



Federal Court of Australia

eCourt Integration Project Final Report

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1 Executive Overview

The Federal Court of Australia (“the Court”) is committed to ensuring that its services are relevant and responsive to the needs of the Australian community in the future. eCourt initiatives are the key, as they present the opportunity for contemporary technology to improve efficiency, and increase accessibility.

1.1 Where are we today?

While the Court has released some leading edge Internet services and has achieved significant progress in a number of areas, the following challenges have emerged over time:

- Data is re-entered multiple times in multiple systems;
- There is no information linkage between systems;
- Some on-line services have increased registry workload;
- Systems have been developed on different database and software platforms;
- Users need to log in multiple times to access different services and information;
- There is no consistent look and feel; and
- Internal systems are managed independently of external web systems.

Most of these challenges have emerged over time due to the absence of a central, robust, case management system. The imminent implementation of the Court’s case management system, Casetrack, therefore, represents an opportunity to consolidate and integrate systems and services in order to address many of these issues.

The eCourt Integration Project was initiated to determine strategies to be pursued over three to five years to ultimately achieve the Vision of fully integrated eCourt systems and services.

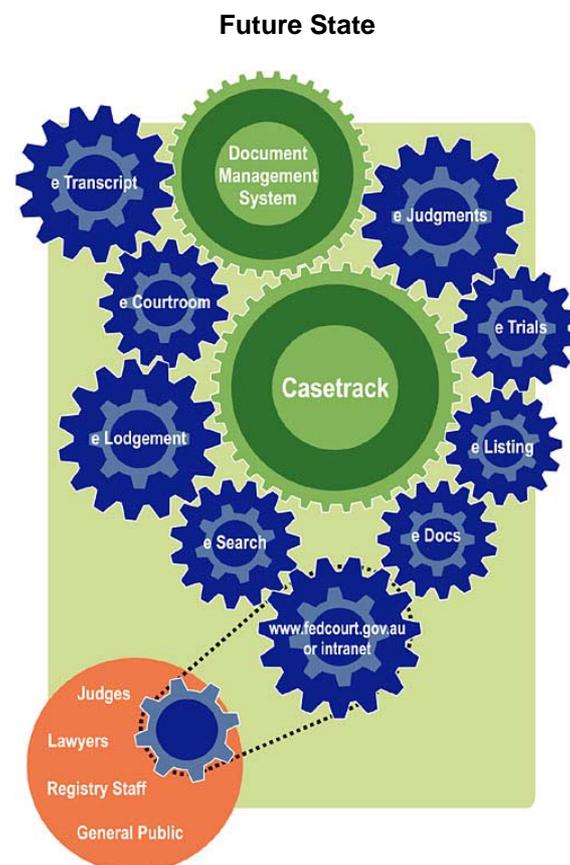
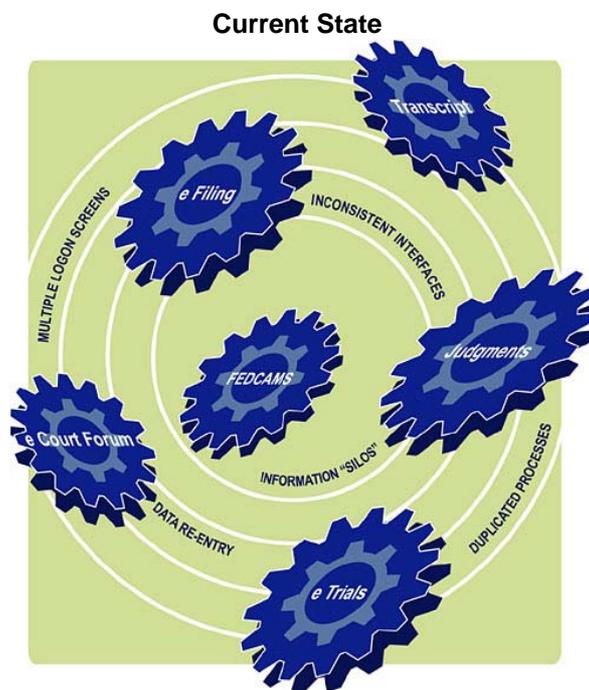
1.2 Where do we want to go?

The Vision for integrated eCourt services and systems is represented in the diagram opposite. The two central system “cogs”, Casetrack and the Document Management System (“DMS”), provide the technology nucleus for a range of online services, available to registry staff and the judiciary via the Court’s intranet and to external clients via the Internet.

The Vision is further represented through a suite of concept pages that are accessible at www.elaw.net.au/fedcourtconcept.

A User Centric Model is proposed such that interfaces will be customised to suit the needs of each individual. In particular, subject to their access rights, it should be possible for any internal or external user to seamlessly access *all* information they require in relation to any Court file from within the one environment. This theme is represented by a Portal concept called *myFiles*.

Integration may certainly involve the replacement of some of the systems currently used to provide certain services, such as eCourt Forum and eFiling.



It is proposed that the artificial distinction between internal and external users should be avoided in preference to an analysis of the functional needs of the key user groups. This is represented in the table below.

Table 1 : Services required by Actor Categories

Services	Lodge Document	Search File	Generate Docs	Attend Hearing	List for Event	File Evidence	Manage Evidence	Access Transcript	Access Judgments
Actors	<i>eLodge</i>	<i>eSearch</i>	<i>eDocs</i>	<i>eCourtroom</i>	<i>eListing</i>	<i>eTrials</i>	<i>eTranscript</i>	<i>eJudgments</i>	
Judge / chambers		●	●	●	●	●	●	●	●
Lawyer / SRL	●	●	●	●	●	●	●	●	●
Registry Staff	●	●	●	●	●	●	●	●	●
General Public		●					●	●	

● Functionality required by user category

This form of user centric analysis clearly identifies the common functionality required by internal and external users and provides a sound foundation for future service delivery such that internal and external users can be serviced through a suite of common applications, either through the Court's intranet, or over the Internet. Over time, this "amalgamation" of systems and services will be more cost effective to implement and maintain than "integration" of disparate systems.

The core principles that underpin the eCourt Vision are:

- The systems will be designed around a user centric Portal model (this will be represented by *myFiles*);
- The Court will, over time, embrace a single web browser interface for all users, internal and external;
- Data should be entered once only, at the source;
- Casetrack and DMS will provide the "Nucleus" for system integration;
- Users should only need to log on once in order to access all the services and information they require;
- External clients will be encouraged to "eWork" their files through the system; and
- The Casetrack File Number will provide the "Glue" that will facilitate data integration between systems.

1.3 How do we get there? The Roadmap

In order to achieve the Vision, the Court will be required to undertake a great deal of work over the next three to five years.

It is recommended that a phased, modular approach should be taken to implementation.

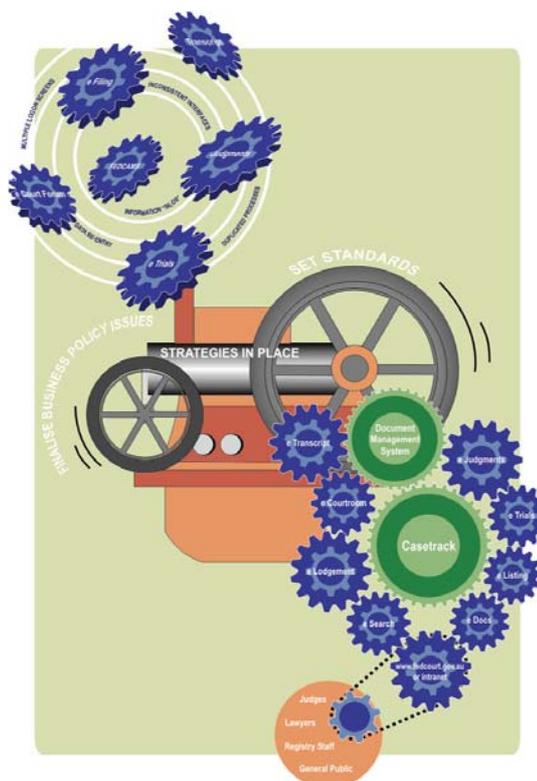
It is intended that implementation will occur in three main phases:

- **The Foundation Phase** to occur between February and December 2004;
- **The Establishment Phase** to occur between January 2005 and June 2006; and
- **The Consolidation Phase** to occur between July 2006 and June 2007.

The diagram opposite shows that the work undertaken during these three phases will ensure that the Court can achieve the Vision.

The indicative timeframes may be affected by the various contingencies that could affect the project, and by other projects being undertaken by the Court.

How to Get There



1.3.1 The Foundation Phase (February 2004 to December 2004)

Within the Foundation Phase, it is intended that there be a number of discrete projects and areas of activity:

- **Casetrack** – The implementation of Casetrack is to be completed;
- **Business Issues** – Where appropriate, the Court's existing business issues, standards and strategies will need to be reviewed and, where necessary, amended to ensure that they facilitate the development and implementation of fully integrated eCourt systems and services (although these will be ongoing throughout the life of the project);
- **Leverage Alliances with other jurisdictions** – Other jurisdictions may be undertaking similar projects and if so, it would be beneficial for courts to work together to not only provide one place from which external clients may conduct their court business, but also to achieve economies of scale;
- **Test the Broker Delivery Market** – The Court may decide to outsource many of the systems, therefore it is intended that a Request for Information be sent to prospective Brokers, responses are to be evaluated, a Request for Tender to be sent out and a Broker selected, if appropriate;
- **Prepare Project Budget** – a Budget proposal is to be prepared, in consultation with the Court's financial controller;
- **Develop Concept Site** – The concept site is to be further developed;
- **IT Infrastructure** – The internal and external IT infrastructure required to enable the Vision to be realised needs to be designed and implemented;
- **Document Management System** – The specifications for the DMS that have been prepared by Library are to be reviewed, an RFT is to be prepared and distributed to selected suppliers and a DMS provider is to be selected; and
- **eTranscripts** – A review of the Court's transcript contract should include a requirement that transcripts to be stored electronically in a format consistent with the eCourt DMS requirements.

1.3.2 Establishment Phase (January 2005 to June 2006)

Within the Establishment Phase the following discrete projects will occur:

- **Casetrack** - Continued enhancement of Casetrack;
- **IT Infrastructure** – Complete the IT infrastructure implementation;
- **Document Management System** – The DMS is to be implemented, including eTranscripts and eJudgments;
- **“Portal” and Client Administration** – The solution for external clients (*myFiles*) to be implemented;
- **eSearching** – Level 2 to be implemented;
- **eLodgement** – Staged rollout of eLodgement to commence;
- **eTranscripts** – eTranscripts should be made available for users via the Portal; and
- **eJudgments** – Judgments presently made available via the Court’s website should be made available via the Portal.

1.3.3 Consolidation Phase (July 2006 to June 2007)

Within the Consolidation Phase, the following discrete projects will occur:

- **eCourtroom** – The eCourtroom system to be selected, integrated with Casetrack and implemented;
- **eLodgement** – The eLodgement rollout is to be completed; and
- **eTrial / eAppeal** – An eTrial and/or eAppeal system to be selected and implemented.

Each Phase is described in more detail in section 5.

1.4 Timetable

A timetable, as set out in Appendix 6, has been set following discussions with the Focus Group. However, the timetable will need to be monitored and adjusted constantly during the project.

1.5 Issues that may impact upon the eCourt Vision

Various factors may be critical, in a broader sense, to the Court achieving its eCourt Vision. These factors may include:

- Commitment from the Judges and Registry management – support for the project from within will assist with smooth implementation;
- Securing sufficient funding to enable the Vision to be implemented – in this regard, it is important that the Focus Group consider the indicative yearly expenditure that will be required for the project (contingencies may affect this, and should be allowed for);
- Capacity to meet the timetable, given the availability of staff resources and the duration of tasks;
- Competing projects/priorities – this includes the possibility that Casetrack, although it is a core component of the integration project, may dominate all Court resources and funds during the coming financial year, which may delay commencement of the integration project.

If the Court, as a whole, is committed to ensuring that the project succeeds, then this may overcome the challenges outlined above. If each factor is considered and appropriately addressed, then this will go some way towards ensuring that the project can proceed effectively.

2 Project Rationale

“Our Charter is clear – we need to integrate our eCourt Systems in order to fully realise the potential of technology to enhance services, and to improve access to justice for the wider community.” Warwick Soden, Registrar, Federal Court of Australia

A key strategy for the Federal Court of Australia is to ensure that the court system is relevant and responsive to the needs of the Australian community in the 21st century.

eCourt initiatives are a core component of this strategy because they involve the use of contemporary technology both to improve efficiency, and increase accessibility.

While the Court has already released some on-line services through its Internet site at www.fedcourt.gov.au, more significant improvements in efficiency and service delivery will be achieved through progressive delivery of the suite of integrated eCourt services outlined in this report. These improvements will be derived through:

- Increased hours of registry access through on-line availability of services;
- Real time receipt and delivery of documentation and information between external clients and the Court;
- Broader automation of case management processes;
- Use of virtual hearings to replace physical court attendances, where appropriate;
- Single point data entry “at the source”;
- Reduction of error due to enforced data consistency; and
- Reduced registry workload through more active involvement by litigants or their representatives such that they can directly update particular information within the Court’s systems to avoid the need for court staff to undertake manual data entry.

The Court commissioned the eCourt Integration Project to recommend strategies, priorities, timings, costings and initiatives to be addressed over a three to five year period to guide the Court from its current position to the vision of fully integrated eCourt systems and services.

2.1 Methodology

At the outset of the project, a meeting was scheduled with the eCourt Focus Group the membership of which is summarised in Appendix 1. The purpose of the meeting was to confirm scope, timing and deliverables for the project.

After this initiation meeting the following activities were undertaken:

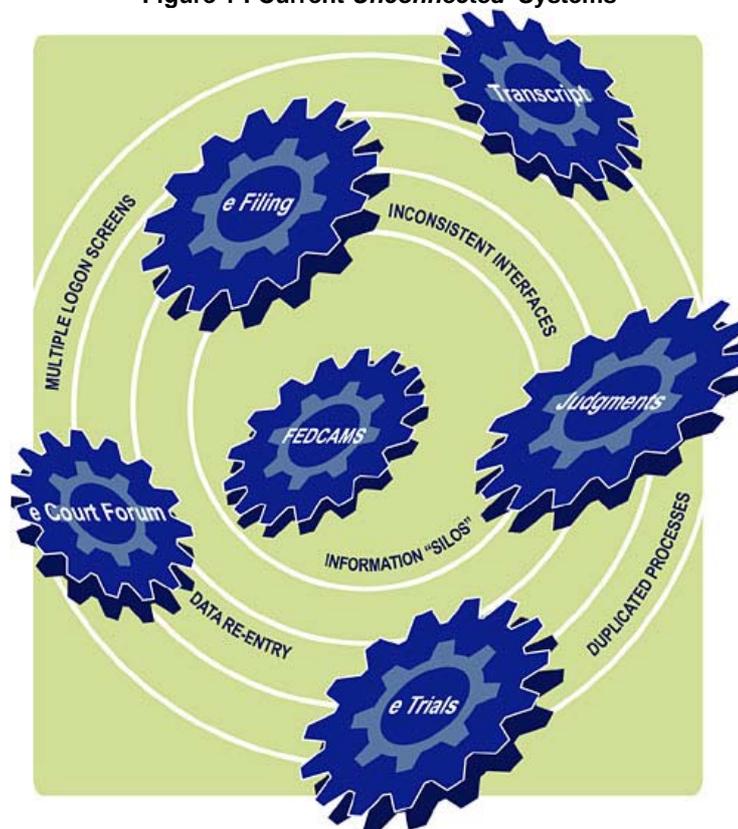
- Analysis of the Court’s current internal and on-line systems;
- A series of interviews with key stakeholders;
- Definition of “the Vision” for integrated systems from a user perspective;
- Development of “concept screens” to demonstrate visually integrated on-line services;
- Identification of the key “services” and “systems”;
- Analysis of data models underpinning these systems and identification of “shared” elements;
- Documentation of key business issues requiring further consideration by the Court; and
- Preparation of a high level Implementation Plan for the key initial projects within the eCourt program.

Throughout this process extensive liaison took place with the eCourt Project Manager and regular meetings were also held with the eCourt Focus Group.

3 Where are we today?

For the purposes of the eCourt Integration Project, the court's key systems, as at December 2003, are represented in Figure 1 below.

Figure 1 : Current *Unconnected* Systems



The following challenges have emerged in relation to these systems:-

- There are "information silos" – there is no functional or information linkage between systems;
- Data is re-entered multiple times across multiple systems;
- In some cases, on-line services have actually increased the workload of registry officers;
- The flow of activity across the spectrum of these systems does not reflect real world business practices;
- Systems have been developed on a range of different database and software development platforms;
- Users need to log in multiple times;
- There is no consistent look and feel across the disparate applications; and
- Internal systems are managed independently of external web based systems.

The systems represented in Figure 1 are described in the following sections.

3.1 Court Management System – Casetrack

In order to effectively deliver on-line services it is imperative that the Court has a commercially robust and contemporary case management system in place. This provides the central repository for all file information.

A new court management system, Casetrack, is currently being implemented to replace the legacy Fedcams system.

Casetrack is licensed to both the Federal Court and the Federal Magistrates Court by the Family Court of Australia.

The system is based on an Oracle database platform and the application has been developed using Oracle forms. On the desktop, users require only a web browser in order to access the system. Casetrack was implemented in the Federal Court registries in the ACT, Tasmania and the Northern Territory during November and December 2003. It will be progressively implemented in the larger Federal Court registries between January and September 2004.

Casetrack is delivered throughout Australia from a central hosting facility located within the Family Court precinct in Canberra. Software development and support is also provided by the Family Court.

The Federal Magistrates Court has also implemented Casetrack to manage its Family Law jurisdiction work. In relation to its Federal Court jurisdiction work, the Federal Magistrates Court will implement Casetrack in parallel with the Federal Court.

It is envisaged that the courts currently committed to Casetrack will endeavour to collaborate, wherever possible, to develop and implement future enhancements to the Casetrack application in order to avoid duplication of work effort, to minimise costs and to maximise return on investment.

The Federal Court's replacement of Fedcams with Casetrack therefore represents an opportunity not only to consolidate and integrate delivery of future eCourt services but also to leverage alliances with other jurisdictions.

3.2 Electronic Filing

It is now possible for any party or their legal representative to lodge a court document over the Internet using the Federal Court's electronic filing facility.

External lawyers or self represented litigants simply create an on-line "cover sheet" form into which they enter information such as the party details, legal representatives, the name of the matter and the File ID. The document to be filed is then "attached" to this cover sheet, much along the same lines as an attachment is made to an email. Then the whole package, coversheet and document to be filed, is electronically submitted to the Court. Documents may be lodged in any number of formats including PDF, DOC, GIF, TIF and JPG. If payment of a fee is required, this may be achieved using online credit card facilities.

Once the documents have been lodged, a registry officer manually checks the details and either accepts the document for filing, or advises that the document is rejected and states the reason.

If the document is not already in PDF format, the registry officer will manually convert the document to PDF format. Once a document is accepted for filing, the registry officer manually affixes an electronic court seal, the date of filing and the Registrar's signature.

The stamped PDF is then emailed back to the lodging party so that it can be served on the other parties. The filed document is then printed out by the registry officer and placed on the hard copy file in the registry.

There is no automated entry of document information (party lodging, date received, document type etc) into either Fedcams or Casetrack at this stage so this information needs to be manually recorded in either system by the registry officer. Similarly, the document is currently printed out and placed physically on the hard copy file because there is no document management system yet in place with a linkage to Casetrack.

There are a number of manual steps that need to be performed by registry officers under the current system and this presents a resource barrier to dramatic scaling up of the service.

When Casetrack is fully implemented alongside a Document Management System it will be possible to automate fully the document lodgement process to alleviate the registry officers from the following tasks:-

- Manual PDF conversion;
- Stamping;
- Document printing;
- Filing; and
- Data entry into the case management system.

This represents Stages 3 and 4 of the court's eFiling strategy and it will ensure that external clients of the court can effectively update Casetrack and the document repository automatically with minimal intervention by registry officers.

3.3 eCourt on-line Forum

The eCourt on-line Forum operates like a *virtual courtroom* in the sense that it allows directions and other pre-trial matters to be dealt with online. The Court may receive submissions, draft orders, affidavits and general comments via the Forum and may make directions, comments or orders, in the same way as it would if the parties were physically present within a courtroom.

An eCourt on-line forum can be established for any active court file and legal representatives, registry staff, the judge and associate are each provided with a username and password to enable them to use eCourt facilities in relation to the file.

The system includes an online tutorial and a public transcript facility. The tutorial provides access to a self-paced guide that explains how to use the system.

The public transcript facility provides access to the community at large to matters that have been dealt with on the eCourt forum, as well as an electronic transcript containing a record of all messages posted by the presiding Judge and parties to the eCourt in the selected matter.

One of the challenges associated with the current software relates to the difficulty associated with managing documents that are simply "posted" to the forum. This feature, while extremely useful, intuitive and powerful for an external user, circumvents formal document filing processes and quality control checks. Over time as the eCourt on-line Forum is used more extensively, it will become increasingly more difficult to manage these informally posted documents alongside documents that have been lodged electronically and documents that have been physically handed over the registry counter.

In light of this, the future eCourt services will more tightly integrate the rigour of the eLodgment facility with the benefits of the interactive eCourtroom facility to ensure that current functionality is preserved, but that adequate controls are established around the submission of all documents to the Court through any medium.

3.4 Electronic Trials and Appeals

The Court has used information technology in a number of matters including *De Rose v. The State of South Australia* and *Visa & Mastercard v. Reserve Bank of Australia*.

Preparation for electronic trials begins when the parties agree to prepare their documents in electronic format in accordance with Practice Note No. 17.

The Court is continuing to enhance existing courtrooms to ensure that cabling, audio, video and data communications are available.

The Court is committed to the implementation of accessibility technologies as an integral part of electronic trials. Such technologies include hearing loops, audio and video systems, voice reinforcement systems, teleconferencing and videoconferencing systems and CCTV linkage to other courtrooms and spaces to enable public viewing and media coverage.

It has been the Court's experience that data consistency, integrity and structural predictability are essential to cost efficient eTrials. Practice Note 17 ensures that data is prepared in a standard way, and that the parties agree to use standard technology throughout the course of a trial.

In addition to eTrial data standards, it is important to consider security implications to ensure that data is not compromised. Further, during high-paced litigation, speed of access to the system is particularly important (network and / or Internet connections). The system should be flexible enough to cope with all situations. Finally, data management during the trial, support and maintenance and cost all need to factor into the Court's and the parties' considerations when weighing up the possible costs and benefits associated with eTrials.

The Court has used technology, with limited success, in a number of appeals. The eAppeal Books that have been trialled range from a "simple" eAppeal Book containing just the electronic transcript, to an online e-appeal book with hyperlinks to the evidence and parts of the transcript.

It is recognised that in order for the Court to effectively make broader use of eAppeal Books, the information should be obtained in a consistent electronic format from the court at first instance; this includes the judgment below, the transcript and the evidence. Further, all documents filed in the appeal should be accessible in electronic format.

3.5 Videoconferencing

The Court has implemented a national video-conferencing system that allows witnesses to give evidence without the need to attend Court. This has obvious cost and time savings. Judicial officers have also found videoconferencing to be of benefit, as it allows for more effective management of cases where the judge is located in a different place to the location of the hearing.

The Court recognises that videoconferencing facilities are increasingly relevant to ensure participation from rural and remote localities in matters before the Court and will continue to explore opportunities to use such technology to enhance eCourt initiatives.

3.6 Transcript

Currently the Court outsources the production and management of transcripts and does not retain transcript files in electronic form within a repository of its own. Transcript files are only made available to the Court if they have been purchased by the parties or by a court officer. They have therefore not yet been integrated in any way with the file or other registry documents.

3.7 Judgments

Judgments are currently produced within chambers as word processing documents. Once they have been delivered, they are published to the court's web site¹ and are made available to other providers such as the Australian Legal Information Institute (AustLII)². However, the electronic files are not stored in a document management system, and the metadata or coversheet information is not retained in a document management system or registry database.

Judicial support staff cannot automatically populate judgment cover sheets by drawing upon fields contained in a central case management system to reduce the need for data re-entry and the potential for error.

¹ www.fedcourt.gov.au

² www.austlii.edu.au

3.8 Web Site Information

The Court's website provides information for the public and other court users.

The website includes links to a number of legal resources. Recently, the Federal Court sought accreditation from Vision Australia and will be the first Australian Court to be recognised for conformance with the global standards for web content accessibility released by the World Wide Web Consortium (W3C).

The Court intends to provide additional information and services on the website including:-

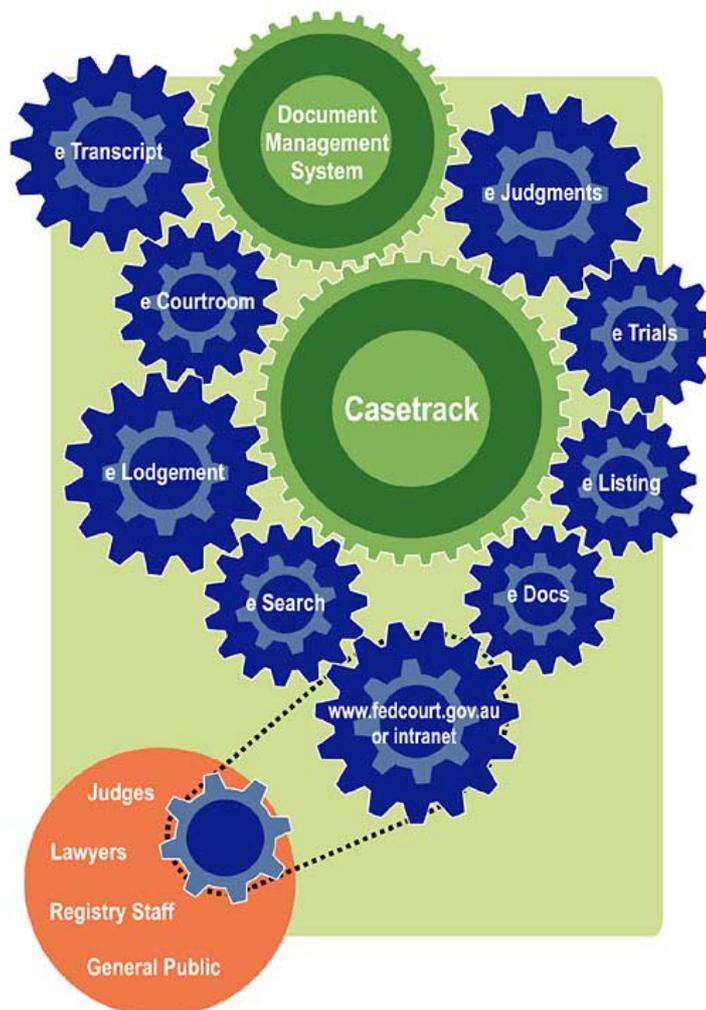
- Interactive forms;
- Plain English guides to the Court's practice and procedure;
- Information in community languages;
- Videos of court procedures, taking evidence, etiquette, stages of litigation etc.;
- Glossaries of legal terminology;
- On-line help connecting the public to a real person (such as a registrar); and
- A step-by-step guide for self represented litigants with links to all outside sources of information and assistance (eg Legal Aid, community legal centres).

The website also contains information about the Court and its work including full text judgments, daily court lists, practice and procedure guides, forms and fees, community information and new initiatives. It also provides access to the electronic filing system and eCourt.

4 Where do we want to go? - The Vision

The eCourt Vision for integrated systems and services is depicted in Figure 2 below.

Figure 2 : Future Integrated Systems and Services



4.1 “Actors” and “Services”

The court’s vision is designed around the central concept of a *customised user perspective* and the traditional and somewhat artificial distinction between “internal” and “external” users has been superseded by the following “actor” categories:

- Judge & Chambers;
- Legal Representatives & Self Represented Litigants;
- Registry staff; and
- General Public.

The key question that has been asked for each actor category is “What type of work does this person need to do?”

The results of this analysis are represented in Table 1 below. Each column represents a *service* or type of functionality and each row indicates the actor categories that require each service. The core theme to

emerge from this analysis is that internal and external actors often require the same functionality, albeit with different access levels.

Table 1 : Services required by Actor Categories

Services	Lodge Document	Search File	Generate Docs	Attend Hearing	List for Event	File Evidence	Manage Evidence	Access Transcript	Access Judgments
Actors	eLodge	eSearch	eDocs	eCourtroom	eListing	eTrials	eTranscript	eJudgments	
Judge / chambers		●	●	●	●	●	●	●	
Lawyer / SRL	●	●	●	●	●	●	●	●	
Registry Staff	●	●	●	●	●	●	●	●	
General Public		●					●	●	

● Functionality required by user category

Consequently, it is clear that, when designing our systems we can maximise efficiencies if we cater for *both internal and external users* from the one application rather than build separate systems to support external and internal clients. Thus the boundary lines between internal systems and Internet services begin to blur.

4.2 Concept Screens to demonstrate the Vision

In order to demonstrate at a conceptual level how litigators, for example, may view access to these eCourt services, a suite of demonstration screens have been designed. A hard copy set of these screen are set out in Appendix 2 and the screens can be viewed on the Internet at: www.elaw.net.au/fedcourtconcept.

4.3 eCourt Services Overview

The eCourt services presented in the previous section are discussed in more detail below.

4.3.1 Lodge Document (“eLodgement”)

The term “eLodgement” is proposed as an alternative to the commonly used term “eFiling”. This is because during the course of litigation, a broad range of informal documents are *handed up* in court or chambers or *submitted* to the registry yet these documents are rarely “entered” on the official court file index. Some examples include:

- General correspondence;
- Draft orders; and
- Documents requiring leave of court prior to acceptance for filing e.g. subpoenas, documents presented by vexatious litigants etc.

In a traditional sense, these documents are not usually treated with the same degree of weight as official court forms and *filed* documents and they are often excluded from the formal file index.

Nevertheless, it would be highly beneficial for external litigants, lawyers, judges and court staff to have an ability to electronically submit these *informal* documents and to this end, a system designed to facilitate lodgement of court documents should also support the submission of any type of document by an external party to the Court whether or not that document ultimately forms an official part of the court record.

This does not necessarily mean that all documents will be available to all users. It will be necessary to differentiate the various *categories* of document using normal filtering techniques so that, for example, a user who is only interested in seeing the official filed documents may easily exclude all other document

types from the display. Similarly if a judge is only interested in viewing proposed draft orders then the display can be filtered accordingly to show only those document types and a registry officer who is only interested in the correspondence that has been exchanged in relation to the file can filter the document display to show only letters that have been captured within the system.

It is strongly **recommended** that the Court adopt whatever strategy it can to ensure that file information and documents are not submitted via email because it will be extremely difficult to manage and automatically link such information to the relevant file within Casetrack and to also capture it within the Court's Document Management System.

Significant progress has already been made in relation to the Court's electronic filing initiative to the extent that litigants can now avoid the costs and inconvenience of physical attendance at the registry and delays involved in filing by post. However, future proposed enhancements to the service through the integration with Casetrack and a Document Management System will dramatically increase cost efficiencies because they will incorporate:

- Automatic capture within Casetrack of the metadata associated with each document (eg. document type, date and time lodged, party submitting document);
- Policy that documents are submitted to the Court in a standard format (eg PDF);
- Affixation of Court seal & timestamp (currently this is a manual process for registry staff); another alternative may be to attach a confirmation of filing "receipt" document to the filed PDF version of each file that is successfully filed;
- Email PDF with Court seal and timestamp showing time of filing back to litigant for service and for the filer's records;
- Ability to deal with very large documents electronically (currently there is a page limit);
- Documents automatically captured in a Document Management System;
- Documents automatically linked to the relevant Cause of Action in Casetrack;
- Easy to view eFiled documents from hyperlinks in document index in Casetrack;
- More ePayment options;
- Ability to handle multiple document types; and
- Stronger link to eCourtroom so comments can be made in relation to documents at the time of lodgement.

These enhancements will dramatically reduce registry workload, however, they can only be achieved if court forms themselves are reviewed and consolidated prior to their automation within the eLodgment system.

The current volume, complexity, and variation between forms significantly reduces the potential to gain dramatic savings through their automation. If the number of forms were reduced significantly, not only would this simplify the process of form selection for litigants and their legal representatives, it would also lead to more significant improvements through an eLodgment system because data could be "captured at the source" (ie at the time the form is created) thereby removing the need for data entry by registry staff.

4.3.2 Search Files ("eSearching")

The Search facility has previously been called "Public Access". It is proposed that the term "eSearch" should be used because the term "Public Access" implies that only external users will have access to the search tools. However, many external litigators conduct the same file searches that internal registry staff or judges need to undertake on a daily basis. It would not be cost efficient or sustainable over a longer term to develop two separate "silo" systems. Nor would this be an approach that would leverage the Court's commitment to emerging technology or be consistent with broader industry software development directions.

For eSearching, it is suggested that the best way to achieve the benefits of "integration" will be to move towards "amalgamation" by providing one single comprehensive and compelling search environment that presents a common interface and is accessible to *any user* such that the depth of information available is determined solely by each user's access level.

It is envisaged that eSearch “level 1” will be released during the first half of 2004 as presented in Appendix 3. This service will provide basic, non contentious information relating to files. It will be available to the public at large and there will be no need for user authentication or password level security.

In the future as an integral component of the *myFiles* strategy (see section 4.4.1 below), a more detailed level of searching (“level 2”) will be available. This will only be accessible to the parties to each matter, judges and registry staff. Through password level authentication users will be able to actually view filed documents that are electronically captured within the DMS and view information such as contact details for the parties or their legal representatives.

4.3.3 Generate Document (“eDocs”)

During a normal litigation life cycle, there are many circumstances that necessitate the production of a document³ by the court, by chambers or by external legal representatives.

It is important to distinguish between data and documents. Documents either contain data that needs to be inserted into the court’s systems, or documents are generated that are populated with data obtained from the court’s systems.

Documents that are generated by external users, will contain data that the Court requires. Traditionally, this has been re-keyed by registry staff into the court’s systems. If data is contained within a document, then the meta data needs to be extracted from the document and inserted into the court’s system. Data within documents can be captured in one of two ways:

- In an electronic form via a website where data is entered in fixed locations on the web form; once the user selects “submit”, the information is submitted to the court’s system – a print version of the document may be generated at this point as well; and
- An electronic template where data is inserted into certain places within, for example, an XML⁴ document, the document is then submitted to the court where meta data is automatically stripped out and placed into a database – in this scenario the document contains the data.

For internal users, documents need to be able to be generated utilising the data that is already in Casetrack.

If the Court is to achieve its aim of single point data entry (no data is ever re-entered) then it will be necessary for the Court to provide tools that enable users to generate documents where data can be automatically inserted into the central Casetrack database, and likewise, where documents can be automatically generated using data already in Casetrack. This approach:

- Reduces the need to re-enter data that is already captured within Casetrack;
- Provides a defacto quality control check for file details because they are populated automatically for the user to verify;
- Minimises work effort;
- Increases efficiency; and
- Reduces the scope for human error.

Once the documents have been generated, it will also usually be necessary for such documents to be electronically lodged if they have been created by an external party and possibly captured within a central Document Management System.

The eDocs facility will provide an intelligent engine within which word processed documents, templates and macros can be created to draw file information such as party details, file names etc, automatically from the central Casetrack database and to automate the generation of a variety of structured and relatively standard court documents.

³ “Document” in this sense includes correspondence, final orders, draft orders, court forms, submissions and any other standard court document or precedent.

⁴ XML means eXtensible Markup Language

It should be noted that, once again, the distinction between internal and external user becomes blurred because it may be relevant to provide external users with some of the functionality that has been traditionally preserved for internal users.

Perhaps the best example of this approach is the production of draft orders. If the Court is investing in the development of a system that enables judges, their support staff and registry officers to generate orders based on a selection of standard clauses from a fixed template, then perhaps this facility could also be provided externally to lawyers who are preparing the terms of draft orders for submission to the Court. This would greatly increase the quality of draft orders submitted to the Court and should lead to faster turn around and reduced work effort for chambers through reduced word processing effort required to modify proposed draft orders.

4.3.4 Attend Hearing (“eCourtroom”)

Interactive virtual courtroom facilities will continue to form an integral part of eCourt services.

The current technology underpinning the eCourt on-line forum (ultimately to be renamed “eCourtroom”) will require upgrading or replacement in the future in order to facilitate integration with Casetrack, eLodgment and the Document Management System.

The aim is to ensure that all information relating to a file including events, results, outcomes, orders, party contact details, documents lodged and dialogue exchanged via eCourtroom will be available from one comprehensive and intuitive environment as is depicted in the concept screens⁵.

However, integration cannot commence until Casetrack is fully implemented within the Court and links to the eLodgment facility will not be possible until a Document Management System has also been implemented.

4.3.5 Schedule Files for Events (“eListing”)

Some jurisdictions have used on-line scheduling facilities to enable lawyers to submit electronic requests for dates for their hearings based on the available time slots represented in the court’s calendar. Such systems may be investigated over time to determine the extent to which they represent an opportunity for the Federal Court.

4.3.6 Manage Evidence (“eTrials”)

Practice Note 17 goes some way to creating an evidence management strategy. However, this does so on the premise that hard copy documents are to be converted into a digital format for exchange during discovery and at trial.

The Court’s Evidence Management Strategy needs to incorporate not only hard copy documents, but also electronic documents (obtained from email boxes, file servers, computer hard disks, backup tapes and the like), objects, video files, audio files and so on. Further, the strategy must define at what point evidence is submitted to the Court in the form of a tender bundle, who has access to that information at that point in time, and how evidence, once tendered, is catalogued and retained by the Court.

It is **recommended** that over time the Court should standardise not only the structure of electronic evidence, but also a single software application to be implemented within the courtroom to facilitate eTrials.

⁵ For a hard copy view, see Appendix 2; or on the Internet at: <http://www.elaw.net.au/fedcourtconcept>

4.3.7 **Manage Transcript (“eTranscript”)**

It will be important to determine the linkages between the transcript management system and Casetrack in the near future, particularly in light of the imminent tender in relation to the provision of transcribing services by third parties.

While it will be important for users to be able to access applications that are purpose built for transcript management and analysis, it will be very important nevertheless to capture this information within the same Document Management System as is used for other Casetrack documents. If this approach is taken it may be necessary to standardise the electronic format for the transcript file to be consistent with the requirements for other court documents (eg. PDF). Having said this, however, it is important that transcript also be retained in a marked up format, as information such as tendered exhibits, witness modes and so on, can be used to create useful lists such as Exhibit Lists and Witness Lists. These lists can contain hyperlinks to relevant parts of the transcript and even to the exhibits themselves (however, this is only possible if exhibits are captured in a consistent format as described in section 4.3.6 above).

At a base level it will be critical for any transcript management system to retain the same key fields as are used within Casetrack in order to facilitate basic data linkages (eg. File ID, Event ID and Doc ID).

It is **recommended** that the outsourcing of transcription services should be undertaken within the context of the broader integration requirements for eCourt services to ensure that the chosen external provider is able to deliver files in the required structure and format to facilitate automatic linkages as are proposed within the “My Files” concept pages⁶.

4.3.8 **Manage Judgments (“eJudgments”)**

Similarly, it will be important to determine the linkages between the judgment management system and Casetrack in the near future. A key issue will be the extent to which the same Document Management System will ultimately be used to hold judgment files as is used for other court documents.

While the Court electronically transmits its judgments to the AustLII site⁷, it has also established its own archive of judgments accessible from the Court's home page. This provides backup access to the judgments if the AustLII site is unavailable. There is no database underpinning this collection however and it is unlikely to provide a reliable repository that can be automatically integrated with eCourt services over a longer term.

For this reason, it is **recommended** that the Court should capture copies of original judgment files within the central Document Management System that will be used to capture other filed documents. If this approach is adopted, it is also **recommended** that the electronic judgment file is captured in the same format as other court documents, namely PDF, even though it may also be held elsewhere in other formats such as XML, HTML and Word.

If any judgment repository is established outside the central Document Management System it is important for it to retain the same file number reference as is used within Casetrack in order to facilitate data linkages back through the *myFiles* environment. In addition to this core requirement, it is clear that further analysis will be needed regarding the linkage between judgment management and Casetrack generally. It is likely that Event ID and Result ID fields will also need to be shared because there could be multiple judgments on a single file, each linked to a separate event on the file.

4.4 **Core Principles behind the Vision**

The core principles that underpin *the Vision* are discussed in detail below.

⁶ For a hard copy view see Appendix 2; or on the Internet at: <http://www.elaw.net.au/fedcourtconcept>

⁷ www.austlii.edu.au

4.4.1 User Centric Model (“myFiles”)

As mentioned above in section 4.1, the user or actor categories that have been identified for the purposes of functional analysis are:

- Judge & Chambers;
- Legal Representatives & Self Represented Litigants;
- Registry staff; and
- General Public.

The key question that has been asked for each category is “What type of work does this user need to do?” The primary theme that emerges from the common response to this question is “*I want to Work on My Files*”. Some examples of what different types of user might see are as follows:

- As a judge, I would need to see all cases listed on my docket;
- As a practitioner, I would need to see all files in which I have a client who is a party to the action; and
- As a Court employee, I need to see all the files relevant to my jurisdiction and registry role.

A User Centric Model means that interfaces can be customised to suit each individual and the interface workflow can be designed to reflect real world business processes of these individuals. Through this user designed environment it should be possible seamlessly to access all information in relation to a file. This theme is represented by the term *myFiles*.

When a user driven approach is adopted, it is possible to identify the functions that are common to different user groups whether they are internal staff or external clients.

This ensures that the artificial distinction between internal and external systems is avoided in preference to homogenous systems capable of seamlessly servicing anyone, anywhere.

This approach will not only position the Court to embrace contemporary web based software architecture, but it will also ensure that duplicate systems are in many cases avoided. This is because core systems can be used to service multiple internal and external user groups such that *integration* is rendered unnecessary.

This is preferred to the alternative of a function centric application design because it more closely mirrors the way hard copy traditional files are processed.

4.4.2 A single web browser interface for all users

As is mentioned above, many of the functions and activities undertaken by the Court’s external clients are identical to the functions and activities undertaken by internal staff. It is, therefore, important to explore the possibility of consistent software application interfaces for internal and external users.

Some of the benefits of a consistent web browser interface for internal and external users are that it:

- Is easy to use thereby reducing training, help desk and user documentation costs and maximising uptake;
- Minimises application development support and client administration costs and complexity;
- Provides a courtroom interface that is consistent with the interface available to external lawyers within their offices;
- Allows judges to use the same interface whether they are working from their chambers within the Court or from a remote location;
- Maximises regional access possibilities;
- Avoids unnecessary expense by ensuring that duplicate systems are not developed for internal and external users; and
- Ensures that while judges may have access to certain functions that are not available to litigants or lawyers, in many circumstances they will be using the same information and tools as those

appearing before them so that hearings can take place on the basis that everyone has the same information and tools at hand⁸.

4.4.3 Data entered once only, at the source

It will be important to remove any inefficiency associated with data duplication and re-entry by both external clients and internal users.

The aim is ultimately to capture information *at the source*, that is, at the time it is initially created.

So, by way of a simplified example, the ideal eLodgement scenario will be:

1. Lawyer enters the File ID into an on-line search field;
2. Casetrack locates the relevant file and presents the lawyer with a summary of key information relating to that file (name, date filed, type, parties etc);
3. Lawyer indicates that they wish to lodge a document on the file by selecting this option and then enters document "cover sheet" information (party filing, document type etc) by selecting from drop down lists of options and submits document for eLodgement (in the longer term a document in a marked up format such as XML may be completed and submitted to the Court); and
4. Once this information is validated (either by a registry officer or automatically by the system) and is accepted for lodgement, the Casetrack database is automatically updated with the fields of information from the cover sheet and the document is automatically saved within the Document Management System and is also linked to the relevant Casetrack file.

This scenario exemplifies the principle of "data entry at the source" in so far as it involves nominal work effort by external lawyers and registry officers as compared with the current situation which involves multiple re-entry of information on systems and hard copy files in relation to every document lodgement.

4.4.4 Casetrack is the "Nucleus"

In light of this and because of the extensive database capabilities of Casetrack, it is logical to adopt a model that places Casetrack as the "nucleus" of the future eCourt systems.

Ideally, the court is aiming to ensure that:

- No information relating to any Cause of Action is entered more than once;
- Wherever possible all information relating to any Cause of Action is held within the Casetrack database as the principal repository; and
- No information relating to any Cause of Action is duplicated outside the Casetrack database.

Nevertheless, there may be circumstances that necessitate the establishment of a separate system outside of Casetrack. For example, Casetrack may not deliver the necessary functionality or performance; or there is a purpose built application available that could better service a specific need of the Court.

Should such circumstances eventuate, the external system must be implemented with an interface to Casetrack to enable both internal or external users to navigate seamlessly from one environment to the other without the need to log into a new environment that creates the appearance of separate disparate systems.

Some examples of this are transcript, judgment and evidence management systems. While there are a number of sophisticated, purpose built software applications available on the market that have been

⁸ An example of this is an on-line document index. In at least one Australian jurisdiction where an index of filed documents is available on-line for any file, the Court has issued a practice note requiring the parties to print out this list and bring it to the Court hearing so that any document references made by counsel are made with reference to the official court index number that is easily accessible to all parties, the Court and the transcribing agency.

written to specifically service these niche categories of information⁹, these documents, should nevertheless reside in or be accessible by the same central document management repository as is used to manage other filed documents.

4.4.5 Single log on to access multiple services

In order to maximise user productivity and system usability it will be important to aim for a single log on wherever possible. This will dramatically improve the user experience by reducing the amount of time involved in obtaining access to key features and reducing the frustration associated with managing multiple user names and passwords for different systems.

It may be necessary to implement portal style application integration software in order to achieve this objective over the longer term.

4.4.6 Engage external clients to “eWork” their files through the system

It is envisaged that the Court will ultimately provide lawyers with on-line tools to enable them to work directly on their files, for example, by:

- Updating information in certain Casetrack database fields directly rather than requiring them to submit forms containing that information which then needs to be manually re-entered into Casetrack by registry officers;
- Lodging electronic documents that are automatically captured on the appropriate file; and
- Engaging in dialogue with the judge in a manner that ensures that the discussion is captured within eCourtroom and is effectively linked into the file record.

This approach effectively means that external clients will, over time, become active users of the Court’s core systems. The aim behind this “eWork” approach is not only to effectively outsource certain registry work processes to external clients but also improve information flow and accuracy and to alleviate registry workload through the removal of duplicated data entry and re-processing.

By way of a very simple example, traditionally when a law firm generates a court document, someone in the office (usually a secretary or paralegal) enters a broad range of file information into one or more court documents that are then transported, in hard copy, to the registry. Once the document has been accepted for filing by the counter clerk, the same information is re-entered by registry staff into the Court’s case management system.

In effect, the Court proposes to leverage the work that the law firm is doing at the first instance to ensure that the relevant information is captured on the case management system at the outset, without the need for data re-entry at the court.

Removing the duplication of data entry provides benefits to both practitioners as well as the Court, as the information being recorded on the system is more reliable and there is a reduced workload for staff at the registry. Of course, court staff will still play a role in either accepting or rejecting the electronic version of such a document, however this action requires far less activity than the process of re-entry of the file information.

A further benefit of such a strategy is that the client is actually better serviced while undertaking work that was traditionally performed by the Court. This is because they do not need to do any more work than they originally performed and they receive the benefits of faster turn around, improved access to timely information and reduced costs through the removal of the need to physically attend at the court.

⁹ For example, evidence management products are available such as Ringtail (www.ringtail.com.au), Summation and System@Law Benchmark (www.systematics.com.au), transcript analysis products are available such as Transcript Analyser and Live Note and for judgments’ analysis, there are a range of Internet providers and legal publishers who have purpose built services for judgment analysis.

4.4.7 Casetrack File Number is the “Glue”

A core element of each case within the CaseTrack system is the File Number. This is a unique field that is comprised of identifiers for location, jurisdiction and consecutive file number for the current year. The structure of the Federal Court's File ID is summarised in Appendix 4.

It is therefore **recommended** that any external database or system that contains information that is related to a File should, as a bare minimum, contain a File ID field that can be linked back to the Casetrack database in order to facilitate information linkages across disparate systems and to maximise the possibilities for automated data connectivity. This integration of systems behind the scenes will help to deliver a seamless user experience as they navigate from one system to another.

4.4.8 eCourt strategy needs to integrate with internal IT strategy

It is acknowledged that the eCourt strategy fits within a broader IT strategy of the Court. To this end, it will be important to ensure that core components of the Vision are well communicated with internal IT infrastructure teams.

It is **recommended** that collaboration and communication channels are established, perhaps through the Court's current committee framework, to ensure that all “internal” and “external” technology initiatives are prioritised, resourced and implemented within a single, compatible framework in order to achieve the proposed eCourt Vision of integrated services.

4.5 “Systems” to be established to support eCourt “Services”

In order to deliver the eCourt services represented in Table 1 in section 4.1 above, the software applications shown in Table 2 below are required.

Table 2 : Software Applications (“Systems”) required to deliver eCourt “Services”

Services	Lodge Document	Search File	Generate Docs	Attend Hearing	List File for Event	Manage Evidence	Access Transcript	Access Research
Systems	(eLodge)	(eSearch)	(eDocs)	(eCourtroom)	(eListing)	(eTrials)	(eTranscript)	(eJudgment)
Casetrack								
Document Management Systems								
Bulletin Board System								
Financial Management System								
Client Administration System								

Applications required to deliver functionality

For the purposes of Table 2, “Document Management Systems” include:

- Transcript Management System;
- Judgment Management System;
- Document Production System; and
- eTrial (Evidence Management System).

It will not be necessary to implement a Document Management System in order to facilitate eSearching Level 1. The DMS will only be required for Level 2 because this will provide users with views of electronic documents on the file.

4.5.1 Casetrack

Casetrack's core functions can be summarised as follows:

- Management of File Information (File ID, Name, Cause of Action, Date Initiated etc);
- Management of Parties and Legal Representative names and contact details;
- Record Documents lodged in relation to Files;
- Management of Events, Outcomes, Results and Orders;
- Production of court calendars, sittings lists and daily law lists;
- Management of Fees paid in relation to transactions on Files; and
- Generation of statistics regarding performance benchmarks.

Casetrack is well on its way to being fully implemented at the Court.

4.5.2 Document Management System ("DMS")

A fundamental component to support the ultimate delivery of eCourt services will be the Document Management System (DMS).

It is proposed that the following categories of documents would be managed within the DMS:

- Filed documents including court forms, pleadings, affidavits and exhibits;
- Submissions and outlines of argument;
- Lists of authorities and References;
- Transcript;
- Judgments;
- Correspondence;
- Orders and draft orders;
- Video evidence and exhibits; and
- Photo evidence and exhibits.

It is proposed that each of these categories of document could be electronically lodged using the eLodgement facility and that information regarding each category of document will be captured in a consistent way. It is therefore **recommended** that the court create within its metadata model a description of the common fields to be captured across each document category. These fields will then become accessible within the eLodgement facility so that external users can, for example, select from a drop down list of allowable document types at the time of lodgement and this will also dictate the other metadata they need to provide.

As is outlined earlier in this report, it is also proposed that particular categories of document may be accessible only to certain user groups, for example, correspondence and draft orders may not be available generally to the public but may be available to registry staff. It will also be possible to filter document list to view only particular categories such as correspondence or orders or transcript files.

4.5.3 Email Management System

There is an increasing trend for lawyers, litigants, court staff and judges to communicate via email in relation to particular files.

While in one sense this trend represents significant advantages over traditional paper based correspondence, it also presents some challenges in terms of long term *file centric* information management.

The key problem is the difficulty in capturing email messages that related to a particular file so that the message is easily accessible, as a document, to those with appropriate security access levels who are accessing the file. The manual classification of email messages by physically lodging them in particular folders within personal email boxes is not a suitable solution because it is manually intensive and

therefore error prone. Further, it does not overcome the problem of disconnected email box information silos.

In a “file centric” model it will be important to ensure that all information relating to the file is readily accessible to those with appropriate security levels and this is not possible if email messages are sent in the traditional uncontrolled, unstructured manner.

It is therefore **recommended** that all information relating to a file is communicated via the eCourtroom email system because, unlike normal email, it:

- Automatically links each message to the relevant Casetrack file;
- Better captures the flow of comments and responses between senders and recipients;
- More cost efficiently stores messages because they are held once only in a central location that is accessible by multiple parties unlike traditional email that is held in multiple disparate personal email boxes; and
- Provides the instant messaging benefits of traditional email via “alerts” - an alert is a very brief email the contents of which is not a message itself but rather a link to a message that is actually captured centrally within the eCourtroom system.

This approach is **recommended** over the alternative approach of opening the “floodgates” to permit any email correspondence and then capturing each email as a document within the Document Management System which itself links each document back to the relevant Casetrack file.

The **recommended** approach also means that there will be only one “message gateway” available to both internal and external users such that all messages will be managed and accessed in a consistent way and users will not need to search both eCourtroom and the Document Management domain in order to understand the discussion chronology or to find particular messages.

4.5.4 Bulletin Board System

The technology that underpins the eCourtroom service is essentially Bulletin Board software. The current software used for this purpose by the Court will need to be replaced or upgraded over the medium term so that it is easier to support and maintain and in order to ensure that it can more effectively integrate with other eCourt services, and, in particular with the Casetrack database.

There are numerous products on the market that provide this functionality and it is **recommended** that the court fully investigate its options in this area after a detailed analysis of its design for integration with Casetrack.

4.5.5 Financial Management System

While the court can continue to use its current Financial Management System in order to track payments and receipts for court transactions in accordance with the rules, the current system is not designed to service eCourt requirements including on-line transaction management, real time billing, payments and account management.

The most cost effective way to implement the broad range of sophisticated financial management facilities that will be required to support eCourt services, is likely to be through the use of an external alliance partner or agent with the necessary infrastructure and systems and a proven capability in this area.

4.5.6 Client Administration

In order to effectively manage the use of the eCourt services it will be necessary to determine:

- How external users will be managed and maintained; and
- Who bears the responsibility.

The most effective strategy may be to effectively outsource this function to an external broker that also provides hosting and eCourt service delivery on the court's behalf, or, alternatively, to require a nominated "administrator" within each law firm to manage user accounts for their firm's litigators.

It is **recommended** that these options are more fully investigated in terms of the technology possibilities, constraints within the current court rules regarding notice of legal representatives, and the business strategy ramifications.

5 How do we get there? The Roadmap

In order to realise the Court's vision, a lot of work is required to be undertaken over the next three to five years. Section 6 details the timetable for the "roadmap" that has been prepared following workshops with the Focus Group and other key stakeholders. The timetable is one that will need to be reviewed by the Court on a regular basis, as there are a number of contingencies that may affect the roadmap and its desired outcomes.

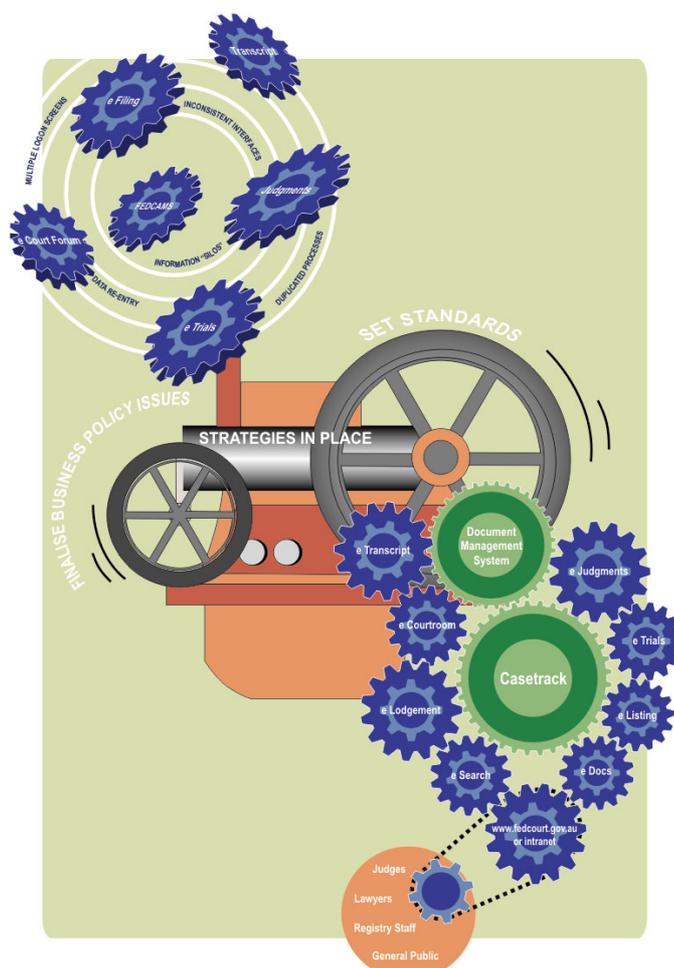
A phased, modular implementation is **recommended** in order to provide regular deliverables and check points at which stage the strategy can be re-visited. This approach will also:

- Minimise technical risk;
- Minimise project management complexity;
- Maximise return on investment ("ROI");
- Fast track delivery times; and
- Minimise budget exposure & risk.

The diagram in Figure 3 below shows how the work undertaken during these phases, will ensure that the Court's Vision is realised. This approach will have three distinct phases:

- The Foundation Phase;
- The Establishment Phase; and
- The Consolidation Phase.

Figure 3 : How to get there



5.1 Foundation Phase (February to December 2004)

Within the Foundation Phase, to occur between February and December 2004, it is intended that there be a number of discrete projects and areas of activity:

- **Casetrack** – The implementation of Casetrack is to be completed, including eSearching Level 1;
- **Business Issues** – Business issues, including strategies and standards need to be addressed (although these will be ongoing throughout the life of the project);
- **Leverage Alliances with other jurisdictions** – Other jurisdictions may be undertaking similar projects and if so, it would be beneficial for courts to work together to not only provide one place from which external clients may conduct their court business, but also to achieve economies of scale;
- **Test the Broker Delivery Market** – The Court may decide to outsource many of the systems, therefore it is intended that a Request for Information be sent to prospective Brokers, responses are to be evaluated, a Request for Tender to be sent out and a Broker selected, if appropriate;
- **Prepare Project Budget** – a Budget proposal is to be prepared, in consultation with the Court's financial controller;
- **Develop Concept Site** – The concept site is to be further developed;
- **IT Infrastructure** – The internal and external IT infrastructure required to enable the Vision to be realised needs to be designed and implemented;
- **Document Management System** – The specifications for the DMS that have been prepared by Library are to be reviewed, an RFT is to be prepared and distributed to selected suppliers and a DMS provider is to be selected; and
- **eTranscripts** – A review of the Court's transcript contract should include a requirement that transcripts to be stored electronically in a format consistent with the eCourt DMS requirements.

5.1.1 Casetrack

During the Foundation Phase, the implementation of Casetrack is to be completed, including the completion of Level 1 of eSearching. For reasons of cost and efficiency, "heavy" internal users will access Casetrack directly, while "light" external users will access Casetrack through the Internet gateway using the "eSearch" facility.

The release of eSearching Level 1 (Public Access) is considered a "Quick Win" Project as there will be:

- No financial transactions involved;
- Only basic file header information will be made available including a list of documents;
- No need for user log on and administration of accounts passwords; and
- Reduced counter workload.

However, before embarking on eSearching the following needs to be considered:

- Infrastructure needs to be determined, that is, replication to a duplicated external database or allow external searches to hit the Court's database and network;
- Marketing, PR, Training aspects need to be addressed; and
- Search interface needs to be designed based around the *myFiles* concept site to ensure that the interface is consistent across services, as they are released.

5.1.2 Business Issues, Strategies, Standards

The eCourt services highlight a number of business and policy issues that require resolution. Some of these are represented below however this is not an exhaustive list and many more will emerge over time. It will be important for these issues to be addressed and resolved in order to remove potential barriers that may either delay the implementation of eCourt services or halt them indefinitely.

In order to ensure that these issues are addressed and resolved expeditiously so that they do not adversely limit or delay the project, it may be beneficial to identify a key senior manager within the Federal Court to take ownership of the issues and the achievement of acceptable outcomes.

It may also be possible to use a pre-existing committee or group such as the District Registrars or the Rules Committee to resolve these issues during their normal course of meetings.

5.1.2.1 Business Issues

The business issues to be determined and documented by the Court are set out below.

ISSUE	DETERMINATION
Determine Service Delivery Channels	Service delivery channels may not be determined until the Court decides which Broker, if any, will manage any of the systems.
Determine Order Production Strategy	The Court should consider the extent to which orders can be produced at the time they are made in final form from within the courtroom. The Court needs to consider whether these will be made available on-line, and whether proposed draft orders may be prepared by external clients using the Court's standard templates.
Authenticity	Policies should be decided regarding checking the authenticity and integrity of documents that are submitted to the Court electronically. A hard copy document in transit from a legal firm to the Court is also at risk of being tampered with, but challenge is made by the Court upon filing. Therefore, it might be argued, documents received electronically, should be treated as authentic until one of the parties disputes the authenticity of the document.
Integrity	Likewise, it may be argued that the integrity of an electronically filed document is intact unless and until one of the parties disputes it. Since a hard copy document in transit from a legal firm to the court is also at risk of being tampered with.
Security	With respect to security, it is suggested that user ID and password authentication is sufficient for the Court's eLodgement system. Other options are to use a Public Key Infrastructure (PKI) framework, however, pilots in other jurisdictions (eg US Bankruptcy Courts) have proved that user ID and password remains the easiest and most reliable security system. The risks are outweighed by the complications imposed by a PKI.
User Administration	The Court may decide that it does not wish to be responsible for user administration. Rather, it would be far simpler for the Court to impose user administration upon individual firms. It would remain the firm's responsibility to record movement of staff to and from their organisation. Policies governing use of the Court's eLodgement system would need to be formalised, so that the law firm not only takes on certain responsibilities, but is also made aware of them. Terms of use and solicitor undertakings may be required regarding certain documents, for example, for filing affidavits.
Privacy	As the Court moves to provide greater accessibility, it will also be increasingly challenged by privacy issues. It is recommended , therefore that the Court's privacy policy be reviewed in terms of best practice within the international justice arena and published in a highly visible location on each page of the eCourt web site.
ePayment Strategy	There are a number of government information brokers on the market who have, over time, set default standards for online payments for government information. These providers offer:

	<ul style="list-style-type: none"> • Account management facilities so that each transaction does not need to be paid for and billed at the time of the transaction; • Draw down facilities so that an initial deposit can be made and amount can effectively be drawn down by each successive transaction or topped up by a further deposit at any time; • Online and downloadable electronic transaction reports to summarise their firm’s transaction details with capacity to automatically populate this information into law firm account management systems • Credit Card payment options. <p>Because this benchmark has already been set in the legal market, it is recommended that the Court should endeavour to achieve these service levels in relation to its own ePayment options.</p> <p>Whether the Court decides to deliver eCourt services itself or through a Broker, the eCourt Services Project represents an opportunity for the Court to re-engineer its processes for collecting the fees and charges imposed by the Federal Court of Australia Regulations.</p> <p>For example, it would be very simple to administer, and extremely cost effective to implement a system whereby each party initiating an action in the Court pays a nominal fee when a matter is initiated that effectively covers the cost of access to eCourt services for the duration of the case (for all parties involved in the case). From this point on, there could then be no additional charges imposed to undertake any activity including:</p> <ul style="list-style-type: none"> • Document lodgements; • Viewing and Printing Filed Documents; and • Accessing detailed information regarding the File, Parties and legal representatives. <p>The benefit of this approach is that at least the same or perhaps even a greater level of revenue can be generated for a much lower administrative cost. It would also necessitate a far simpler and affordable technology solution. A further benefit would be less administration for external law firms who need to charge their clients for disbursements incurred with the Court.</p> <p>It will be important to provide clients with eCourt transaction billing information. This includes, for example, account transaction logs in electronic form, reports sortable by client, date, file id, responsible solicitor. Such facilities are available through most Brokers. Indeed, many law firms already have billing arrangements in place with at least one of the available Brokers.</p> <p>There is significant opportunity to re-design billing models alongside the delivery of eCourt services. For example, it would be relatively easy at the file initiation stage to charge the normal filing fee in addition to an “eCourt” levy and thereafter this could enable all parties to the action to view all information on the file, lodge any document or undertake any other activity without incurring any additional charges. This <i>subscription</i> charging model would be far easier and more cost effective to implement than the <i>individual transaction</i> based charging model that is currently enshrined in the Federal Court Regulations. It would also greatly assist law firms by simplifying their on-charging of disbursements to clients.</p>
<p>Revision of Court Rules, Forms and Procedures</p>	<p>It will be necessary to conduct a review of court forms and procedures to determine the extent to which any changes will be necessary to facilitate the introduction of eCourt services.</p> <p>Rules will be required stating that solicitors keep the Court informed of the contact details of their firms and the name of the responsible solicitor on the</p>

	<p>file. It is very important for this information to be kept as up to date as possible in order to effectively deliver the <i>myFiles</i> services.</p> <p>Rules will be required regarding documents that are to be personally signed. While it would be possible to implement complex and sophisticated digital signature applications and infrastructure to emulate this traditional requirement, it is suggested that this requirement can be far more cost effectively and simply addressed through terms of usage policies. These would require any solicitor who is filing a document electronically to verify at the time that they submit an exact replica electronic version (albeit unsigned) that (a) the copy that is being submitted is a true copy, (b) that a hard copy of the original will be kept on file and will be made available if required and (c) that an undertaking is given that a signed copy will be served on the other parties. The latter will ensure that the Court will be aware that the parties would be at liberty to raise any integrity/authenticity issues.</p> <p>This verification could be achieved through a single “terms of usage undertaking” contained within the initial access agreement that is signed by the firm or solicitor. Alternatively, it could be done on a transaction basis such that every time an eLodgment form is completed to initiate an electronic lodgement of a file, the user is not able to proceed without giving the verification through a check box or by clicking an “ok” button.</p> <p>Other issues to be canvassed include:</p> <ul style="list-style-type: none"> • Time of filing – time submitted, accepted etc, date and time stamp; • Affidavits – authenticity (eg. keep original on file, solicitors give undertaking via usage terms); • Court Seals & Stamp (eg consolidate to one seal instead of multiple seals); • Security; • Privacy; • Authenticity; and • Information Currency Issues.
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5.1.2.2 System Strategies

Before work commences on systems, it is important that the Court determines and documents its strategies for:

SYSTEM	STRATEGIES TO BE DETERMINED
Document Management Strategy	<p>Database Platform - The Court will need to determine its strategy for the database platform upon which the DMS is to operate (for example, Oracle or SQL). It is important that the chosen database platform is consistent with the Court’s overall IT strategy.</p> <p>Use of File ID, Document ID - Each document should receive a File ID and a Document ID. The File ID should be consistent with the File ID used in Casetrack for the matter in which the document is lodged. The Document ID should be compatible with the Document ID protocols used for documents as set out in Practice Note 17. This is to ensure that all documents on a file receive a unique identifier.</p> <p>Document Format - The Court should consider which document format will be accepted. It is important to ensure that document integrity is kept between hard copy documents and the electronic version of each document. Formats such as PDF (Portable Document Format) can preserve the integrity of documents because a when a PDF document is printed, it will look exactly the</p>

	<p>same as the same PDF that is opened on a computer screen.</p> <p>Replacement of Records Management System - As a further issue, it should be noted that the court has recently upgraded its internal records management system (RecFind) in order to support administrative tracking of files. When the DMS is ultimately implemented, it is recommended that the records management function be merged into the DMS to avoid duplication of data, consolidation of Court file information and to minimise infrastructure requirements.</p>
Email Management	<p>Emails should not be accepted into Casetrack as discrete files. Rather the eCourtroom facility should be used in place of email. In this way, eCourtroom can be used to view exchanges of information between the parties and the Court, for example.</p>
eLodgement	<p>Document Stamping - The Court's strategy with respect to stamping filed documents should be formalised. For example, is it intended that the Court continue to use an electronic image of the physical "rubber" stamp, or is it intended, instead, to simply record the File ID and time and date of filing on the document before it is returned to the filer for service?</p> <p>Document Format - The Court should determine a strategy for the format in which documents will be accepted. For example, the Court may only accept documents in a PDF format. There are a number of advantages in using PDF, one of the main advantages being that the integrity between hard copy documents and the electronic document is preserved.</p> <p>Information for Casetrack - The Court should determine which information may be automatically inserted into Casetrack, and which information needs to first be checked by a registry officer.</p> <p>Forms – The Court should consider its existing forms and how these might be converted to useable online forms.</p> <p>Marketing, Training, Help Desk - The Court should consider its marketing, training and Help Desk support strategy in relation to eLodgement. Based on its experience with eFiling to date, the Court has found that eLodgement needs to be marketed, if uptake among the legal profession is to be expected. The Court has ascertained that marketing and training tend to go "hand in hand" – once lawyers know how to use the system, they tend to overcome their barrier to utilising this "new" system.</p>
Online Searching (eSearching)	<p>The main strategy that the Court needs to determine with respect to online searching, is which information each type of user can view. It will be important that this is determined early and that the security levels on the Court system are set up to reflect the determined strategy.</p> <p>The Court's infrastructure needs to remain compatible with the Court's longer term eSearching strategy to accommodate any future models, once these have been determined.</p>
Document Generation (eDocs)	<p>The process of document generation is explained in section 4.3.3. A lot of consideration will need to be placed into what forms are going to be made available for online completion. Similarly, the Court may decide to provide law firms with templates so that documents may be submitted electronically to the Court and information marked up within those documents will be automatically processed.</p>
eCourtroom	<p>The eCourtroom system will replace the Court's existing eForum system. It will also replace email for electronic correspondence between the Court and</p>

	<p>parties. eCourtroom should tightly integrate with Casetrack through the interface. The system should be compatible with the Court's preferred standards. User views will depend on access rights at the database level.</p>
eListing	<p>The eListing system will enable users to state their availability for matters utilising online court calendars. The Court will need to make some policy decisions regarding the information that users can see within the eListing system. However, it is intended that the eListing system is a "request for date" system only, and users will never be able to see a judge's diary.</p>
eTrials / eAppeals	<p>It is important that the Court continues to set Document Identifier standards, either by way of Practice Note 17 (as amended from time to time) or some other instrument, and that a Document Identifier for a document stays with that document for the duration of its existence within the Court. For example, the Document Identifier will not change from eTrial to eAppeal.</p> <p>The format in which documents are saved in eTrial and eAppeals must be compatible with the DMS and also with the CaseTrack data models. This will ensure consistency across systems.</p> <p>The Court may decide upon an appropriate electronic eCourt-Book and eAppeal-Book solution that must be used by parties appearing before the Court in such matters. Such systems should be web based systems in order to minimise training issues and also to allow such systems to be hosted, if required.</p> <p>For eAppeals, information must be in electronic format at the eTrial level or information will be required to be converted to a digital format.</p> <p>Ultimately, the Court should have policies, procedures and standards in place that will enable the automatic compilation of appeal record books to occur¹⁰.</p>
eTranscript	<p>It is desirable that the Court retain an electronic transcript repository that will ultimately provide users with access to such transcripts. An online payment facility would necessarily be required, should the Court (or its contractor) continue to charge for provision of transcript.</p> <p>The document structure must be compatible with the DMS and Casetrack. Further, transcript is well suited to being produced a "marked up" format to enable useful lists such as Exhibit Lists and Witness Lists to be compiled directly from the transcript itself. However, the marks must be placed in the transcript at the time of its creation, and it is important that the Court's transcript contractor prepares the transcript in the required, consistent format.</p> <p>Transcript should be able to continue to be used with the Court's transcript analysis tools. In addition to this, transcript should be available to legal practitioners in a variety of formats to cater for various tools available on the marketplace (formats may include ASCII text, PDF, Word, XML).</p> <p>The Court should also consider the use of audio and video transcript – it is now possible to link the text of the transcript to the original audio or video recording of the proceedings. This should be considered when setting any standards for transcript.</p>
eJudgments	<p>It is important that the Court retains a repository of its own judgments, in electronic format. This is required not only to allow the Court's judgments to be obtained efficiently, but also to ensure that parties may obtain judgments in matters in which they are involved.</p>

¹⁰ Refer to the Final Report to the Council of Chief Justices on Electronic Appeal Books (copy available from the authors upon request)

	<p>When storing judgments, it is important to consider:</p> <ul style="list-style-type: none"> • That the document structure should be compatible with the Document Management System and Casetrack; • Into which category of judgment the document might fall; • That there be linkages to the eDocs facility; and • Document format (eg Word, PDF, XML – ideally judgments should be stored in a way that will enable any format to be produced at the touch of a button). <p>Finally, judgments are capable of being “marked up” in the same way as transcripts. This gives the documents much more power in that software tools can be used to automatically extract marked up information such as “case name”, “judgment date” and “judge”. Use of tools to create eAppeal-Books automatically becomes possible if documents are properly marked up.</p>
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5.1.2.3 Establish Standards

To ensure that information is received, stored and retrieved consistently, it is **recommended** that the Court establish and document its standards in relation to:

STANDARD	DESCRIPTION
Data Models	<p>The Court should develop an information management foundation to support application integration and data consistency across core systems. For example, the File ID should be consistent across all systems.</p> <p>This will involve a metadata model that contains the key common elements across all systems and will provide guidance to ensure that common data contained in multiple systems is captured in a consistent way in order to facilitate automatic linkages between systems.</p> <p>The Data Dictionary for Casetrack will provide a default framework and the key fields that will need to be consistent (file type, length etc) across multiple systems are likely to be:</p> <ul style="list-style-type: none"> • File ID; • Document ID; • Event ID; • Party ID; and • Legal Representative ID.
Preferred Document File Type	This might be PDF, for example.
Database Platform	This should be consistent with Casetrack.
Software Development Platform	A recognised and readily supported Software Development Platform should be selected by the Court
Operating System	A recognised and readily supported Operating System should be selected by the Court.
Interface “Look and Feel”	For example, graphics, colours, menu, logos, screen layout, font, style.
Archiving	The Court needs to develop standards for the retention of electronic information, archival strategies and file retention (including email) - document format will be a particularly important issue in this regard.

Protocols for provision of data to the Court	It will be necessary for the Court to establish document management protocols for systems and information repositories that reside outside the CaseTrack environment (such as Case ID, Document ID and document formats).
International standards	International standards for electronic legal documents need to be considered and in this regard, the work of LegalXML ¹¹ should be reviewed regularly.

5.1.3 Leverage external alliances with other jurisdictions

There is considerable commonality between the Federal Court requirements, objectives and current systems and those of the Family Court and the Federal Magistrates Court.

In particular, it is anticipated that many of the on-line initiatives outlined in this report could be pursued as a joint initiative with other jurisdictions.

In light of this, it is **recommended** that key court managers and judges continue to work collaboratively with their colleagues in other jurisdictions to address some of the challenges and opportunities identified in this report. This will maximise the potential return on investment across multiple courts through shared infrastructure and common applications and will also minimise the potential for inefficiency through “re-invention” of the wheel.

5.1.4 Test the Broker Delivery Market

The Court currently uses external providers for a range of services – Casetrack from Family Court, Court Forum from Coram Solutions, eFiling from DCT & 90 East for Hosting. In the same way, the Court may decide to outsource many of the systems that will be developed.

It is possible that, the Family Court might provide the necessary services. If it does not, the Court may wish to investigate the use of external Broker/s. First, the Court would need to test the Broker delivery market by issuing a Request for Information (RFI). This will explore the opportunities associated with outsourcing eCourt services and will provide the Court with the background for analysing the brokerage opportunities and to assist with the Court’s strategy in this regard.

The RFI will not bind the Court to any particular Broker, however, it will provide the Court with more valuable insight into the brokerage outsource possibilities and the business and financial ramifications of these potential arrangements.

It will then be possible for the Court to make more informed decisions regarding its strategic directions for outsourcing and potentially this may lead to the release of a Request for Quotation (RFQ) or Request for Tender (RFT).

There are many brokers on the market. Those providing access to the Australian Securities and Investment Commission’s (ASIC) information, by way of analogy, are summarised below. Many of these providers are also servicing the legal market.

- Access Business Information;
- Anstat Property Information;
- Australian Business Research;
- Baycorp Advantage Ltd;
- CITEC CONFIRM;
- D & B (Australia) Pty Ltd;

¹¹ www.legalxml.org

- Hazlett Information Services;
- Lawpoint;
- LEAP Legal Software;
- Legalco;
- National Data Centre Pty Ltd;
- Shelco Searches & Services;
- Stockphone: Telephone Search;_
- TRI-SEARCH Pty Ltd; and_
- Universal Title Searchers.

It may be prudent, at this time, to consider the possibility of including the release of specifications for a billing module to support eLodgment. It is understood that the present billing module used for eFiling is owned by the company that developed the software, and has provided the Court with a licence to use it. It is understood that either party can withdraw by giving one month's notice.

One consideration might be management of user credit facilities. Authentication by use of User IDs and passwords may be required to identify firms and/or people. It will also be important to track payments to the correct account.

Some issues for the Court to contemplate when considering whether to use an Information Broker may include:

- **Exclusivity** – the extent to which the Court should engage one or more providers and the commercial ramifications of this;
- **Brokerage Fees** – the fee structure proposed by external brokers;
- **Software Development** – the extent to which the external agency could develop eCourt services software interfaces;
- **Middleware** – the extent to which “middleware” will be required to interface between external brokers and the court systems and the responsibility for the development of this middleware; and
- **Marketshare** – the extent to which the Court's external clients already have accounts with particular brokers for other services, such as Land Titles searches.

5.1.5 Prepare Budget

The project budget will depend on a number of decisions to be made by the Court. For example, the decision to in-source or out-source some or all of the Court's systems, and the Court's infrastructure strategy, may affect the budget.

The Budget Proposal may include an ROI and a Business Case analysis, however, this is yet to be determined.

5.1.6 Develop the eCourt services concept site

The Court should further develop the concept screens¹² that have already been prepared as part of this project to describe more comprehensively, from a user perspective, how the integrated solution will flow from one environment to another and how it will look and feel generally.

The design should incorporate:

- Graphical framework – web browser based screens;
- Templates Fonts, Look and Feel, Consistent layout, Menu Design; and
- Designs for each actor category (Judge, Lawyers, Litigant, Registry, General Public).

¹² www.elaw.net.au/fedcourtconcept

This “concept site” will provide a prototype component of the technical specifications to be developed for various systems to be developed throughout the project.

5.1.7 IT Infrastructure

Appendix 5 summarises the current application & IT infrastructure for the Court.

It is important to ensure that the Court’s future communication, security, hosting and hardware infrastructure is able to support the eCourt Services and the systems that underpin these services.

The extent to which eCourt services will be delivered directly by the Court, or through external bureau agencies or Internet service providers such as those companies that are currently delivering services for the Court¹³, will need to be addressed as a matter of priority. This will not only drive the future model for software delivery, it will also determine the design of the Court’s own hardware, security, hosting and communications infrastructure. This issue will also relate to the Court’s centralisation or de-centralisation strategies for internal systems and should be considered also alongside the options and requirements for a DMS.

eCourt services must be delivered within a service delivery framework that maximises their uptake particularly by the legal profession. The option to establish an alliance with an external provider is particularly important in so far as the requirements outlined below are concerned:

- Help Desk and Support;
- External User Administration;
- Capacity Planning;
- Marketing, Training and Public Relations; and
- Reliability and Availability of Service.

There is currently a range of possible implementation scenarios available to the Court’s internal information technology management.

A central theme is the option to either centralise or decentralise core systems including email, document management, records management, and file and print services.

While there may be many benefits associated with de-centralised systems, it is **recommended** that, wherever possible, systems should be centralised so that the interface between internal and external delivery of information and functionality can be technically simplified as far as possible. This will also help to minimise implementation and support costs for the on-line services.

For example, if a decentralised document management solution were to be established, it would be more difficult to support seamless publication of court documents that reside in multiple state based repositories to an external Internet client base.

5.1.7.1 Help Desk and Support

External clients will require assistance with the use of eCourt services from time to time and particularly when they first use the systems. The Court does not currently have the human resources necessary to undertake this considerable task for large volumes of potential external clients so it will be necessary to consider options to engage other agencies to perform these tasks for the Court.

¹³ The Family Court of Australia currently provides software development, support and hosting services in relation to Casetrack, [Coram Solutions Pty Ltd](#) is currently hosting and managing the eCourt on-line Forum system. [Creative Digital Technology](#) developed and supports the current eFiling system, the Internet Service Provider, [90 East Pty Ltd](#) is currently hosting both eCourt Forum and the eFiling system.

5.1.7.2 External User Administration

It will be necessary to develop a strategy for the management of external user profiles, contact details, passwords and access levels. This may involve collaboration with agencies such as the law societies, bar associations and/or external brokers.

5.1.7.3 Capacity Planning (for Scalability)

At the outset of each phase of development it will be important to undertake capacity planning to ensure that software applications and the underlying infrastructure is able to handle the anticipated workload without leading to performance degradation. It will also be important to ensure that systems can easily scale up to meet growing or unexpected demand.

5.1.7.4 Marketing, Training & Public Relations

The Court will need to market its eCourt services, as they are released, in order to maximise uptake in the market. It will also need to develop training strategies designed to cater for non-technical users. Once again, it may be necessary to liaise with external agencies to deliver these services and to assist with public relations.

It is very likely that 80% of the Court's workload comes from 20% of all clients. Significant increases in on-line productivity and take up may be possible if the high volume organisations are targeted directly perhaps even with customised solutions where this can be cost justified.

5.1.7.5 Reliability and Availability of Service

The Court does not currently operate around a 24hours x 7 day paradigm however, when eCourt services begin to replace some of the Court's traditional business operations, and as external clients become more dependent on the services, it will become increasingly important to ensure that the services are always reliable and performing at an acceptable level. It will be necessary to engage a provider with a proven capability in this area.

5.1.8 Document Management System ("DMS")

The Court's Library has already prepared a specification for the Court's DMS. The next step is for the Court to go to market with an RFI, or an RFT in order select an appropriate provider for the DMS.

Once the RFI has been finalised, and a provider determined, the DMS should be implemented and integrated with Casetrack.

5.1.9 eTranscripts

It is understood that the Court's transcription contract is soon due for renewal. As part of the new contract, the new provider should be required to set out how information will be tagged within electronic transcripts. Further, it should be a requirement that all transcripts be provided to the Court electronically.

5.2 Establishment Phase (January 2005 to June 2006)

Within the Establishment Phase, to occur between January 2005 and June 2006, the following projects will be undertaken:

- **Casetrack** - Continued enhancement of Casetrack;
- **IT Infrastructure** – Complete the IT infrastructure implementation;
- **Document Management System** – The DMS is to be implemented, including eTranscripts and eJudgments;
- **eDocuments** – The capability for the Court and external parties to generate documents to be implemented;
- **“Portal” and Client Administration** – The solution for external clients (*myFiles*) to be implemented;
- **eSearching** – Level 2 to be implemented;
- **eLodgement** – Staged rollout of eLodgement to commence;
- **eTranscripts** – eTranscripts should be made available for users via the Portal; and
- **eJudgments** – Judgments presently made available via the Court’s website should be made available via the Portal.

5.2.1 Casetrack

Ongoing enhancements of Casetrack will be ongoing throughout the Establishment Phase.

5.2.2 IT Infrastructure

Infrastructure will continue to be deployed throughout the Establishment Phase.

5.2.3 Document Management System (“DMS”)

During the Establishment Phase, the DMS will be implemented. As part of the DMS, eTranscripts and eJudgments will be stored and will be able to be searched for and retrieved.

5.2.4 eDocuments

The capability for the Court and external parties to generate documents is to be implemented. First, however, the Court needs to consider the types of forms that it will make available for automatic generation (refer to section 4.3.3).

5.2.5 “Portal” and External Client Administration

External users will be able to logon to the system and will be able to retrieve details of their cases (*myFiles*).

5.2.6 eSearching

During the Establishment Phase, Level 2 eSearching will be implemented. Level 2 will allow users to see documents that have been filed electronically (and only those documents that the user has rights to access).

5.2.7 eLodgement - Automation of Registry Processes and Integration with Casetrack

The following functional enhancements need to be implemented within the eLodgement system:

- Automate stamping of Filed Documents (currently this is a manually intensive process for registry staff; it will be important to resolve the stamping policy (one or multiple stamps) first;
- Automate saving of File to a Directory;
- Automate registration of document in Casetrack – link to a directory containing the document (first phase); and
- Automate capture of attachment within DMS.

5.2.8 eTranscripts

Transcripts will be available for download via the Portal. A fee may be charged for access to transcripts. Transcripts may be downloadable in a variety of document formats.

5.2.9 eJudgments

Judgments will be available for download via the Portal.

5.3 Consolidation Phase (July 2006 to June 2007)

During the Consolidation Phase, which is to occur between July 2006 and June 2007, the following projects will be undertaken:

- **eCourtroom** – The eCourtroom system to be selected, integrated with Casetrack and implemented;
- **eLodgement** – The eLodgement rollout is to be completed; and
- **eTrial / eAppeal** – An eTrial and/or eAppeal system to be selected and implemented.

5.3.1 eCourtroom

The current technology behind the current eCourt forum service will need to be replaced at some stage in the near future because:

- The product has been implemented to provide only a very small subset of the functionality that is generally available in on-line discussion forums (eg. ability to sort by author, by date, by discussion thread);
- The product is unlikely to be strongly supported by the supplier for the foreseeable future because it has been superseded in their product offerings;
- As at December 2003, the Court is the only Australian court using the product; and
- The Court does not have appropriate documentation in place regarding information custodianship, access to source code, escrow arrangements or software licencing.

It will therefore be necessary to undertake the following tasks in order to ensure that eCourt Forum functionality can be embedded within the integrated solution:

- Define requirements in the form of a functional specification;
- Incorporate within the functional requirements the specification for integration between eCourtroom dialogue and Casetrack to clearly identify data inter-relationships and screen design; and
- Evaluate product options and select preferred solution.

5.3.2 eLodgement

eLodgement will be fully integrated with Casetrack. Documents will be filed electronically and information contained within documents, or filed along with the documents (eg data entered directly onto a website) will be entered directly into Casetrack.

5.3.3 eTrial / eAppeal

An eTrial and/or eAppeal solution will be selected and implemented by the Court, as described earlier in this report.

6 The Timetable

The timetable has been set out as a Project Plan, using MS Project software. A soft copy of the Project Plan will be made available to the eCourt project manager, so that the timetable may be constantly monitored. The Project Plan itself will change, as requirements are confirmed, and external providers selected. Although contingencies have been identified, others may occur that may affect the baseline.

This initial timetable, developed in consultation with the Focus Group, is set out in Appendix 6.

Appendix 1 : The eCourt Focus Group

Members of the eCourt Focus Group are:

- Phillip Kellow, Deputy Registrar;
- Prabha Kutty, eCourt Project Manager;
- Tony Lansdell, Casetrack Project Manager and Strategic Consultant to Courts;
- Graham Harrison, Director, Technology Services;
- Jean-Noel Nicolas, Assistant Director, IT Services; and
- Rudy De Vos, Network/Operation Manager.

Appendix 2 : Concept Screens

The Concept Screens are available at www.elaw.net.au/fedcourtconcept and are set out on the following pages.

Appendix 3 : eSearch Information for Level 1 Release

RECORD	FIELD	CASETRACK EXAMPLE	VIEWED ON FEDCAMs? Y/N	RECOMMEND Y/N	COMMENTS
NAME	Name	Belinda Given	Y	*Y (for legal reps, law firms and parties)	<p>In Casetrack, at this level, records under 'Name' covers everyone recorded on system, and besides the parties, includes legal reps, court staff and judges.</p> <p>Deceased Indigenous person's name, for cultural reasons, may need to be hidden. One consequence, if hidden, is that if the name needs to be viewed e.g. for a bankruptcy search, it will not show up. Recommendation on this issue to be decided.</p> <p>Name not to appear where there is a suppression order. Or where Sec 91X of the Migration Act 1958 applies. To address this Casetrack team proposes to either end date the client's actual name or, with enhanced functionality, delete it so the name will not show up in a public search. The real name of the client can still be entered in the free text box 'Display Title' field that also does not show up during a search.</p>
	Alias	Betty Given	N	Y	On FEDCAMs search can be done by alias if known.
	Ethnicity	Angolan	N	N	<p>Casetrack has a comprehensive list of ethnicity types. This data is primarily used by FCOA, for statistical purposes.</p> <p>Suggestion that this be N/A instead of 'N'. However, as this field does appear on Casetrack and may be populated, it would be preferable to insert 'N' instead of N/A.</p>
	Date of Birth	12 June 1949	N	N	Suggestion that this be N/A instead of 'N'. However, as this field does appear on Casetrack and may be

RECORD	FIELD	CASETRACK EXAMPLE	VIEWED ON FEDCAMS? Y/N	RECOMMEND Y/N	COMMENTS
					populated, it would be preferable to insert 'N' instead of N/A.
	Country	Angola	N	N	Suggestion that this be N/A instead of 'N'. However, as this field does appear on Casetrack and may be populated, it would be preferable to insert 'N' instead of N/A.
	Address	12 Old Street Hay –2711	Y – if legal representative or L.I.P.- to the extent that this information has been provided	N	Judges' Working Party has confirmed that address is not to be displayed.
	Party Type	Individual	N/A	Y	Casetrack has a comprehensive list of party types including Individual, Law firm, Council, Government etc.
	Role Type	Client	N/A	N	The list of Role Types on Casetrack includes Judge, Registrar, Court Officer, Client Service Manager etc. This is primarily for internal use only and should not be made available to the public.
	Descriptor Notes	'Angolan interpreter required'.	Y (On remarks field)	N	<p>Comments entered in the 'Remarks' field on FEDCAMS appear during public searches, as there is no feature on FEDCAMS to hide these comments.</p> <p>The Descriptor notes are primarily for internal administrative purposes. While descriptor notes may be basic administrative information such as wheel chair access, it could also include detailed Case Notes as well. There is no functionality on the system to restrict viewing to some but not other descriptor notes.</p>
FILE	File number	(P)NSD71/2003	Y	Y	
	File Title	Given V National Australia Bank	Y	Y	

RECORD	FIELD	CASETRACK EXAMPLE	VIEWED ON FEDCAMs? Y/N	RECOMMEND Y/N	COMMENTS
	Registration Lodgment date	03 March 2003	Y	Y	
	Parties to the File	Applicant- Given, Belinda Respondent- National Australia Bank Legal Rep Applicant – Fine, Peter	Y	Y	In Casetrack, Parties to File field also includes Legal Representative. We have requested additional functionality to manage the representation of multiple parties to a case.
	File location	Current location NSW Registry	N	N	There is provision, as in RECFIND, to have multiple locations programmed in the system.
	Descriptor Notes	'Security' Security Contact Maribyrnong Detention Centre – Tel 12345678 (Also provision for Case Summary Notes to be entered)	Y	N	These notes on FEDCAMs appear during public searches, as there is no feature on FEDCAMs to hide these comments. The Descriptor notes are primarily for internal administrative purposes. While descriptor notes may be basic administrative information such as wheel chair access, it could also include detailed Case Notes as well. There is no functionality on the system to restrict viewing to some but not other descriptor notes.
	Comments	.'no further docs to be accepted from applicant without leave of Court'.	Y (On remarks field)	N	Freeform text that applies at that level to File. These notes are for internal administrative purposes. Recommend that this information not be displayed in public access. Comments entered in the 'Remarks' field on FEDCAMs appear during public searches because there is no feature on FEDCAMs to hide these comments.
CAUSE of ACTION	CoA ID	D-BANK	N/A	N	There is a unique ID code for each type of CoA, including Corporations, Migration etc.

RECORD	FIELD	CASETRACK EXAMPLE	VIEWED ON FEDCAMS? Y/N	RECOMMEND Y/N	COMMENTS
	Description	Bankruptcy	Y	Y	
	Category	Permission to travel	Y	Y	In FEDCAMS sub-category is revealed by way of Section of Act entered.
	Source	AAT	Y	Y	Additional fields specific to Federal Court that is being developed.
	Act		Y	Y	Additional fields specific to Federal Court that is being developed
	Section		Y	Y	Additional fields specific to Federal Court that is being developed
	Lead Cases	Y/N	Y	Y	Additional fields specific to Federal Court that is being developed
	Test Cases	Y/N	Y	Y	Additional fields specific to Federal Court that is being developed
	Associated Cases	Y/N	Y	Y	Additional fields specific to Federal Court that is being developed
	Specific Information on CoA	Date of Act of Bankruptcy; Petition Expiry Date	Y	Y	Casetrack will also capture additional information that is specific to the relevant type of CoA. E.g. Bankruptcy, Native Title, Admiralty etc.
	Title	Bkptcy action filed by Given	Y	Y	
	Parties	Applicant- Given, Belinda Respondent- National Australia Bank Legal Rep Applicant – Fine, Peter	Y	Y	
	Descriptor Notes	Provision for Additional Case and Descriptor Notes	N	N	These notes on FEDCAMS appear during public searches, as there is no feature on FEDCAMS to hide these comments. The Descriptor notes are primarily for internal

RECORD	FIELD	CASETRACK EXAMPLE	VIEWED ON FEDCAMS? Y/N	RECOMMEND Y/N	COMMENTS
					administrative purposes. While descriptor notes may be basic administrative information such as wheel chair access, it could also include detailed Case Notes as well. There is no functionality on the system to restrict viewing to some but not other descriptor notes.
	Comments	Provision for additional comments on COA	Y (On remarks field)	N	'As Above'
*EVENT					*See also separate Events Table that details specific Events that contain additional information.
	Process ID	D-HEAR	N/A	N	Federal Court can establish specific processes to reflect the events that occur throughout the Case management pathway
	Description	Hold Hearing	N/A	Y	Shows the chronology of events
	Reason for Listing	Notice of Motion		Y	Enhancement that is not yet available but will be required to give meaning to Events in that Daily List is divided up into Reasons for Listing such as directions, hearing, motion, etc.
	Start-End date	12 June 2003 to 30 June 2003	N	Y	NOTE: Multiple-date hearings are represented by multiple event lines.
	Resources	Courtroom 23	N	N	Additional resources include Exhibits Room, Video Conferencing facilities, Holding Cell etc.
	Parties	Respondent – National Bank	N	N	List of parties is effectively the same as list of parties to CoA.
	Measurement	N/A	N/A	N/A	Not in Use
	Location	Level 16 Law Courts Building Sydney	N	N	
	Descriptor Notes	Provision for additional	N	N	These notes on FEDCAMS appear during public searches, as there is no feature on FEDCAMS to

RECORD	FIELD	CASETRACK EXAMPLE	VIEWED ON FEDCAMS? Y/N	RECOMMEND Y/N	COMMENTS
		Descriptor Notes			hide these comments. The Descriptor notes are primarily for internal administrative purposes. While descriptor notes may be basic administrative information such as wheel chair access, it could also include detailed Case Notes as well. There is no functionality on the system to restrict viewing to some but not other descriptor notes.
	Comments	'fees for mediation apportioned' between parties'.	Y (On remarks field)	N	Additional Event related comments. These notes on FEDCAMS appear during public searches, as there is no feature on FEDCAMS to hide these comments.
DOCUMENT	Documents ID	D-SUB	N	N	There is a unique ID code for each type of document.
	Description of Document Type	Affidavit	N	*Y	Separate description by document type. * Description will be restricted to document type and party who filed the document e.g. Affidavit filed by applicant – B. Given. Additional details such as the 'Name of the Deponent' will not be displayed. Casetrack team proposes to include functionality to suppress details of the document where such order has been made by the judge. If this is not feasible, the entire file details would need to be suppressed and the user prompted with a message to contact the Registry for further information
	Details of Order/other documents	Order	N	N	In Casetrack there is capacity to see actual Word document itself. Recommendation - not be available for viewing in public access. In the long

RECORD	FIELD	CASETRACK EXAMPLE	VIEWED ON FEDCAMs? Y/N	RECOMMEND Y/N	COMMENTS
					term, when functionality permits, recommendation is that it be viewed by parties to the case only
	Additional details	Name of deponent	N	N	For all documents filed or produced by the Court, Casetrack provides the facility to capture additional information per document, such as name of deponent to the affidavit and date sworn.

SPECIFIC EVENTS

EVENT TYPE	INFORMATION PROVIDED	CASETRACK EXAMPLE	VIEWED ON FEDCAMs? Y/N	PUBLIC ACCESS – TEAM OPINION Y/N	COMMENTS
Collect Fee	Fee Type	Notice of Motion	Y	N	This event (s) relate to the specific CoA for such events as lodging of certain documents, setting down fees and hearing fees.
	Amount	\$282.00	N	N	
	Who paid	Joe Citizen	N	N	
	How Paid	Cash	N/A	N	
	ID Code for Registry	NSW 434163 –New South Wales	N/A	N	
	Officer processing the transaction	BEL434223 - Beling	Y	N	
	Receipt Number	2448	Y	N	
Hold Hearing	Dates of hearing	28 Mar 2003 – 4 Apr 2003	Y	Y	This information is captured about any hold event.
	Reason for Listing	Notice of Motion		Y	Enhancement that is not yet available but will be required to give meaning to Events in that Daily List is divided up into Reasons for Listing such as directions, hearing, motion, etc.
	Resources	Courtroom 23	Y	Y	
	Judge	Justice Wilcox	Y	Y	

EVENT TYPE	INFORMATION PROVIDED	CASETRACK EXAMPLE	VIEWED ON FEDCAMs? Y/N	PUBLIC ACCESS – TEAM OPINION Y/N	COMMENTS
	Details of Parties who attended	Peter Fine – Legal Rep of Applicant. Blue Drew – Legal Rep of Respondent	N	N	Details of parties who attended will not be displayed, as this information will most likely be incomplete and therefore inaccurate.
	Outcome	Adjourned for further directions	Y (limited information)	N	Judges' Working Party has confirmed that an outcome detail is not to be displayed.
Make Orders	Order Type	D-BANK	N/A	N	There can be many Make Order events in relation to a particular CoA. Also, one Make Order event can contain many specific Orders as made by the Judicial Officers.
	Decision Type Code and Description	D-BANKOO3	N/A & Y (Cryptic)	N	In FEDCAMs decision is usually in cryptic form e.g. Adjourned.
	Decision Description	Time Table Directions	N/A	N	Agreed with DRs that this information not be displayed.
	Order Drawn Date	8 Apr 2003	N/A	Y	Casetrack also includes facility for the viewing, printing and saving of orders and other documents.
	Order Text	The matter be adjourned to 23 April 2003 for a Directions Hearing before Justice Wilcox	N	Y	Complete Orders text will be in the Word document.
	Details of parties who received Order	Applicant, Legal Representative of respondent	N	N	

Source : "Initial Design, Federal Court of Australia, Casetrack Public Access version 0.3 07/10/03. Authors T. Lansdell & P Kutty."

Appendix 4 : The File ID within Casetrack

The following information has been sourced from the Casetrack implementation team.

The Casetrack File Number includes a three digit Registry prefix preceded by the letter **(P)**.

For example files in Victoria will be **(P)VID 1234/2004**.

(P) means "Permanent file" (Casetrack allows different categories such as "T"emporary however it is envisaged that only "P" will be used by the Federal Court

VI -identifies the State for FCA (within the Federal Magistrates Court these two characters represent the Capital City)

D - Federal Court identifier within the system

This is described more fully in the table below.

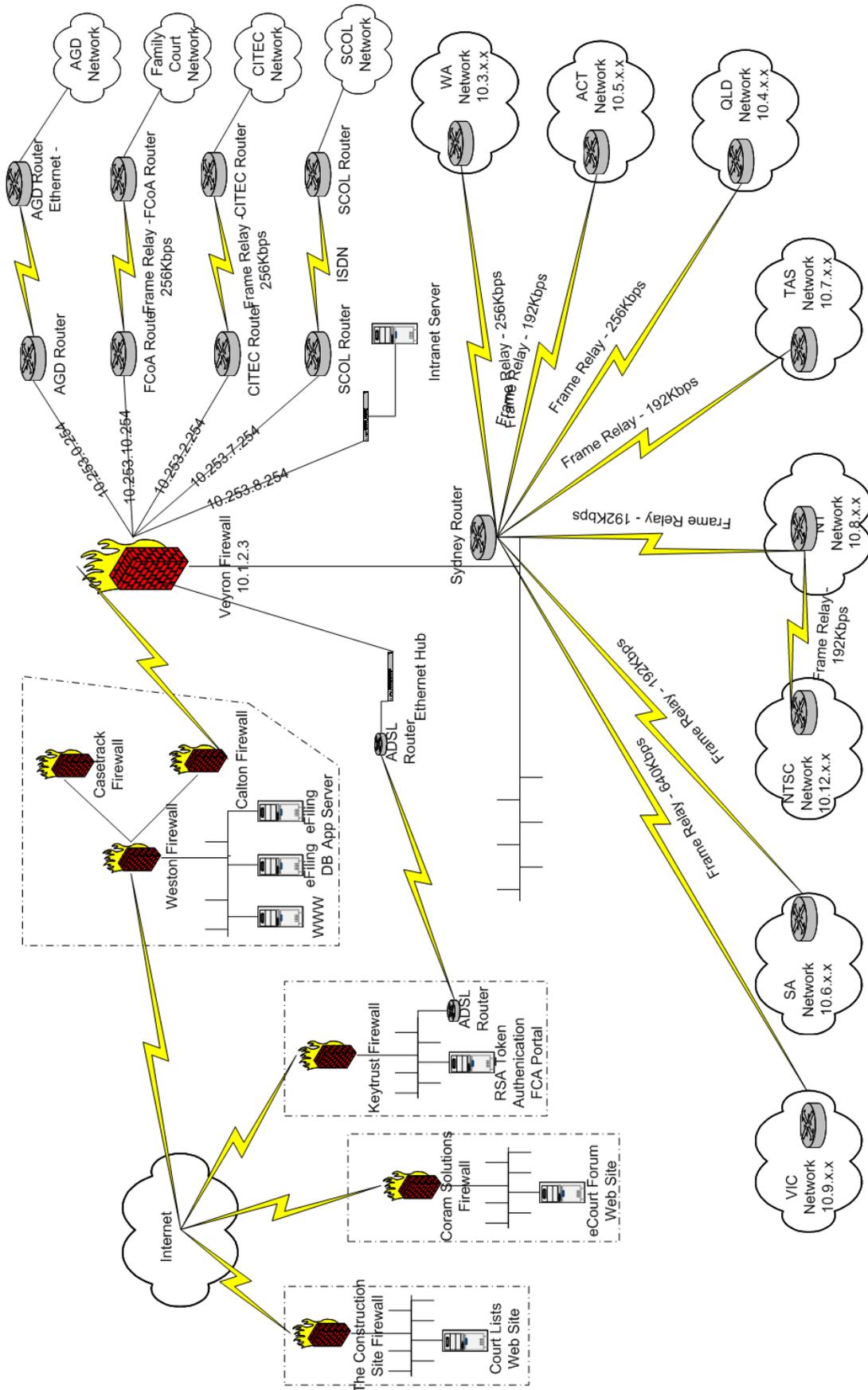
Registry	Federal Court	Federal Magistrates Court
Australian Capital Territory	ACD nnnn/yyyy	CAG nnnn/yyyy
New South Wales	NSD nnnn/yyyy	SYG nnnn/yyyy
Northern Territory	NTD nnnn/yyyy	DNG nnnn/yyyy
Queensland	QUD nnnn/yyyy	BRG nnnn/yyyy
South Australia	SAD nnnn/yyyy	ADG nnnn/yyyy
Tasmania	TAD nnnn/yyyy	LNG nnnn/yyyy
Victoria	VID nnnn/yyyy	MLG nnnn/yyyy
Western Australia	WAD nnnn/yyyy	PEG nnnn/yyyy

From the 1st January or the 'go live' date in Registries (whichever is the latter) all documents filed, letters, notices and orders issued should use the new Casetrack format.

In most cases, Casetrack will automatically populate the prefix based on the user location.

For eSearching (level 1), the entry of the (P) will be optional. So, whether the (P) is entered or not the file information will be retrieved by the system.

Appendix 5 : Current IT Infrastructure



Appendix 6 : Timetable

The Project Plan (timetable) is set out on the following pages.