide accountability and prevent inappropriate use of information gleaned from WCCA;
3. The need for guidelines relating to sealing a court record or certain information within a court record;
4. The need for guidelines relating to in-court processing of court minutes in order to promote uniformity in WCCA court records;
5. Whether to allow documents filed in a court case to be viewable on WCCA; and
6. Whether and how to change the nature of contracts between CCAP and bulk data subscribers in order to discourage improper use of WCCA data.

COMMITTEE DELIBERATIONS AND RECOMMENDATIONS

On February 14, 2017 and on March 21, 2017, the Committee voted to recommend the following:

- 1. The Director of State Courts should, in its contracts with bulk data subscribers, require the subscribers to update data and should restrict resale of data. The Director of State Court should also consider increasing the cost of bulk subscriptions to reflect the cost of the infrastructure needed to operate and to include an auditing function and oversight.**

The Committee considered testimony from the Chief Information Officer regarding how bulk data subscribers obtain information from WCCA and what they do with the information. In addition to legitimate business uses, members discussed how a small number of bulk data subscribers may be reselling court information to other businesses that publish the information on the internet and offer to remove the information from the internet for a fee.

The Committee stated its concern that these acts constitute a misuse of court data. Additionally, the Committee expressed its concern that the information published on the internet by the websites may contain false, outdated, or misleading information.

The recommendation adopted by the Committee reflects its desire to require bulk data subscribers to update information they receive as it is updated on the WCCA website and to restrict the resale of bulk data in order to protect the privacy and other interests of persons whose information is obtained by a bulk data subscriber and viewable on the internet.

The Committee determined that an audit function and associated staff is warranted to ensure that bulk data subscribers are complying with the terms of their contracts. The recommendation adopted by the Committee reflects its intent that the amounts charged to bulk data subscribers should

represent the cost of the infrastructure necessary to operate the service, including the auditing function and oversight.

2. The Director of State Courts should create display periods on WCCA for certain case types that differ from the retention period for those case types under Supreme Court Rule 72.

The Committee spent considerable time debating whether the display periods on WCCA should, in all cases, match the retention periods set forth under Supreme Court Rule 72. The Committee considered the argument that the online display should match the time period for which an individual could view the case file within a courthouse because to the extent there is value in retaining the court file, the same value exists in allowing easy public access to the file. The Committee considered the counter argument that court records may be maintained within CCAP for important business and legal needs, but there is little value in maintaining access to the records online for the same time period.

The Committee expressed its concern that individuals are subject to discriminatory or otherwise adverse treatment if potential employers, landlords, and members of the general public are able to view records of their court cases. The Committee agreed that this was particularly true in the case of individuals whose criminal or civil cases were dismissed or who were acquitted of criminal charges.

The Committee discussed that, under current law, a person who is convicted of a crime may be eligible to have the record of the crime expunged, but a person whose criminal charges are dismissed or who was acquitted of the charges is not eligible to have that record expunged. The Committee discussed pending legislation that may change the expungement statute, and decided that it would leave any statutory changes on expungement to the legislature. The Committee also agreed that individuals who were subjected to meritless civil lawsuits are stigmatized when their cases are viewable on WCCA.

The Committee acknowledged that there is a public value in maintaining online access to criminal cases ending in acquittal or dismissal for a certain period of time, because the public display of the court record accurately reflects an historical event and the general public has a right to know how many cases are dismissed or end in acquittal. Additionally, the public has a right to view public records regarding civil suits brought by or against a particular individual and, even when a case is dismissed, is entitled to draw conclusions from the public record.

The Committee also acknowledged that dismissed cases relating to the four major types of injunctions (domestic abuse, child abuse, harassment, and individual at risk) require a different policy than other civil or criminal case types. The Committee discussed the potential for harm to an individual who was the subject of a meritless action for these 4 types of injunctions and agreed that these types of cases carry significant stigma. However, the Committee also acknowledged that an action for these injunctions may be dismissed or abandoned for reasons other than a lack of merit, including victim intimidation, a reluctance to force a firearm restriction, and myriad issues surrounding domestic abuse.

The Committee's adoption of the recommendation to create shorter display periods in certain case types reflects its desire to balance the public's right to have access to an online display of public court records with concerns of potential harm to individuals whose dismissed cases remain on

display on WCCA for an extended period of time. Specific recommendations for criminal, civil, and civil cases involving some injunctions are below.

- a. **The Director of State Courts should create a display period on WCCA of two years or less for dismissed felony cases, including deferred prosecutions, and felony cases that resulted in acquittal.**

The Committee discussed various motions recommending display periods of one year, two years, less than five years, and less than two years for these cases. The Committee's decision to recommend a display period of two years or less reflects its desire to balance the right of the general public to online access to public records with the potential for harm to individuals who may experience discrimination or other adverse treatment as a result of their cases being viewable online.

- b. **The Director of State Courts should create a display period on WCCA of six months to one year for dismissed misdemeanor cases, including deferred prosecutions, and misdemeanor cases that resulted in acquittals.**

The Committee discussed a motion to recommend a display period on WCCA for dismissed misdemeanor cases, including deferred prosecutions, and misdemeanor cases that resulted in acquittals of one-half of the period the Director of State Courts creates for similarly disposed felony cases. This time period reflects the Committee's determination that misdemeanor cases should have a shorter display period on WCCA than felony cases. It reflects the same desire expressed in its recommendation for felony cases to balance the right of the general public to online access to public records with the potential for harm to individuals who may experience discrimination or other adverse treatment as a result of their cases being viewable online.

- c. **The Director of State Courts should create a display period on WCCA of two years or less for dismissed small claims cases.**

The Committee discussed a motion to recommend a display period on WCCA for all dismissed small claims cases of two years or less. The Committee's adoption of the amended motion reflects its determination that there is little public value and much potential harm to individuals to maintain a prolonged online display of dismissed small claims cases.

- d. **The Director of State Courts should create a display period on WCCA of two years for dismissed and for denied injunction cases.**

The Committee considered several motions regarding the display on WCCA for dismissed and denied injunction cases for domestic abuse, child abuse, harassment, and individual at risk: keep the display period at 20 years, the same as under current policy; create a display period of two years; and create a display period of two to four years.

The Committee's adoption of the motion to create a display period on WCCA of two years reflects its acknowledgement that an individual may be harmed by a prolonged online display of a dismissed or denied action for the four major types of injunctions, but that these types of cases may be dismissed or denied for reasons other than a meritless claim.

3. The Director of State Courts should not change the display period on WCCA for family cases.

The Committee considered a motion to change the current display period on WCCA from 30 years, which matches the retention period required by Supreme Court Rule 72, to 20 years. The Committee expressed its concern that many parties to family cases are displeased that their cases appear on WCCA at all, and that in-court processing of minutes and notes in family cases sometimes contains sensitive material that may not be suitable for public display.

The Committee voted against changing the display period. Its vote reflects the Committee's acknowledgment that family cases often have significant post-judgment activity that may persist for 25 or more years after judgment and that many parties who are not represented by attorneys rely on the information displayed on WCCA in order to monitor their cases. In addition, the Committee recommended further training and oversight of the minute-taking function. See recommendation 13 below.

4. Case documents and digital audio recordings should remain unavailable on WCCA.

The Committee considered a motion to keep court documents and audio recordings unavailable on WCCA. The Committee discussed whether making court documents and audio recordings available online would promote a public interest and could be a source of revenue, noting that the federal court system and 10 states allow online access to documents for a fee.

The Committee decided that case documents and audio recordings should remain unavailable on WCCA. The Committee acknowledged that documents are accessible within each county courthouse. Audio recordings are common in proceedings held in front of circuit court commissioners and are also available for proceedings in front of a small number of circuit court judges. These recordings are available to the public if the requester pays a fee to the digital court reporter who made the recording.

However, the Committee determined that there were risks of harm that outweighed the positive aspects of online access to documents and audio recordings. The Committee's decision reflects its acknowledgement that pro se litigants often file documents without redacting protected information as required by court rule, that online access to court documents may poison a potential jury pool if a criminal complaint is viewable online before a jury is seated, and that documents may contain particularly sensitive information, especially in criminal and family cases.

The Committee acknowledged, however, that it might be amenable to recommending that certain documents, such as dispositional orders, be available online in order to increase public access to court records. See recommendation 5.

5. The Director of State Courts should study the feasibility of making dispositional orders available on WCCA and make a projection of the possible revenue generated by this action.

The Committee adopted this recommendation after it considered that offering certain types of dispositional orders for a fee may promote the general interest in obtaining information from WCCA and may generate revenue for the courts. The Committee acknowledged that certain types

of dispositional orders, such as marital settlement agreements, should be excluded from public purchase.

The adoption of this recommendation reflects the Committee's desire to allow increased ease of public access to information that may be of public interest while protecting from general public view certain types of orders that carry an increased interest in privacy for the parties involved. The Committee noted that other courts make documents available online for a reasonable fee and that it makes sense for the Director's Office to explore this option.

On May 2, 2017, the Committee continued its deliberations and voted to recommend the following:

6. The Director of State Courts should provide additional educational opportunities to judges on the topic of sealing court documents but should not otherwise make changes to its policy on sealing.

The Committee discussed when and how items are sealed, or concealed from public view, in a court record. The Committee noted that the Wisconsin Supreme Court recently passed three rules protecting information in court records: protection of certain information (social security, employer and tax identification, financial account, driver license, and passport numbers) from public view, identification of information made confidential by statute, rule or case law, and sealing other sensitive information in the discretion of the court. The Director's office provided parties with forms and procedures to request that information be protected under the new rules. A party to a case may make a motion to seal other information that the party believes is not appropriate for public view, and a court may, on its own motion, order certain information sealed from public view.

The Committee discussed the relative newness of the Supreme Court rules and a certain lack of consistency throughout the state as to how often items are sealed by courts. The Committee determined that sealing is not, generally, a large or particularly controversial part of the court's workload, and that the current rules appear to address the topic adequately. The Committee felt additional opportunities for judicial education on the topic would be helpful.

7. The Director of State Courts should add an informational disclaimer on its Wisconsin Circuit Court Access website to inform the public that a single case may appear multiple times if a party to the case used different names in the case.

The Committee considered the potentially confusing scenario wherein a person may have multiple listings appear on the WCCA website for a single case. This happens when the person used an alias or used his or her full name at certain points of the case and the diminutive form of his or her name at other times. Under those circumstances, each alias or version of the person's name will be listed as a separate item, although the case number remains the same.

The Committee noted that using only one name and not listing the case under each name used by a party may cause a user who conducts a search on the WCCA website to miss the case if the user does not use the name chosen for display on the website. The Committee acknowledged, however, that multiple listings for the same case may confuse a user who does not look closely at the case number on the cases by leading him or her to believe that a party was involved in multiple court actions.

The Committee voted to recommend continuing to list each variant of the party's name, but to add a disclaimer that the same case may appear multiple times if a party to the case used more than one name or variants of the same name.

8. The Director of State Courts should continue to include individuals' addresses on the Wisconsin Circuit Court Access website.

The Committee considered whether addresses should be removed from the WCCA website, noting that this is a common request from the public. The Committee considered that state law requires certain addresses to be protected, such as the address of a person who seeks a restraining order, and that the question of whether to protect additional information may be best left to the legislature.

The Committee noted that many people have the same name and that providing addresses may assist a WCCA user to ascertain whether a named party is the person on whom he or she seeks information. The Committee further discussed that if a person has a particular need for his or her address to be hidden from view, the person could petition the court for an order that seals the address. The Committee determined that certain interest groups, such as law enforcement or social service workers, could lobby their legislators for a statutory change, but that this Committee would not recommend changes to the policy at this time.

9. The Director of State Courts should display criminal charge modifiers on the executive summary of each case and on the display where charges are listed.

The Committee voted to recommend changing the potentially misleading display currently in use that lists a person's criminal charges or convictions without mention that the charge was "modified" to a lesser severity by virtue of it being an attempt or a conspiracy. The modifier is included in the WCCA display, but the user will not see the modifier unless he or she clicks through the first two display screens on the case. The Committee would like to see the modifiers listed in an easy-to-understand manner in the executive summary and included wherever a charge against a person is listed.

10. The Director of State Courts should include, in its Frequently Asked Questions section on the WCCA website, hyperlinks to statutory cites or other easy-to-understand definitions for commonly used words in court proceedings.

The Committee noted that many WCCA users are not familiar with the court system and do not understand terms like case status, disposition code, or severity of charges. The Committee acknowledges that these terms are useful for case administration and should be retained for use in CCAP, but believes that as a public service to users of WCCA, an easily accessible FAQ that explains some of the more commonly used terms will be helpful.

11. The Director of State Courts should include class codes used in criminal cases on the WCCA website.

The Committee discussed whether the WCCA website should include class codes used in criminal cases. The Committee noted that class codes used in civil cases are displayed on the website and users may conduct searches for cases using those codes. The Committee further noted that commercial subscribers to bulk data collected by CCAP are able to search criminal cases by class

code, but the general public using the WCCA website cannot. The Committee concluded that, as a public service, the WCCA website should also display class codes used in criminal cases.

12. The Director of State Courts should not delay displaying case information after a case is filed with the court but before service is made upon all parties.

The Committee considered a suggestion to delay displaying case information until all parties in the case have been served. The Committee considered whether members of the public may be at risk if a person who has not yet been served with a case becomes aware of the case because the case was displayed on the WCCA website. The Committee discussed a case where an attorney contacted a party to a case before the party was served, but also noted that a person could find himself or herself by conducting a search on the WCCA website. The Committee acknowledged that there may be a public safety concern but noted that delaying display of a case until service is complete may cause other harm or allow people to manipulate the court system by avoiding service or delaying filing affidavits of service with the court. The Committee voted to recommend no changes to the current practice of displaying case information on the WCCA website when the case is filed.

13. The Director of State Court should not remove minutes kept on the court record from view on the WCCA website, but should continue to train clerks on how to keep minutes in order to promote standardization.

The Committee discussed whether the court record that is displayed on the WCCA website should include all of the minutes kept by the clerk, should include only some of the minutes, or should not include any minutes. The Committee agreed that minutes are important to understanding the court record events and serve an important purpose in informing the parties to a case and the general public about the judicial process for a particular case. The Committee noted that there is a variety of approaches to minute keeping, with some clerks keeping extensive and detailed minutes and other clerks taking more sparse minutes. The Committee determined that it would be beneficial for minutes to be as standardized across the state as possible, but declined to recommend any changes as to how minutes are displayed on the WCCA website.

14. The Director of State Courts should include, on the WCCA website, information on how to request a correction to minutes kept on the court record.

The Committee acknowledged that minutes may be inaccurate or incomplete in some instances, and that parties should know that there is a procedure available to them to request correction. The Committee voted to request that this procedure be explained on the WCCA website.

CONCLUSION

In its deliberations, the Committee strove to balance the interests of fair treatment for people who participate in the court system, efficient court records management, and the public's interest in having free and easy access to information regarding the court system. The fourteen recommendations advanced by the Committee reflect its determination of the best practices to promote the balance of interests. The Committee's recommendations do not affect the availability of case files for review in the clerk of court's office for each county. Court case files remain available for the full period of time they are retained pursuant to Supreme Court Rule 72.

**Supreme Court Rule 72
Retention and Maintenance of Court Records**

This rule is posted online:
https://www.wicourts.gov/supreme/sc_rules.jsp
Click on the link for Chapter 72.

Director of State Courts Policy on Disclosure of Public Information Over the Internet

1. Definitions:
 - a. The definitions contained in the Open Records Law, Wis. Stats. §§ 19.21-.39, shall apply to this policy.
 - b. *Consolidated Court Automation Programs (CCAP)*. The case management system created by the Wisconsin Director of State Courts consisting of a database of case information from Wisconsin circuit courts. References in this policy to actions to be taken by CCAP refer to the CCAP Steering Committee or the Director of State Courts.
 - c. *Circuit court*. All offices and branches of a circuit court, including but not limited to judges, the clerk of circuit court, the clerk's deputy, or deputies; probate court; juvenile court; or other specialized court or court office that uses CCAP as a case management system.
 - d. *Open records*. Those records that are by law accessible to an individual making a records request in the circuit court.
 - e. *Confidential records*. Those records that are not by law accessible to an individual making a records request in the circuit court.
 - f. *Wisconsin Circuit Court Access (WCCA)*. A public-access internet website containing open record information compiled by CCAP. References in this policy to actions to be taken by WCCA refer to the WCCA Oversight Committee.
2. Information on WCCA available to the general public:
 - a. WCCA shall contain information from only those portions of the case files generated by the Consolidated Court Automation Programs (CCAP) that are open records and otherwise accessible by law to an individual.
 - b. WCCA shall not contain information from closed records that would not otherwise be accessible by law to an individual because of specific statutory exceptions, such as juvenile court records, guardianship proceedings, and other such case types or records.
 - c. CCAP shall not be required to make available on WCCA all information in a case file that may be public record, nor is CCAP required to generate new records or create new programs for extracting or compiling information contained on WCCA.
 - d. The Open Records Law does not allow record custodians to demand either the identity of a requester or the use to which a requester intends to put the information gathered [Wis. Stats. § 19.35(1)(i)]. Accordingly, WCCA shall not require identification or an intended purpose before allowing public access to the WCCA website.
 - e. WCCA shall not charge for accessing information through the website. However, WCCA may impose a service charge or assess user fees for requests for bulk distribution or for data in a specialized format.
 - f. WCCA may limit the number of records searched on any single request.
 - g. WCCA contains information as it exists at a specific point in time in the CCAP database. Because information in the CCAP database changes constantly, WCCA is not responsible for subsequent entries that update, modify, correct or delete data. WCCA is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained previously from WCCA is still accurate, current and complete.
 - h. WCCA shall not contain:

1. the record of any criminal conviction expunged by the circuit court (Note: When a court orders expunction of a record, the underlying CCAP database is modified to remove the record. When database updates are transferred to WCCA, the previous record will no longer appear. WCCA makes no reference to records that have been expunged (or otherwise altered). Requests for such records report only that no record has been found, in the same manner that WCCA would otherwise report "null" searches. WCCA is not responsible for the fact that requests made before the expunction will show the conviction, while requests made after the expunction will not show the conviction.)
 2. the "day" from the date of birth field for non-criminal cases
 3. the driver's license number in traffic cases
 4. "additional text" fields for data entered before July 1, 2001, in all cases.
- i. WCCA contains only information from the CCAP database from those counties using all or part of the CCAP system. Because extraneous actions are not normally reflected in the CCAP database or the circuit court files, WCCA does not include information on them. Examples of extraneous actions are gubernatorial pardons, appellate decisions, and administrative agency determinations.
3. Correcting information on WCCA:
- a. Neither CCAP nor WCCA creates the data on WCCA. Circuit court employees in counties using CCAP create the data. Neither CCAP nor WCCA is responsible for any errors or omissions in the data found on WCCA.
 - b. An individual who believes that information on WCCA is inaccurate may contact the office of the clerk of circuit court in the county in which the original case file is located to request correction.
 - c. The clerk of circuit court in the county in which the original case file is located shall review requests for corrections and make any appropriate corrections so that records on WCCA reflect the original case records.
 - d. Corrections shall be entered on CCAP and will be made available on WCCA in the same manner in which information is otherwise transmitted to WCCA.
4. Privacy for victims, witnesses and jurors:
- a. The data fields that contain the names of victims, witnesses and jurors are not available on WCCA.
 - b. Various documents completed by court personnel using CCAP occasionally require the insertion of names of victims, witnesses or jurors. Examples include:
 1. court minutes that provide the names of witnesses called to testify or jurors who have been considered for jury duty;
 2. judgments of conviction that may provide "no-contact" provisions concerning victims;
 3. restitution orders that may contain the name of a victim;
 4. restraining orders/injunctions that may provide victim identities.

These data elements are normally inserted into "additional text" fields by circuit court personnel based on the individual county's policies and procedures on the amount, detail, or type of data inserted. CCAP and WCCA recommend that court personnel entering information concerning crime victims into court documents use initials and dates of birth rather than full names whenever doing so would not defeat the purpose of the court document.
 - c. Because the "additional text" fields contain information critical to the understanding of many of the court record entries, denying access to those fields because of the occasional

inclusion of the name of a victim, witness or juror would be contrary to the public interest in providing meaningful access to open court records.

5. Public access to electronically filed documents, scanned documents or imaged documents contained in circuit court files:
 - a. WCCA shall evaluate whether to provide access to documents that have been filed electronically, scanned or otherwise imaged by the circuit court so long as those documents would otherwise be fully accessible under this policy.
 - b. The electronic filing, scanning or imaging of some documents in a court file does not require that all other documents in that file be scanned or imaged.
 - c. The electronic filing, scanning or imaging of some documents in files in a case type does not require that all documents in all other files in the same case type must be scanned or imaged.

6. Non-public access to closed records available on CCAP:
 - a. CCAP may maintain a non-public website that contains information that would otherwise be a closed record.
 - b. CCAP may authorize an appropriate law enforcement agency, prosecutor's office or other individual or agency electronic access to those closed records to which they would otherwise be entitled to access.
 - c. CCAP may require an appropriate security screening mechanism that limits the accessibility to closed records to those who are lawfully entitled to such access.
 - d. Authorization to access closed records for legitimate purposes is not authorization for redisclosure beyond that which is lawfully allowed. The individual or agency to which disclosure has been allowed is solely responsible to ensure that no further unauthorized redisclosure of closed records occurs.

WCCA Oversight Committee
Final Report, March 2006

This report is posted online:

<https://www.wicourts.gov/courts/committees/docs/wccafinalreport.pdf>

WCCA Oversight Committee
Action Plan, March 2006

This report is posted online:
<https://www.wicourts.gov/courts/committees/docs/wccaactionplan.pdf>

WCCA Oversight Committee Recommendations – Action Plan

The WCCA Oversight Committee made 24 recommendations related to the electronic access to circuit court records. This document summarizes the actions the Director of State Courts intends on pursuing for each of the 24 recommendations.

RECOMMENDATION	ACTION
1. The WCCA bulk data subscriber contract should require subscribers to update data and restrict the resale of data.	Language changes for the bulk subscriber contract will be drafted. Changes will be reviewed and discussed with the CCAP Steering Committee and the Director of State Courts.
2. The WCCA bulk data subscription cost should be increased to reflect the cost of the infrastructure needed to operate.	CCAP will review the bulk data pricing structure and costs, and present the findings to the CCAP Steering Committee and the Director of State Courts for consideration.
3. The WCCA bulk data subscription should include auditing and oversight functionality.	CCAP will research and estimate the time it will take to engineer and cost to implement auditing and oversight functionality for bulk data subscribers. The findings will be presented to the CCAP Steering Committee and the Director of State Courts for consideration.
4. Display periods for some case information on WCCA should differ from the retention periods for case records under Supreme Court Rule 72.	See specific action in #5-10, below.
5. Criminal felony cases with a disposition of dismissed, including dismissals resulting from deferred agreements, should display on WCCA for 2 years or less.	Change the display period on WCCA for criminal felony cases to 2 years where all charges have a disposition of dismissed. Changes will be made by the end of 1 st quarter, 2018.
6. Criminal felony cases with a disposition of acquitted should display on WCCA for 2 years or less.	Change the display period on WCCA for criminal felony cases to 2 years where all charges have a disposition of acquitted. Changes will be made by the end of 1 st quarter, 2018.
7. Criminal misdemeanor cases with a disposition of dismissed, including dismissals resulting from deferred agreements, should display on WCCA for no more than 1 year and no less than 6 months.	Change the display period on WCCA for criminal misdemeanor cases to 2 years where all charges have a disposition of dismissed. Changes will be made by the end of 1 st quarter, 2018.
8. Criminal misdemeanor cases with a disposition of acquitted should display on WCCA for no more than 1 year and no less than 6 months.	Change the display period on WCCA for criminal misdemeanor cases to 2 years where all charges have a disposition of acquitted. Changes will be made by the end of 1 st quarter, 2018.
9. Small claims cases with a disposition of dismissed should display on WCCA for 2 years or less.	Change the display period on WCCA to 2 years for small claims cases with a disposition of dismissed. Changes will be made by the end of 1 st quarter,

	2018.
10. Injunctions under Wis. Stat. Chapter 813 for domestic abuse, child abuse, individual at risk, and harassment, which result in a dismissal or a denial, should display on WCCA for 2 years or less.	Change the display period on WCCA to 2 years for injunctions under Wis. Stat. Chapter 813 for domestic abuse, child abuse, individual at risk, and harassment, which result in a dismissal or a denial. Changes will be made by the end of 1 st quarter, 2018.
11. No change should be made to the WCCA display period for family cases filed under Wis. Stat. Chapter 767.	No action needed.
12. The ability to view all case documents and listen to audio files in cases filed in circuit court should not be allowed on WCCA.	No action needed.
13. The feasibility to view case disposition orders on WCCA should be studied and a revenue projection generated.	CCAP will research the feasibility of this recommendation and present findings to the CCAP Steering Committee and the Director of State Courts for further discussion.
14. Additional educational opportunities should be offered to circuit court judges on the topic of sealing court documents, but no other changes to sealing should be made.	This recommendation will be communicated to the Director of Judicial Education for discussion with the Judicial Education Committee.
15. A disclaimer should be added to WCCA explaining that a single case may appear multiple times in search results if a party on the case used different names.	The Office of Court Operations will develop this language and determine the appropriate place for posting on WCCA. Changes will be made by the end of 1 st quarter, 2018.
16. WCCA should continue to display party addresses, unless the addresses are statutorily protected or ordered sealed by court order.	No action needed.
17. WCCA should display criminal charge modifiers on the executive summary of each case.	Develop these changes. Changes will be made by the end of 1 st quarter, 2018.
18. WCCA should more clearly display criminal charge modifiers in the case summary.	Develop these changes. Changes will be made by the end of 1 st quarter, 2018.
19. The WCCA FAQ section should include hyperlinks to statutory cites or other easy-to-understand definitions for commonly used words in court proceedings.	The Office of Court Operations will review the FAQ section on WCCA for appropriate links and work with CCAP to post them by the end of 1 st quarter, 2018.
20. WCCA should display class codes used in criminal cases.	Develop these changes. Changes will be made in 1 st quarter, 2018.

21. WCCA should not delay displaying case information until after parties have been served.	No action needed.
22. WCCA should continue to display minutes taken in actions filed in circuit court.	No action needed.
23. Clerks of circuit court should continue to receive training on how to keep minutes, in order to promote standardization.	The Office of Court Operations will work with the Wisconsin Circuit Court Clerks Association to ensure this topic is periodically reviewed at clerk of circuit court conferences.
24. WCCA should include information for filers on how to request a correction to minutes taken in circuit court actions.	The Office of Court Operations will develop this language and work with CCAP to post it on WCCA in the appropriate location. Changes will be made by the end of the 1 st quarter, 2018.
Changes Needed to SCR 72 Retention Rule	
Per the Records Management Retention Subcommittee's previous decision, change the retention of criminal cases to be based on case type at disposition rather than case type at filing. The WCCA Oversight Committee deferred this issue because the Retention Subcommittee had already made the decision to make this change.	A petition will be submitted to change the language of SCR 72.01(15)-(17) and (18)-(20) from "commenced as" to "disposed as." It is anticipated this petition could be heard in fall 2018, for a 1/1/19 effective date. If the petition passes, CCAP will implement these changes.

SCR CHAPTER 72

RETENTION AND MAINTENANCE OF COURT RECORDS

SCR 72.01 Retention of original record.

Except as provided in SCR 72.03 to 72.05, the original paper records of any court shall be retained in the custody of the court for the following minimum time periods:

(1) Civil case files. All papers deposited with the clerk of circuit court in every proceeding commenced under chs. 801 to 847, stats.: 20 years after entry of final order.

(2) Civil court record. A history and index of proceedings under chs. 801 to 847, stats.: 20 years after entry of final order.

(3) Civil minute record. A brief statement of in-court proceedings commenced under chs. 801 to 847, stats., generally maintained in the case file: 20 years after entry of final order.

(4) (Repealed)

(5) Judgment docket. A record of all money judgments: 20 years after initial docket entry.

(6) Lien claims. A statutory lien filed for services performed or materials provided: 30 years after the date of filing the lien claim with the clerk of circuit court, except as provided in subs. (6ag) and (6b).

(6ag) Construction liens. A statutory lien claim filed with the clerk of circuit court for services performed or materials provided for improvements, as defined in s. 779.01 (2) (a), stats.: 6 years after the date of filing the lien claim with the clerk of circuit court.

(6b) Condominium liens. A statement of condominium lien filed with the clerk of circuit court under s. 703.165 (3), stats., for unpaid assessments, including interest and actual costs of collection: 7 years after the date of filing the statement of condominium lien with the clerk of circuit court.

(7) Delinquent unemployment compensation, public assistance and workers compensation payment warrants, and dockets. A record of delinquent unemployment compensation, public assistance, or workers compensation payments that have the effect of a final

judgment: 20 years after initial docket entry.

(7m) Delinquent income or franchise tax warrant dockets. A record of delinquent income or franchise tax warrants or liens: 10 years from the date of filing with the clerk of circuit court for warrants or liens filed before August 1, 1981; permanent from the date of filing with the clerk of circuit court for warrants or liens filed on August 1, 1981, to April 30, 2004; and 20 years from the date of filing with the clerk of circuit court for warrants or liens filed on or after May 1, 2004, unless renewed. If renewed, a new 20-year retention period begins from the date on which the renewal is filed with the clerk of circuit court.

(8) Small claims case files. All papers deposited with the clerk of circuit court in every proceeding commenced under ch. 799, stats.: 20 years after entry of final order or judgment for all cases, including contested cases, stipulated dismissals and default judgments; except 2 years from date of entry of judgment for cases dismissed because issue was not joined and the case was not disposed of by judgment or stipulation within 6 months from the original return date.

(9) Small claims court record. A history and index of proceedings: 20 years after entry of final order for contested cases, stipulated dismissals, and default judgments; except 2 years from the date of entry of judgment for cases dismissed because issue was not joined and the case was not disposed of by judgment or stipulation within 6 months from the original return date.

(10) Small claims minute record. A brief statement of in-court proceedings commenced under ch. 799, stats., generally maintained in the case file: 20 years after entry of final orders for contested cases, stipulated dismissals, and default judgments; except 2 years from the date of entry of judgment for cases dismissed because issue was not joined and the case was not disposed of by judgment or stipulation within 6 months from the original return date.

(11) Family case files. All papers deposited with the clerk of circuit court in every proceeding commenced under ch. 767, stats.:

(a) 30 years after entry of judgment of divorce, legal separation, annulment, or paternity, or entry of a final order, except that after 30 years, for any case file for which related support or maintenance payments are continuing to be made, 7 years after final payment or after an order terminating maintenance is filed.

(b) 5 years after entry of judgment or entry of a final order for dismissed divorces, legal separations, and annulments.

(12) Family court record. A history and index of proceedings:

(a) 30 years after entry of judgment of divorce, legal separation, annulment, or paternity, or entry of a final order, except that after 30 years, for any court record for which related support or maintenance payments are continuing to be made, 7 years after final payment or after an order terminating maintenance is filed.

(b) 5 years after entry of judgment or entry of a final order for dismissed divorces, legal separations, and annulments.

(13) Family court minute record. A brief statement of in-court proceedings commenced under ch. 767, stats., generally maintained in the case file:

(a) 30 years after entry of judgment of divorce, legal separation, annulment, or paternity, or entry of a final order, except that after 30 years, for any court minutes for which related support or maintenance payments are continuing to be made, 7 years after final payment or after an order terminating maintenance is filed.

(b) 5 years after entry of judgment or entry of a final order for dismissed divorces, legal separations, and annulments.

(14) Maintenance and support payment records. Records of maintenance and support payments received by the clerk of circuit court: 30 years after entry of judgment of divorce, legal separation, annulment, or paternity, or entry of final order, except that after 30 years, for any payment records for which related support or maintenance payments are continuing to be made, 7 years after final payment or after an order terminating maintenance is filed.

(15) Felony case files. All papers deposited with the clerk of circuit court in proceedings commenced as felonies: 50 years after entry of final judgment; for Class A felonies, 75 years after entry of final judgment.

(16) Felony court record. A history and index of proceedings commenced as felonies: 50 years after entry of final judgment; except for Class A felonies, 75 years after entry of final judgment.

(17) Felony minute record. A brief statement of in-court proceedings commenced as felonies, generally maintained in the case file: 50 years after entry of final judgment; except for Class A felonies, 75 years after entry of final judgment.

(17g) Sexually violent person commitments. All papers deposited with the clerk of circuit court for the commitment of an inmate under ch. 980, stats.: 75 years after entry of final judgment.

(17m) Sexually violent person commitment court record. A history and index of proceedings for the commitment of an inmate: 75 years after entry of final judgment.

(17r) Sexually violent person commitment minute record. A brief statement of in-court proceedings for the commitment of an inmate, generally maintained in the case file: 75 years after entry of final judgment.

(18) Misdemeanor case files. All papers deposited with the clerk of circuit court in proceedings commenced as misdemeanors, including criminal traffic offenses: 20 years after entry of final judgment.

(19) Misdemeanor court record. A history and index of proceedings commenced as misdemeanors, including criminal traffic offenses: 20 years after entry of final judgment.

(20) Misdemeanor minute record. A brief statement of in-court proceedings commenced as misdemeanors, including criminal traffic offenses, generally maintained in the case file: 20 years after entry of final judgment.

(20g) Complex forfeitures. All papers deposited with the clerk of circuit court in proceedings commenced as complex forfeitures: 20 years after entry of final judgment.

(20m) Complex forfeitures court record. A history and index of proceedings commenced as complex forfeitures: 20 years after entry of final judgment.

(20r) Complex forfeitures minute record. A brief statement of in-court proceedings commenced as complex forfeitures, generally maintained in the case file: 20 years after entry of final judgment.

(21) (Repealed)

(22) (Repealed)

(23) (Repealed)

(24) Traffic forfeiture, conservation forfeiture and ordinance violation case files. All papers deposited with the clerk of circuit court in proceedings commenced as traffic forfeitures, conservation forfeitures, or ordinance violations, including juvenile ordinance violations: 5 years after entry of final judgment.

(24a) Traffic forfeiture, conservation forfeiture, and ordinance violation court record. A history and index of proceedings commenced as traffic forfeitures, conservation forfeitures, or ordinance violations, including juvenile ordinance violations: 5 years after entry of final judgment.

(24m) Traffic forfeiture, conservation forfeiture, and ordinance violation minute record. A brief statement of in-court proceedings in actions commenced as traffic forfeitures, conservation forfeitures, or ordinance violations, including juvenile ordinance violations, generally maintained in the case file: 5 years after entry of final judgment.

(25) (Repealed)

(26) Records of John Doe proceedings. All papers deposited with the clerk of circuit court in proceedings commenced as John Doe actions: 75 years after date of final proceeding.

(26m) Records of proceedings commenced under s. 968.02(3), stats. All papers deposited with the clerk of circuit court in proceedings commenced under s. 968.02(3), stats.: 75 years after date of final proceeding.

(27) Search warrants. Except as provided under sub. (27m), orders signed by a judge directing a law enforcement official to conduct searches: 75 years after filing with the court, unless filed with a case file.

(27m) Juvenile court search warrants. Search warrants deposited with the juvenile court in proceedings under ch. 48 and 938, stats.: 15 years after filing with the court, unless filed with a case file.

(28) Records of grand jury proceedings. All papers deposited with the clerk of circuit court in proceedings commenced under s. 756.10, 1995 stats., or s. 968.40, stats.: 75 years after the date of final proceedings.

COMMENT

SCR 72.01(28) contains a reference to s. 756.10, stats., which was renumbered s. 968.40, stats., by Sup. Ct. Order No. 96-08, 207 Wis. 2d xv (1997); Wis. Stat. § 968.40 (1997). This reference is intended to clarify that sub. (28) includes matters commenced before the statutory renumbering.

(29) Probate case files. All papers deposited with the register

in probate in proceedings commenced under chs. 851 to 879, stats.: 75 years after entry of final judgment or order or an order discharging the personal representative or trustee.

(30) Probate court record. A history and index of proceedings commenced under chs. 851 to 879, stats.: 75 years after entry of final judgment or order, or an order discharging the personal representative or trustee.

(31) Probate minute record. A brief statement of in-court proceedings commenced under chs. 851 to 879, stats., generally maintained in the case file: 75 years after entry of final judgment or order, or an order discharging the personal representative or trustee.

(32) Guardianship case files. (a) All papers deposited with the register in probate in adult guardianship proceedings commenced under chs. 54 or 55, stats., or ch. 880, 2003 stats.: 7 years after termination of guardianship; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.

(b) All papers in juvenile guardianship proceedings commenced under chs. 48 or 54, stats., or ch. 880, 2003 stats.: 7 years after the juvenile's 18th birthday; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.

(33) Guardianship court record. (a) A history and index for adult guardianship proceedings commenced under chs. 54 or 55, stats., or ch. 880, 2003 stats.: 7 years after termination of guardianship; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.

(b) A history and index for juvenile guardianship proceedings commenced under chs. 48 or 54, stats., or ch. 880, 2003 stats.: 7 years after the juvenile's 18th birthday; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.

(34) Guardianship minute record. (a) A brief statement of in-court proceedings for adult guardianships commenced under chs. 54 or 55, stats., or ch. 880, 2003 stats., generally maintained in the case file: 7 years after termination of guardianship; except 75 years after

termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.

(b) A brief statement of in-court proceedings for juvenile guardianships commenced under chs. 48 or 54, stats., or ch. 880, 2003 stats.: 7 years after the juvenile's 18th birthday; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.

COMMENT

SCRs 72.01 (32) through (34) contain references to ch. 880, which was repealed and replaced with Wis. Stat. ch. 54. 2005 Wis. Act 387, § 100 (effective May 25, 2006). These references are intended to clarify that subs. (32) through (34) include matters commenced before the statutory renumbering.

(35) Wills deposited for safekeeping. Will deposited by a testator with the register in probate of the court of the county where the testator resides: 100 years after filing.

(36) Wills not admitted to probate. Wills deposited after the death of a testator where there is no estate to probate: 100 years after filing.

(37) Registry of wills. An index kept by a register in probate of all wills deposited or delivered prior to probate: 100 years after final entry.

(38) Mental health case files. All papers deposited with the clerk of circuit court or register in probate in proceedings commenced under ch. 51, stats.: 7 years after entry of final order; except 75 years after termination of commitment if there was a firearm restriction ordered.

(39) Mental health court record. A history and index of proceedings commenced under ch. 51, stats.: 7 years after entry of final order; except 75 years after termination of commitment if there was a firearm restriction ordered.

(40) Mental health minute record. A brief statement of in-court proceedings commenced under ch. 51, stats., generally maintained in the case file: 7 years after entry of final order; except 75 years after termination of commitment if there was a firearm restriction ordered.

(42) Termination of parental rights and adoption case files. All papers deposited with the clerk of circuit court, register in probate or clerk of court for juvenile matters in every termination of parental rights and adoption proceeding: permanent.

(42m) Juvenile delinquency, juveniles in need of protection and services and children in need of protection and services case files. Except as provided in sub. (24), all papers deposited with the clerk of circuit court, register in probate, or clerk of court for juvenile matters in proceedings commenced under ch. 48 or 938, stats.: 4 years after the 18th birthday of the juvenile or child; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a felony if committed by an adult; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a misdemeanor if committed by an adult and there was a firearm restriction ordered or there was a requirement that the juvenile or child register with the Wisconsin Department of Corrections Sex Offender Registry.

(43) Juvenile court record. A history and index of proceedings commenced under ch. 48 or 938, stats.: 4 years after the 18th birthday of the juvenile or child; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a felony if committed by an adult; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a misdemeanor if committed by an adult and there was a firearm restriction ordered or there was a requirement that the juvenile or child register with the Wisconsin Department of Corrections Sex Offender Registry.

(44) Juvenile minute record. A brief statement of in-court proceedings in actions commenced under ch. 48 or 938, stats., generally maintained in the case file: 4 years after the 18th birthday of the juvenile or child; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a felony if committed by an adult; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a misdemeanor if committed by an adult

and there was a firearm restriction ordered or there was a requirement that the juvenile or child register with the Wisconsin Department of Corrections Sex Offender Registry.

(45) Non-criminal case exhibits, paper, and non-paper. One year after the time for appeal has expired, provided that return of the exhibit has been offered to the proffering party or unless all parties have stipulated to an earlier return of exhibits.

(46) Criminal and juvenile delinquency case exhibits, paper, and non-paper. Twenty years after entry of final judgment or until every person in custody as a result of the action or proceeding has reached his or her discharge date, provided that return of the exhibit has been offered to the proffering party.

COMMENT

"Exhibits," as referenced in SCR 72.01(45) and (46), refers to exhibits that are submitted to the court during a trial or hearing and are marked with an official exhibit sticker. Under this rule, "exhibits" does not refer to documents that are attached to pleadings or other filings submitted to the court. Documents falling into the latter category are retained pursuant to the retention rule applicable to the court record.

(46m) Criminal case exhibits containing biological material subject to forensic deoxyribonucleic acid testing under s. 974.07, stats. Any criminal case exhibit that is identified by the parties, the clerk, or the court as containing biological material and that remains in the court's custody shall be retained until the later of 50 years after entry of final judgment or until every person in custody as a result of the action or proceeding has reached his or her discharge date, or until the court otherwise orders the disposition of the evidence under s. 757.54 (2) (c) or 974.07, stats.

(46r) Civil case exhibits for sexually violent person commitments under ch. 980, stats. For the length of time that the underlying case is retained pursuant to this rule.

COMMENT

Deoxyribonucleic acid (DNA) technology is increasingly vital to ensuring accuracy and fairness in the criminal justice system. Section 974.07, stats., does not define the term "biological material." The development of new techniques and scientific breakthroughs in all areas of the forensic sciences will influence determinations of criminal case exhibits to be retained pursuant to SCR 72.01 (46m).

(47) Court reporter notes. Verbatim stenographic, shorthand, audio or video notes produced by a court reporter or any other verbatim record of in-court proceedings: 10 years after the hearing.

(48) Receipts. A receipt for money received by the clerk of circuit court or register in probate: 7 years after issuance.

(49) Bank transactions. Deposit slips, bank statements and canceled checks: 7 years after transaction.

(50) Trust account ledgers. Records of trust accounts maintained by a clerk of circuit court or register in probate: the retention period for case file from which the trust account emanates.

(51) Certificates of payment. A certificate or voucher authorized for payment by the court: 7 years after filing.

(52) Jury payroll. A record of jury fees paid: 7 years after filing.

(53) Juror questionnaires. A form sent to determine eligibility of prospective jurors: 4 years after panel service.

(54) Jury array. A list of qualified persons selected to serve as jurors: 4 years after panel service.

(55) Record of jurors. A record of jurors summoned to serve on juries: 4 years after panel service.

(56) (Repealed)

(57) (Repealed)

(58) Oaths of office. Oaths of office required to be filed with the clerk of circuit court by county officials: 7 years after expiration of term.

(59) Register of officials. A listing of the names and terms of appointment for court commissioners, deputy sheriffs, notaries public and municipal judges: 2 years after expiration of term.

(60) Naturalization records. Records of applications for U.S. citizenship and proceedings to grant U.S. citizenship: Transfer custody to the State Historical Society of Wisconsin.

(61) Court records no longer created, utilized, or maintained. Records no longer created, utilized, or maintained by the court for legal purposes: 20 years after repeal, modification, supersession, or amendment.

(62) Court records in book form. Court records kept in book form may contain various case and record types; depending upon the case and record type, one of the following shall be used to determine

the longest minimum retention period as specified under this rule:

(a) Beginning with the date of final entry for the most recently disposed case.

(b) Beginning with the date of final entry for felony cases when maintained in books with other case types.

(c) Beginning with the date of the 18th birthday of the youngest juvenile covered in the book when pertaining to proceedings commenced under chapter 48 of the statutes.

(63) Inquest records. Records of an inquest under s. 979.08, stats., including testimony, evidence, written instructions and findings of probable cause or verdict: No retention; record is delivered to the coroner or medical examiner for safekeeping.

(64) Incarcerated person records. Prisoner litigation correspondence, pleadings, and other documents kept until they are reviewed by a judge to determine if the action can be filed without the payment of filing fees and court costs: 5 years after date of submission.

SCR 72.02 Procedure for disposal of court records.

(1) A clerk of court, register in probate or other court records custodian may destroy records in his or her custody after minimum retention periods under SCR 72.01 have expired and after compliance with SCR 72.04.

(2) Records defined as confidential by rule or statute shall be destroyed in accordance with sub. (1) by burning, shredding or other means that will obliterate the records.

SCR 72.03 Destruction of original court record after microfilming or electronically or optically storing.

(1) In this rule, "suitably microfilmed or microphotographed" means being microfilmed or microphotographed, to the extent practicable, in accordance with the minimum standards for microfilming and microphotographing as established by the American National Standards Institute.

(2) Notwithstanding the provisions of SCR 72.01, any record of a court that has been suitably microfilmed may be destroyed in accordance with SCR 72.02(1) or (2) 2 years after entry of final order in the action for which the record is maintained or 2 years after filing for records not specifically related to court actions.

(3) Any record of a court that has been electronically or

optically stored and preserved in accordance with SCR 72.05 may be destroyed in accordance with SCR 72.02(1) and (2) 48 hours after the record has been electronically or optically stored. A clerk of circuit court is not required to provide notice of destruction to the State Historical Society of Wisconsin when the record has been electronically or optically stored. Notice of destruction to the State Historical Society of Wisconsin is required when the electronically or optically stored record will be destroyed once the retention period under SCR 72.01 has expired.

(4) Exhibits specified in SCR 72.01(45) and (46) of a documentary nature that are electronically or optically stored may be destroyed after 48 hours if the exhibit submitted to the court is a copy and not the original document. If the exhibit the court has received is an original document, the exhibit may be destroyed 180 days after entry of a final order or judgment, provided that it has been offered to the proffering party, unless the time for appeal has been extended under ss. 809.107, 809.30, or 809.32, stats. In the event of an extension, the exhibit may be destroyed 30 days after the post-termination or post-conviction deadline has expired.

SCR 72.04 Offer of title to State Historical Society of Wisconsin.

The custodian of the court record, prior to its destruction under this chapter, shall give at least 60 days' notice of such destruction in writing to the State Historical Society of Wisconsin, which may preserve any records it determines to be of historical interest. Notice is not required for any records for which destruction has previously been approved by the State Historical Society of Wisconsin or in which the State Historical Society of Wisconsin has indicated, by blanket waiver, that it has no interest for historical purposes.

SCR 72.05 Retention of court records maintained as official or original information on electronic or optical storage systems.

(1) In this rule:

(a) "Accessible" means arranged, identified, indexed and maintained in a manner that permits the location and retrieval of the information in a readable format within a reasonable time by use of the proper hardware and software.

(b) "Accurately reproduce" means that, when displayed on a retrieval device or reproduced on paper, all information exhibits a

high degree of legibility and readability.

(c) "Authenticity" means actually and reliably what is claimed and implies the ability to substantiate what is claimed.

(d) "Legible" means that, when displayed on a retrieval device or reproduced on paper, the quality of the letters, numbers or symbols enables the user to identify them positively and quickly to the exclusion of all other letters, numbers or symbols.

(e) "Readable" means that the quality of a group of letters, numbers or symbols is recognized as words, complete numbers or distinct symbols.

(2) Court records specified in SCR 72.01 and maintained as official or original information on electronic or optical storage systems shall be retained in the custody of the court for the minimum time periods specified in SCR 72.01. The system maintaining the court records shall meet all of the following requirements:

(a) The information retained shall be in a legible and accessible format capable of accurately reproducing the original, or of sustaining readability, for the time periods specified in SCR 72.01.

(b) Operational and technical system procedures shall protect the authenticity, confidentiality, accuracy and reliability of the information captured and provide the appropriate level of security to safeguard the integrity of the electronic or optically imaged information.

(c) The legibility and readability of a statistically significant sampling of electronic or optically imaged records shall be verified to ensure, to a 99.5% degree of confidence, that the information or images are legible and readable. Original optical images that are not legible or readable shall be flagged and rescanned for optimum image enhancement. Illegible images shall contain the scanned notation "best possible image".

(d) A suitable technical level of security shall be provided to protect electronic or optically imaged records that are required to be sealed, impounded or confidential and procedures shall be implemented to restrict access to only those persons authorized by statute or court order to access those records.

(e) Suitable hardware and software shall be provided to retrieve, read and timely reproduce on paper any record retained on electronic or optical storage systems.

(f) Procedures shall be in place and timely implemented for the backup, recovery and storage of electronically or optically stored records to protect those records against media destruction or deterioration and information loss.

(g) For disaster recovery purposes, at least one electronically or optically stored backup copy of all automated or optically imaged records shall be maintained using accepted computer backup procedures; backup copies shall be stored in a separate location under appropriate environmental storage conditions; and a schedule to regularly update or supplement backup copies as a normal part of operations shall be implemented.

(h) At least one set of documentation for the electronic or optical systems that produced the automated or optically imaged records shall be maintained for the retention period of those records, and documentation shall be regularly updated or supplemented when revisions are made.

(i) Inspection of a statistically significant sampling of electronic or optically imaged records shall be conducted at least once every 3 years to verify, to a 99.5% degree of confidence, that there has been no degradation of the electronic medium or of the image quality.

(j) A media retention and conversion review schedule shall be established to ensure that electronically or optically stored information is reviewed for data conversion or recertification at least once every 3 years or more frequently when necessary to prevent the physical loss of data or technological obsolescence of the medium.

(k) Off-line electronic data or records stored on optical disk shall be transferred to new media or new optical disk and verified prior to the expiration of one-half of the useful life of the original media or disk as determined by the manufacturer's certified disk playback stability measured in years.

(L) Court records electronically or optically stored, including records stored off-line and on backup media, that are expunged by court order under ss. 938.355 (4m) and 973.015, stats., shall be expunged by sealing or removing the record, obliterating the index to the record, or otherwise restricting access to the record.

(3) Electronically or optically stored records with historical or research value beyond the retention periods specified in SCR 72.01

shall be protected from destruction or media deterioration and transferred to the State Historical Society of Wisconsin in a computer-industry-accepted standard universal format, together with technical documentation.

(4) Records electronically or optically stored that have reached the minimum retention period specified in SCR 72.01 and that do not have historical or research value may be destroyed. For the circuit court automation program or other electronic court data systems and for write-once-read-many-times optical disk systems, records should be organized and formatted to permit the off-line disk or optical disk as a whole to be destroyed. For write-once-read-many-times disks, the destruction or sealing of the specific index reference to the obsolete record is sufficient.

(5) A written plan shall be provided to the director of state courts for prior approval to ensure compliance with this rule before a new electronic or optical imaging system is implemented and before an existing system is enhanced. The plan shall indicate all of the following:

(a) That a feasibility study was conducted and an analysis made of the system's cost and conversion costs compared to ongoing current costs.

(b) That a data migration plan has been developed for the retention period of electronically or optically stored records.

(c) If the system is an optical imaging system, that the custodian of the record has executed a statement of intent and purpose indicating all of the following:

1. The case type of record and years to be reproduced or transferred.

2. The subsection of SCR 72.01 that pertains to the type of court record being imaged.

3. The physical disposition of the original paper records.

4. If the system is a county system, the county resolution or ordinance authorizing optical imaging.

5. The certification of the records as received or created and transferred to optical disk format in the normal course of business.

(d) That the statement of intent and purpose was provided to the office of the director of state courts.

SCR 72.06 Expunction.

When required by statute or court order to expunge a court record, the clerk of the court shall do all of the following:

(1) Remove any paper index and nonfinancial court record and place them in the case file.

(2) Electronically remove any automated nonfinancial record, except the case number.

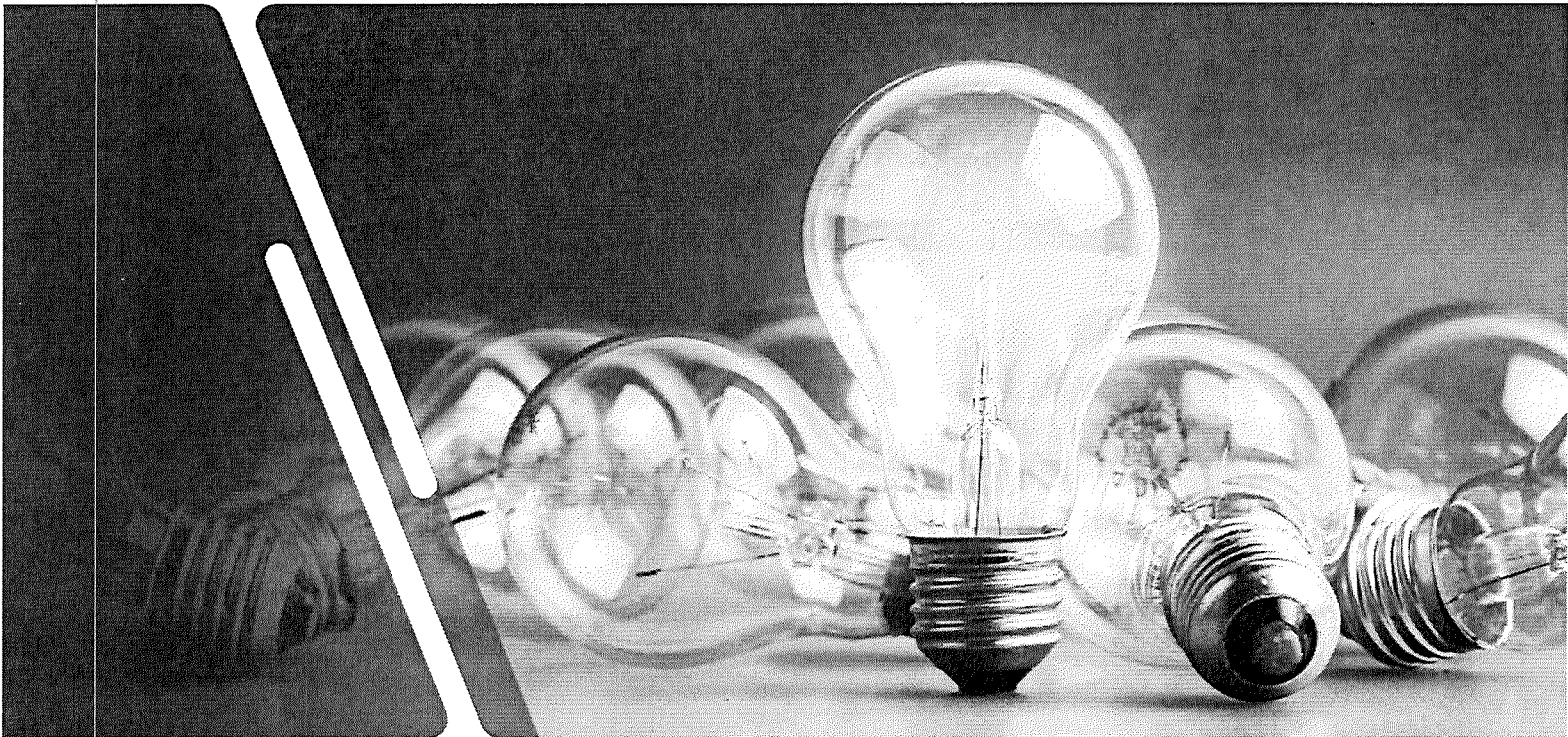
(3) Seal the entire case file.

(4) Destroy expunged court records in accordance with the provisions of this chapter.

Adopted March 5, 1987, eff. April 1, 1987. Amended June 14, 1993; November 3, 1997; April 1, 1998; June 3, 2005; July 1, 2006; July 1, 2010; January 1, 2013; July 1, 2016.

2018

Wisconsin Judicial Branch Strategic Information Technology Plan

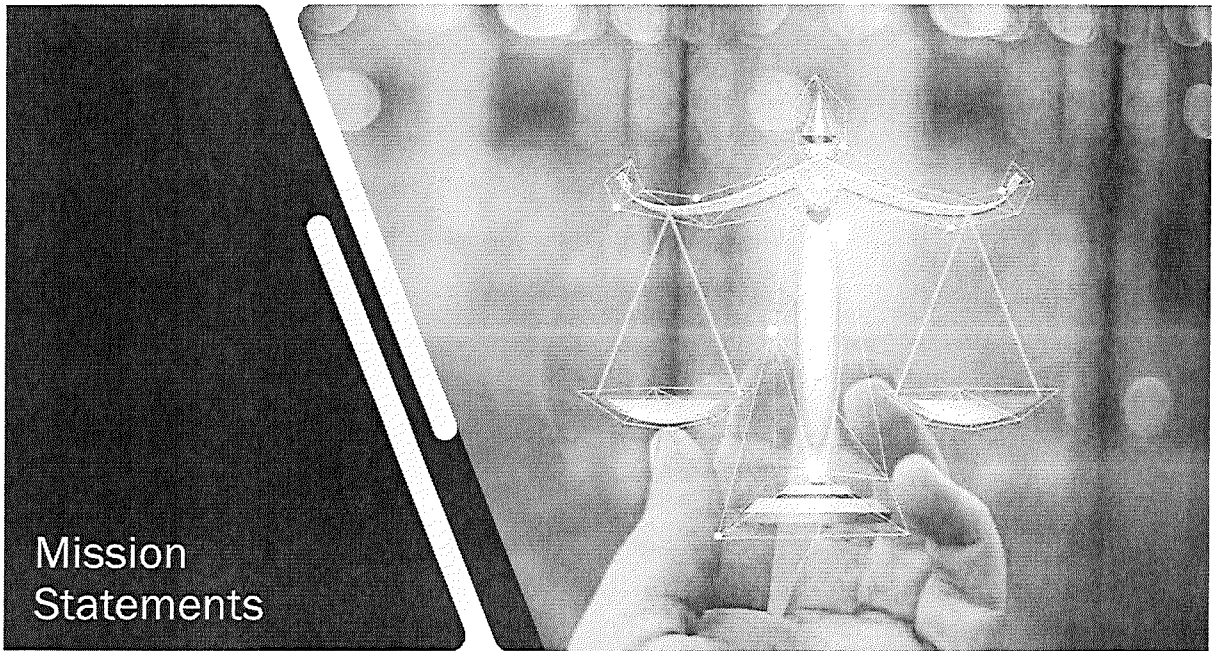


The values, vision, and strategy guiding the implementation of information technology in Wisconsin's judicial branch.

Wisconsin Judicial Branch Strategic Information Technology Plan

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Mission Statements

Wisconsin Court System


The Wisconsin Court System protects individuals' rights, privileges and liberties, maintains the rule of law, and provides a forum for the resolution of disputes that is fair, accessible, independent and effective.

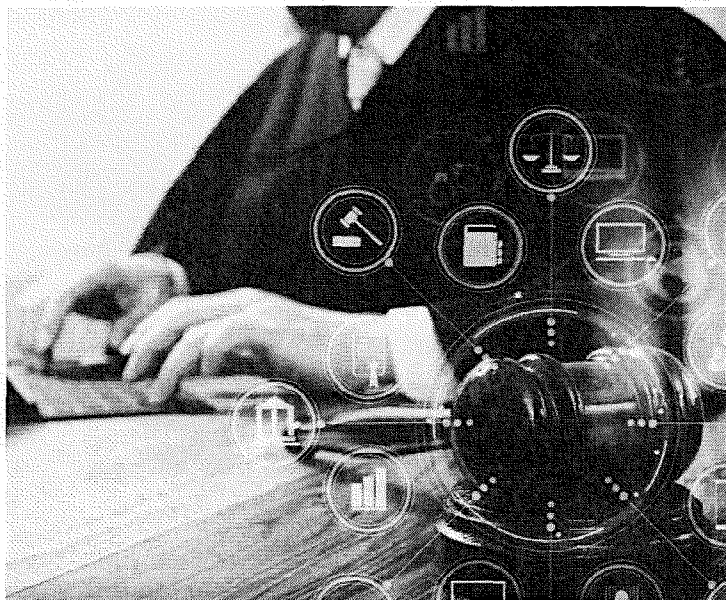
Consolidated Court Automation Programs

The Consolidated Court Automation Programs (CCAP) facilitates greater productivity, efficiency and economy in the Wisconsin court system by providing responsive, high-quality, customer-oriented information technology services to ensure that citizens have an accessible, fair and effective judicial system.



Executive Summary

 This document describes the long range strategic technology plan for Wisconsin's judicial branch. It provides an overview of the progress from the prior strategic plan and describes the technology goals that will be pursued over the next five years. The Consolidated Court Automation Programs (CCAP) is primarily responsible for information technology initiatives as well as the installation, support, and maintenance of technology throughout the court system enterprise. This plan serves as a roadmap for CCAP and it has been developed in consultation with the CCAP Steering Committee and court system managers.



In the late 1980s court leaders sought to implement computers and case management applications in the circuit courts as a means to improve recordkeeping and introduce new efficiencies. The pursuit of this goal resulted in the establishment of CCAP in 1987. The new department's main objective was to provide computers, printers, and word processing software, along with a standardized suite of case management applications that could be used throughout the 72 circuit courts statewide. Court leaders of the time envisioned significant cost savings and efficiencies to be realized if a standard suite of high quality software applications, based on defined model record keeping procedures, were made available to all Wisconsin circuit courts. Looking back at the progress made over the subsequent three decades, the anticipated benefits were not only achieved, but exceeded in ways unthinkable 30 years prior. For example, that CCAP would develop and implement the systems necessary for fully paperless circuit courts was inconceivable, as was the implementation of mandatory electronic filing in the circuit courts. Many such examples exist, but the bottom line is that court technology solutions have evolved over time, from simple efficiency-enhancing record keeping tools to a comprehensive set of technology

services that are fully integrated into every aspect of statewide court operations.

Traditionally, benefits provided by CCAP systems were derived from automating what had previously been manual processes, but these deliverables have been changing in recent years. Now, technology is expected to be leveraged in a manner that replaces and improves traditional paper processes. Electronic filing is a recent example of providing the same business process, while at the same time improving access to courts and court documents. We have reached another new major milestone as the data itself offers value beyond the role it played in automating processes. Staff with the proper training in statistical analysis and data science can now use the large quantity of data collected over several decades to gain valuable insights into the efficiency and effectiveness of court and other justice agency programs. Creating and supporting a research and statistical unit is one example of several new strategic priorities that can assist the court system in meeting its goals and objectives.

Although unanticipated, this evolution did not occur by chance. Every two years a *Judicial Branch Strategic Information Technology Plan* is developed with input

from a wide variety of court system leaders and other interested stakeholders. Past strategic plans have served as checkpoints to assess progress and review current direction. This iterative process has served the Wisconsin court system well, as we retain or improve upon what is beneficial, discard what is not, and recalibrate direction based on current priorities and possibilities.

This update to the strategic plan describes historic milestones where technology successfully contributed to supporting the mission of the courts. The plan reviews and describes the progress towards goals defined in the 2016 strategic plan and outlines new strategic priorities going forward. ■

How Did We Get Here?



Historical milestones

Every two years the court system plans for incremental expansion and improvements to technology services provided to the courts, our justice partners, and the public. An in-depth look back uncovers several strategic decisions that have had long-term impact over the subsequent years. These historical milestones have resulted in major quality and efficiency advancements for the court system itself and also for people and organizations that interact with the courts.



1989: CCAP Advisory and Steering committees established. Two separate committees were established; one to advise the Director of State Courts regarding CCAP's general mission, the other to review and recommend specific ways to utilize staff and budgetary resources in service of the circuit courts. Committee membership represented a broad range of court system stakeholders, including circuit court judges, state court administrators, clerks of court, registers in probate, and technology staff. This advisory/steering arrangement ensured technology resources were applied in alignment with the actual needs of those working in the court. This concept has been a foundational guiding principle of the CCAP planning process since its inception.

1993: Decision to standardize software and hardware platforms. Initially, a plan was set forth to implement a circuit court case management solution on three separate platforms, dependent upon the size of a county. Counties with 1-2 judges would be implemented on PCs, medium sized counties with 3-5 judges, on mini computers, and the remaining large counties on mainframes. It was further decided that existing vendor products would be purchased and modified for use in medium and large counties, while a custom-developed case management system would be created for the small counties. This plan was revised as stakeholders opted for a single, PC-based, custom developed case management

application for all counties. This change in direction was critical to the eventual completion of a standard suite of applications that has been implemented in all 72 circuit courts. A standard statewide approach and custom software development remain two of the principles guiding strategic planning to this day.

1996: Case management application suite complete. The first versions of the fully functional Case, Jury, and Financial Management applications were completed and implemented in all participating circuit courts. This created significant improvements in both staff efficiency and quality of court records, as error-prone manual processes were replaced by automated computer systems and paper records were replaced by structured relational databases.

1996: Office of Information Technology Services (OITS) transition from mainframe to client/server. OITS was the department responsible for all information technology services for the appellate courts and court system offices. Prior to 1996, OITS was primarily a mainframe operation, and application services were provided through dumb terminals that accessed a large and expensive Unisys mainframe computer. The transition to a client server environment, including wide/local area networking, PC-based computer servers, and desktop workstations was completed in 1996. This ushered in a new era of technology for stakeholders in the

appellate courts and various administrative offices of the state courts. This transition proved critical to the eventual merging of technology platforms that took place when CCAP and OITS merged in 2001.

1999: Expanded access to court data. The quantity of useful court data maintained in court databases grew rapidly after the completion and implementation of a case management system in the circuit courts. This created opportunities for additional efficiencies by developing systems to replace the existing manual process for providing court information to interested parties. The Wisconsin Circuit Court Access (WCCA) public access website was created, which over time virtually eliminated the need to visit a courthouse in order to obtain information about circuit court cases.

The first electronic data interface, the Criminal History interface, was also engineered, eliminating the need for clerks to fill out paper fingerprint cards and send them to the Department of Justice (DOJ) for manual processing into the state's Criminal History database. Since then, many additional interfaces have been implemented, representing significant labor savings for both the courts and our justice partners. Along with DOJ, current interface partners include the departments of Corrections, Revenue, Workforce Development, Transportation, and Natural Resources, and district attorneys, among others.

2001: Court technology departments combined. Prior to 2001, there were two distinct IT departments within the Director of State Courts Office—CCAP and OITS. The two departments served two distinct sets of customers and had distinct technology standards. A decision was made to have one technology department that created a standard hardware and software platform. The departments merged and a plan was developed to migrate all courts and court offices onto one hardware platform, network, and standardized application

development strategy. Ongoing efficiencies of scale have been realized by maintaining standardized technology systems across the entire state court system, that are managed by a single cohesive unit.

2005: Electronic document management incorporated. A document management system was incorporated into the case management system, and for the first time, paper documents could be scanned and uploaded to a database, associated with a case, and viewed on a computer monitor. This created a more efficient and fluid alternative to labor intensive processes involved in tracking and routing paper case files. More significantly, this was a prerequisite to what would eventually become a statewide, paper-on-demand solution.

2008-14: Services for judges and attorneys incorporated. Prior to 2008, the primary objective of application development efforts was to improve record-keeping efficiencies in the clerks of circuit court and registers in probate offices. Starting in 2008, several applications geared specifically towards assisting the judiciary were delivered, including the Judicial Dashboard, eSignature, and eBench applications. These solutions help improve judges' ability to manage their caseloads and perform many work tasks, such as viewing cases, preparing orders, and electronically signing documents from their



computer. These programs were also critical building blocks, necessary for the eventual implementation of statewide electronic filing and paper-on-demand court operations.

In parallel with the development of judicial tools, several paper-based processes mandated for attorneys were replaced with online solutions. Wisconsin Bar admission and continuing legal education credit submission web applications were implemented, saving time and expense for both the Board of Bar Examiners staff and attorneys around the state. Additional efficiencies were also gained for the Supreme Court and Court of Appeals staff with the implementation of electronic briefs. Access to records improved for attorneys and the public, as electronic filing was available in circuit and appellate courts and the WCCA website was expanded to provide self-service bulk data subscriptions.

2016: Statewide mandatory eFiling and paper-on-demand. The Supreme Court mandated electronic filing in the circuit courts for all attorneys beginning in 2016. Prior to this Supreme Court Rule, the voluntary eFiling system had not been widely utilized. CCAP developed an eFiling website for use by attorneys and pro se filers for filing and receiving court documents. By mandating electronic filing, the Supreme Court created the conditions necessary for the courts to become fully paper-on-demand, with all of the resulting efficiencies gained when paper documents are no longer necessary for any court activity. With an eye to the future, the eFiling website has been programmed in a manner to integrate appellate court eFiling, providing attorneys with a single portal in which to manage all cases filed anywhere in the Wisconsin court system.

Guiding principles

CCAP's organizational principles have provided a strong foundation on which to build a robust technology infrastructure and have guided decision making over the years. They assist in determining priorities and

provide overall direction for development of the court system's technology portfolio. Since the early 1990s CCAP has relied upon these principles to help define what services are offered throughout the judicial branch and how these services are provisioned across the state. The guiding principles help shape overall strategy, and determine what technology projects to pursue and how to approach them.

Focus on the mission. CCAP undertakes only those technology projects that have a clearly defined benefit to one or more core court, judicial, or administrative functions. CCAP's limited resources must be allocated where they provide the most benefit. The judicial branch continues to leverage technology to improve access, increase convenience, and improve efficiencies throughout the organization. All technical projects and strategies are considered based upon whether they provide value as defined by the court's mission.

Listen to the customer. CCAP relies on feedback from customers—court officials, court system employees, litigants, justice partner agencies, and the general public to determine what court functions would benefit most from technology. CCAP's customer base is actively growing from just under 3,000 court system staff to over 20,000 users when mandatory eFiling is fully implemented. Input and feedback from users is essential to ensure their diverse needs are met. CCAP utilizes many avenues of communication to garner an understanding of which court functions would derive the most benefit from enhanced technology solutions. For example, CCAP seeks regular guidance from their advisory body, the CCAP Steering Committee. Each year, the committee vets and prioritizes all technology projects, and assists in establishing technical policies and strategies to ensure the projects pursued are those that will best serve the court system.

The CCAP call center serves as a direct link to customers seeking assistance when performing aspects of their jobs. Issues customers report are meticulously tracked, categorized, and prioritized.

Data analytics are then used to identify support trends and determine re-engineering and system improvement needs.

Oftentimes, business processes need to be revisited and new technologies developed to improve systems that have become out of date. Customers are represented in all major software development decisions through the use of design and advisory committees along with information gleaned from the call center.

Develop systems in-house. All CCAP solutions are designed and developed by a dedicated group of court employees, augmented by a small number of in-house contract staff. All aspects of CCAP's operation—hardware implementation, software development, data conversions, and customer training and support—are managed internally by CCAP staff. These staff members are dedicated entirely to ensuring CCAP solutions are highly useful to its core customers. Expensive contracts and vendor negotiations are unnecessary when making modifications to the CCAP system because most software applications used by the court system are created and “owned” entirely by the judicial branch. Additionally, the court system realizes a tremendous savings each year as expensive maintenance and support contracts have been strategically and systematically eliminated in favor of free or low-cost solutions.

Continuous improvement. Not all technical initiatives are directly related to the resolution of a current problem or to the satisfaction of a customer-identified request. CCAP has a responsibility to ensure its hardware and software infrastructure does not become obsolete or otherwise out of date. Obsolete technology eventually becomes unsupported, unsecure, and unusable. Developing new technical solutions based on obsolete technology is difficult and expensive and will limit future project possibilities. At some point, old technology must be completely replaced and software must be entirely rewritten—

meaning a significant period of time ensues where no new value is being added for CCAP's customers.

CCAP's approach is a process of continuous improvement—where systems are incrementally modernized, even before it is critically necessary to do so. CCAP staff identify potential areas for modernization and provide justification for their recommended solutions to CCAP management. Several continuous improvement projects are completed each year, assuring CCAP systems will continue to be viable and supportable for the long term.

Standards-based technical infrastructure. CCAP's court customers are physically located in over 80 sites throughout the state of Wisconsin. The support staff to court customer ratio is approximately 1 to 100. Despite these challenges, customer support surveys and feedback indicate a very high level of satisfaction across the board. CCAP strictly enforces technical standards throughout the court system enterprise. While this does place some limitations on court users' ability to add hardware and software to the network, it enables CCAP to provide competent, timely technical support for a large customer base and an extensive hardware and software infrastructure with minimal dedicated support staff. Every network in the state is configured according to CCAP technical standards, which are continuously evolving to account for technology innovations and new customer-driven services. These standards are applied to all servers, desktop workstations, printers, scanners, networks, and software applications. When a customer contacts CCAP for assistance, call center staff can bypass time spent determining desktop configuration and/or software application versions and immediately focus on resolving a user's specific problem.

Competent information technology staff. CCAP has always provided superior custom-developed software solutions and technical architectures that can be easily sized for small, medium, and very large circuit and appellate court locations and court system

offices. One of the most important factors in CCAP's ability to design and develop effective information technology systems is a reliance on competent information technology professionals. Without these staff, CCAP's ability to move forward with new and necessary technologies would be compromised. The demand for high-quality information technology professionals will continue to grow as CCAP's services extend throughout and beyond the court system.

CCAP remains committed to hiring and retaining highly skilled staff. A technology workforce that is responsive, skilled, and capable ensures CCAP will maintain the ability and drive to envision and implement technology solutions that create more effective, efficient processes within the court system.


Court information as an asset. The court system has been relying on CCAP since the early 1990s to provide a method for electronic storage, access, and sharing of important court information. Throughout the past 20 years, CCAP has added new types of data, the volume of which has grown exponentially with the addition of electronic documents and digital audio recordings. With such growth comes the expectation that information will be readily available and accessible to those who need it, on demand. At the same time, confidential and sensitive data must be protected through strong data security practices and privacy policies. CCAP recognizes that the data stored throughout the court system's information technology enterprise is a valued asset that must be secured, shielded from tampering, and guarded against inappropriate disclosure. Procedures are in place to ensure data is consistently safeguarded and that the court system can recover it in the event of an unplanned outage or natural disaster. However, information security threats continue to emerge at a rapid pace and many system exploitations



are the result of human error or lack of diligence. Ongoing cybersecurity training has been instituted for all court system employees to eliminate potential data breaches.

Full life cycle support. CCAP has always been committed to providing a full and comprehensive set of technology and related services to the court system and to users of court system services. CCAP installs and maintains the networking and computer infrastructure, installs and configures all users' desktop computers, and develops custom software that meets Wisconsin-specific requirements. CCAP has also developed a comprehensive end-user training program that ensures court system employees are knowledgeable about how to proficiently utilize their hardware and software technology. Ongoing education is provided through classroom instruction, site visits, and web-based tutorials. Additionally, CCAP maintains a full-service customer support operation to ensure that all CCAP-provided technology is working properly and any questions and/or issues are addressed and resolved in a timely manner. As part of the court system, CCAP is dedicated to supporting all operations of the courts including the technology implemented within, and all services that are provided to the public. ■

Progress

 The main objective of the previous strategic plan was to “describe a transformation underway within the judicial branch from traditional, paper-based processes for managing court records and provisioning court services to a model utilizing digital records and electronic content management, resulting in expanded access to information and services for

court staff and the public.” Strategies for achieving this objective over the plan’s five-year period were broken down into six overarching goals. Each goal was further broken down into specific projects that would be completed in support of the goal. The following tables describe the progress that has been made for each goal over the subsequent two-year period.

Goal 1: Achieve the benefits of system-wide digital court records

PROJECT	STATUS
Statewide mandatory eFiling will be implemented in all circuit courts for all case types.	In progress. Mandatory eFiling for all civil, small claims, family, paternity, criminal, traffic, ordinance, formal probate, informal probate, guardianship, mental commitment, and judgement/lien cases has been implemented statewide. All juvenile case types are available for voluntary eFiling, as well as complex forfeiture, commitment of an inmate, and John Doe cases, and will be mandatory ahead of schedule.
eFiling will be implemented in all appellate courts and the Supreme Court.	In progress. eFiling has been implemented for briefs and petitions for review, and design of an eFiling solution for all appellate court cases is underway.
The current online Judicial Assignments application will be expanded to include the electronic transfer of termination of assignments and withdrawals to the circuit courts.	In progress
An online application for pro hac vice attorneys will be developed. This application will support the ability for attorneys to file electronically with the Office of Lawyer Regulation and also to make payment as specified by Supreme Court Rule.	Not started
The current Continuing Legal Education (CLE) reporting application will be expanded to allow attorneys to electronically report pro bono service hours.	Complete
In conjunction with the current CLE reporting application, a new application will be developed for course sponsors to input and submit CLE.	Not started

course information electronically to the Board of Bar Examiners (BBE) for review and approval.

Goal 2: Maximize efficiencies for court staff

PROJECT	STATUS
The Judicial Dashboard will be enhanced to ensure that court officials can seamlessly function in a paper-on-demand environment.	Complete
Court officials and clerks will be provided tools to automate workflow processes and create checklists to help ensure deadlines are met and essential case filings and hearings take place in a timely manner.	Not started
Registers in probate and clerks of court will have the ability to edit, sign, and route electronic documents.	Complete
All remaining custom court applications will be converted to CCAP's 3rd generation application framework ensuring a standardized user interface as well as a standardized technical foundation for applications.	In progress. eFiling review components of the Case Management application are scheduled for completion in late 2018. Several other components are currently in the early stages of design.
Optical character recognition will be implemented for court offices that utilize electronic documents. This will ensure all documents are fully text searchable and can be annotated.	Complete
Document redaction will be implemented in all court offices that utilize electronic documents.	Complete

Goal 3: Improve access to court information

PROJECT	STATUS
Judges, clerks of court, registers in probate, and court administrators will be given access to their true court-based computing environment from any location with an internet connection.	Complete



New services will be developed to support the ability to convene, collaborate, and to perform work duties from locations other than the office or courthouse.	Not started
A tool will be implemented to effectively accommodate online meetings. This tool will be available to all authorized court system managers for the purpose of saving time and travel expenses associated with in-person meetings.	Not started. Planned implementation in 2019.
The Wisconsin Circuit Court Access (WCCA) website will be enhanced to allow interested parties and the public to subscribe to automatic notifications of published court information.	Complete
WiFi capabilities will be added to the Supreme Court wing of the State Capital and in all Court of Appeals offices.	Complete
New data exchanges will be implemented to ensure electronic data and documents can be seamlessly shared with justice partners. Existing data exchanges will be expanded to include electronic documents as necessary.	Complete and in progress. The State debt collection interface with the Department of Revenue (DOR) is complete, as are enhancements to accommodate eFiling for Juvenile case types through the interface with PROTECT. The expansion of a Department of Corrections (DOC) interface for transmission of electronic documents is currently in progress.
Online applications and services will be designed and implemented with an eye toward mobile use.	Not started

Goal 4: Maintain a robust and reliable technical infrastructure

PROJECT	STATUS
The court system Wide Area Network (WAN) will be improved by increasing available network bandwidth and providing redundant network capabilities to ensure continued operation, even in the event of a line failure.	Complete and ongoing. CCAP will upgrade to improved connections as they become available.



Server and storage reliability will be improved in remote offices by implementing virtual servers and redundant storage systems.	Complete
A disaster recovery plan will be maintained and tested to ensure an efficient response in the event of a disaster.	Not started. The disaster recovery plan needs to be updated and tested in light of recently upgraded technology. Scheduled for completion in 2018.
Court system digital assets will be protected against malicious attacks, viruses, and unauthorized access by implementing state-of-the-art malware protections and by contracting for network security assessments from a third party.	In progress. Planned for completion in 2018.
All court system computer users will undergo cybersecurity awareness training to educate them regarding their role in protecting the court system's digital assets by being mindful of potentially malicious emails and websites.	Complete and ongoing
CCAP's data exchange technology, Simple Transaction Exchange Protocol (STEP), will be updated to improve efficiency and security of electronic data transmissions.	Complete

Goal 5: Meet a high standard of customer service and support

PROJECT	STATUS
Court staff, court litigants, and the public will be provided self-help tools they can use to find information, answer questions, or resolve problems independently.	Not started
Support services will be expanded and will include channels commonly employed in other businesses such as email, chat, or social media.	In progress
Training materials will be improved and made easily accessible to users who desire detailed instructions on a variety of court technology topics.	In progress



Access to a generic remote training database will be provided to facilitate hands-on learning opportunities for new court staff and staff transitioning to different job responsibilities within the court system.	Not started
Customer satisfaction will be meticulously measured and tracked, with a goal of achieving 100% overall customer satisfaction.	In progress

Goal 6: Retain highly qualified information technology staff

PROJECT	STATUS
Ensure CCAP can hire, promote, and retain the qualified staff needed to support the judicial branch technology enterprise.	Complete and ongoing
Expand opportunities to develop IT staff through technical and leadership training opportunities.	Ongoing
Career progression and advancement opportunities for staff members will be identified and action plans will be developed.	Ongoing
Opportunities for telework will be researched and implemented in situations where it will result in mutual benefit to the organization and staff.	Complete and ongoing

Vision



In keeping with the principles of incremental expansion and continuous improvement, our new goals retain and build upon those included in the previous strategic plan. The full implementation of the Supreme Court's mandatory statewide eFiling rule remains a top priority, as well as the related goals of maximizing operational efficiencies and improving access to court records. This year our vision has expanded to include an entirely new area—research driven decision making. Historically, benefits provided by CCAP systems were derived from automating what had previously been manual processes. But the data itself can provide value beyond the role it plays in automating processes. Staff with the proper training in statistical analysis and data science can use the large quantity of data collected over several decades to gain valuable insights into the efficiency and effectiveness of court and other justice agency programs.

Goal 1: Achieve the benefits of system-wide digital court records

All court records will be managed in a digital format. Documents filed with the court and court offices will be submitted electronically, increasing efficiencies and access for filers, court officials, and court staff. Documents and other court records will be stored digitally, available in paper format as necessary. Court litigants, the judiciary, court staff, justice partners, and authorized third parties will have improved access to accurate court case files and documents. There will be a reduction in the physical space required to store case records as digital files replace paper files. Court information, data, and some services will become more accessible and available, and ultimately, litigants and the public will have the option of using online services rather than spending time visiting the courthouse to conduct business.

Goal 2: Maximize efficiencies for court staff

To take full advantage of a completely digital court



record, well-designed technology tools must be available to everyone who needs them. Current applications and features will be enhanced to take advantage of digital court records. Powerful search and filter tools will allow efficient record retrieval and access to documents and information in a timely manner. Court administrators will also have fingertip access to the data they need to make informed decisions, and court staff will have the tools they need to efficiently process court records. Court reporters will have access to the online court records they need to effectively perform their job. Workflow processes will be automated and improved, offering more tools, views, and access to fluently navigate in the digital environment.

Goal 3: Improve access to court information and services

The advantages of fully digital court records will extend beyond those working in the court system to litigants, justice partners, and the public. Court litigants will be able to easily file documents with the courts and court offices and view case documents in real time as they move through the litigation process. eFiling and other web applications will expand “virtual” business hours and support improved access to accurate and up-to-date online information and services. Timely access to case information and documents will be available to justice partners via data exchange,

replicating information and documents shared in the paper-based world.

Goal 4: Maintain a robust and reliable technical infrastructure

A fully digital environment demands a high functioning underlying technical infrastructure to ensure court operations can run smoothly. Court proceedings cannot occur when access to court information and documents is unavailable or unreliable. The infrastructure must be sized appropriately and designed to ensure high performance, reliability, and fault tolerance. Redundancy must be provided to ensure a single failure will not cause disruption to critical court functions. An unanticipated event such as a natural disaster, malware attack, or building fire will be planned for, and validated recovery strategies developed.

Goal 5: Review and update enterprise data security practices

A growing number of government organizations and private companies have become victims of hacking, spear phishing, and other cybercrimes. It may be only a matter of time before an attack specifically directed at the Wisconsin courts is attempted. It has always been of primary importance to protect sensitive or confidential digital court information from unauthorized or malicious access, and many protections have been built into hardware and software systems over the years. The successful transition to digital files has increased risks by tying the ability for courts to operate to the availability of these digital files. To ensure the court system is well protected against new and ever-changing attacks, a comprehensive review of current security policies, practices, and tools will be performed by an independent cybersecurity vendor. A comprehensive

security program based on the recommendations of the independent review will be implemented.


Goal 6: Support research-driven decision making in the courts

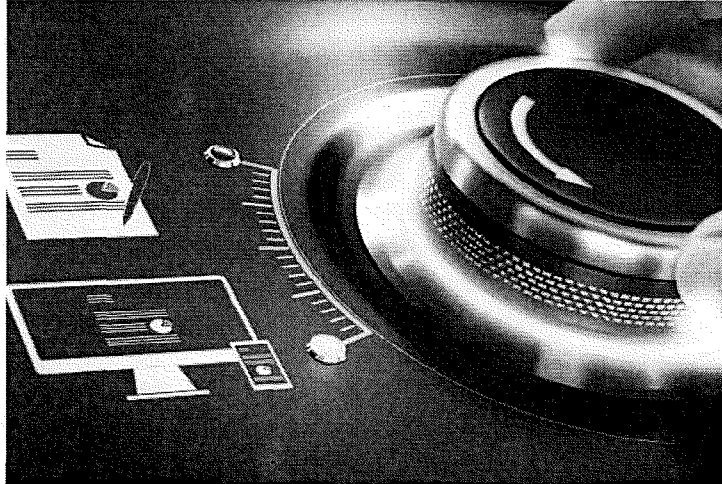
Benefits provided by CCAP systems have traditionally been derived from the efficiencies gained by automating what had previously been manual processes. A side effect has been the collection of several decades' worth of court data; and this data can provide value beyond the role it plays in automating processes. Staff with the proper training in statistical analysis and data science can use this court data, combined with other data sources as necessary, to gain valuable insights into the efficiency and effectiveness of court and other justice agency programs. CCAP will support the court system's research-driven decision making efforts by helping develop and support a new Research and Justice Statistics team that will house the data, systems, and expertise necessary to answer research questions as posed by court system leaders and other stakeholders.

Goal 7: Meet a high standard of customer service and support

The CCAP call center is the court system's enterprise IT help desk, providing technical assistance to all court system employees and users of the electronic filing system, who number in the tens of thousands. Members of the public that interact with administrative court offices will require increased assistance from CCAP support staff as additional online services become available. CCAP will implement the tools and procedures necessary to provide exceptional customer service for court system users and the public alike, utilizing CCAP-provided applications. ■

Strategy

 This section defines individual projects, each of which will contribute to at least one goal described earlier. All initiatives planned for the next five years are described here. These projects are ordered by phase and further categorized by project type. Project phases are: Phase 1: July 1, 2018 to June 30, 2019; Phase 2: July 1, 2019 to June 30, 2021; and Phase 3: July 1, 2021 to June 30, 2023.



The cost and staff effort for each project is defined based on the parameters listed below:

Non-Staff Cost	Description
Level 1	Less than \$10,000
Level 2	Between \$10,000 & \$50,000
Level 3	Between \$50,000 & \$100,000
Level 4	Between \$100,000 & \$500,000
Level 5	Between \$500,000 & \$1,000,000
Level 6	Greater than \$1,000,000

Staff Effort	Description
Level 1	Less than 3 staff months
Level 2	Between 3 & 12 staff months
Level 3	Between 1 & 2 staff years
Level 4	Between 2 & 4 staff years
Level 5	Between 4 & 8 staff years
Level 6	Greater than 8 staff years

period of time after which, a mandatory eFiling date will be determined by the CCAP Steering Committee and published on the court's eFiling website.

Cost: Level 1 Effort: Level 3

Implement statewide mandatory eFiling for additional case types. CCAP will implement mandatory eFiling in circuit courts statewide for the remaining case types, including probate, judgment, lien, and juvenile. When necessary, business process analysts will be stationed in counties to provide hands-on training for courts as well as attorneys, support staff, and government filers.

Cost: Level 2 Effort: Level 3

Make improvements to circuit court eFiling site. Software development for mandatory eFiling in the circuit courts for all case types will be completed by the end of 2018. Currently online payment for filings submitted through the eFiling site must be completed at the time the filing is submitted to the circuit court. If the filer encounters an error or issue with the US Bank ePayment site and cannot complete payment in a timely manner, there is no way for the filer to make the payment at a later time. Payment failure results in rejection by the clerk, requiring the eFiler to start over and re-file. CCAP will work with US Bank to improve ePayment functionality, allowing filers to

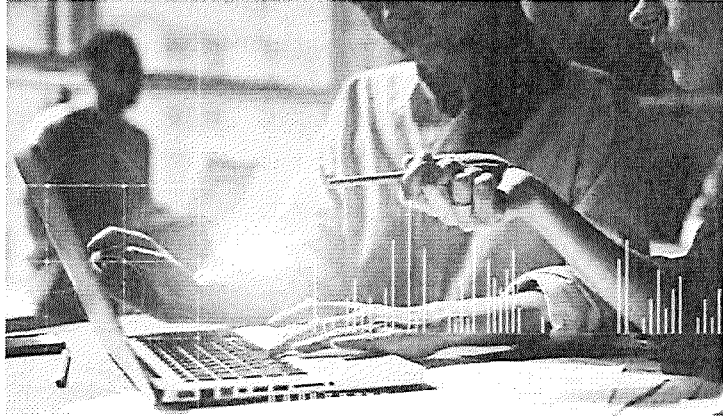
Phase 1 projects: July 1, 2018 to June 30, 2019

Expand eFiling to include remaining case types. CCAP will enable additional case types for eFiling. As new case types are programmed, they will be piloted in select counties. Following successful pilot, these case types will be offered on a voluntary basis for a

make payment for filings at a later time in the event an error occurs that prohibits them from making payment at the time of filing.

Cost: Level 1 Effort: Level 3

Design and develop eFiling for appellate courts. In anticipation of mandatory eFiling in the appellate courts, CCAP will begin the design and development of the new appellate court eFiling system. This project will expand the functionality of the



electronic briefs application to enable full electronic filing in the appellate courts. This will include filing of the notice of appeal, any motion on appeal, the docketing statement, the statement on transcript, the notice of completion of transcript, and other documents. Additionally, orders and opinions from the court will be available to the parties, attorneys, and circuit court in electronic format. These new features will be incorporated into the court's existing eFiling system so attorneys will have a single portal to electronically file in the courts statewide. Electronic payment of appellate filing fees will also be enabled.

Cost: Level 3 Effort: Level 6

Rewrite eFiling review to version 3.0. The eFiling review components of Case Management will be updated using the version 3.0 application architecture.

Enhancements will be made to consolidate all eFiling review components into a central location. This project will include construction of a new user interface for processing electronic criminal complaints, citations, electronically filed documents and cases, and electronically signed documents.

Cost: Level 1 Effort: Level 3

Implement faster desktop and bulk scanners. CCAP will research and test desktop and bulk scanners capable of scanning a higher volume of pages than those currently installed. As older scanners are

replaced and new scanners are requested, the higher volume scanners will be implemented.

Cost: Level 3 Effort: Level 3

Implement technology for inactive document storage. There are tens of millions of electronic documents stored in CCAP databases and this number is expanding rapidly. These documents require a significant amount of disk space to store, and once a case is closed, the vast majority of these documents are rarely, if ever, viewed by users. The result is that very significant processing and storage resources are applied to database servers that are in effect simple storage devices for millions of documents that may never be accessed.

CCAP will design and implement a system to identify documents that have not been viewed for an extended time period and move them to a central storage location. These documents will be searchable and accessible using CCAP applications, and when a user requests to view the document, it will be retrieved from central storage as opposed to the local county database. This feature will provide improved access to documents in the Case Management and Judicial Dashboard applications.

Cost: Level 3 Effort: Level 3

Expand interface with the Department of Corrections (DOC) to fully support document transmission. CCAP

will expand the current interface with DOC to allow the court to send additional documents to them through the interface. DOC will also submit additional documents through the interface, eliminating the need for paper document exchanges.

Cost: Level 1 Effort: Level 2

Rewrite the Judicial Assignments application to version 3.0. The Judicial Assignments application will be updated using the new application architecture. Termination requests will also be automated as a part of this process.

Cost: Level 1 Effort: Level 3

Replace the Google search appliance. The Google search appliance is used by court system websites that have built-in website searching features. CCAP's current subscription expires in September of 2018 and the product will be completely phased out at the end of 2018. CCAP will research, test, and implement an alternative product or approach that will continue to provide high-quality search functionality.

Cost: Level 3 Effort: Level 2

Upgrade web applications to supported development environment. CCAP maintains several web-based applications that were created within a Ruby on Rails development environment. CCAP transitioned away from Ruby on Rails many years ago and has only two programmers that are still capable of supporting these legacy environments. A further complication is that these applications were written using a version of Ruby on Rails that has been outdated and unsupported for at least two years. CCAP will rewrite these applications to our new standard Scala programming environment.

Cost: Level 1 Effort: Level 5

Provide judges with laptops and docking stations to fully support a migration to paper-on-demand. CCAP will create and implement a standard judge laptop

image and provide a laptop and docking station to all judges who request them. The laptop will be configured to operate in three modes: as a standard thin client; as a remote access device; and as a stand-alone Windows machine. These new mobile workstations will replace existing chambers computers, assisting judges in the transition to a paper-on-demand environment and encouraging acceptance of electronic judicial education conference materials.

Cost: Level 4 Effort: Level 2

Update desktop operating system to Windows 10. CCAP tested and piloted all standard, supported applications in 2017 to ensure they work correctly under a Windows 10 environment. CCAP will implement Windows 10 for all supported court system users in 2018. The Windows 10 environment is significantly different from Windows 7, and the statewide implementation will include training and documentation to help ensure the least possible disruption.

Cost: Level 4 Effort: Level 3

Upgrade to Microsoft Office 2016. CCAP will upgrade all supported court system users from Office 2010 to Office 2016. This upgrade will include on-site training and the documentation necessary to help ensure the least possible disruption.

Cost: Level 4 Effort: Level 3

Migrate email from GroupWise to Microsoft Exchange. CCAP will migrate from GroupWise to Microsoft Exchange. This will include a transition to a new email client—Microsoft Outlook. CCAP will provide on-site training and documentation to help ensure the least possible disruption.

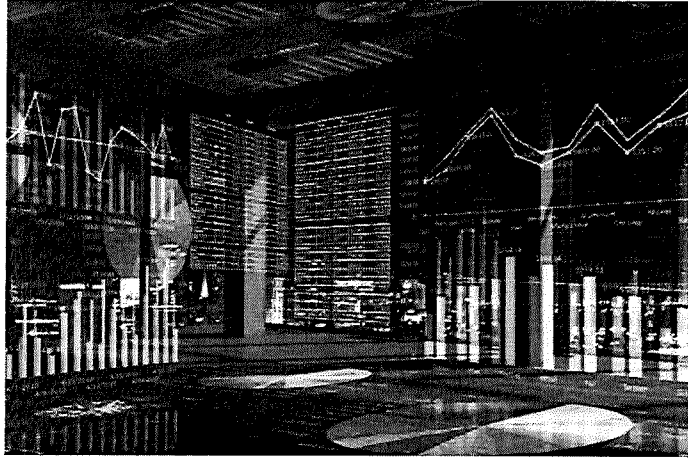
Cost: Level 6 Effort: Level 3

Implement an email archiving solution. CCAP will implement an email archiving system that will archive all court system emails per archiving policies

approved by the CCAP Steering Committee.

Cost: Level 3 Effort: Level 2

Upgrade operating system on thin clients. Thin clients are currently loaded with the Windows 7 embedded operating system. To ensure the most efficiency and security with upgraded Remote Desktop Services (RDS) servers, the operating systems on thin clients will be upgraded to Windows IoT (Internet of Things). This undertaking will require CCAP staff to travel to each location and apply new images to all thin clients. It will also require upgrading the hard drives on 500-800 thin clients.



Cost: Level 2 Effort: Level 3

Create a justice statistics research team and provision with a data warehouse. CCAP will hire the staff necessary to create a justice statistics research team comprised of a director and two additional team members. The director will define the roles of the team members, the data warehouse technology, and associated business intelligence tools. CCAP will purchase and implement these tools, hire the necessary staff, and populate the data warehouse with a full set of all available CCAP circuit court data. Once all necessary court data has been successfully acquired, the research team will incorporate data sets from other state agencies, including the departments of Correction (DOC), Justice (DOJ), and Children and Families (DCF) to create an inclusive dataset that provides information about cases and parties pre-case filing and post-disposition.

Cost: Level 3 Effort: Level 2

Allow digital court reporters to operate in more than one county with a single account. Digital court reporters are often assigned to work in counties other than their home county. Currently, these reporters are required to maintain unique user accounts for each county. CCAP will research, develop, test, and

implement a solution that will enable them to work in multiple counties using a single CCAP account. An avenue for digital court reporters to use the For the Record (FTR) workstation in their home county to access FTR recording archives in the other counties will also be developed and implemented.

Cost: Level 1 Effort: Level 2

Improve access to digital audio recordings. As the number of digital audio recording (DAR) systems continues to expand, it will become necessary for CCAP to improve the ease with which audio recordings can be searched and played back. CCAP will research the most effective way to improve access to DAR recordings. This could include providing audio links within CCAP applications such as the Judicial Dashboard, and/or creating a new application specifically for searching and playing back digital audio streams.

Cost: Level 1 Effort: Level 2

Implement a multi-courtroom DAR standard. CCAP's current DAR standard configuration requires the system to be monitored by someone physically located in the courtroom. CCAP will research and implement a DAR configuration that would permit recording/monitoring of one or more courtrooms from a remote location.

Cost: Level 4 Effort: Level 4

Implement a standard DAR system in each circuit courtroom. Currently there are almost 50 DAR installations in circuit courtrooms. CCAP will expand the current DAR installations to every circuit courtroom. At the same time, CCAP will upgrade and standardize court commissioner installations and provide training to court staff to ensure proper operation and confidence monitoring.

Cost: Level 4 Effort: Level 3

Purchase and implement CaseViewNet for court reporters. An upgraded CaseView system, called CaseViewNet is now available. This new system uses an available WiFi connection in place of the traditional direct cable connection. The court reporter connects to the internet and sends the RealTime text to a cloud-based service where it can be picked up and viewed by the judge using a web browser. CCAP will purchase CaseViewNet licenses and provide installation assistance to all RealTime court reporters that would like to be upgraded from the cable-based system.

Cost: Level 1 Effort: Level 1

Perform security program assessment. CCAP will obtain an independent, professional assessment of the court system's network security policies, procedures, and technologies. The objectives for pursuing this assessment are: to ensure continuity of statewide court operations; to protect critical court system digital assets against potential malicious actors; and to develop a comprehensive and sustainable security program for the Wisconsin court system that will extend these protections into the future.

Cost: Level 2 Effort: Level 1

Implement security program. CCAP will implement a formal security program as recommended by an independent cyber security assessment firm. The purpose of the security program is to ensure continuity of statewide court operations, to protect critical court system digital assets against potential

malicious actors, and to implement effective security procedures that will extend these protections into the future.

Cost: Level 2 Effort: Level 2

Replace custom-developed STEP data interfaces with an enhanced solution. CCAP's data interface technology was designed and developed over 10 years ago and is still used extensively throughout the court system in most scenarios where publish/subscribe data transfers are required. This includes all interfaces with state agencies and other interface partners. In 2017, CCAP developed a replacement for STEP, called RUNG as part of the eFiling review project. CCAP will work with interface partners to transition to RUNG for all data exchange and eventually phase out STEP as a production technology.

Cost: Level 1 Effort: Level 4

Replace custom TRAN replication with native Postgres logical replication. All data updates, inserts, and deletes on court system databases are broken into individual transactions and sent back to large databases in Madison. These transactions are continuously monitored for triggering events that cause additional actions to occur, such as data exchanges with other agencies. They are stored for at least 12 months, and can be reviewed whenever a question of when, who, or what was changed in any database, at any particular time occurs.

The current process (TRAN) was custom developed by CCAP over 10 years ago. Postgres included a native transaction replication process in a recent release, which should be more robust and easier to manage. CCAP will replace the custom-developed TRAN process with the native Postgres implementation.

Cost: Level 1 Effort: Level 2

Expand online training and support resources. CCAP will create an online presence for all supported users to access training and support resources.

An accessible and searchable online training library housing training videos and documentation for all standard applications will be included. This site will also provide a standard interface for webinar training. In addition CCAP will provide a central location to access support documentation, review support tickets, and chat with support staff. Users will be able to open support tickets online, view the status of support issues, and request service. They will also be able to see real-time alerts and research solutions to issues they may be experiencing without contacting the call center.



Cost: Level 1 Effort: Level 2

Increase support channel options and provide self-help for users. CCAP users almost always use the phone when contacting the CCAP call center. While email support is available, it is rarely used and it is not seamlessly integrated with CCAP's call tracking software. CCAP will implement additional support channels, minimally chat and email, that are integrated into CCAP software applications as well as CCAP's call tracking system. CCAP will develop and implement tools that will allow users to easily search for and find solutions to commonly-asked questions. These tools will include an always-updated and fully searchable support knowledge base.

Cost: Level 2 Effort: Level 2

Expand online training and resources for Judicial Education. The Office of Judicial Education will create a more robust online presence to assist judges and other court system staff with remote access to training materials and an improved registration process. An accessible and searchable online training library housing training videos and conference documentation will be included. This site will also provide a standard interface for remote training.

Cost: Level 1 Effort: Level 2

Assist court system managers with research and recommendations for use of social media. A large percentage of adults use and somewhat rely upon social media platforms such as Twitter and Facebook for news and updates. Some court offices recognize the potential value of using these platforms to communicate with members of the public, and many other state courts have a social media presence. Guidelines and policies governing social media should be developed and adopted before court offices begin to implement social media as a tool to communicate. CCAP will provide the court system managers with technical assistance as they research and make possible recommendations to the Director of State Courts.

Cost: Level 1 Effort: Level 1

Phase 2 projects: July 1, 2019 to June 30, 2021

Develop and implement eFiling for appellate courts. CCAP will complete development of the new appellate court eFiling system in support of mandatory electronic filing in the appellate courts. Once development is complete and any necessary modifications are made to Supreme Court Rule, CCAP will implement and train appellate court and Clerk of Supreme Court/Court of Appeals staff as well as attorneys statewide.

Cost: Level 2 Effort: Level 3

Provide appellate court judges with tablets/electronic readers and secure WiFi. CCAP will provide tablet or electronic reader devices to appellate court judges for viewing electronic documents independent of the SCCA database. Tablets or readers can be used in place of paper file folders, providing judges with access to electronic documents for the purpose of reviewing and marking up case information.

Cost: Level 2 Effort: Level 2

Rewrite the Judicial Assignments application to version 3.0. The Judicial Assignments application will be updated using the new application architecture. Termination requests will also be automated as a part of this process.

Cost: Level 1 Effort: Level 3

Continue to improve paperless workflow between court officials and staff. CCAP will continue to refine paperless workflow processes available for court officials and staff. Inter-county routing between court officials and staff will be improved and historical information exchanged during the life cycle of the case will be retained. An improved method for assigning work and setting deadlines will be provided to judges to assist them in meeting case processing goals.

Cost: Level 1 Effort: Level 4

Provide a means for CCAP data to populate standard court forms for circuit court Case Management users and attorneys. CCAP will create a method to populate standard court forms with data stored in the circuit court Case Management application. For example, if a user is creating a Findings of Fact, Conclusions of Law, and Judgment form for a divorce case, the names and addresses of the parties, children's names, and other information will automatically populate from the Case Management application eliminating the need to re-key it. Once this initial phase has been completed, CCAP will expand access to auto-populate forms for attorneys using the eFiling system.

Cost: Level 2 Effort: Level 3

Create checklists and tasks in the circuit court Case Management application. Court staff will have the ability to create checklists to ensure that all deadlines are met and that essential filings and hearings take place on court cases. Staff will have the ability to create checklist templates based on case type and classification, assign owners and add due dates to checklist items, and receive alerts when checklist items are past due. In addition, judges and clerks will have the ability to add additional tasks to cases with responsible items for clerks, judicial assistants, and judges to complete. Checklists will be comprised of items that need to occur on a case based on county-defined rules, such as mandatory hearings and filings. Tasks would be specific assignments on a specific case as assigned by a judge or clerk, such as scheduling a hearing or preparing a file for appeals. Individual users would have the ability to view their own checklist items and tasks in a list and to set up alerts based on user-defined rules.

Cost: Level 1 Effort: Level 4

Implement an electronic signature pad for bail bonds. CCAP will provide an electronic signature pad in circuit court and hearing rooms for signing of bail bonds in criminal cases. This tool will be similar to what is used with credit cards and at medical appointments and will reduce the need for paper copies and hand signatures for these transactions.

Cost: Level 3 Effort: Level 4

Create a web-based system for the submission of continuing legal education (CLE) course approval requests. Currently, CLE sponsors (or individual attorneys seeking approval for a course they attended) must have their courses approved by the Board of Bar Examiners (BBE) in order for attorneys to claim the courses for reporting purposes. To obtain approval, sponsors submit a paper form to BBE. Staff review, approve or deny the request, and manually add the information to the CLE database. CCAP will create a web application where sponsors input and submit information, including general program approval

requests, electronically to BBE. Staff will review the request (including the calculation of credit hours) without having to re-key any information and then, make a determination for the request. In addition, a PDF document of the request will be sent electronically to BBE.

Cost: Level 1 Effort: Level 4/5

Implement a multi-courtroom DAR standard. CCAP's current DAR standard configuration requires the system to be monitored by someone physically located in the courtroom. CCAP will research and implement a DAR configuration that would permit recording/monitoring of one or more courtrooms from a remote location.

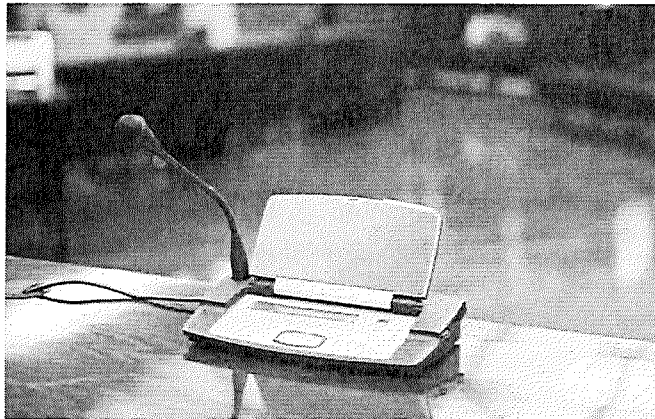
Cost: Level 4 Effort: Level 4

Implement upgraded calendar kiosk hardware and software. CCAP will upgrade calendar kiosks in all counties that currently have them, and schedule installations in any new counties that request them. The upgrade includes new hardware and software that was identified, tested, and piloted in 2017. Larger monitors will be installed, facilitating a scrolling display of cases, similar to airport kiosks, allowing the public to see the calendar for multiple courtrooms in an easy to read format without having to interact with a touchscreen. (Note: This project could be limited to counties where there is more than one judge.)

Cost: Level 3 Effort: Level 3

Implement interface with DWD for electronic transmission of workers compensation cases. CCAP and DWD will develop, test, and implement an interface to transmit electronic case, party, and judgment information to the circuit courts for electronic filing. CCAP will provide court case information to DWD, and DWD will provide judgment satisfaction, release, and withdrawal information to the courts.

Cost: Level 1 Effort: Level 2



Make improvements to the circuit court eFiling site. Software development for mandatory eFiling in the circuit courts for all case types will be completed by the end of 2018. CCAP will enhance the eFiling site to allow parties to purchase certified copies of case documents electronically. This will replace the manual process of obtaining a certified copy of a court document for eFilers. Currently, clerk staff print the document, apply a "certified" stamp, and charge a \$5 fee and an applicable fee for the number of pages. CCAP will automate this process so that the request and payment for the certified copy can be made through the eFiling site. Clerk staff can review the request and, when approved, apply an electronic "certified" stamp. The certified copy of the document will be available to the requester through the eFiling site.

Cost: Level 2 Effort: Level 2

Improve online resources and tools for self-represented litigants. New resources aimed at providing useful information and improving accessibility to the courts for self-represented litigants will be provided replacing the current Pro Se Family and Small Claims websites and expanding the opportunity to create and file electronic documents for additional case types. Additionally, CCAP will provide an online mechanism for parties to set up a payment plan to pay court fees and forfeitures. Once submitted, clerk staff can review the request and approve or make changes as necessary, and then set

up the payment plan, saving the party a trip to the clerk's office and making the process more efficient for clerk staff.

Cost: Level 3 Effort: Level 3

Provide all forms referenced on the court system website in the Case Management application. CCAP will expand the current offering of forms available in the Case Management application to include all forms located on www.wicourts.gov and build in functionality to generate them from the application. This project includes automatically adding the necessary court record events for the forms and creating fillable forms to generate from the application.

Cost: Level 1 Effort: Level 4

Implement faster desktop and bulk scanners. CCAP will research and test desktop and bulk scanners capable of scanning a higher volume of pages than those currently installed. As older scanners are replaced and new scanners are requested, the higher volume scanners will be implemented.

Cost: Level 3 Effort: Level 3

Upgrade inquiry/response (I/R) application. CCAP will upgrade the I/R application used to track all the procedural and legal questions and answers received by Court Operations. The new system will include converted data from the existing I/R application, augmented with basic reporting functionality featuring information about callers, dates, and the questions asked and answered. The call tracking software used by the CCAP call center will be reviewed as a potential upgrade option.

Cost: Level 3 Effort: Level 3

Deliver upgraded software applications to Judicial Education. CCAP will research and identify a suitable off-the-shelf software application to assist the Office of Judicial Education in conference planning, registration and execution. Improvements will also

be gained in monitoring credits and ability to market events and analyze results of conferences and seminars hosted by Judicial Education.

Cost: Level 2-3 Effort: Level 3-4

Explore video conferencing equipment running over the CCAP networks. CCAP will explore options to provide a statewide video conference bridging solution that allows various systems like Zoom, BlueJeans, Jabber, Duo and Skype to connect to systems like Polycom and Cisco that are currently installed in many courtrooms already.

Cost: Level 3 Effort: Level 3

Provide options for courts to adopt remote court appearance. CCAP will create a new application that can support remote court appearance eliminating the need for some participants to come to the courthouse for certain court hearings. The application could include video appearance capabilities for remote participation by parties and online forms may be integrated with the disposition process.

Cost: Level 2 Effort: Level 4

Establish standards and methods for accepting and storing digital evidence. With the explosion of smartphones, public cameras, and body cameras, digital evidence will become an expected form of media in the courts. The need for seamless submission, access, and retention of such digital evidence will continue to grow. CCAP will adopt standards, develop an infrastructure, and provide access to digital evidence as part of the CCAP applications. Providing consistent, reliable access to digital evidence across the state would add value to the electronic courtroom.

Cost: Level 3 Effort: Level 3

Implement online meeting tool. A tool will be implemented that will effectively accommodate online meetings and phone conferences. This tool will be available to authorized court system users

(e.g., judges, managers and district court administrators) for the purpose of saving time and travel expenses associated with in-person meetings.

Cost: Level 2 Effort: Level 2

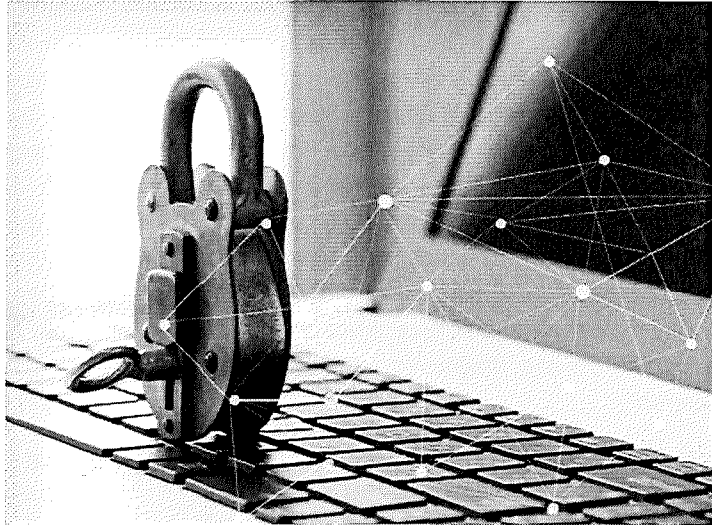
Implement security program. CCAP will implement a formal security program as recommended by an independent cyber security assessment firm. The purpose of the security program is to ensure continuity of statewide court operations, to protect critical court system digital assets against potential malicious actors, and to implement effective security procedures that will extend these protections into the future.

Cost: Level 2 Effort: Level 2

Upgrade inventory system. CCAP will upgrade its 10-year-old inventory software with a new version or product. The new version will support automated equipment check-in and check-out and will be capable of providing statewide, real-time inventory status that ties equipment to locations and specific users. The upgrade will assist call center staff in troubleshooting and resolving issues.

Cost: Level 3 Effort: Level 2

Implement radio frequency identification (RFID) tags on CCAP equipment. CCAP will improve inventory tracking by implementing radio frequency identification (RFID) tags. These tags contain electronically-stored information. The advantage of using an RFID tag is, unlike a barcode, the tag doesn't need to be visible by the reader. Each piece of CCAP equipment will receive an RFID tag in addition to a bar code. The RFID tag is programmed to contain information about the piece of equipment, such as serial number and bar code. Fixed RFID readers will be attached to the door of the CCAP inventory room, so all equipment entering or leaving the storeroom will be recorded. In addition, staff conducting physical counts will carry a portable RFID



reader to assist in tracking each piece of equipment in a location. New equipment will receive RFID tags as they are processed. Existing equipment will receive RFID tags as part of the location's physical count.

Cost: Level 2 Effort: Level 3

Develop next generation interface technology. CCAP's data interface technology was designed and developed over 10 years ago and is still used extensively throughout the court system in most scenarios where publish/subscribe data transfers are required. This includes all interfaces with state agencies and other interface partners. In 2017 CCAP developed a replacement for STEP, called RUNG as part of the eFiling review project. CCAP will work with interface partners to transition to RUNG for all data exchange and eventually phase out STEP as a production technology.

Cost: Level 1 Effort: Level 4

Improve performance monitoring. CCAP currently uses the OpCenter application to monitor some court system enterprise devices and services. While it monitors the accessibility of devices and services, it provides very limited performance monitoring and doesn't offer predictive failure information or diagnostic information after a failure. CCAP will research and implement a

unified application that will monitor the availability and performance of server hardware, applications, services, digital audio systems, LAN traffic/hardware, and Wide Area Network (WAN) traffic/hardware. This upgrade application will also show predictive failures on thin client hard drives and printers that are due for maintenance. As a result, CCAP support staff will be able to recognize issues before they cause service degradation for users. It will allow CCAP to ensure all systems are running at acceptable levels at all times and will provide diagnostic information when they are not.

Cost: Level 3 Effort: Level 2

Relocate CCAP's central data center. The court system's primary central data center is located in the Tenney building, and the backup site is located at the Department of Administration's (DOA) Femrite data center in Madison. The Tenney building data center is located in space originally designed to accommodate offices, while the DOA center is located in a building that was originally designed as a data center. As a result it is a superior location for CCAP's data center. CCAP will relocate all equipment and services from the Tenney data center to the DOA Femrite data center and decommission the Tenney data center. At the same time, the backup servers currently located at DOA Femrite will be relocated DOA's backup data center in Milwaukee.

Cost: Level 3 Effort: Level 3

**Phase 3 projects:
July 1, 2021 to June 30, 2023**

Continue to rewrite CCAP applications to version 3. CCAP will continue to rewrite its java-based custom applications using its next generation development architecture and application design standards. This is an ongoing, multi-year effort that will result in a cohesive, modern foundation for all custom software applications in use throughout the court system.

Cost: Level 3 Effort: Level 6

Continue to improve paperless workflow between court officials and staff. CCAP will continue to refine paperless workflow processes available for court officials and staff. Inter-county routing between court officials and staff will be improved and historical information exchanged during the life cycle of the case will be retained. An improved method for assigning work and setting deadlines will be provided to judges to assist them in meeting case processing goals.

Cost: Level 1 Effort: Level 4

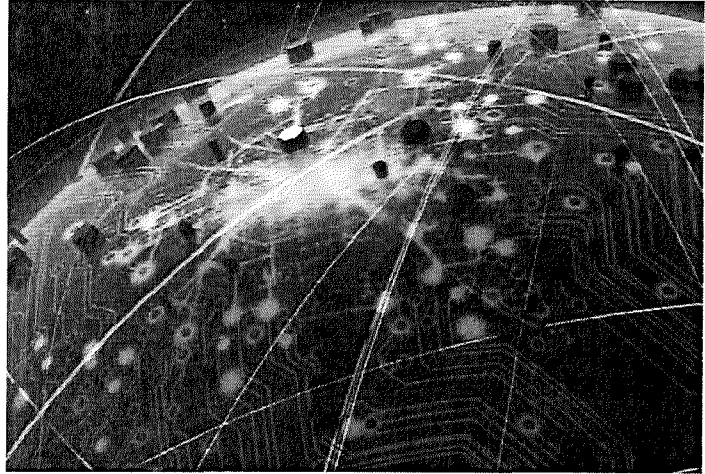
Create an alert mechanism for judges for deadlines and certifications. CCAP will create a streamlined reminder system within the Judicial Dashboard to alert circuit court judges to their deadlines and the obligations contained in SCR 70.36 relating to prompt filing of decisions (once judges have the case in final form) and/or submission of the proper certification forms (relating to decisions still pending over 90 days). Although there is data available on the dashboard generally relating to the age of cases, the available data does not take into consideration circuit court judges' specific obligations under SCR 70.36. The new alert system would notify judges that either decisions are approaching a 90 day (or subsequent) deadline or that a certification form must be filed if circumstances dictate it.

Cost: Level 1 Effort: Level 2

Provide judges access to a party's entire set of CCAP case records from the Judicial Dashboard. CCAP will provide a new view of case information on the Judicial Dashboard that alerts a court official when other cases exist for the party within the CCAP system. This new feature would help court officials with case management and result in more informed resolutions. When the judge selects this view, the application will retrieve all cases, open and closed. If a warrant exists on one of these cases, the list for the party will indicate that a warrant exists for the party.

Cost: Level 1 Effort: Level 3

Create a web-based system for the submission of CLE course approval requests. Currently, all CLE sponsors, or individual attorneys seeking approval for a course they attended, must have their courses approved by BBE in order for attorneys to claim the courses for reporting purposes. To obtain approval, sponsors submit a paper form to BBE. Staff review, approve or deny the request and manually add the information to the CLE database. CCAP will create a web application where sponsors input and submit information electronically to BBE, including general program approval requests. Staff will review the request and accept into the CLE database, eliminating the need re-key basic course information and then make a determination for the request. In addition, a PDF document of the request will be sent electronically to BBE.



Cost: Level 1 Effort: Level 4/5

Rewrite and update Medical Mediation Panels (MMP) applications. This project will analyze the current applications and workflow in MMP and develop strategies providing better integration of the software applications within the department and for the court system enterprise. CCAP will assign analyst staff to work directly with MMP staff to ensure required changes to the current applications are included in the system rewrite and integration specifications.

Cost: Level 1 Effort: Level 3

Simplify and standardize document scanning interfaces. The bulk scanning and desktop scanning applications use different underlying technologies. Both use a complex array of third party software and tools to support the process of transforming paper files into PDF documents. To improve the robustness and efficiency of the scanning systems, CCAP will standardize to a single system, using a limited set of upgraded third-party tools.

Cost: Level 1 Effort: Level 3

Provide all forms referenced on the court system website in the Case Management application. CCAP will expand the current offering of forms available in the Case Management application to include all forms located on www.wicourts.gov and build in functionality to generate them from the application. This project includes automatically adding the necessary court record events for the forms and creating fillable forms to generate from the application.

Cost: Level 1 Effort: Level 4

Implement a secure public network in each county. Currently all network access points in each county are connected to the entire CCAP network within the county. The CCAP network in each county will be split into two segments a "secure" segment and an "internet-only" segment that can be used for public access PCs and WiFi capability. WiFi could potentially be used by court reporters to implement cloud based real time software. These access points could also be leveraged for electronic signing of documents in the courtrooms. (Note: This project will need review by the security assessment team before it can be approved.)

Cost: Level 4 Effort: Level 4

Provide court reporters with direct access to the Case Management application and CourtNet. CCAP will provide all state court reporters with access to the Case Management application and CourtNet from

their internet-connected computers. The computers will need to comply with CCAP standards and connect via an approved county network. This installation will allow court reporters to access the CCAP county database, including court documents, while working in the courthouse.

Cost: Level 3 Effort: Level 3

Provide options for courts to adopt remote court appearance. CCAP will create a new application that can support remote court appearance eliminating the need for some participants to come to the courthouse for certain court hearings. The application could include video appearances so parties can appear in court remotely and also online forms that can be integrated with the disposition process.

Cost: Level 2 Effort: Level 4

Provide guardians with the ability to submit annual accounting reports online for guardianship cases. CCAP will create a tool to provide guardians with the ability to submit annual accounting reports online for guardianship cases. This information will be gathered through a secure web application and the necessary information will be transmitted to the appropriate register in probate office to be imported into the Case Management application.

Cost: Level 1 Effort: Level 3

Create a more seamless method for clerks of circuit court to submit interpreter usage information. Clerks of circuit court send Court Operations interpreter statistics used for calculating annual payments to counties using a complex Excel spreadsheet. Creating this report requires a series of manual processes. CCAP will create a more seamless and automated method for clerks of court to submit their interpreter usage information.

Cost: Level 1 Effort: Level 3

Expand website notification options for circuit court information. Several court system websites

support the ability for interested parties to receive automatic notifications. For example, Wisconsin Circuit Court Access (WCCA) website users can sign up to receive notification when something changes on their court case. Currently, only one option exists to sign up for these notifications RSS. Since this feature was implemented, other options have come into widespread use. Twitter is one well-known example. CCAP will research all available options and implement those providing the most value.

Cost: Level 1 Effort: Level 3

Encrypt key fields in CCAP databases. To prevent access breaches to personally identifiable information, CCAP will enhance the methods used to protect these types of data. Data will be encrypted on the database, so in the event that someone steals or otherwise gains unauthorized access to a database, fields of this nature will not be readable. This encryption mechanism allows data fields to be easily encrypted as they are identified. (Note: The security assessment will provide guidance for the need and priority of this project.)

Cost: Level 1 Effort: Level 3

Implement cloud-based storage for archival and disaster recovery purposes. CCAP currently stores all archival data in multiple locations in downtown Madison, which is not optimal for a robust disaster recovery system. Cloud storage is commonly used by companies and other government agencies to achieve wider geographical diversity of stored data. CCAP will research cloud storage options and implement a solution that guarantees data recoverability in the event of a major Madison-based disaster. (Note: The security assessment will provide guidance for the need and priority of this project.)

Cost: Level 2/3 Effort: Level 2

Implement a private cloud system for file management. CCAP will transition from a server-based file management system to a centralized

private cloud solution. Cloud-based services that sync files between a local user session and a cloud-based server offer many improvements over the CCAP file server-based system, including improved search capabilities and the ability to revert to any file revision. For example, if a user creates and saves a Microsoft Word file, that file will be synced with the cloud maintained in CCAP's data center, along with

information such as the user that edited the file and the date and time of the edit. Users can view revisions and access prior revisions of any file by viewing the history and choosing which version of the file to view. (Note: The security assessment will provide guidance for the need and priority of this project.)

Cost: Level 2 Effort: Level 3 ■