

Elko County Public Defender

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June 25, 2020

SENT VIA EMAIL ONLY

Marcie Ryba
896 W. Nye Lane, Suite 202
Carson City, NV 89703

RE: Mandated Case Management System

Dear Marcie:

In reviewing the June 29, 2020, DIDS agenda, I see that a mandated case management system will be discussed. I have expressed my concerns to you several times but wanted to reiterate them in writing. To provide some history for you, the Elko County Public Defender's Office has been utilizing Justware for almost five years. The Elko Justice Court, the Fourth Judicial District Court, and the Elko County District Attorney's office all utilize this same case management system. Since converting to Justware, attorneys/support staff are required to time track in individual cases and in a general session. They track case-specific time in the following categories: client contact, case prep, research, court, other contact, mileage, and travel time. They track the following non-case related time in the following categories: meetings, 72-hour hearings, training, and miscellaneous. In addition, I can run reports that indicate how many cases an attorney had been assigned at any given point in time or time period past or present; I can run a separate report that gives a break down by case type and/or statute severity. Our cases are essentially paperless; attorneys have the ability to work from a laptop with all the case notes and documents readily available to him/her, though paper files are still maintained for most felony cases. Our office receives discovery electronically, which is an advantage for both the district attorney's work processes and ours. The system allows us the ability to work in multiple cases, which is a time saver for the attorneys and support staff. We can seal files; copy information and pleading from one case to another; print a case history; we have a case record and a person record. We can run a report on what cases are open, closed, queued, failure to appear, and are pending disposition. At this time, we are able to access information from the court via an interface, so we do not need to call, email, or bother them for the information.

As you're aware, Justware will no longer be supported after mid-summer 2021. Accordingly, Elko County has started the bidding process to replace that system with demos from the top four companies scheduled for the weeks of July 6th and 13th. The county is working diligently to replace Justware with a system that will work for the entire court system in Elko. A staff member and I are members of the selection committee. We know what our office needs and what will work for us. The DIDS mandated system may not. Remaining on the same system as everyone else in the court system is a huge benefit to this office. Currently, when the courts enter a hearing date the district attorney's office and our office receives a notification of the date and time, we can use shared data such as NOC codes and people identifiers. If DIDS requires this office to utilize a different system than the rest of Elko County, our office will then be required to use four different systems, and everything will then have to be manually entered into the DIDS mandated system. Duplicate data entry will be a waste of valuable staff time and increase the likelihood of error.

If the Public Defender's office is required to use the DIDS mandated system, I have a lot of questions:

- Is DIDS going to pay for the massive data conversion so that the data that is migrated to the new system is tidy and accurate?
- Will DIDS pay for the yearly system maintenance?
- Who will pay for the licenses to use said system?
- Who will provide IT support for the DIDS mandated system?
- What type of database system will this be?
- With our internet issues in our community, will this system be down more than up?
- What type of document management will it have?
- Our current system has a file cabinet that we can use to populate any number of forms or pleadings, will the DIDS system?
- Is DIDS going to fund the technical support to rebuild our forms and pleadings?
- Who will write all the sequel for the reports DIDS is requiring and what about our business rules for reminders, batch documents, JDA's?
- If we are mandated to go on your system, the county will not repair, replace, or even maintain the working components, how is that going to take place?
- Our system also has the ability so that we would have a direct link for Efiling, and the future system will as well, will the DIDS system?
- Would this system be in place by June 2021?
- Will the mandated system have an interface and functionality consistent and restricted only by user rights and roles? Yes, ours does and will.
- Will the system have the capability to redact documents?
- Will DIDS provide training and continuing training on the system?

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- When the DIDS mandated system crashes our computers, is DIDS going to replace them?

- Who will pay for more memory for the system? As we all know, discovery takes up a lot of space. All of our file storage is electronic; once a case is closed, the paper file is destroyed.

I have an entire IT department across the street from my office at our disposal. The county has provided a system that works well for all of our needs; it's maintained and supported. I'm certain the new system, which we are playing a key role in selecting, will continue to meet our needs. Time tracking is not new to the Elko County Public Defender's Office. The Elko County Public Defender's Office is autonomous; we are not just one office in a statewide system. Being forced to use the DIDS mandated system will only create more work for this office and increase the likelihood of error when staff is wasting time hand entering data into your system. I am confident that I can provide any information the department needs once we are informed of what is expected of us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KRISTON N. HILL', with a stylized flourish at the end.

KRISTON N. HILL
Elko County Public Defender