



AOC Report to Joint Judiciary Committee March 4, 2024

Presented by Administrative Office of the Courts



Issues to Discuss

- District Court Resource Assessment Board
- District Court Structure
- Legislative Audit Issues in District Courts
- Annual Training Provided to District Judges & District Court Clerks by AOC
- Complexity of Fine / Fee Assessment & Distribution
- Court Security Issues
- Current Case Management Limitations & Importance of Statewide Case Management
- Progress on ARCourts Court Management System Development



District Court Resource Assessment Board

16-17-1003. Duties of the District Court Resource Assessment Board.

The District Court Resource Assessment Board shall recommend to the General Assembly at each regular session:

- (1) Criteria for the creation and placement of full-time, state-funded district court judgeships;
- (2) Revisions of current district court judgeships or the redistricting of the district court districts of this state after considering:
 - (A) The caseload and the geographic area of the district court district;
 - (B) The November 25, 2002, per curiam opinion of the Supreme Court; and
 - (C) Any other matter the board determines to be appropriate; and
- (3) The number and placement of full-time, state-funded district court judgeships.



District Court Structure in 2024

State District Courts

66 State District Judges
39 Districts
4-Year Terms

Jurisdiction

Traffic & Minor Criminal
Civil Matters up to \$25,000
Small Claims Matters up to \$5,000
Limited Circuit Court Matters

Local District Courts

10 Local District Judges
9 Counties
4-Year Terms

Jurisdiction

Traffic & Minor Criminal
Civil Matters up to \$5,000
Small Claims Matters up to \$5,000



District Court Structure in 2025

State District Courts

70 State District Judges
41 Districts
4-Year Terms

Jurisdiction

Traffic & Minor Criminal
Civil Matters up to \$25,000
Small Claims Matters up to \$5,000
Limited Circuit Court Matters

Local District Courts

No Longer Exist



Legislative Audit Issue in District Courts

District Court Accounting Establishes Business Practices --

- Bank Accounts for Court Funds
- Citations
- Court Dockets
- Law Enforcement -- Activities & Clerical Duties Required
- Court Clerk or Court Administrator Eligibility
- Court Clerk – Activities & Clerical Duties
- Accounting Systems Above Minimum
- Record Retention Schedule



Legislative Audit Issues in District Court

Common Legislative Audit Finding

- Failure to Follow Receipt Procedures
- Failure to Follow Deposit Procedures
- Failure to Follow Reconciliation Procedures
- Failure to Reconcile Completed Citation Books
- Repeated Findings of Unidentified Funds
- Theft
- Members of Law Enforcement Performing Court Clerk Duties



Annual Training Provided to District Court Judges & Clerks

District Court Judges

- Spring District Judge College
- Fall District Judge College

District Court Clerks

- February Clerk Certification Meeting
- Annual Clerk Meeting
- Chief Clerk Certification Meeting
- November Clerk Certification Meeting



Training & Support Provided to District Court Judges & Clerks

Accounting Related Trainings Between 2018 to 2023

- 13 Trainings
- Instructors included AOC Staff Attorneys, Court Clerks, City Finance Directors & Legislative Audit Personnel

Other Training & Support Provided by AOC

- Legal Division – Staff Attorneys
- Court Information System Division – Help Desk
- Court Management Program



Complexity of Fine / Fee Assessment & Distribution

Pre 1995

- Local Court Costs & Filing Fees
- Used to Fund Local Programs



Complexity of Fine / Fee Assessment & Distribution

Pre 1995

Examples of Programs Funded with Local Court Costs & Filing Fees:

- 1) Servicing Debt for New Jails
- 2) Servicing Debt for Court House Renovations
- 3) Prosecuting Attorney Fund
- 4) Prosecuting Attorney's Victim-Witness Fund
- 5) Public Defender / Indigent Defendant Fund and Public Defender Investigator Fund
- 6) County Law Library Fund



Complexity of Fine / Fee Assessment & Distribution

Pre 1995

Examples of Programs Funded with Local Court Costs & Filing Fees:

- 7) County Jail Fund
- 8) County Intoxication Detection Equipment Fund
- 9) Municipal Court Judge and Clerk Retirement Fund
- 10) Police and Fire Pension Fund
- 11) City Intoxication Detection Equipment Fund



Complexity of Fine / Fee Assessment & Distribution

Act 1256 of 1995 – Uniform Filing Fees & Court Costs

16-10-301. Legislative intent.

(a) It is hereby found by the General Assembly that the current system of funding the state judicial system has created inequity in the level of judicial services available to the citizens of the state. It is further determined that the current method of financing the state judicial system has become so complex as to make the administration of the system impossible. Finally, it is determined that the lack of any reliable data on the current cost of the state judicial system prohibits any comprehensive change in the funding of the system at this time.

(b) It is, therefore, the intent of this act to eliminate the current system of collecting and assessing a large number of individual court costs and filing fees, to replace it with uniform costs and fees to be applied statewide, and to prohibit the implementation of new costs and fees for specific programs in the future.



Complexity of Fine / Fee Assessment & Distribution

1995 to Date

- Uniform Court Costs & Filing Fees Statewide
- Retained Shares Calculated and Used to Fund Local Programs
- Cities and Counties Shall Not Authorize, Assess or Collect Other Filing Fees
- Created the State Administration of Justice Fund, County Administration of Justice Funds and the City Administration of Justice Funds



Complexity of Fine / Fee Assessment & Distribution

1995 to Date

- County and City Administration of Justice Funds Used to Defray Part of the Expenses of the Administration of Justice and to Fund Local Agencies and Programs Previously Funded from Local Filing Fees and Court Costs
- July 1, 1995 – Began Assessing and Distributing Uniform Filing Fees and Court Costs
- Amounts Over Retained Share Must be Remitted to State Administration of Justice Fund by the 10th of Each Month
- State Turnback Funds May be Withheld Until Funds Required to Be Paid Have Been Submitted



Uniform Filing Fees Collection and Remittance Form and Fine Report

Monthly Reporting Forms

DEPARTMENT OF FINANCE AND ADMINISTRATION
OFFICE OF ADMINISTRATIVE SERVICES
ADMINISTRATION OF JUSTICE FUND SECTION
ACT 1256-95 AND LEGISLATED CHANGES THROUGH 2015

UNIFORM FILING FEES COLLECTION REMITTANCE FORM AND FINE REPORT

ID:
Court:
County:

Please check this Box if your address or phone number has changed. Make correction on back of this form.

I. TOTAL UNIFORM FILING FEES/COURT COSTS COLLECTED DURING THE MONTH OF: 2020
(LIST BY LETTER DESIGNATION - SEE SUMMARY OF COURT COSTS)

(A) CIR	\$	<u>0.00</u>	(YL) CIR/LIABILITY	\$	<u>0.00</u>
(B) CIR/CR	\$	<u>0.00</u>	(YS) CIR/SEAT BELT	\$	<u>0.00</u>
(C) CIR/DWI	\$	<u>0.00</u>			
(E) CIR/REOPEN	\$	<u>0.00</u>			
(Y) CIR/TRANS	\$	<u>0.00</u>			
(Z) CIR/FORECLO	\$	<u>0.00</u>			
(AF) CIR/TR	\$	<u>0.00</u>			

(H) DIST/CV	\$	<u> </u>	(NL) DIST/LIABILITY	\$	<u> </u>
(I) DIST/SC	\$	<u> </u>	(NS) DIST/SEAT BELT	\$	<u> </u>
(J) DIST/CR	\$	<u> </u>			
(K) DIST/TR	\$	<u> </u>			
(L) DIST/DWI	\$	<u> </u>			
(M) LOC/ORD	\$	<u> </u>			

TOTAL UNIFORM FILING FEES/COURT COSTS COLLECTED:

LESS COUNTY TREASURER'S COMMISSION (COUNTIES ONLY):

LESS MONTHLY SHARE OF UNIFORM FILING FEES/COURT COSTS (The amount certified by DFA—Administration of Justice fund):

EQUALS STATE SHARE OF FILING FEES/COURT COSTS REMITTED:

\$	<u> </u>
\$	<u>0.00</u>
\$	<u> </u>
\$	<u> </u>

Make checks payable to the Department of Finance and Administration, Administration of Justice Fund.

Mail to: Department of Finance & Administration
Office of Administrative Services
Administration of Justice Fund Section
PO Box 2485, Room 732
Little Rock, AR 72203-2485
Phone: (501)371-6007 Fax: (501)682-5354

CERTIFIED AND SUBMITTED BY _____ Signature/Telephone Number

Date _____ Title _____

Revised November 2019



Miscellaneous Fee / Fine Collection Report

Monthly Reporting Forms

ADMINISTRATION OF JUSTICE FUND Miscellaneous Fee/Fine Collection Report

Mail form & check to:
Department of Finance & Administration
Administration of Justice Fund Section
P.O. Box 2486, Suite 732
Little Rock, AR 72203-2485
Phone: (501) 371-6007 Fax: (501) 682-6354

ID:
Court:
County:

MONTH/YEAR OF COLLECTION _____ 20__

1	12-12-1116 DNA Detection Fund (100% of fine collected)	SDN	\$	
2	12-12-910 Sex and Child Offender Registration (enter 100% of fine collected)	BSC1 BSC2	\$	
3	16-13-784 Judicial Fee Enhancement Collection Fund (enter 50% of installment fee collected)	MJF	\$	
4	8-6-04(d) Unlabeled Littering to Keep America Beautiful Fund (enter 100% of fine collected if not affiliated with "Keep America Beautiful" or "Keep Arkansas Beautiful")	NDA	\$	
5	12-14-105 State Capitol Police Enforcement Fines (Pulaski County Only)	HRO	\$	
6	23-119-603 (a) Used Motor Vehicle Buyers Protection Act (enter 50% of fine collected on State Police citations only)	BMP1	\$	
7	27-14-314 (c) Fines for Failure to Register over 30 days (enter 100% of fine collected on State Police citations) Reinstated per Act 878 of 2011 Effective July 27, 2011	SMP2	\$	
8	27-15-305 Illegal Parking in Area for Disabled (enter 50% of fine collected) Effective January 1, 2019 per Act 789 of 2017	SPD	\$	
9	27-22-1036(-) Fines For No Liability Insurance (enter 100% of fine collected on State Police citations only)	SMP3	\$	
10	27-34-107 Child Passenger Protection Fund (enter 75% of fine collected)	RD1	\$	
11	27-60-311(e) Large Truck Exceeding Speed Limit (enter 85% of fine collected)	AGA1	\$	
12	23-15-264 Z-Tickets Safety Violations (enter 50% of fine collected)	AGA2	\$	
13	27-14-801(a) Fines for Failure To Register (enter 100% of fine collected on Highway Police citations only)	RRA1	\$	
14	27-14-801 (a) Fines for Failure To Register (100% of fine collected on State Police citations only)	SMP4	\$	
15	27-35-211 Overweight/Over Length Trucks (100% of penalty collected on Highway Police citations only)	RRA2	\$	
16	27-23-114 (b)(2) Fraudulently Obtaining or Applying for Commercial Motor Vehicle License (enter 100% of fine collected)	SMP5	\$	
17	27-60-1212(d)(1) Illegally Operating a Tow Vehicle (enter 50% of fine collected)	HTV	\$	
18	27-60-1212(d)(2) Illegally Operating a Tow Vehicle (enter 50% of fine on State Police citations)	SMP6	\$	
19	27-60-1212(d)(2) Illegally Operating a Tow Vehicle (enter 50% of fine collected on Highway Police citations)	RRA3	\$	
20	12-17-106 Drug Crime Special Assessment (enter 100% of fine collected)	SEP	\$	
21	23-13-605(d)(1) Violation of Federal Unified Carrier Registration Act of 2005 (enter 50% of assessment collected)	AGA3	\$	
22	21-8-416(b) Court Technology Fees for Judicial Fine Collection Enhancement Fund (enter 100% of \$15 fee collected)	MJF2	\$	
23	16-13-794(d)(1) Installment Fees in District Court Only, Installment fee of an additional five dollars (enter 100% of \$5 fee collected)	ADM1	\$	
24	16-80-804(2)(a) Expunged Fees Concerning the Sealing of Records (enter \$25 of \$50 fee collected) Repealed per Act 658 of 2019 Effective 8/1/2020	ADM2	\$	
25	16-10-305(g) Domestic Violence Fees for Domestic Peace Fund (19-6-491) (enter 100% of \$25.00 collected)	DPE	\$	
26	16-10-701(b)(1) Specialty Court Program user Fee (100% \$250 fee collected)	SCP2	\$	
27	16-10-701(b)(2) Specialty Court Program Public Defender Fee (100% \$250 fee collected)	SCP3	\$	
28	5-4-78(a) Child Victim Crime Fine for AR Children's Advocacy Center Fund (19-5-1269) (100% of \$100 fine collected) Fee increased per Act 714 of 2012 from \$50 to \$100	CVC	\$	
29	27-50-308(b) & 27-51-217 Child Victim Crime Fine for AR Children's Advocacy Center Fund (19-5-1269) (100% of \$5 fine collected)	MCA	\$	
30	9-15-202(a) & 16-10-305(h) Domestic Violence Case for Domestic Violence Shelter Fund (19-6-833) (80% of \$25 cost collected)	SDV	\$	
			Total Collections	\$

Certified and Submitted by: _____ Date: _____
Title: _____ Phone No: _____
Fax No: _____

Revised May 2019



Current Disbursements of Filing Fees

Civil and Small Claims Filing Fees

Civil Filing Fees	\$65.00	§16-17-705
Small Claims Filing Fees	\$50.00	§16-17-705

Where does this money go?

To the City Administration of Justice Fund **UNLESS** the district court is funded solely by the county.

If the district court is funded solely by the county, all court costs and filing fees are distributed to the “County Administration of Justice Fund.”

Court Technology Fee	\$15.00	§21-6-416
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Where does this money go?

To DFA Administration of Justice Fund Section



Current Disbursements of Miscellaneous Civil Fees

Miscellaneous Civil Filing Fees

Writs, Filing and Issuing Fees	\$10.00	§16-17-126
Summons & Subpoena Fees	\$ 2.50	§16-17-126
Certified Copy & Appeal Transcript Fees	\$5.00 +	§16-17-124

Where does this money go?

To the General Fund of the Treasury of Each Political Subdivision that Contributes to the Expenses of the District Court Based on the Percentage of District Court Expense Contributed to be Appropriated for Any Permissible Use in the Administration of the District Court

Postage Regular, Certified & Restricted
Insufficient Check Fees
Copy Fees

Where does this money go?

To the City or County General Fund



Current Disbursements of Court Costs

Court Costs

DWI/BWI and DUI/BUI	\$300.00	§16-10-305
Traffic Court Costs	\$ 75.00	§16-10-305
Misdemeanor Court Costs	\$100.00	§16-10-305
Local Ordinance Court Costs (Non-Traffic Offense)	\$ 25.00	§16-10-305
Violation of Mandatory Seat Belt Law (Unless Paid Before the First Appearance)	\$25.00	§16-10-305
Failure to Present Proof of Insurance	\$25.00	§16-10-305

Where does this money go?

To the City Administration of Justice Fund **UNLESS** the district court is funded solely by the county.

If the district court is funded solely by the county, all court costs and filing fees are distributed to the "County Administration of Justice Fund."



AOC Report to Joint Judiciary Committee

Current Disbursements of Court Costs

Court Costs

Crime of Domestic Violence	\$25.00	§16-10-305
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Where does this money go?

To DFA Administration of Justice Fund Section



AOC Report to Joint Judiciary Committee

Current Disbursements of Fines

Fines from City Cases

All fines not specified by law to go to a particular fund that arise from the **1st class of accounting records.**

Where does this money go?

City General Fund

§16-17-707

Fines from County Cases

All fines not specified by law to go to a particular fund that arise from the **2nd class of accounting records.**

Where does this money go?

County General Fund

§16-17-707



Other Examples of Commonly Disbursed Funds

- Jail Booking Fee
- Jail Expense Defrayment Fee
- Specialty Court Program User Fee
- Public Defender User Fee
- Warrant Service Fees (Sheriff or Police Department)
- Probation or Public Service Work Fees
- Pre-Trial Release Alternate Administration Fee



Court Security Issues

Three factors which most effect security in District Courts

- Security Personnel
- Facilities
- Local Government Relationships



Court Security Issues Security Personnel

Availability of Law Enforcement Officers

- **§14-52-202. Powers and duties of police chiefs.**
 - **(a) The chief of police in a municipality shall execute all process directed to him or her by the mayor and shall attend by himself or herself or by someone else on the police force on the sitting of the district court to execute its orders and preserve order therein.**



Court Security Issues

Security Personnel

Training

- **§16-10-1004. Court security officers — Definition.**
- **(a)(1)** There is established a training and certification program for court security officers.
- **(2)** As used in this section, “court security officer” means an individual who is assigned the duty of providing security or security-related services at the request of an appellate court, circuit court, or district court in this state.



Court Security Issues

Court Facilities

- **16-17-1102. Definitions.**
- “Department” means the physical location where sessions of court are held.
- State District Courts are organized in 16-17-1110 thru 16-17-1116 with all departments of district court listed.



Court Security Issues

Court Facilities

- **Types of Docket**
- **Frequency of Court**
- **Courtroom vs. Other Spaces**
- **Security Related Equipment**



Court Security Issues

Local Government Relationships

- **Past Security Incidents**
- **County Court Security Committee**
- **Multi-County Districts**



Current Case Management Limitations

Background

- 2001 – AOC received \$4.5 million appropriation from Federal Highway Safety funds and AOJ fund to begin automation
- 2002 – AOC contracted with ACS for statewide case and jury management
- 2012 – AOC contracted with Tybera for eFiling
- 2020 – Contexte vendor stopped effort to modernize Contexte
- 2022 – 44 district court departments on Contexte, all circuit and appellate courts on Contexte, eFiling in all circuit courts
- 2023 – AOC received \$20 million in ARPA funds to begin building replacement for Contexte
- The cost of Arkansas court automation has been funded entirely by federal funds, installment fees, case filing fees, and court technology fees



Current Case Management Limitations

- Appellate courts, circuit courts, and 44 departments of district court are using Contexte in a single database instance in Oracle government cloud
- Most circuit courts are not using Contexte accounting because of its complexity and because most circuit clerks do not have any responsibility for collection of fines and costs
- All other district courts are using other case management systems
- AOC does not have any case-level information district courts not using Contexte
- Courts not using Contexte are individual installations with individual databases of disconnected information
- The physical security of the installations varies dramatically from court to court
- The responsibility for service and support varies from vendor to vendor



Problem: Contexte is no longer being updated by vendor

- Contexte is built on an old Oracle Forms system
- It is no longer being updated by the vendor
- Every day that passes, it becomes more difficult to support and keep secure
- AOC had 3 options – try to modernize Contexte, buy a new system, or build a new system
- We conducted a proof-of-concept effort on modernizing, and determined that the constraints of the Contexte architecture made modernization unfeasible
- In 2019 North Carolina signed a \$100 million contract with Tyler Technologies – last year a class-action lawsuit was filed against the leading vendor of the failing project – AOC was not willing to seek this level of funding from the General Assembly



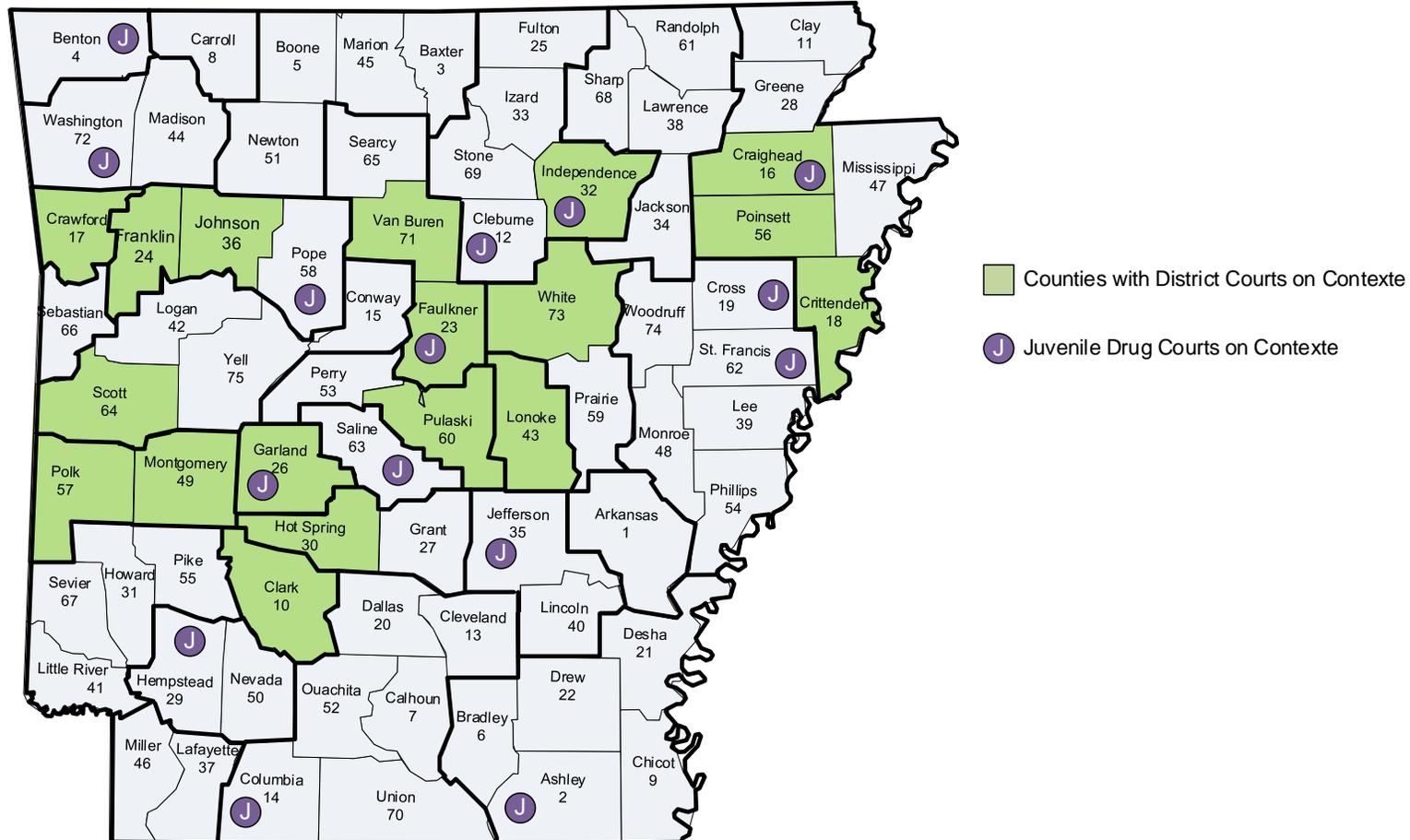
AOC Report to Joint Judiciary Committee

Arkansas District and Juvenile Courts using **Contexte**

*All Appellate and Circuit Courts are using Contexte.

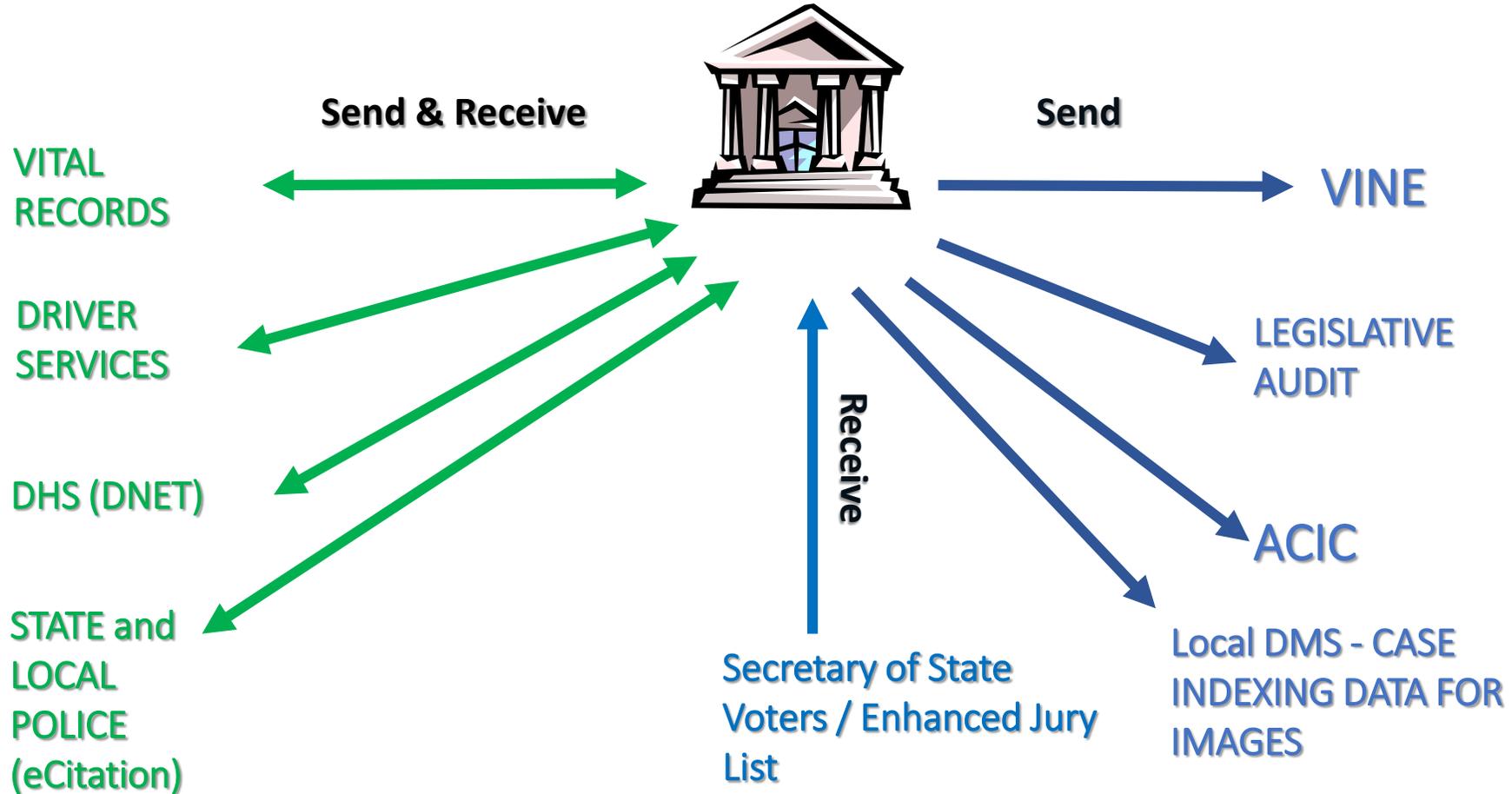
March 3, 2024

(Contexte court code shown below county name)





CONTEXTE DATA SHARING





Advantages of Statewide Case Management

- Access to current, accurate, timely, and complete case information so that the executive and legislative branches may have reliable data upon which to make important policy decisions
- Increased public safety because of reliable statewide information – many class A misdemeanants are not fingerprinted; the resulting convictions are not reported to ACIC in spite of their best efforts to track arrest and disposition data – might there be teachers or health care providers in hospitals or nursing homes who should not be employed?
- Increased officer safety because of reliable statewide information – absence of case level data for every offender is a risk to every officer conducting a stop



Advantages of Statewide Case Management

- Transparency – the work of the judicial branch must be transparent – and statewide case management helps all three branches ensure transparency
- Accountability – the judicial branch must be held accountable for dispensing impartial justice - and statewide case management ensures accountability
- Public Trust and Confidence – the judicial branch is an indispensable pillar in maintaining our republic. The erosion of public trust and confidence in the judicial branch is a path to a speedy end to democracy. Foreign actors are actively engaged in undermining democracy through attacks on the judiciary. Statewide case management resulting in timely, accurate, secure and complete data that will maintain transparency and accountability of judicial work is a bulwark that increases public trust and confidence in the third branch.



Progress on ARCourts Court Management System Development

- In 2022, AOC began a project with a few staff members to explore building a court management solution in a modern cloud-based infrastructure
- The AOC's Court Information Systems Division was built over the last two decades to manage, support, and enhance vendor-provided case management solutions
- We had to become a software development shop in order to be successful
- Progress was slow but it allowed us to build confidence in modern agile software development techniques and examine the feasibility of building a new system



Progress on ARCourts Court Management System Development

- Building our own system will prevent us from being subject to case management market forces where companies are being gobbled up and systems being abandoned
- Building a native cloud-based system allows us to avoid the substantial hardware investment required for on-premise development and will allow us to leverage the work of multiple jurisdictions by sharing ideas, design, and even code to increase the speed of delivery
- Using agile development methodologies allows us to focus on delivering value to our courts and the public more quickly and in smaller increments and allows us to leverage emerging technologies so that we are not stuck with an aging infrastructure



Progress on ARCourts Court Management System Development

- In November 2023, Arkansas helped lead the first Code for Justice Summit in St. Louis, Missouri, where nearly 100 developers and analysts from 34 states met and shared development work and started building a court development community
- In September 2024, Arkansas will host the second Code for Justice Summit at the Justice Building
- Arkansas is actively working with other jurisdictions to find ways to help one another speed the development of modern case management without the risk of vendor dependency on a core responsibility of the judiciary



Progress on ARCourts Court Management System Development

- In 2023 AOC received \$20 million in ARPA funds to begin our development project in earnest
- Instead of signing a multi-million-dollar contract with a single vendor (that probably wouldn't have had any better outcome than North Carolina's \$100 million contract), we lined up three vendors who would work on smaller quarterly based contracts where we could closely manage and monitor progress and base continued work on success
- Slalom, TEKSystems, and a local company well-known for its work with government agencies, Mainstream Technologies were selected to begin the work



Progress on ARCourts Court Management System Development

- After a year of progress, we have a significant amount of the core development of the case management system complete
- The initial focus is on managing traffic and criminal cases in limited jurisdiction courts
- Current work is focused on building out the accounting components that will be part of the minimum viable project for the district courts not using Contexte – Legislative Audit is heavily involved in our discussions
- A Search ARCourts, a new public search interface to legacy system data, was released in January to demonstrate the processes used from idea to production in a cloud-native system – <https://caseinfo.arcourts.gov>



Progress on ARCourts Court Management System Development

- We are expecting an April release of a secure user testing platform so that we can get courts hands-on to start testing the system
- We are targeting a summer release of the case management system for pilot court use in traffic and minor criminal cases
- A primary goal of the effort has been to upskill AOC staff so that when funds are limited, we are fully capable of continuing development
- We have been offboarding vendor resources and increasing AOC staff development responsibility
- We expect ARPA funds to be depleted in November and are actively seeking grants and other funding opportunities to sustain the development and deployment effort

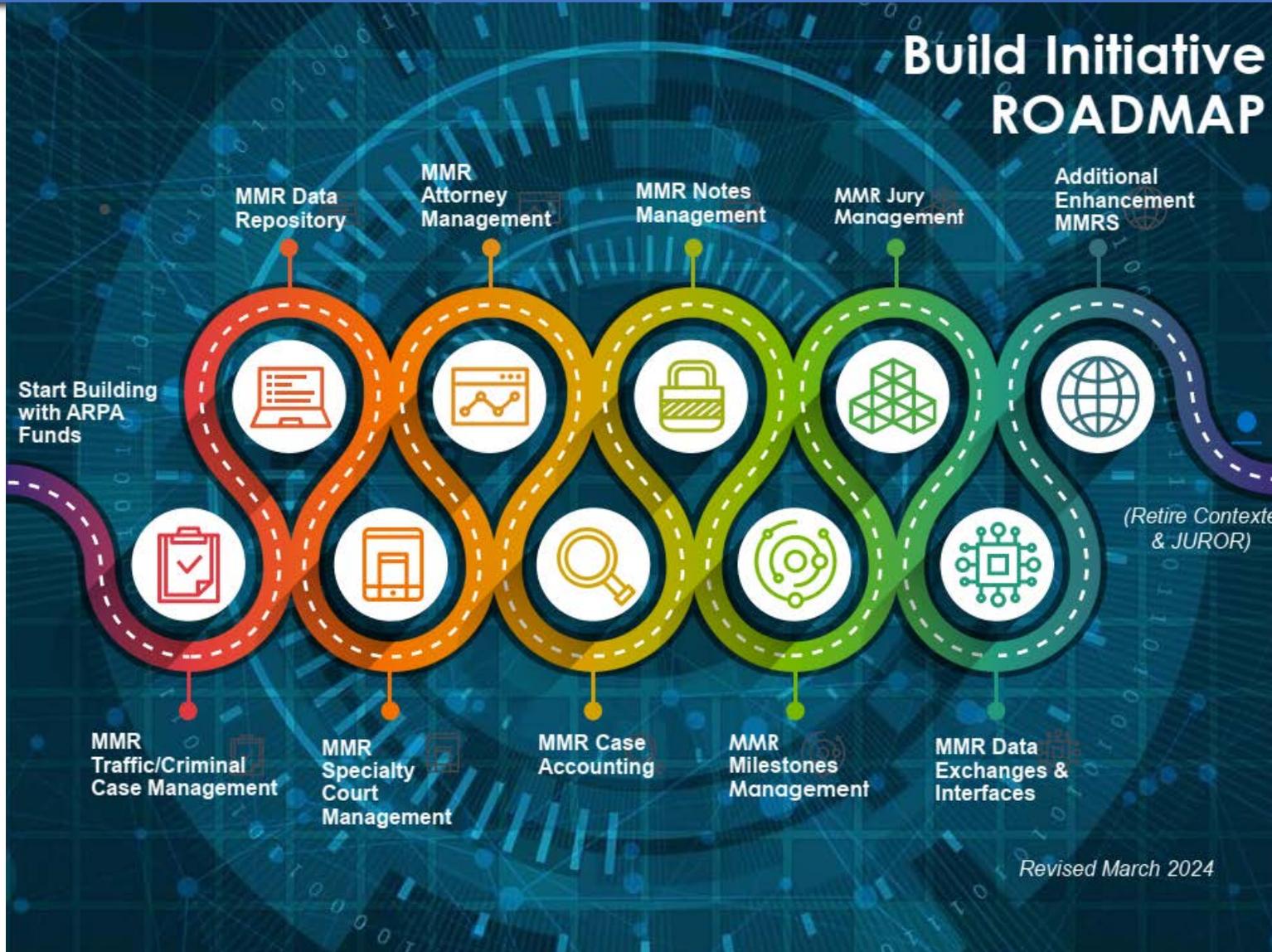


AOC Report to Joint Judiciary Committee

		\$20,000,000.00
Jan 2023	\$ 351,683.89	\$19,648,316.11
Feb 2023	\$ 174,173.50	\$19,474,142.61
March 2023	\$ 164,712.29	\$19,309,430.32
April 2023	\$ 456,470.73	\$18,852,959.59
May 2023	\$ 1,197,455.04	\$17,655,504.55
June 2023	\$ 3,186,520.57	\$14,468,983.98
July 2023	\$ 674,718.51	\$13,794,265.47
August 2023	\$ 1,277,812.09	\$12,516,453.38
Sept 2023	\$ 1,618,333.39	\$10,898,119.99
Oct 2023	\$ 1,405,691.89	\$ 9,492,428.10
Nov 2023	\$ 1,455,070.15	\$ 8,037,357.95
Dec 2023	\$ 1,346,986.38	\$ 6,690,371.57
Jan 2024	\$ 1,180,256.20	\$ 5,510,115.37
Feb 2024	\$ 1,314,334.62	\$ 4,195,780.75



AOC Report to Joint Judiciary Committee



ADMINISTRATIVE OFFICE OF THE COURTS



AOC Report to Joint Judiciary Committee March 4, 2024

Presented By Administrative Office of the Courts