Long Range Plan for Information Technology In The Federal Judiciary

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Administrative Office of the United States Courts
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Introduction.

For judges and court staff, using information technology (IT) is no longer discretionary; rather, it is simply the way they do their work. The judiciary has a successful information technology program upon which judges, court staff, probation/pretrial services officers, and others depend to conduct their mission-critical functions. This includes a vital communications infrastructure that connects all court units securely and is now the lifeline for information transfer. The program encompasses stewardship applications that ensure the judiciary manages its resources effectively, and various court support projects and case management systems to provide judges and staff the tools they need to perform their day-to-day work. No organization can control completely the environment in which it operates nor predict absolutely the future that it faces. As such, the judiciary’s information technology program continues to evolve in response to changing technology opportunities, increased internal and external expectations or requirements, and the need to make cost-effective investments.

The fiscal year 2009 update to the Long Range Plan for Information Technology in the Federal Judiciary articulates five-year directions and objectives for the judiciary’s information technology program. The plan presents the program in terms of five fundamental areas: external participants, court operations, judges and chambers, probation and pretrial services, and information technology infrastructure. This represents a more aggressive effort to identify needs by various constituents. Future updates to the plan will build on this approach and incorporate additional elements.

Pursuant to section 612 of Title 28, United States Code, the Director of the Administrative Office of the United States Courts is responsible for preparing and annually revising the Long Range Plan for Information Technology in the Federal Judiciary. The Judicial Conference Committee on Information Technology provides guidance in the development of annual updates and recommends the plan for approval by the Judicial Conference. Upon approval, the Director transmits the annual update of this plan to Congress.
The Judiciary’s Mission.

The basic mission of the federal courts is to preserve and enhance the rule of law by providing to society a just, efficient, and inexpensive mechanism for resolving disputes that the Constitution and Congress have assigned to the federal courts. In support of this overall mission and the judiciary’s primary business objectives (see below), the judiciary’s information technology program must identify, implement, and maintain cost-effective technology solutions.

**Strategic Questions**

It is important to use technology in a way that advances and enhances the performance of the basic mission of the courts. In considering the judiciary’s information technology program, four fundamental questions emerge:

**HOW DOES THE STATE OF THE TECHNOLOGY FIT WITH THE STATE OF THE LAW?**

Technology makes possible such innovations as remote testimony and electronic discovery. Although these innovations can offer efficiencies that traditional approaches do not, their use can also raise issues not addressed by current practice and statutes, such as newly introduced security concerns or applications of evidentiary rules. The challenge is to bring the efficiencies of new technologies to bear while at the same time aligning the policy and the technology.

**WHO IS GOING TO DO THE WORK?**

The impact of technology on daily life and the workplace cannot be overstated. The service-based economy is rapidly becoming a self-service economy. Technology creates productivity gains in some areas—such as clerk’s offices—but may shift some workload to others, such as attorneys or chambers.

**HOW UNIFORM DOES THE JUDICIARY WANT TO BE OR HAVE TO BE?**

The judiciary’s national information technology program delivers infrastructure and systems to the courts covering the mission critical business areas, such as case management, finance, and communications. Any specific needs at the local level are addressed by court information technology staff. The key to success is achieving balance between economies of scale and the allowance for local variations in processes and procedures.

**HOW REMOTE OR “VIRTUAL” DOES THE JUDICIARY WANT TO BE?**

Technology has made the courts more accessible to litigants and the public. However, using technology to make the courts more transparent, consistent, and efficient must be balanced with the need to preserve the individual judge’s discretion, the confidentiality of chambers and court information, and the institutional dignity integral to the federal judicial system. In many cases, technology is rendering the distance between the court, litigants, and taxpayer irrelevant. Technology is fundamentally changing human interactions, yet it is critical to preserve the “human face” of the courts.
The IT program strives to meet the business needs of the judiciary’s various constituencies. Because the strategic planning process is dynamic, it must acknowledge, respond to, and continually assess internal and external issues, technology developments, legislative requirements, and resource availability.

### Strategic IT Directions

#### Improving Service While Containing Costs
The judiciary will invest in technology to improve services and to achieve overall cost efficiencies.

#### Preparing for the Future and Utilizing the Judiciary's Base of Talent
The judiciary will position itself to take advantage of technical innovations and the talents and initiative of judges and court staff to improve the information technology used to support its mission.

#### Meeting the Needs of Judges and Chambers
The judiciary will focus on meeting the information technology needs of judges and their supporting staff.

#### Meeting the Demands of Increased Data Communications
The judiciary will meet increasing requirements for data transmission by implementing new technologies that will optimize the data communications network while maintaining and improving its reliability and performance, no matter where the user is located.

#### Facilitating Continuity of Operations
The judiciary will provide a technical platform to enable the continuity of operations and service to the public in the event of emergency.

#### Ensuring Security, Confidentiality, and Privacy
The judiciary will implement security policies and technologies at the network, server, and desktop levels that will ensure the confidentiality of chambers and court information without compromising reasonable expectations of employee privacy.

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### The Judiciary’s Business Objectives

- Ensure access to the federal courts by the citizens.
- Retain the independence and dignity of the judiciary, its collegiality, and its preeminent legal competence.
- Maintain systems of accountability.
- Maintain effective governance mechanisms.
- Operate with economy and efficiency without sacrificing effectiveness and care for the individual case and the requirements of justice.
- Seek and encourage innovations that improve service.
- Make effective use of technology and information.
- Seek to control growth, obtain adequate resources, and manage resources effectively.
- Attract, develop, and retain a highly competent workforce.
- Provide for adequate security and for the protection of judges, staff, and the public.
- Communicate effectively with the other branches of federal government and the public.
- Foster cooperation and communication with other American and foreign judicial systems and bodies.

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1 The Administration of Justice: A Strategic Business Plan for the Federal Judiciary, approved by the Executive Committee on behalf of the Judicial Conference, August 1996.
The Judiciary’s IT Objectives.

The judiciary is continually bridging the gap between past technology efforts, the current environment, and the needs of tomorrow. The following pages present IT objectives in terms of the judiciary’s major constituencies: external participants, court operations, judges and chambers, probation and pretrial services, and infrastructure.

Objectives
- Provide the public and the bar with easy access to appropriate court and case information.
- Provide external participants, including pro se parties where appropriate, with access to the adjudicative process.
- Explore means of accessing and combining information to eliminate duplicate entry of data.
- Establish interfaces that enable probation and pretrial service officers to exchange information more easily with external participants, such as the Bureau of Prisons and law enforcement entities.
- Supply a means to provide and preserve long-term public access to the judiciary’s electronic records in closed cases.

External Participants

Technology has increased accessibility to the courts, and the appetite for electronic information and interaction between external participants and the judiciary is growing. The courts serve the public, and as such, recognize that the public should share in the benefits of the judiciary’s investment in information technology, including access to case-related information. The courts provide electronic information to the public in a variety of ways. For example, courts maintain internet websites with court-specific information and rules, and the electronic public access program provides access to case-related information. The courts are equally aware that certain types of cases, categories of information, and specific documents may require special protection from unlimited public access. In addition to the public, Congress, executive branch agencies, state and local courts, law enforcement agencies, the bar, litigants, creditors, debtors, and law schools all depend on information maintained by the courts. In the probation and pretrial services area, many external organizations—local, state, and federal law enforcement agencies, the United States Sentencing Commission, and the Bureau of Prisons—exchange information with probation and pretrial services offices.
Electronic Public Access Program

The Electronic Public Access Program gives the public electronic access to court information at a reasonable cost. Previously, a member of the public who wanted case information was required to visit the court in person, where a clerk would locate and retrieve the paper file and the documents of interest would be photocopied for a fee. Now, through services provided by the Electronic Public Access Program, a user can obtain case information anywhere there is an internet connection or simply a telephone. The program, with more than 500,000 registered users, has made the courts far more accessible to the public and proven popular with the bar. The judiciary has taken significant steps to ensure that fees are fair and reasonable, and it has developed free access options such as public terminals in the courthouse as well as the Voice Case Information Systems for bankruptcy.

Internet and Public Access Network

All court sites make information available to the public via the internet at no cost. Court staff have developed local internet home pages that are hosted on web servers on the public access network. Information available includes local rules, forms, filing information, and general information that pertains to the court. In addition, more than 80 national forms have been automated and placed on the judiciary’s internet site, making them available to attorneys and other non-judiciary users who previously had to obtain them from their local district courts.

Telephone Access to Case Information

VCIS (Voice Case Information System) uses an automated voice response system to provide a limited amount of bankruptcy case information directly from the court’s database in response to touch-tone telephone inquiries. Access to VCIS is offered at no cost.

U.S. Party/Case Index

Electronic public access services have rapidly expanded throughout the federal judiciary in the past few years. The public demand for these services has increased, both in terms of the number of registrants and the amount of actual usage. Several hundred registrants regularly review large numbers of cases in many jurisdictions. Some of these registrants, in particular organizations tracking regional or national bankruptcy, civil, or criminal litigation have requested more efficient methods to retrieve case information from multiple court jurisdictions. In response to this need, the judiciary has created the U.S. Party/Case Index. The U.S. Party/Case Index is a national locator index for Public Access to Court Electronic Records (PACER) systems in the appellate, district, and bankruptcy courts. Subsets of data are collected from each court and transferred to the PACER Service Center nightly. The U.S. Party/Case Index allows searches by party name or Social Security Number in the bankruptcy index, party name or nature of suit in the civil index, defendant name in the criminal index, and party name in the appellate index. The information provided by the search includes the party name, the court where the case is filed, the case number, and the filing date as well as a hyperlink to the docket sheet and documents in the court in which the case resides.
Day-to-day responsibility for judicial administration rests largely with each individual court. Each court is given responsibility by statute or administrative practice to appoint its own support staff and manage its own affairs. Under the judiciary’s budget decentralization program, substantial budget, procurement, and administrative responsibility has been delegated to each court. The primary administrative officer of each court is the clerk of court, who is responsible for many functions: maintaining records and docket of the court; collecting fees, fines, and other revenues and properly accounting for them; operating the court’s computerized systems; administering the court’s jury system; providing interpreters and court reporters; and providing information to the public, the bar, and other interested parties. These functions and their related processes have been fundamentally changed by technology. The judiciary is completing an ambitious replacement of virtually all its critical court support systems, including financial reporting systems, personnel and payroll systems, and case management systems. Staff formerly engaged in routine tasks, including responding to telephone inquiries for basic information and docketing, are now supporting other vital court functions or absorbing increased workloads. As a result of these systems, the judiciary will realize quantitative and qualitative benefits for years to come. As the federal government faces ongoing funding limitations and many in the workforce are nearing retirement eligibility, the judiciary will need to be even more creative in its application and support of technology, especially with respect to streamlining the remaining administrative processes that are performed manually.

Objectives

- Facilitate sharing of case information among chambers and court units.

- Continue to utilize cost-effective training methods to ensure the full use of existing court information technology capabilities by court employees as well as by attorneys.

- Expand training opportunities that enable court employees to update current technical knowledge and skills as the commercially available information technology tools that they rely upon are updated.

- Consider means for facilitating telework and improving remote access for court employees, which also enhances continuity of operations in the event of a disaster.

- Provide the means for improved transaction processing and more accurate data entry and reporting in human resource and financial systems.

- Ensure that the judiciary’s case management systems keep pace with future requirements and technology.

- Reduce space requirements for paper records through the use of electronic files and records.
Jury Management

The Jury Management System (JMS) has been installed in 90 courts. Migration to a shared server platform is complete, which will result in an estimated cost savings of $7.5 million in a 10-year period. A national web solution for completing juror qualification questionnaires online and other jury-related functions is under development. JMS has proven to be an effective tool for juror management and utilization. In addition, JMS has reduced the amount of staffing needed by the district courts to handle the petit jury function, saving approximately $13.3 million per year.

Case Filing and Management

The processes of filing and administering cases in federal courts have been transformed with the implementation of the case management/electronic case files (CM/ECF) software. The CM/ECF applications and the infrastructure that supports them provide the ability for users external to the judiciary to open cases and file pleadings electronically, and for courts to maintain and administer them in an electronic format. This effort has created a new paradigm for case administration. For example, attorneys are now making 50 percent or more of the docket entries in many courts, and automatically opening 99 percent of the cases in many bankruptcy courts; case information and related documents are electronically available to case participants virtually the same moment a filing has been completed; and near-instantaneous e-mail notification of any activity in any case in which one is involved maximizes the time available to respond.

Maximizing Court Expertise

The entire court community has taken advantage of the openness of nationally developed software applications and developed substantial ancillary applications both to support and supplement the functionality in the national systems. One example is an “E-Orders” application, developed by a bankruptcy court, which enables much of the routing and processing of proposed orders to be accomplished electronically, including affixing the judge’s signature to the approved order at the conclusion of the process. E-orders has been integrated into CM/ECF by the court to eliminate dual data entry while maintaining data consistency between the two applications. This application is now running in approximately 30 courts.
There are approximately 8,000 active and senior judges and chambers staff in the judiciary, which is about 26 percent of the judiciary workforce. These individuals rely on technology to varying degrees and in different ways. Other staff—courtroom deputies, staff attorneys, and librarians—work closely with chambers and, while not technically classified as chambers staff, frequently use the same technology in their support of judges. Chambers generally are equipped with computer equipment and a suite of software through which judges and chambers staff can also access electronic case management systems, electronic mail, computer-assisted legal research databases, and internet and web-based applications. Many courtrooms are equipped with technologies that improve the quality and efficiency of many aspects of courtroom proceedings through reduced trial time and improved fact-finding and understanding for trial participants. A number of opportunities exist to provide tools to help judges with their work in areas ranging from text-searchability across pleadings, opinions, and court records; knowledge management (giving judges the ability to reuse information to the extent possible, eliminating the need to "reinvent" it); and the more timely receipt of critical information through seamless transmission of data from one court type to another.

**Objectives**

- Implement information technology solutions to streamline work tasks, increase productive time, and improve the efficiency of judges and chambers staff in managing caseloads and doing their work both in chambers and remotely.

- Integrate the systems and information needed by judges and their staffs, including chambers case-management capabilities, records, and data; sentencing guideline information; legal research and reference materials; and e-mail, word processing, and other applications.

- Incorporate information technology awareness and training for judges and chambers staff into every possible venue to encourage the full use of information technology capabilities.

- Continue equipping courtrooms with appropriate and up-to-date technologies to assist in the adjudicative process, both in new construction and in existing courtrooms.

- Explore audio recording with speech-recognition technologies to enhance the capability of judges and attorneys to review or search for presentations, testimony, and transcriptions.

- Improve the accessibility and reliability of videoconference equipment and other technologies used in conducting oral matters with judges.
Courtroom Technologies

Technology is truly revolutionizing trial processes. The use of technology in the courtroom facilitates case management, reduces trial time and litigation costs, and improves fact-finding, jury understanding, and access to court proceedings. Judges indicate that video evidence presentation technologies improve their ability to understand witnesses and testimony and manage proceedings. Courts are using videoconferencing in a variety of proceedings (as well as for other administrative and training purposes). Technology also has been used in high-profile trials to ensure public safety and enhance the proceedings. The judiciary is continuing to equip courtrooms with a base technology infrastructure and portable equipment that can be shared among courtrooms to ensure technology is available at the lowest cost.

Online System for Clerkship Application and Review

The Online System for Clerkship Application and Review (OSCAR) is an Internet-based law clerk recruitment and application program. Judges can post notices of available clerkships on OSCAR and specify whether they wish to receive applications electronically or on paper. OSCAR streamlines the law clerk application process, enabling judges and chambers staff to receive, sort, and screen applications electronically, to print selected application materials, and to communicate with applicants via email. In addition to submitting their applications electronically, clerkship applicants can also submit electronic requests for recommendation letters to their recommenders, who are then invited to access OSCAR directly and create and upload their letters of recommendation. In 2007, OSCAR completed its third successful year with 800 judges, representing every circuit, using the system, processing a total of over 180,000 applications.

IT Training for Judges

Since 1992, more than 2,600 judges have been trained in various judges’ office automation classes. The curriculum was realigned in fiscal year 2006 to focus more specifically on judges’ tasks and functions and correlate the application of information technology to them. Examples of such functions include case management, writing opinions, and trial practices. Judges and court staff are more directly involved in the development of curricula, as faculty in the delivery of programs, and as mentors to assist in local training activities.

There are two distinct components to judges’ training: awareness and training. IT awareness activities show judges what applications are available and stimulate interest in pursuing training. National training, workshops, and conferences allow judges to raise the level of IT awareness among their peers and share ideas on how to accomplish judicial tasks using technology. IT training activities provide judges with the skills to master a particular application, procedure, or task.
Probation and pretrial services officers interview defendants before trial; investigate defendants’ backgrounds; prepare and file detailed reports to assist judges in deciding on conditions of release or detention of defendants before trial and on sentencing of convicted defendants; and supervise offenders who are sentenced to probation. Those officers work out of 490 locations throughout the United States and its territories. Technology is allowing a largely mobile workforce of probation and pretrial services officers to become more effective and efficient by allowing access to case information from virtually anywhere.

Objectives
- Provide officers with information technology tools that improve effectiveness and efficiency.
- Continue to refine the national case management system by focusing on officer needs while capturing key outcome measures that identify best practices.
- Continue to strive for complete remote access from the field, including electronic document management, which also serves to provide continuity of operations in the event of a disaster.
- Expand the use of appropriate technologies such as global positioning systems, geographic or mapping information systems, electronic kiosks, voice recognition, and computer telephony to assist officers in their work inside and outside the office environment.
- Expand the use of video-conferencing technologies for interviewing defendants and offenders located a significant distance from the office.
- Develop integrated systems to maintain accurate and consistent data collected from multiple courts.
Mobile Technology

Nearly all probation and pretrial services offices around the country now use some form of mobile technology, including laptop and tablet personal computers, as well as smartphones to access information from virtually anywhere. These devices allow officers to access case information, criminal history records, location monitoring records, and drug test results, as well as e-mail, calendars, and nearly any other information as if located in their offices. Through mobile technology, the traditional fieldbook containing offender and defendant notes, including chronological records, is becoming obsolete.

PACTS Server Consolidation

The Probation and Pretrial Case Tracking System (PACTS) supports the supervision and investigation of defendants and offenders. The consolidation of PACTS servers improves delivery of service to probation and pretrial services offices by streamlining the administration of hardware and software and by providing superior continuity of operations in the event of a disaster. All 94 districts now house their PACTS systems at the Chantilly, Virginia hosting center.

Improved Public Safety and Welfare

Technology contributes to improved public safety through better coordination with law enforcement agencies. Pretrial officers can rapidly check to see whether detainees are wanted elsewhere. Credit checks help determine whether a detainee is delinquent on child support.

National Directory

The National On-Line Probation and Pretrial Services Directory is a searchable source of information about each probation and pretrial services office. It includes a list of officers, telephone numbers, counties served, and special instructions. This system comes in two versions. Probation and pretrial services offices use the internal intranet version, and law enforcement organizations, such as the Federal Bureau of Investigation and the Bureau of Prisons, use the internet version.

Access to Law Enforcement Systems

The Access to Law Enforcement Systems (ATLAS) application has enabled officers to obtain criminal histories much more efficiently than was possible using similar systems provided by state police organizations. Most of the state-provided systems were installed on one computer that had to be shared by all employees in the district. ATLAS increases the effectiveness of probation and pretrial services officers by allowing them to retrieve criminal histories directly from their desktop or laptop computers in the office, field, or home. Officers no longer have to wait in line for one computer or for an assistant to obtain criminal histories. ATLAS can be used with any web browser and does not require the installation of additional software, so local systems staff are not burdened with an additional system to maintain and upgrade.

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The judiciary has put into place a framework to support its IT systems, applications, data, and telecommunications requirements. The exponential growth in computing power, remote access technologies, communications bandwidth, and data storage capability will continue, profoundly affecting the way judges, court staff, and external participants conduct their work. As the judiciary moves further into the realm of electronic, rather than paper-based, information storage and retrieval, there is a higher degree of reliance on the IT systems used to input, store, transmit, and retrieve this data. The judiciary’s reliance on information technology means that failure of this infrastructure can effectively bring court operations to a halt. Increased demand on the judiciary’s data communications network to support internal systems as well as to enable more widespread use of the internet and web-based applications requires that network technologies be evaluated and upgraded on an ongoing basis to ensure that these demands can be met. Infrastructure also includes the body of processes and policies—such as enterprise architecture, technical reference models, standards and best practices, blanket purchase agreements, enterprise-level contract vehicles, and other program management elements—that ensure that IT funds are invested and managed wisely and that current and future costs are contained.

Objectives

- Support remote access to enable working outside the courthouse, telecommuting, and to facilitate continuity of operations during an emergency.
- Deliver and maintain cost-effective and reliable service delivery models for national applications.
- Maintain safeguards to protect the integrity, confidentiality, and privacy of judiciary information.
- Improve voice, video, and data communications capabilities throughout the judiciary.
- Identify and employ network management tools to optimize network efficiency.
- Provide security tools and appropriate training to court personnel to implement the security and privacy policy adopted by the Judicial Conference.
Remote Access

Like other organizations, the judiciary is realizing the benefits of a mobile workforce. The judiciary’s remote access capabilities provide judges and staff a secure means to access the judiciary’s IT systems from their homes, hotel rooms, and other locations. Not only do remote access capabilities enable the judiciary’s telework program, it is now possible to conduct critical court operations from different locations in the event of an emergency or a national disaster.

Disaster Recovery

Information technology helps the judiciary rapidly recover and continue operations in the event of an emergency. Following September 11, 2001, the Second Circuit courts were back in business within 48 hours, due in part to the ability to redirect access to critical information technology systems hosted on remote redundant servers. In 2005, technology was a key component enabling the courts affected by Hurricanes Rita and Katrina to resume operations, either in place or in alternate locations, within a remarkably brief period of time despite the vast extent of the damage. Emergency web servers at the national gateways are available to support disaster recovery.

Enhanced Computer Security

Computer security concerns have become front page news, with many horror stories about hackers, viruses, worms, and other serious attacks on computer systems. Most businesses and government agencies have reported dramatic increases in attacks of this nature. The judiciary has encountered these as well, and a number of actions have been implemented to counter them. The judiciary’s incident response capability team was established to assist the courts in investigating and resolving computer security incidents. Alerts of viruses, worms, and their variants affecting other organizations are regularly sent to court systems managers. The team works with the courts to ensure that all computer security and anti-virus patches are installed. It also employs measures to stop the spread of viruses and worms in the judiciary’s computer systems. When systems are infected, they are quickly taken offline and corrected.
Investment Strategy.

Over the past decade, the judiciary has modernized its network and virtually all of its case management and management information systems. As a result of these investments in information technology, the judiciary will realize various quantitative benefits and cost avoidances for years to come.

The judiciary aligns its IT investments with its business goals and objectives through an inclusive planning process that is synchronized with the judiciary’s budget cycle. The Judicial Conference Committee on Information Technology reviews resource requirements and expenditure plans for the judiciary’s information technology program in accordance with guidelines and priorities established by the Judicial Conference for the use of available resources.

The Committee has determined that strategic plans and budget requests should reflect the complete set of requirements to preserve and build upon the judiciary’s information technology investments. At the same time, the Committee on Information Technology scrutinizes those requirements to ensure that all the judiciary’s information technology investments are cost-effective and support its mission. Appendix B contains the judiciary’s anticipated IT resource requirements for fiscal year 2009 through fiscal year 2013.

When considering the costs associated with the IT program, it is especially important to take a broad judiciary-wide view. The judiciary’s various case management and administrative support applications have resulted in marked workload efficiencies, allowing the courts to absorb an increased workload without having to add as many support staff as would have been required prior to automation. The cost avoidances will become increasingly important in times of continuing budgetary constraints. The judiciary will rely even more heavily on technology tools and the integration of these tools to enable it to meet its mission in the coming years. As indicated in this annual update to the Long Range Plan for Information Technology, not only will systems in place be maintained and enhanced, but increased emphasis will be placed on developing and acquiring new technologies that will provide additional concrete benefits, particularly to judges as they perform their adjudicative functions.
Appendix A. Development of the Plan.

The judiciary’s IT program has matured considerably since its inception more than 30 years ago, and the Long Range Plan for Information Technology in the Federal Judiciary has likewise evolved.

The plan presents the program in terms of five fundamental areas: external participants, court operations, judges and chambers, probation and pretrial services, and information technology infrastructure, in order to identify needs of the judiciary’s various constituents.

Through its Subcommittee on Planning and Budgeting, the Judicial Conference Committee on Information Technology provided overall guidance in the development of this update.
### Appendix B. Resource Requirements.

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Fiscal Year 2009 Update

Approved by The Judicial Conference of the United States