

The implementation of Maryland Electronic Courts (MDEC) will change the way courts will conduct business in the future.

**This quarterly bulletin provides information about these changes and the work that lies ahead.**

Most of you have heard something about the judiciary-wide case management system referred to as MDEC. You may be interested to know that the idea for MDEC came about in 2006 with preliminary discussions between Chief Judge Bell, Chief Judge Clyburn and Frank Broccolina concerning problems associated with the nine existing case management systems, many of which are decades old. As a result, Chief Judge Bell, with the support of the Judiciary's Technology Oversight Board (TOB), appointed an advisory committee chaired by Chief Judge Clyburn to continue those discussions and to develop recommendations on how best to proceed. The advisory committee included judge, clerk, administrator and commissioner representatives from all court levels.

After several years of discussions and study, the advisory committee, with the support of the TOB, recommended to Chief Judge Bell that all existing case management systems be replaced with the purchase of a single system for both trial and appellate courts. Such a system should accommodate electronic filing, allow for the

electronic transfer of information between all courts and with our civil and criminal justice partners, and move us toward a paper-on-demand environment. Chief Judge Bell approved the recommendations and directed the advisory committee to develop an RFP and begin the process to procure a case management product. The committee selected to evaluate the various case management products recommended that the award be made to Tyler Technologies for its Odyssey software. Chief Judge Bell accepted that recommendation and a contract was concluded on October 28, 2011.

Since that time, the Judicial Information Systems Department (JIS) and the Court Operations Department of the Administrative Office of the Courts have been working closely with Tyler and with many of you, to implement the new system beginning with a pilot in Anne Arundel County scheduled for the first quarter of 2014.

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## A Big Thanks

Many representatives from courts statewide have devoted time toward making MDEC a reality. Judges have reviewed forms for use in the new system and described the flow of work from their courtrooms and chambers. Staff from all courts have contributed their vast knowledge in “gap” sessions and identification of business process flows. We thank not only these subject matter experts (SME’s) but also acknowledge the contributions of other staff who provided coverage so their managers and coworkers could work on these committees.

Everyone plays a part in a change this big. We are all in this together. Here’s a BIG THANKS for the work you’ve done.

## Getting to the MDEC Pilot

The preparation necessary to implement a project as large as MDEC is complex and requires the coordination of multiple activities and parties within and external to the Judiciary. Two of the activities involve the mapping of current business processes and comparing them to the Odyssey software to identify differences in the functionality available in Odyssey and our nine case management systems. This is referred to as a Gap/Fit Assessment. From March through May of 2012, 246 court staff participated in 35 gap analysis sessions held at the JECC. During those sessions, staff identified hundreds of gaps requiring thousands of hours of programming to replicate how each individual court and office processes its business today. It is neither possible nor advantageous to attempt to customize the Odyssey product to such an extent. The associated costs would be prohibitive and it would take too much time to program these changes. To take full advantage of the new software requires that our many different business processes conform to the greatest extent possible to the way Odyssey is designed to function.

As a result of the large number of “gap” items, it became necessary to prioritize changes to the Odyssey software that were considered critical to pilot implementation. Those items considered critical to the new case management software were identified and requirements have been submitted to Tyler Technologies for the necessary programming changes. Other changes that were identified as important in the “gap” sessions will be made as the system is rolled out to the other jurisdictions after the pilot.

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## Moving Courts Into the 21<sup>st</sup> Century

The implementation of MDEC brings with it a wealth of benefits both internally to our judges and staff, as well as externally to attorneys and our criminal and civil justice partners. As the “backbone” of court operations, staff in clerk offices will experience direct benefit from the electronic exchange of information, in contrast to working in the current primarily paper environment.

- ⇒ Electronic filing (e-filing) and the digital exchange of information between courts and court levels, as well as justice partners will eliminate the need for reentry of data when a matter is transferred between courts and jurisdictions, as well as reduce the need to make copies and to transmit court documents in paper form.
- ⇒ In addition, e-filing and the exchange of information electronically between parties will significantly reduce data entry during case initiation and maintenance, as well as reduce the need for paper mailings.
- ⇒ The virtual elimination of the need to enter the same case information multiple times, as is the practice now, will improve the accuracy and reliability of our case information.

The benefits of the new system are not limited to clerk staff. Future bulletins will look at system benefits for others in the Judiciary, as well as for justice partners and other stakeholders.

## Changes Present Challenges

### A Message from Chief Judge Bell:

“I’m thrilled by the opportunities and advantages offered by introducing modern technology in Maryland courts. Every Judiciary employee is and will be part of it, for it is only with your skills and support that we can make this happen. Our success is dependent on your great work, day in and day out, to provide access to justice for all.

“Thank you for your support, patience, understanding and willingness to go with the Judiciary to the next technological level.”

There will be a need to change the way we currently process a court’s business.

Such changes will present challenges to all of us as we learn a new way to perform our duties.

The advent of MDEC begins the transition of our courts to an electronic and paper-on-demand environment. With this move forward, the ways our courts conduct business presently will change and we will need to work differently. Such changes will present challenges to all of us as we learn a new way to perform our duties.

What will these changes be? As an example, let’s look at what the move to e-filing and electronic exchange of case information will mean. While the need for data entry to initiate and maintain a case will be significantly reduced, there will be a greater need for quality control

on the information received by and transmitted from the court. Documents provided by self-represented litigants in paper format will need to be scanned and indexed (tagged to the correct file) in the electronic database. Scanned documents will need to be reviewed to ensure they are of good quality, complete, and meet the standards for accepting and filing a case.

So as you can see, there will be a need to change the way we currently process a court’s business. That doesn’t mean there will be any less work, only a new and more effective way of performing our duties.

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## Preparing for Change

Change brings about many different emotions and produces varying reactions. Some may be concerned they won't be able to learn a new software system; some may feel anxiety about how it will impact their job; others may welcome the benefits that will come from this new technology, and still others are excited because change holds the promise of new possibilities. Most of us probably are experiencing a mixture of all these feelings.

Adapting successfully to these changes must start with each of us individually. Here are some points to consider:

- ⇒ First, it is important to remember that change is part of every job. Choose to be positive about change for yourself and your colleagues.
- ⇒ Change brings opportunities. Discover what those opportunities mean for you and actively participate in the process. Perhaps you can serve as a subject matter expert on a statewide committee, or at the local level. Yes, jobs are changing, but you will have many opportunities to acquire new skills and be an asset in the courts as we move forward together.
- ⇒ If you have concerns about what MDEC will mean for you, write them down, and at the appropriate time, ask questions. Your managers may not have all the answers yet, but just by asking the questions you can help them prepare you and your coworkers for the change. Take the time to read the frequently asked questions (FAQs) on the MDEC website because you may find answers to some of the questions you have:

<http://www.courts.state.md.us/mdec/faq.html>

Change is ongoing, and will be the topic of future articles in *Moving Justice Forward*.

“The only way to make sense out of change is to plunge into it, move with it, and join the dance.”

*Alan Watts*  
Writer

## Preparing for Rules Changes

The Court of Appeals held a public meeting on October 18, 2012, to address five core policy issues and provide guidance to the Rules Committee in its drafting of proposed Rules to implement the e-filing component of MDEC.

**Policy Issue 1** To what extent should the electronic filing of documents be mandatory?



The Court decided that electronic filing should be mandatory for attorneys and judicial personnel. Certain exceptions would be made, such as for self-represented litigants. For appellate cases, there would be electronic filing, supplemented by paper copies.

**Policy Issue 2** What should be the requirements for a filer's signature on electronically filed documents?

The Court deferred this topic pending a Rules Committee recommendation. At its meeting on January 4, the Rules Committee proposed that a typographical signature, such as "/s/," or a facsimile signature would suffice for most filers and documents. For documents filed under oath, affirmation, or with verification, the signature must be hand-signed and then scanned. Judges, judicial appointees, and clerks must provide a scanned or digital signature.

**Policy Issue 3** Will the electronic version of electronically filed documents be the official record of such documents?



The electronic version will be the official record, but written transcripts of electronically recorded proceedings in open court should continue to be required.

MDEC brings new technology that will change our way of doing business.

In anticipation of these changes, the Court of Appeals sought public and stakeholder input on five core policy issues defined by the Rules Committee.

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#### Policy Issue 4 What access should be allowed to the electronic record?



The Court favored maintaining the current level of public access. This includes maintaining the existing level of remote access to docket entries and making MDEC compatible with the Rules currently in Title 16, Chapter 1000, Access to Court Records, as amended from time to time. Public access to electronic case files would be available at the courthouse; the public's access to materials contained in the electronic files would be the same as the public's current access to materials contained in paper files.

#### Policy Issue 5 What kinds of fees, if any, should be charged for the electronic filing of documents; the filing of paper documents; remote access to electronic records; or general operation and maintenance of the MDEC system?



The Court deferred this topic. The complexity of this issue will require additional discussions among many stakeholders.

#### Next Steps:

The Rules Committee has transmitted proposed changes to the Rules in its 176<sup>th</sup> report to the Court of Appeals. The proposed Rules changes are posted on the Judiciary website and will be published for comment in the Maryland Register. Sometime after the comment period ends on March 25, 2013, the Court will hold an open meeting on the Rules. The date and time for the meeting will be posted on the Judiciary website. After a Rules Order is signed by the Court, there will be a period of time during which all parties affected by the new Rules can prepare for implementation before they become effective.

Take advantage of the opportunity to review and become familiar with the Rules once they are adopted and posted on the Judiciary's website.

<http://mdcourts.gov/rules/index.html>

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#### In Future Issues:

Update on Rules

Update on Gaps

More About  
Changes

What's Happening  
with:

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Information about  
MDEC is also  
available on the  
Judiciary website  
at:

[http://  
mdcourts.gov/  
mdec/index.html](http://mdcourts.gov/mdec/index.html)