

The Republic of the Marshall Islands Judiciary
REQUEST FOR INFORMATION
E-filing System and Case Management System

1 Introduction

Notice is hereby given that the Republic of the Marshall Islands Judiciary is seeking Information and qualifications from firms interested in providing an e-filing system and case management system (CMS) that supports the Judiciary, and related justice organizations with court-related information. A SaaS/cloud-based solution is preferred.

The purpose of this Request for Information (RFI) is to:

1. Identify vendors, their products and services that can provide an e-filing system and CMS for the Judiciary of the Republic of the Marshall Islands via a SaaS/cloud-based solution.
2. Provide general costs estimates, including general pricing structure with a breakdown of standard initial costs, contractual hourly rates, and optional service/maintenance costs. The intent of this RFI is to obtain information on the range of cost estimates to provide the Judiciary with an estimate of the costs through implementation. Pricing will not be considered binding.

The Judiciary of the Marshall Islands is open to all ideas from the vendor community about how to best meet its goal to supplement existing systems.

Information received from respondents will be reviewed and applicable information will be used to develop a Request for Proposal, or the Judiciary may decide to proceed directly with the proposing vendor to implement an e-filing system and CMS.

2 RFI Process

2.1 RFI Schedule of Events

- RFI Issued March 14, 2017
- Deadline for receipt of questions related to the RFI: March 31, 2017
- Deadline for registering to receive e-mailed updates: March 31, 2017
- Answers to questions distributed by the NCSC by e-mail: April 7, 2017
- Deadline for RFI responses: April 14, 2017. Early submissions are encouraged.

2.2 Pre-Response Discussion

The main contact point for this RFI is:

John Matthias, Project Director, National Center for State Courts
303-308-4350 (direct line in Denver)
303-549-3789 (mobile)
jmatthias@ncsc.org

Pre-response discussion will be available by telephone or via email correspondence. This is not a formal procurement. Vendors are encouraged to submit questions by email, and they will be answered individually. To ensure that interested parties have the same information, answers to

questions received by close of business March 31, will be e-mailed by blind copy (bcc:) on April 7 to interested parties who register by e-mail to receive this information.

2.1 Electronic Posting of RFI

This RFI, along with amendments (if any) and additional information, will be posted on the following website: www.rmicourts.org.

Vendors are encouraged to check that website periodically for updates related to this RFI before the RFI responses are due, though they are encouraged to register to receive email updates.

2.2 Submission of Responses

Vendors must submit one copy of their response by email to the project director, with a copy to Chief Justice Carl Ingram, High Court, Judiciary of the Republic of the Marshall Islands, at carl.b.ingram@gmail.com. Responses for the "Estimated Costs" must be in Excel. Responses will not be read publicly at the opening.

2.3 Disclosure of Response Contents

All responses and other material submitted become the property of the Judiciary of the Marshall Islands and may be returned only at the Judiciary's option.

Vendors may make a written request that trade secrets and other proprietary data contained in responses be held confidential. Material considered confidential by the vendor must be clearly identified, and the vendor must include a brief statement that sets out the reasons for confidentiality.

3 Background Information

The Republic of the Marshall Islands Judiciary (the Judiciary) is seeking a cost-effective e-filing system and case management system that support the Judiciary that promotes access to justice and internal efficiency.

The Judiciary's strategic goals include being transparent, accessible, and responsive. They understand that if they adopt a case management system that makes case files and information more readily available to the public, and an integrated platform for e-filing, they will achieve greater transparency, accessibility, and responsiveness---and in turn, enhanced public trust and confidence.

The Judiciary will consider RFI responses to provide an off-the-shelf e-filing system and court case management system (CMS). A SaaS/cloud-based solution is preferred.

One of the concerns of the Judiciary is that the Republic of the Marshall Islands is a very small jurisdiction, and the Judiciary has very limited resources to acquire and maintain the systems described in this RFI.

A Requests for Proposals (RFPs) may follow this RFI, or the Judiciary may proceed with the vendor that presents the best RFI response.

3.1 The Judiciary's Courts and Personnel

The Marshall Islands Constitution vests the country's judicial power in an independent judiciary. The Marshall Islands Judiciary includes a supreme court, high court, traditional rights court, district court, and community courts as well as a judicial service commission and court staff. The Judiciary officially commenced operation on March 3, 1982.

The Judiciary's website is rmicourts.org. Here is a brief summary of the courts:

3.1.1 Supreme Court

The Supreme Court has appellate jurisdiction with final authority to adjudicate all cases and controversies properly brought before it in its original jurisdiction, and from a final decision of the High Court in the exercise of its discretionary appellate jurisdiction if the case involves a substantial question of law as to the interpretation or effect of the Constitution. The Supreme Court consists of a chief justice and two associate justices. The current chief justice, Daniel N. Cadra, is a United States expatriate appointed to a 10-year term in September 2013. Generally, associate justices have been pro tem judges from other jurisdictions, e.g., the United States Ninth Circuit Court of Appeals, the United States Federal District Court in Hawaii, the Republic of Palau, the Commonwealth of the Northern Mariana Islands, and Canada.

3.1.2 High Court

The High Court is a superior court of record having general jurisdiction over controversies of law and fact in the Marshall Islands. The High Court has original jurisdiction over all cases properly filed with it, appellate jurisdiction over cases originally filed in subordinate courts, and, unless otherwise provided by law, jurisdiction to review the legality of any final decision of a government agency. The High Court currently consists of a chief justice and one associate justice: Chief Justice Carl B. Ingram; and Associate Justice Colin R. Winchester. Chief Justice Ingram was re-appointed to a ten-year term commencing in October 2013.

3.1.3 Traditional Rights Court

The Traditional Rights Court ("TRC") is a special-jurisdiction court of record consisting of three or more judges appointed for terms of four to ten years and selected to include a fair representation of all classes of land rights or other legal interests depending wholly or partly on customary law and traditional practices. The current TRC includes Chief Judge Walter K. Elbon, Associate Judge Nixon David, and Associate Judge Grace L. Leban. All are lay judges who receive specialized training. Customary law questions certified by the High Court are decided by the TRC panel and reported back to the High Court.

3.1.4 District Court

The District Court is a limited-jurisdiction court of record. The District Court has original jurisdiction concurrent with the High Court in civil cases where the amount claimed or the value of the property involved does not exceed \$10,000, and in criminal cases involving offenses for which the maximum penalty does not exceed a fine of \$4,000 or imprisonment for a term of less than three years, or both. The District Court also has appellate jurisdiction to review any decision of a Community Court. It consists of a presiding judge and two associate judges appointed for 10-year terms: Presiding Judge Milton Zackios; Associate Judge Ablos Tarry Paul; and Associate Judge Davidson Tregar Jajo. The current District Court judges are lay judges who receive specialized training.

3.1.5 Community Courts

A Community Court is a limited-jurisdiction court of record for a local government area, of which there are 24. A Community Court has original jurisdiction concurrent with the High Court and the District Court within its local government area in all civil cases where the amount claimed or the value of the property involved does not exceed \$1,000, and in all criminal cases involving offenses for which the maximum penalty does not exceed a fine of \$400 or imprisonment for a term not exceeding six months, or both. Each Community Court consists of a presiding judge and such number of associate judges, if any, as the Judicial Service Commission may appoint.

3.2 Current and Potential Use of Court Technology

Currently, the Judiciary posts on their web site the court calendar for cases before the Supreme Court, the High Court, and the Traditional Rights Court. These courts, however, are not high volume courts.

The District Court is their high-volume court with traffic, misdemeanor, and small claims cases. District Court's cases have proven to be too numerous to schedule on their web site. They do, however, maintain at the Majuro Courthouse a computer monitor mounted outside upon which they can display the District Court's cases for the day.

They also maintain digital audio-recordings of proceedings before the four courts, and they make copies of the recordings available upon request for a nominal fee. They have not placed the recordings on their website, but they could do so for cases of public interest.

Currently the courts keep track of their cases on Excel spreadsheets. From time to time, they make excerpts of their Excel indices available upon request (e.g., to counsel, the local newspaper, and NGOs) at no charge. They would consider making copies of their indices available on their web site, if they could ensure their security.

Scanning the case files and making them available online is also something they have considered. But as with the indices, they have security concerns. To date, they have only scanned a few years of old civil cases. They also are scanning domestic violence cases and gender-based criminal cases for an NGO reporting on domestic violence in the Pacific. Scanning is very time consuming. They may need to hire more staff to get the job done. If they make scanned copies of cases available online, they are considering charging for access to this information.

Currently, they allow attorneys to file pdf documents as email attachments. That seems to satisfy the attorneys. However, e-filing can enhance accessibility as well as efficiency, and NGOs are pushing the Judiciary in that direction. E-filing may be appropriate for cases before the Supreme Court and High Court where counsel are off-island attorneys (e.g., maritime cases, enforcement of foreign judgment, and cases involving non-resident corporations). One business model is that parties in these cases will be willing to pay for e-filing. The parties to smaller cases may not be able or willing to pay for e-filing or even to e-file.

Separately from case management programs and e-filing, the Judiciary has a need to back up their files off-island, possibly in the cloud. Currently they use external drives but keep the backups on island. However, to ensure continuity of operation, they need to place a copy of their files off-island.

With these IT options come security and privacy concerns. The Judiciary's web site has been hacked in the past. They were able to recover because they had an up-to-date copy of their files on a local hard drive. With any greater use of IT, they know they will have greater exposure to hacking. This is a major concern.

Also, they have privacy concerns. About 75% of their civil cases are domestic matters. It is bad policy to expose personal information to the public. At a minimum, they would want to redact from online files the names of children, financial information, etc. They would not want their files used for identity theft or otherwise misused.

Finally, they recognize their jurisdiction is tiny and that they may not be able to afford the services that larger jurisdictions provide their users. However, there should be small county courts in the United States facing the same issues that they are.

4 Scope of Request for Information

The Judiciary is seeking the following:

- Information regarding an off-the-shelf e-filing system and case management system demonstrating an understanding of the needs of the Judiciary as expressed in this solicitation, using a SaaS/cloud-based solution
- How the proposed solution will satisfy those needs
- Discussion of the overall approach to the management of this effort

The response should include an overview/summary of the proposed technical solution with enough detail to demonstrate an understanding of the current environment and scope of the project.

The response about the proposed solution should include detailed information identified in section 5 Submittals, 6. Proposer Information, and 7. References.

5 Submittals:

Vendors are requested to supply the following information in their response to this RFI for the Judiciary e-filing system and CMS. Please follow this organization when providing the information requested.

A. Company overview

1. Company information, including headquarters, relevant regional or local offices, and contacts
2. Company history

B. Relevant experience

1. With a similar size Judiciary, including lessons learned in these projects that would be relevant to the Marshall Islands Judiciary.

C. Proposed e-filing system and CMS

1. System architecture and technical approach

2. Features and capabilities, including judicial interface, user interface, ad hoc reporting, scheme for data access/ security assignment by role

D. Technical information

1. Technical specifications of any proposed equipment and software, assuming a SaaS/cloud-based solution
2. Detailed explanation of all performance capabilities and specifications
3. Recommended network infrastructure and bandwidth
4. Back up capabilities

E. Implementation services offered

1. Implementation strategy and timeline
2. Project management policies and practices
3. Testing
4. Pilot implementation, if any
5. Training
6. Customer support
7. Ongoing maintenance and support services offered
8. Hardware and software maintenance
9. Ongoing release schedule

F. Description of the business model proposed to support maintenance of the e-filing system and CMS, and an estimate of costs associated with your e-filing and CMS products, including but not limited to:

1. Methods by which this project can be funded through fees
2. Licensing
3. Project management
4. Software modifications
5. 3rd party interfaces
6. Custom programming
7. Upgrades
8. Related costs, including hardware, support, maintenance, training
9. Other services required to purchase, configure, implement, and maintain your e-filing system and CMS.

6 Proposer Information

1. Name and address of office from which this response will be administered:
2. Phone:
3. Fax:
4. Account Manager:
5. Number of Employees:
6. Annual Sales: \$
7. # Years in Business:
8. Website address:
9. Description of your firm, including business organization, scope of operations (local, regional, national), number of locations, types of business activities and services, and other pertinent data

7 References

Three (3) references of previous projects implementing a jurisdiction similar in size, scope, and function to the Judiciary. (Attach additional pages as needed)

Please include:

1. Name of jurisdiction:
2. Address:
3. City, State, Zip Code:
4. Name and Title of Contact Person:
5. Email Address:
6. Telephone Number:
7. Systems recommendation:
8. Description of Services Provided and Final Result:
9. Date of Service: ____/____/____ To ____/____/____

THANK YOU FOR YOUR PARTICIPATION.