



Judicial Computer Project

A slight hope glimmered during the year that the legislature would begin to provide the necessary funding required to provide both the continued operation and much-needed expansion of the Judicial Computer Project (JCP). In response to the Judiciary's continued pleas, the General Assembly took action on one legislative front, but delayed action on a number of other pieces of legislation.

On July 11 the governor signed Act 104 of 1996, which increased from \$80 million to \$100 million the lifetime cap on deposits into the JCP Augmentation Account. The increase helped ensure the continued operation of the District Justice System (DJS) for at least another two years. An amendment to eliminate the \$10 million annual cap on deposits into the fund was defeated on the floor of the House. This disappointing failure to remove the cap meant that the Judiciary again was blocked from moving ahead with expansion of automation to the next logical level, the Common Pleas criminal courts.

The General Assembly's failure to provide additional funding came despite the strenuous efforts of those legislators who are aware of the growing necessity of automating the Judiciary. Senator Stewart Greenleaf and 16 of his colleagues sponsored a bill to provide funding for the Common Pleas - Criminal phase of the JCP. The bill was reported out of the Senate Judiciary Committee by a 9-1 vote, but died in the Senate Appropriations Committee. An amendment to HB 2637 that would have eliminated the \$10 million annual cap on deposits was removed by the House Appropriations Committee. Another bill, SB 563, was amended in the House Judiciary Committee to remove the annual and lifetime caps on deposits into the computer fund. After being reported out of the House Judiciary Committee, the bill was referred to the House Appropriations Committee, where it died when the legislative session ended.

From its inception in 1984, the goal of the JCP has been to eventually connect all of the Commonwealth's courts by means of an integrated statewide communications network. Following automation of the district justice offices, the Judiciary planned to expand computerization to the Common Pleas Courts, starting with the criminal division, and eventually expanding to include the family, civil and orphans' divisions.

Original financing for the JCP was provided by Act 64 of 1987. Funding was based on collections of fines on a variety of offenses beyond amounts collected in the base 1986-87 fiscal year. The act also placed a limit on the amount of money which could be deposited annually into the JCP restricted receipts account. (Table 2.5.1 on page 30 shows the history of collections received through Acts 64 and 59.)

This funding, however, proved to be inadequate and unpredictable. Additional funding, therefore, was provided by Act 59 of 1990, which initiated a user fee. Unfortunately, the act also placed a cap of \$80 million on total funds that could be deposited into the JCP restricted receipts account for staffing, operating and maintenance of the present system, and for all future automation of the courts.

The legislation introduced by Senator Greenleaf and his colleagues contained three provisions which the Judiciary considers vital to the continued operation of the DJS and for expansion of the computer system to the Common Pleas Courts. They were:

- increasing the user fee to \$11
- deleting the annual cap on deposits into the JCP Augmentation Account
- eliminating the cap on total funds deposited into the computer account.

None of these fiscal necessities has yet been accomplished. While increasing the total cap to \$100 million has given the Judiciary

some "breathing room," the specter of inane- quite funding still remains a strong concern and serves as a barrier to mapping out the long-range plans which are critical for the Judiciary to serve the citizens of this Commonwealth in a responsible manner.

Despite the lack of funds, the District Justice System and its counsel continue to provide a high level of service and support to many individuals. A few statistics will help illustrate this effectiveness:

- the Help Desk responded to 46,850 calls from users in 1996
- 1,704 people, including district justices, court administrators and staff members were trained in 1996
- 27 district justice offices or night courts were relocated and assistance in adding, moving or replacing equipment was provided to 103 offices
- statewide automation responded to 122 district justice audits submitted by the Auditor General in 1996.

The AOPC's legal counsel also provided extensive support in a number of areas. For example, counsel:

- acted as a liaison between the Minor Court Rules Committee and the JCP and in drafting new and amended Rules of Civil Procedure for District Justices. Specifically, counsel assisted the committee in drafting
 - proposed Rule 113 to authorize the use of facsimile signatures by district justices on certain documents
 - proposed amendments to Pa.R.C.P.D.J. 504, setting the date for hearing, delivery for service
 - proposed amendment to Pa.R.C.P.D.J. 516 pertaining to issuance and reissuance of an order for possession

- proposed amendment to Pa.R.C.P.D.J. 517 regarding notation of time of receipt and service of order for possession
 - proposed amendments to Pa.R.C.P.D.J. 517 and 1002 pertaining to time and method of appeal.
 - acted as a liaison between the Criminal Procedural Rules Committee and the JCP in implementing amendments to the Pennsylvania Rules of Criminal Procedure to the District Justice Automated System, including the implementation of new Rules 87, pertaining to withdrawal of charges in summary cases, and 88, pertaining to dismissal in summary cases upon satisfaction or agreement.
 - assisted in the revision of the AOPC's policy pertaining to public access to records within the magisterial district courts.
 - drafted regulations to be followed statewide by counties seeking to implement the services of collection agencies on behalf of magisterial district courts.
 - tracked pending legislation and worked extensively with representatives from the other departments of the JCP to anticipate and prepare for potential programming changes to the DJS. For instance, counsel has been actively involved with the implementation of Act 119 of 1996 (Jen and Dave's Law).
 - implemented statutory changes into the DJS following enactment by the General Assembly and passage by the governor. This included several amendments to the Motor Vehicle Code and to the Crimes Code.
 - provided information on a daily basis to district justices and court administrators who contact the AOPC with questions involving legal procedural issues.
 - reviewed the legal content of all forms issued by the AOPC for use in the district courts and worked extensively on the redesign of both the private criminal complaint form and the police complaint form.
 - responded to legal inquiries relevant to the AOPC raised by staff in the Mechanicsburg facility.
- Of the total development contract costs for the DJS, \$9 million was financed through IBM Credit Corporation. Additionally, a five-year maintenance contract with IBM totaling nearly \$2.5 million was financed. Over the life of the finance agreement, **more than \$1.5 million interest charges** will have been incurred due to a lack of adequate JCP funding over the project's first phase term. The last payment on these loans is scheduled to be made in February 1997. Table 2.5.2 on page 31 provides details of the loans and their terms.



Judicial Computer Augmentation Account History of Collections			
Fiscal Year	Act 64*	Act 59	Total
87-88	\$2,983,252	\$0	\$2,983,252
88-89	4,700,000	0	4,700,000
89-90	5,275,344	0	5,275,344
90-91	5,270,203	3,212,692	8,482,895
91-92	6,433,681	4,735,659	11,169,340
92-93	6,617,361	4,638,374	11,255,735
93-94	4,263,013	4,330,971	8,593,879
94-95	5,252,345**	4,747,655	10,000,000
95-96	5,163,503**	4,836,497	10,000,000
96-97	5,279,541+	4,720,459	10,000,000
TOTAL	\$51,238,243	\$31,222,307	82,460,550

* For fiscal years 88-89 and 89-90, the amounts shown are nets of refunds to the Game and Boat funds.

** Collections totaled \$8,775,028 for FY 94-95 and \$11,019,896 for FY 95-96. The amounts shown reflect the actual deposit into the augmentation account, which were limited by the \$10 million cap on annual deposits into the account. As a result of the cap, the JCP lost \$3,522,684 in FY 94-95, \$5,856,393 in FY 95-96, and \$9,379,077 cumulatively over the two years.

+ Revenues totaled \$8,772,380 for FY 96-97. The amounts shown reflect the actual deposit into the augmentation account. The \$10 million annual cap on deposits and the lifetime cap were removed by Act 32 of 1997, which took effect July 1, 1997. The difference between collections and the amount deposited, \$3,492,839, was reserved for deposit into the account after the effective date of the act.

Table 2.5.1

Judicial Computer Project
Principal and Interest Payments on IBM Loans
As of June 30, 1996

	Milestone 16-3	Milestone 16-4	Milestone 16-5	Milestone 16-6	Maintenance Contract*	TOTALS
Total Amount Financed	\$936,435.00	\$2,916,805.00	\$2,684,406.00	\$2,488,760.00	\$2,477,693.00	
Interest Rate - APR	6.46%	6.56%	6.04%	6.32%	6.23%	
Number of Payments	Two annual	Five annual	Five annual	Three annual	Three annual	
Principal Paid to Date	\$936,435.00	\$2,281,073.42	\$2,100,159.20	\$2,488,760.00	\$2,477,693.00	\$10,284,120.62
Principal Remaining	0.00	635,731.58	584,246.80	0.00	0.00	1,219,978.38
Total Principal	936,435.00	2,916,805.00	2,684,406.00	2,488,760.00	2,477,693.00	11,504,099.00
Interest Paid to Date	60,041.96	428,651.38	378,007.16	320,782.48	300,964.75	1,488,447.73
Interest Remaining	0.00	41,699.62	35,294.79	0.00	0.00	76,994.41
Total Interest	60,041.96	470,351.00	413,301.95	320,782.48	300,964.75	1,565,442.14
Payments Made to Date	996,476.96	2,709,704.80	2,478,166.36	2,809,542.48	2,778,657.75	11,772,568.35
Payments Remaining	0.00	677,431.20	619,541.59	0.00	0.00	1,296,972.79
Total Payments	996,476.96	3,387,156.00	3,097,707.95	2,809,542.48	2,778,657.75	13,069,541.14

* A five-year maintenance contract with IBM to provide service on the EDP equipment installed in district justice offices was paid with a \$500,000 down payment, and the remainder, shown above, was financed over a period of three years.

Table 2.5.2